

PLANNING COMMITTEE: 16th February 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1133

LOCATION: Land at, 8 Quinton Road

DESCRIPTION: Erection of a detached dwelling

WARD: Nene Valley Ward

APPLICANT: Mr David Corley
AGENT: APC

REFERRED BY: Cllr M Hill
REASON: Overdevelopment and traffic problems

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The development would have no unduly adverse impact on the character and appearance of the area, on the setting of the Wootton Conservation Area or the adjacent listed building, residential amenity or highway safety and would contribute to the Borough's five year housing supply and would therefore comply with Policies S10, H1 and BN5 of the West Northamptonshire Joint Core Strategy Policies H6 and E20 of the Northampton Local Plan and the requirements of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks planning permission for the erection of a detached 5-bed dwelling on land to the side of 8 Quinton Road. A separate vehicular access would be formed to serve the new dwelling with on-site parking provision.

3. SITE DESCRIPTION

3.1 The site is irregular in shape and currently forms part of the garden to 8 Quinton Road, a 1960/70's detached dwelling with attached outbuildings.

3.2 To the west of the site is a Grade II listed building, Clare Cottage, which is also within the Wootton Conservation Area. Trees in the garden of this are adjacent to the boundary with the application

site and indeed overhang this. To the south of the site are residential properties, which are on lower ground to the application site.

4. PLANNING HISTORY

4.1 N/2014/0442 Erection of three detached dwellings withdrawn. June 2014.

N/2014/0772 Erection of two detached dwellings refused. February 2015. Appeal dismissed August 2015.

N/2015/0399 Erection of two bungalows refused. May 2015.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 47 requires Authorities to have a five year housing land supply.

Paragraph 49 advises that housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 50 of the NPPF requires a range of housing types to be provided.

Paragraph 57 requires development to be of a good quality design.

Paragraph 129 requires the significance of any heritage asset affected by development to be identified and assessed.

Paragraphs 131 and 132 advise that account should be taken of the significance of heritage assets and weight should be given to the asset's conservation.

Paragraphs 133 and 134 outline the need to balance the level of harm to a heritage asset with the public benefits of the proposal.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10 Sustainable Development Principles sets out that development will achieve high standards of design and will protect, conserve and enhance the built and natural environment.

Policy H1 Housing Density and Mix and Type of Dwellings encourages housing development to make the most efficient use of land having regard to location and setting of the site; character of the surrounding area; living conditions for residents and residential amenity.

Policy BN5 Historic Environment and Landscape outlines that heritage assets will be conserved and enhanced.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 allows for new development where the character of its surroundings would be respected and adequate standards of privacy, daylight and sunlight being ensured.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Wootton Conservation Area Re-appraisal and Management Plan 2010

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** have no objections following revisions to the scheme.
- 6.2 **NBC Conservation** have concerns regarding the dilution of the open feel of the approach to the conservation area and the impact on the view of the listed building. It is requested that previous arboricultural comments are considered when determining this application.
- 6.3 **Wootton, Wootton Fields and Simpson Manor Parish Council** object due to the impact on the conservation area, adverse impact upon road safety, dwelling not in keeping and will change the street scene, loss of trees and the loss of a stone wall and an overall change to the streetscene and loss of character to the area.
- 6.4 **Councillor M Hill** requested that the application be determined by the Planning Committee due to overdevelopment of the site and potential traffic problems.
- 6.5 **43 letters of objection** received on the following grounds:
 - Impact on road safety (existing busy and problematic road, access close to bend, increase in on-street parking, inadequate access/egress);
 - Contrary to policy;
 - Impact on amenity (overlooking, loss of privacy);
 - Overdevelopment of the site;
 - Damage/loss of trees;
 - Impact on listed building and conservation area;

- Previous refusals on the site;
- Loss of wall;
- Drainage and run-off;
- Impact on the character of the area; and
- Garden grabbing.

7. APPRAISAL

Appeal Decision

- 7.1 Planning permission was previously applied for two dwellings one either side of 8 Quinton Road. This was refused planning permission and the appeal against this refusal subsequently dismissed. The western of these dwellings was sited in a similar position to that currently proposed and with a very similar design. The Inspector's decision in respect of that scheme is therefore a significant material consideration when determining the current application.

Principle

- 7.2 The site is located within a primarily residential area as identified in the Local Plan. Within such an area the principle of residential development is considered broadly acceptable subject to matters of detail being acceptable. The development of a dwelling would contribute, albeit in a small way, towards the Borough's five year housing supply.

Design/Appearance

- 7.3 The dwelling would have a reasonably conventional appearance being approximately 8 metres in height and with 'half' dormer windows to the front elevation. An open porch is proposed to the front elevation which is a 'traditional' feature and the width of the side gable at approximately 7 metres is also considered fairly typical.
- 7.4 There are a variety of house types in the vicinity, including the existing dwelling at 8 Quinton Road and as such it is not considered that the dwelling would appear to be out of keeping with these.

Impact on Conservation Area and Listed Building

- 7.5 The Conservation Officer raises concerns regarding the dilution of the open feel of the approach into the conservation area. However when considering the previous appeal against the refusal of a scheme for two dwellings, one of which was in the same position, the Inspector concluded that the development would not "fail to preserve... the significance of the adjoining Wootton Conservation Area." Given the Inspector's conclusion in this respect it is considered unreasonable to now form a different judgment regarding this.
- 7.6 The Conservation Officer also raises the impact of the dwelling in terms of views to the neighbouring listed building, a matter on which the Inspector was silent. Clare Cottage sits immediately at the back of the pavement with its gable facing onto the road and its main elevation facing east down Quinton Road. When viewing the listed building the new dwelling would be visible as it sits in front of the existing 8 Quinton Road. However it would not encroach in front of Clare Cottage or obscure the views of this. Consequently it is considered that any harm to the setting of the listed building would be less than substantial.

Highways

- 7.7 A significant number of the letters of objection raise concerns regarding road safety. However following revisions to the application and the submission of further information the Highway

Authority do not raise any objections to the application. The Inspector in dismissing the previous appeal did not raise specific issue on highway safety as a result of the development.

- 7.8 The application proposal adequate on-site parking and turning facility and it is not considered that the proposed development would impact on highway safety.

Amenity

- 7.9 Due to the irregular shape of the site the rear of the proposed dwelling would be located between 6 and 15 metres from the boundary of the site with neighbouring properties. It is not considered that there would be an unacceptable relationship with properties to the rear on Brookend due to the separation involved.
- 7.10 There would be some overlooking to part of the garden to Clare Cottage which would be to the side/rear of the dwelling. However given that this is not the main part of the garden being located to the rear of a garage and with tree planting along this boundary it is not considered that this would, on balance, result in sufficient loss of amenity to justify the refusal of planning permission. Due to the separation from Clare Cottage itself it is not considered that there would be undue overshadowing or overbearing.
- 7.11 When considering the issue of amenity the Inspector only had concerns regarding the impact of the other dwelling, and not the one to the west of 8 Quinton Road.

Trees

- 7.12 It has been advised that the arboricultural comments made in respect of the previous planning application are still relevant.
- 7.13 There are a number of trees within and adjacent to the site which need to be considered. Two trees in the garden of the neighbouring property, Clare Cottage, overhang the application site and are classed as being within the conservation area. The proposed dwellings would be within the root protection zone of one of these trees. It is considered that a condition requiring details of foundation design would adequately address this issue. The other tree would be unaffected by the development, although this would cause some shadowing to the rear of the new house. Measures could be imposed during the construction period to provide protection to the trees.
- 7.14 None of the trees to be removed are considered to be worthy of a Tree Preservation Order.

Loss of Stone Wall

- 7.15 Several of the objections received make reference to the loss of a stone wall along the frontage of the plot. A section of the wall will be removed to facilitate the access to the dwelling with a section also reduced in height to provide the required visibility. While this wall is an attractive feature within the streetscene it is outside the conservation area and not listed and as such could be substantially removed without the need for any planning approval.

8. CONCLUSION

- 8.1 It is therefore considered that in the absence of objections from the Highway Authority, the design and appearance of the proposed dwelling and its impact on neighbouring amenity are acceptable, as is the impact upon trees and while there would be harm to the setting of the listed building and an impact upon the setting of the adjacent conservation area this would be less than substantial and on balance outweighed by the contribution towards the five year housing land supply.

9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: N241-20, N241-21, N241-22, N241-30 and N241-100 (version received 1st February 2016).

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional window(s) shall be installed in the proposed development without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy E20 of the Northampton Local Plan.

6. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as details of levels are fundamental to the development.

7. Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as tree retention is a fundamental part of the development.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10. Before development commences a scheme for the foundations of the dwelling where it would encroach into the root protection area of trees to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason: In order to ensure adequate protection of existing trees in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as foundation details are a fundamental part of the development.

11. Before development commences details of tree protection fencing, including positioning, to safeguard those trees to be retained within and adjacent to the application site shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before construction work begins, shall be retained for the duration of construction work and shall be removed thereafter.

Reason: In order to ensure adequate protection of existing trees in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as tree protection details are a fundamental part of the development.

12. The vehicular and pedestrian visibility splays indicated on the approved plans shall be provided before the first occupation of the dwelling hereby permitted and safeguarded thereafter.

Reason: In the interests of road safety to accord with the requirements of the National Planning Policy Framework.

13. The car parking/manoeuvring area shown on the approved plans shall be provided before the first occupation of the dwelling hereby permitted and be available for that purpose thereafter.

Reason: In the interests of road safety to accord with the requirements of the National Planning Policy Framework.

14. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and

approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition as the necessary investigation needs to be carried out before work starts.

10. BACKGROUND PAPERS

10.1 N/2015/1133


11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Land at 8 Quinton Road</p>	<p>Date: 07-12-2015</p> <p>Scale: 1:957</p>
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