



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE:	15 March 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2015/1050
LOCATION:	77-79 Semilong Road, Northampton, Northamptonshire, NN2 6DG
DESCRIPTION:	Erection of 3no. dwellings
WARD:	Semilong Ward
APPLICANT:	Porterhouse Ltd
AGENT:	David Nicholson
REFERRED BY:	Councillor L Marriott
REASON:	Density of development and impact on amenity of area
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would preserve the character and appearance of the surrounding area (including the Barrack Road Conservation Area), neighbour amenity and highway safety. The development is therefore in accordance with the requirements of the National Planning Policy Framework; Policies S1, S3, S10, H1 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H10 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The application seeks planning permission to erect three dwellings of two storeys in height, which would be arranged in terrace located adjacent to the northern boundary. The dwellings would be accessed via a service road that runs from Semilong Road. To the front of each dwelling, there would be a block paved area, which would be used for car parking.

3. SITE DESCRIPTION

3.1 The application site consists of an area of land that was formerly gardens serving 79-83 Semilong Road, however, these have subsequently been separated and now form a separate plot that is accessed via a private service road that runs from Semilong Road.

- 3.2 The surrounding land uses are predominantly residential in character. The properties in Semilong Road are generally smaller terraced houses typically of two storeys, although a number of these properties have included loft conversions, which have resulted in the introduction of dormer windows in the front roof slope. Towards the east of the site is Primrose Hill. Primrose Hill falls within the Barrack Road Conservation Area. The Conservation area lies immediately to the east of the application site and is characterised by residential accommodation; however, the dwellings are of larger proportions (generally three storeys) and of grander proportions and design, which typically date from the Georgian period. These dwellings are part of the Barrack Road Conservation Area, the boundary of which is the easternmost boundary of the application site.
- 3.3 As a result of the traditional form of the built environment, there is a general reliance upon on street car parking within the vicinity.

4. PLANNING HISTORY

- 4.1 N/2005/0975 – Demolition of houses at 79 and 81 Semilong Road and construction of new first floor flat and development of 9no. flats to rear of nos. 79 – 83 Semilong Road – outline application – Withdrawn
N/2006/396 – Demolition of 81 Semilong Road to provide access to rear with new flat over to provide nine flats – outline application – Refused
N/2007/1081 – Residential development including demolition of no. 81 and the erection of a flat – outline application – Withdrawn
N/2008/0910 - Erection of five dwellings to rear of 79-83 Semilong Road. Demolition of 81 Semilong Road to create access and erection for first floor flat over (outline application) – Refused
- 4.2 The 2008 planning application comprised five units that were arranged in terrace running at 90 degrees to the layout of properties in Semilong Road and Primrose Hill. It was proposed that access to the development would be from Semilong Road, which necessitated the demolition of number 81. The dwelling was to be replaced by a single flat that would be located above the access road. This arrangement would mean that the terrace was visible to Semilong Road. The application was refused as it was considered that the form of the terrace and its prominence, combined with the unusual and alien form of the flat would adversely impact upon the character and appearance of the locality.

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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

National Policies

- 5.3 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.
- 5.4 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, including those relating to designated heritage assets, indicate that development should be restricted.
- 5.5 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). The same paragraph also emphasises the importance of good design and ensuring a neutral or positive impact on heritage assets. 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).
- 5.6 **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.
- 5.7 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.
- 5.8 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.
- 5.9 Policy S10 encourages sustainable development through incorporating measures to increase safety and security. Policy BN5 requires that planning decisions should seek to conserve heritage assets in manner commensurate with their significance.

5.10 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

- 5.11 Policy E20 that states that developments should be of a satisfactory standard of design. In addition, Policy E26 requires that planning decisions have a neutral impact upon the character and appearance of heritage assets. Policy H10 states that planning permission for backland development should only be given in instances where there would be a neutral impact upon the character and appearance of the area and neighbour amenity.

6. CONSULTATIONS/REPRESENTATIONS

- 6.1 **Arboricultural Officer (NBC)** – No objections, subject to conditions relating to the protection of trees during the construction process.
- 6.2 **Highway Authority (NCC)** – Make observations regarding drainage from the driveway, its gradient and surfacing (*Officers note: Revised plans have been submitted to address some of these matters. The revised response from the Highway Authority was awaited at the time of preparing this report. Any update will be provided to members via the addendum, which will be circulated prior to the meeting commencing*).
- 6.3 **Northamptonshire Police Crime Prevention Design Advisor** – To create a safe development, electronic access gates should be installed. Secure gates should also be installed to serve the rear pedestrian access.
- 6.4 **Cllr L. Marriott** - Semilong is a property dense area. This application, if granted, will add to this and have an impact on the area's general amenity.
- 6.5 **County Councillor S. Uldall** – The development is out of keeping with the character of the surrounding area, would overlook surrounding properties and would put further strain on car parking.
- 6.6 **Barrack Road Conservation Area Advisory Committee** – The proposal fails to comply with adopted policies, does not seek to create a safe form of development and would have a detrimental impact upon the character and appearance of the surrounding area.
- 6.7 Letters of objection from the Semilong Community Forum; and the occupiers of 8, 9, 10 and 11 Primrose Hill; and 87b, 100 and 102 Semilong Road have been received. Comments can be summarised as:
- The proposal is of too great a density and is out of keeping with the character of the area.
 - The proposal would adversely impact upon privacy levels
 - The proposal would negatively impact upon the security of adjoining properties
 - The development would adversely impact upon the Conservation Area
 - The development would create greater noise and disturbance
 - The development would increase traffic in the area
 - There are a large number of House in Multiple Occupation within the vicinity of the site

7. APPRAISAL

Principle of the development

- 7.1 The site is allocated within the Local Plan as being suitable for residential purposes; it is considered that the principle of developing the site for residential purposes is considered acceptable. In addition, the development site enables adequate private garden space to be retained for the properties in Semilong Road.
- 7.2 In addition, the development would facilitate the provision of three additional dwellings within the existing built area. This will make a contribution (albeit small) to addressing the established need for housing within the Borough. On account of the site's location, it is considered that the development would be sustainable as it would be within ready access of the town centre. In addition, the site is in close proximity to Barrack Road, which features a number of public transport links. The application identifies that the proposed dwellings would be occupied as family housing. The current Article 4 Direction means that planning permission would need to be sought from the Council should there ever be an intention to occupy the properties as houses in multiple occupation.
- 7.3 Whilst it is recognised that Semilong features a large number of dwellings, it is considered that the scale of the development (three dwellings), which when combined with the size of gardens within the vicinity, the fact that the application site does not currently have an effective use and the separation distances' that the proposal would not significantly harm the character of the surrounding area.
- 7.4 It is accepted that vehicle movements in the site would increase over the existing scenario; however, given the proportionately small scale of the development, it is considered that this activity is unlikely to give rise to an adverse impact upon neighbour amenity as a result of noise and disturbance.
- 7.5 In order to ensure that the site is suitable for use as a residential development, a condition is recommended that would ensure that a suitable investigation into potential contaminants is carried out prior to building works taking place, which would include the identification of any necessary mitigation. By reason of the residential character of the surrounding area, it is considered that there a satisfactory level of amenity would be secured for the future occupiers of the development.
- 7.6 The applicant has carried out an assessment into the likelihood of there being any form of notable plants or wildlife on the site. This survey does not identify the presence of any significant species, particularly as the trees on the boundaries of the site are to be retained and conditions are recommended that would ensure their protection during the carrying out of the development.

Design and appearance

- 7.7 It is recognised that the development would represent the introduction of new houses within a back land location. Whilst it is accepted that this is not a feature that is replicated to any significant degree within the surrounding area, it is considered that as the proposed dwellings would not be visible from any public area, the overall impact upon the character of the area would be neutral. This means that this proposal is not directly comparable to the scheme which was refused planning permission in 2008. In that case, the scheme featured an alien form of

development in the form of a flat suspended over the site access that occupied a significant position within the streetscene of Semilong Road.

- 7.8 The proposed dwellings are of two storeys and are constructed in a conventional design. This arrangement ensures that there would be a neutral impact upon the amenities of neighbouring properties in terms of considerations such as light and outlook. Whilst the length of the proposed rear gardens is comparatively short and would therefore result in rear windows being sited near to the eastern boundary of the site (approximately 6-8m away), it is considered that due to the length of the gardens of the properties in Primrose Hill and the various planting and other structures that are adjacent to the boundary means the positioning and design of the houses would not be significantly detrimental to the levels of privacy currently experienced in neighbouring properties.
- 7.9 In order to provide certainty regarding these impacts, it is considered prudent to remove, through conditions to any planning permission, permitted development rights for introduction of further windows and for the erection of rear extensions. Further conditions are recommended that would ensure that the Council approves all building materials in order to ensure a neutral impact upon visual amenity.
- 7.10 As discussed previously, the site is adjacent to the Barrack Road Conservation Area. The particular significance of the Conservation Area is the fact that it contains a number of grand terraced properties, which date from the Georgian period and create a distinctive sense of place within Barrack Road. This particular characteristic would not be impinged upon by the proposed development as it would not be visible from any public viewpoint. For this reason, it is concluded that the development would preserve the character and appearance of the Conservation Area and would not cause harm to the significance of the Conservation Area as a designated heritage asset.
- 7.11 Whilst it is accepted that there are some trees within the site and on immediately adjoining properties, these are typically lower value specimens and as such do not contribute to the character of the wider surrounding area. Notwithstanding this, it is recognised that these trees do contribute to the amenity of the surrounding properties. As a result of this, conditions are recommended that would ensure that the identified trees are protected during the construction process.
- 7.12 In addition to these matters, conditions are recommended that would ensure that the Council approves all boundary treatments and that these are implemented prior to the development first coming into use. This would ensure that the proposal is of a secure nature that would have a neutral impact on neighbouring properties. This process would also include gating to the main vehicular access and to the pedestrian access that would serve the rear gardens of the development.

Highway impacts

- 7.13 Access to the development would be via a service road from Semilong Road. The scheme has been revised during the course of the application in order to ensure that adequate visibility is provided for vehicles exiting the site. The development contains suitable room to enable vehicles to turn around within the site, which removes the need for vehicles to have to either enter or leave the highway in a reverse gear. This therefore ensures a neutral impact upon highway safety.
- 7.14 The development includes sufficient car parking to meet the needs of the development and the level of provision is in line with the current standards. Given this

and the sustainable nature of the location, it is considered that the proposal would have a neutral impact upon existing parking provision within the vicinity of the application site.

- 7.15 In order to respond to the comments of the Highway Authority, conditions are recommended that would ensure that details of the driveway construction and surface treatments are approved prior to the commencement of development.

8. CONCLUSION

- 8.1 It is considered that the proposed development would have a neutral impact upon the character and appearance of the surrounding area and would enable a reasonable level of amenity to be secured for the future occupiers of the development. As a consequence, it is considered that the proposal is compliant with the requirements of national and local planning policies.

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: DW1, DW1A, DW1C, DW1E, DW2, DW1D, DW3, DW6 and DW7.

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

3. Full details of the method of the treatment of the boundaries of the site (including individual plot boundaries, gates to the pedestrian path to the rear of the site and electronic vehicle access gates) shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development 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.

4. 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 that these details are agreed in a timely manner.

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 in addition to the gradient of the driveway 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 and retained thereafter. This condition is required in order to ensure that these details are agreed in a timely manner

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

6. 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 shall take place.

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

7. 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 of the proposed development.

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

8. 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 that these details are agreed in a timely manner.

9. Notwithstanding the details submitted, full details of lighting to serve the access road and communal 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 safety levels in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

10. All trees shown to be retained in the approved plans shall be protected for the duration of the development by (a) stout fence(s) to be erected and maintained on alignment(s) to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant

sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme landscaping for the site. Development shall be carried out in accordance with the approved details and shall be retained thereafter.

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. BACKGROUND PAPERS

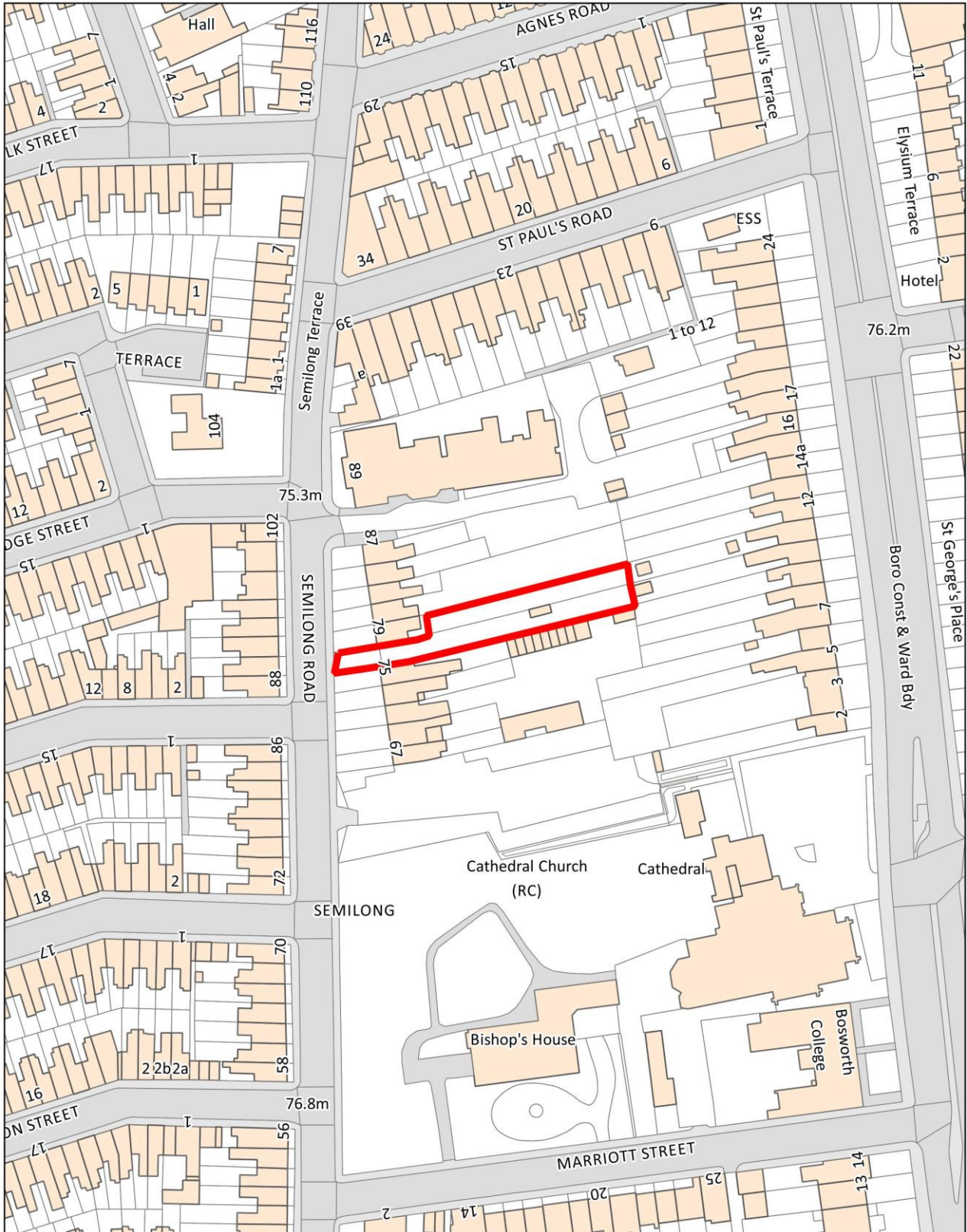
10.1 None

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: **77-79 Semilong Road**

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