



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 15 March 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/1009

**LOCATION:** Home Farm House, Hillcrest Avenue, Northampton, NN3 2AB

**DESCRIPTION:** Conversion of existing dwelling into three dwellings and the erection of two additional dwellings

**WARD:** Parklands Ward

**APPLICANT:** Mr Paul Rumens  
**AGENT:** Barry Waine Planning

**REFERRED BY:** Cllr M Hallam  
**REASON:** Concerns over traffic, parking and overdevelopment of the site.

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed development is complimentary towards the surrounding land uses; is of an acceptable design and would have a neutral impact upon the character and appearance of the surrounding area; and would have a neutral impact upon the highway system. The development is therefore compliant with the requirements of the National Planning Policy Framework; Policies S1, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**2. THE PROPOSAL**

2.1 The applicant seeks full planning permission to erect two new dwellings within the curtilage of an existing dwelling. It is also proposed that the existing dwelling, which predates the development of much of the surrounding area, would be subdivided into three new dwellings. Vehicular access to four of the units would be via a new driveway that would be constructed in Cumberland Close.

### **3. SITE DESCRIPTION**

- 3.1 The application site is located within an existing residential area. The site was originally a farm; however, the surrounding area was developed for residential accommodation as part of the growth of Northampton. The application site has a frontage onto Hillcrest Avenue, whilst Cumberland Close (a short cul-de-sac) is located to the north west of the site.
- 3.2 Planning permission has previously been granted for the erection of three dwellings towards the front of the site, which has been implemented. Access to two of the dwellings is from Hillcrest Avenue, whilst the third is accessed from Cumberland Close.

### **4. PLANNING HISTORY**

- 4.1 N/2008/1117 – Erection of three detached dwelling and associated garages and access – Approved  
N/2009/719 – Change of use of land from highway to residential, demolition of existing boundary wall and erection of new boundary walls – Approved  
N/2014/0886 – Conversion of existing dwelling into three dwellings and the erection of two additional dwellings.
- 4.2 The 2014 application is of particular relevance as permission was sought for a similar scheme. This application was refused due to it being of an inappropriate design, that the scheme would fail to ensure an adequate level of amenity for the occupiers of the proposed development, would adversely impact upon the amenities of existing residents and would have a negative impact upon the highway system.

### **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

#### **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.

- 5.3 Of particular note to this application is that Paragraph 49 confirms that proposals for housing should be considered within the context of promoting sustainable development but that relevant policies for the supply of housing should not be considered up to date where a five year housing land supply cannot be demonstrated (which is the case in Northampton). Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed

against the requirements of the NPPF taken as a whole; or specific policies indicate that development should be restricted.

- 5.4 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development and mitigating impacts on amenity (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

**5.5 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.

- 5.6 Of particular note is that Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period.

- 5.7 Policy H1 provides further detail regarding the location of these buildings by stating that they should be constructed through a combination of specifically planned Sustainable Urban Extensions and development within the existing built fabric. The same policy states that new developments shall provide for a mixture of house types, sizes and tenures in order to meet varying needs of the community. Applications for residential developments will be assessed against the location and setting of the site; the existing character of the area; the accessibility to services and facilities, including the proximity to public transport routes; the living conditions provided for future residents; and the impact upon the amenities of surrounding properties.

- 5.8 Policy S10 encourages sustainable development through incorporating measures to increase safety and security.

**5.9 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.

- 5.10 Policy E20 that states that developments should be of a satisfactory standard of design.

**6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Highway Authority (NCC)** – Confirm that the Highway Authority would not be opposed to a continuous dropped kerb from the existing access to serve the proposed new access. The Highway Authority is also content with the proposed layout. It is requested that details of the drainage system are submitted.

- 6.2 **Northamptonshire Police Crime Prevention Design Advisor** – No objections

- 6.3 **Cllr M. Hallam** – Requesting that the application is determined by the Planning Committee as concerns have been raised regarding traffic, parking and whether the number of new dwellings represents an over development of the site.
- 6.4 46 letters of objection have been received. Comments can be summarised as:
- The development would intensify the use of Cumberland Close and the surrounding area, which would be detrimental to highway safety, which is of particular concern due to the narrowness of Cumberland Close. The development would also impact upon pedestrian safety/.
  - Road users would have slowed during the periods in which the applicant's traffic survey was carried out and road users can drive along Cumberland Close at 30mph.
  - A number of other developments have taken place in the vicinity, which have contributed to increased road usage.
  - Delivery vehicles would not be able to turn in the site.
  - On street parking in Cumberland Close would be reduced. The surrounding area already suffers from a number of issues relating to inappropriate car parking/.
  - The development is out of keeping with the character of the surrounding area.
  - The development would lead to a loss of privacy.
  - The site previously featured wildlife.
  - A significant amount of refuse would be generated by the development, which would need to be collected.
- 6.5 A petition signed by 34 individuals objecting to the application on the grounds that a similar proposal has previously been refused; that the development would increase the usage of Cumberland Close; that the development would lead to an overdevelopment of the site and would adversely affect light levels; that there is insufficient parking; that a number of refuse bins will be put out in the street on collection days; and that the proposal is out of keeping with the area.
- 6.6 25 letters of support have been received. Comments can be summarised as:
- The dwellings would be constructed to a similar standards as the properties built to the front of the site.

## **7. APPRAISAL**

### ***Principle of the development***

- 7.1 The site is allocated in the Local Plan as being within a residential area and this is reflected in the use of the surrounding properties. In addition, it is acknowledged that there is a notable need for new housing within the Borough and this development would make a contribution (albeit it small) to addressing this. Therefore, a case can be made that the principle of establishing some housing on this site is acceptable. .
- 7.2 The site does not feature any significant trees and as a consequence of this the development of the site would not have any significant undue ecology implications. In the event of an approval, conditions could be attached that would require the investigation and remediation of any potential contamination either associated with historic land uses or naturally occurring contamination.
- 7.3 Whilst it is accepted that the site and the surrounding area has seen a significant amount of development as part of the growth of Northampton, there is the potential

for evidence to exist regarding the previous use of the site. As a consequence of this a condition is recommended that would require this matter to be suitably investigated.

### ***Design and appearance***

- 7.4 Following the previous refusal of planning permission (as described in paragraph 4.2, the scheme has been redesigned. In particular, the two new dwellings are of a design that has a degree of subordinancy towards the original dwelling. This ensures that it remains the key element of the site. The application details that the buildings would be constructed from materials that are of a traditional nature and reasonably complimentary towards the prevailing character of the surrounding area. In addition, to this factor, the design of the building includes a number of details, which reflect the prevailing vernacular in terms of detailing such as porches, fenestration arrangement and the installation of a chimney.
- 7.5 It is accepted that the new dwellings are of differing proportions to the original building and that houses that have recently been constructed to the front of the site; however, given that there is a significant variety of house types within Hillcrest Avenue and Cumberland Close, it is considered that the proposed buildings would not significantly impact upon the character and appearance of the locality to any significant degree.
- 7.6 The dwellings have been designed in such a manner so as to ensure that there would be no significant loss of light, outlook or privacy to the occupiers of surrounding dwellings in line with the requirements of national and local planning policies. The design of the development has also been revised so that all residents of the development would have a satisfactory level of amenity and privacy. Given the size of each dwelling, it is considered that there is a satisfactory level of private amenity space for the occupier of each dwelling.
- 7.7 In order to provide certainty regarding the potential impacts of the development, conditions are recommended that would ensure that would remove permitted development rights for the erection of further extensions or the introduction of more windows.
- 7.8 The proposed layout also includes suitable refuse storage, which is considered a necessity in order to ensure a good level of residential amenity.
- 7.9 By reason of the road layout, the boundaries of the site are of particular prominence. As a result of this, a condition is recommended that would enable the Council to approve the materials and heights of all boundary treatments. This would ensure that the development has a neutral impact upon visual amenity and that the gardens that would serve the proposed dwellings would have an adequate degree of privacy.
- 7.10 Whilst it is noted that the existing building is of some note within the locality as it predates the development of the surrounding area for residential development and represents a link to the agricultural past of the site, this building does not fall within a Conservation Area and is not listed. The building has also seen a number of alterations in the past. As a result, it is considered that the alterations to the building would not represent a significant detrimental impact upon the historic environment.

### ***Highway consideration***

- 7.11 The development features 10 car parking spaces, which is considered appropriate given the scale of the development. The proposal would not impact upon the

provision of parking spaces that serve the three newer dwellings to the front of the site. As a consequence of this arrangement, it is considered that the development would not increase demand for on street car parking spaces. A condition is recommended that would ensure that the parking and manoeuvring spaces are provided prior to the development being first brought into use and to be retained thereafter. This would provide certainty regarding the impacts of the development in highway terms.

- 7.12 One of the dwellings would be accessed via the existing entrance from Hillcrest Avenue. As this entrance is already in situ and the development would result in this serving a smaller dwelling than what is currently the case, it is considered that the development would have a neutral impact upon this specific access.
- 7.13 The development would result in the installation of a new access in Cumberland Avenue. This is in close proximity to an entrance that serves an existing dwelling. Whilst this development would result in two entrances close together and there is a curve in Cumberland Avenue, it is considered that this arrangement would not result in a significant impact upon highway safety. The reason for this is that due to the site boundaries being set back from the road edge vehicles entering and leaving the site would have sufficient views of passing traffic.
- 7.14 In addition to the matter, the applicant has submitted a traffic assessment, which details that the typical speeds of passing traffic are not significant. As Cumberland Close serves a comparatively small residential cul-de-sac it therefore follows that the bulk of road users would be familiar with the highway layout. For this reason, it is considered that the proximity of the two accesses would not unduly impact upon highway safety.
- 7.15 Given that there are no objections to the provision of two vehicular accesses in this location and the fact that the pavement is set back from the road by a reasonably significant distance means there would be no undue impact upon pedestrian movement. In order to secure a good standard of development, a condition is recommended that would require that details of the dropped kerb are submitted to the Council and implemented within an agreed timescale. In addition to this matter, the scheme has been revised during the application process in order to provide suitable visibility splays to the new access. As a consequence of this arrangement, the development would have a neutral impact on pedestrian safety.
- 7.16 The Highway Authority has indicated that their preference would be for the residential dwellings to be set back from the highway edge (in this case, the pavement) by a distance of between 0.6m and 1m. This is to ensure that the foundations and drainage to the buildings do not encroach onto the highway itself. Whilst the applicant has set back the building by the required 0.6m, it is considered that a condition which would require that details of all foundations and drainage that are relevant to Plot 1 are submitted to and approved by the Council prior to the development commencing is necessary and reasonable.
- 7.17 It is noted that the highway authority has raised some comments regarding the construction of the existing access (such as there being a gully within the driveway area); however, as this driveway is in situ the Council cannot reasonably require that alterations are carried out.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed development is acceptable in principle and that an acceptable design has been proposed, which ensures a neutral impact upon the character and appearance of the surrounding area and neighbouring properties. Subject to conditions, it is also considered that the development would have a neutral impact upon the highway system.

## 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: 07-14-01c; 17-14-02; and 17-14-03b.

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

3. Prior to the commencement of development, details 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. This condition is required in order to ensure the agreement of such details in a timely manner.

4. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the buildings 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

5. 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 the Policy E20 of the Northampton Local Plan.

6. No development shall take place until full details (including a timetable for implementation) of the new dropped kerb in Cumberland Close as shown on drawing 07-14-01c have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved timescale and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

7. 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 Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

8. Notwithstanding the details submitted and prior to the commencement of development, full details of the foundation and drainage design to serve Unit 1 as shown on drawing 07-14-01c shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the dwelling and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

9. Full details of the proposed surface treatment of all access, driveways and parking areas shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with the requirements of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the elevations and roof slopes of the proposed development.



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

12. No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

13. The south-west elevation first floor windows to Units 1 and 2 (as shown on drawing 07-14-01c) shall be fitted with obscure glass prior to the first occupation of the dwellings hereby permitted and shall be retained in that form thereafter.

Reason: In the interests of the privacy of the surrounding properties in accordance with the requirements of Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

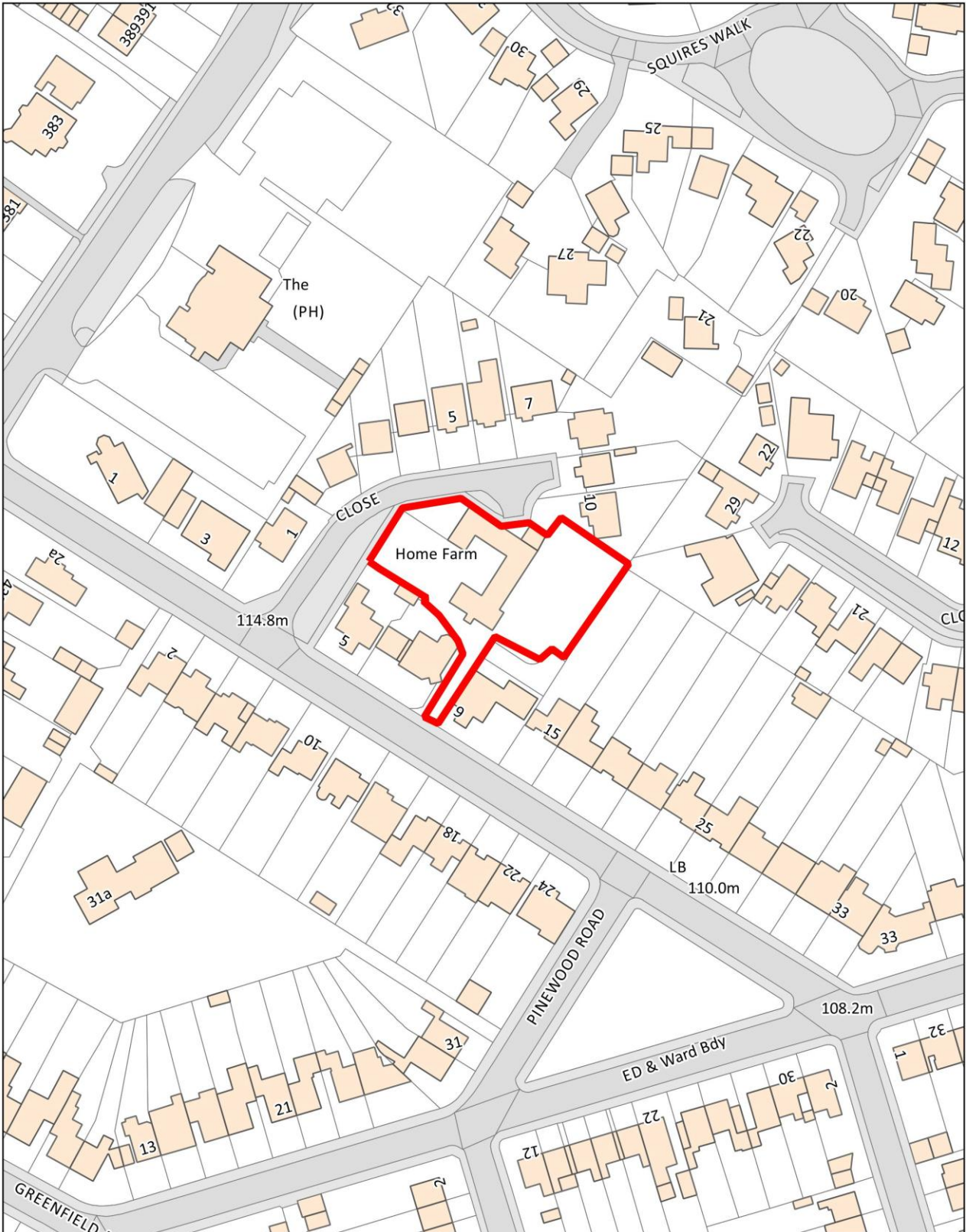
10.1 None

## **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.



Title: **Home Farm House, Hillcrest Avenue**

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