

**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0016

**LOCATION:** 82 Eastern Avenue South

**DESCRIPTION:** Demolition of garages and erection of detached dwelling with access and parking

**WARD:** St Davids Ward

**APPLICANT:** Mrs Maureen Robinson  
**AGENT:** Roger Coy Partnership

**REFERRED BY:** Director of Regeneration, Enterprise & Planning  
**REASON:** Council owned land

**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 proposal would, subject to details to be submitted at reserved matters stage, have no undue impacts upon the street scene, the amenity of adjoining occupiers, or highway and pedestrian safety. The proposal thereby complies with Policy H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 Outline permission is sought for a new dwelling, together with new parking arrangements, with only access and layout to be considered at this stage.

2.2 Alterations to no.82 will also be required, to remove the existing side bay window which would encroach upon the side walkway of the plot for the new dwelling.

**3. SITE DESCRIPTION**

3.1 The site comprises two garages and the garden area on the east side of 82 Eastern Avenue South.

#### 4. **PLANNING HISTORY**

4.1 None.

#### 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 the 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. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Para. 17 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Para. 35 - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

##### 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** – development will achieve the highest standards of sustainable design, incorporating safety and security considerations and a strong sense of place.

**Policy H1 – Housing Density and mix and type of dwellings:** new housing will provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location of the site, existing character and density of the local area, accessibility to services and facilities, implications of density for affordability and viability; living conditions for future residents, and the impact on the amenities of occupiers of neighbouring properties.

##### 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 providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

- 5.5 **Supplementary Planning Documents**  
Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Local Highway Authority** – following a review of the revised plans, the LHA is content with the improvement proposed to the access.
- 6.2 **NBC Public Protection** – contaminated land conditions required.

## 7. **APPRAISAL**

- 7.1 The issues to consider are the suitability of the site for the proposed dwelling, and the impact of the proposed dwelling on the street scene and on the amenities of adjoining occupiers, as well as the amenities of the future occupiers of the dwelling.
- 7.2 The site is located to the side of the existing two storey house in a residential area, and would replace the two existing garages. It is considered that a new dwelling would be appropriate in this location, and that the site could adequately accommodate the proposed new dwelling.
- 7.3 The application is made in outline only, however subject to a suitable design it is considered that this could be in keeping with the street scene.
- 7.4 In terms of the impact on adjoining occupiers, as the building would be adjacent to the blank side wall of no. 82, with open space to the other side, it is considered that no adverse impact would result.
- 7.5 In terms of parking, two spaces are indicated, for both the existing house and the new house, which would accord with Highway Authority requirements.
- 7.6 In terms of access, the host dwelling is located on a private drive (Council owned), which already serves three dwellings and a total of eight garages, six of which would remain.
- 7.7 Following comments from the Local Highway Authority that the private drive should be widened at its junction with the adopted highway, a revised plan to indicate such an amendment has been received. The LHA is now content with the improvement to the proposed access. A condition has been added to secure the necessary highway widening prior to development proceeding.
- 7.8 A condition has also been added requiring details for the required alterations to No.82 (removal of the side bay window).
- 7.9 Public Protection has requested conditions requiring contaminated land investigation, and the required conditions have been added.

## 8. **CONCLUSION**

- 8.1 The application is considered to be in accordance with policy and would add to the Borough's housing land supply, and is therefore recommended for approval with the following conditions.

## 9. CONDITIONS

- (1) Approval of the details of the appearance, landscaping, and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

- (2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

- (3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: 3700-00-B, 3700/01/A, 3700/21/B.

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

- (5) Before the first occupation of the dwelling hereby permitted, improvements to the access drive shall be carried out in accordance with drawing 3700/21/B.

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

- (6) No development shall take place until details of the works to the side of no.82 Eastern Avenue South have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development hereby permitted.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure details are submitted in a timely manner.

- (7) No development shall take place until a desk top study, including a site walk over, in respect of possible contaminants within the site is completed and the need for a site investigation has been determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval.

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 is a pre-commencement condition in order that investigation is carried out before development commencing.

- (8) Any site investigation found to be required under Condition 7 shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval.

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.

- (9) All remedial works found to be required under Condition 8 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.

- (10) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 8 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 8, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Contaminated Land Condition 9.

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.

## **10. BACKGROUND PAPERS**

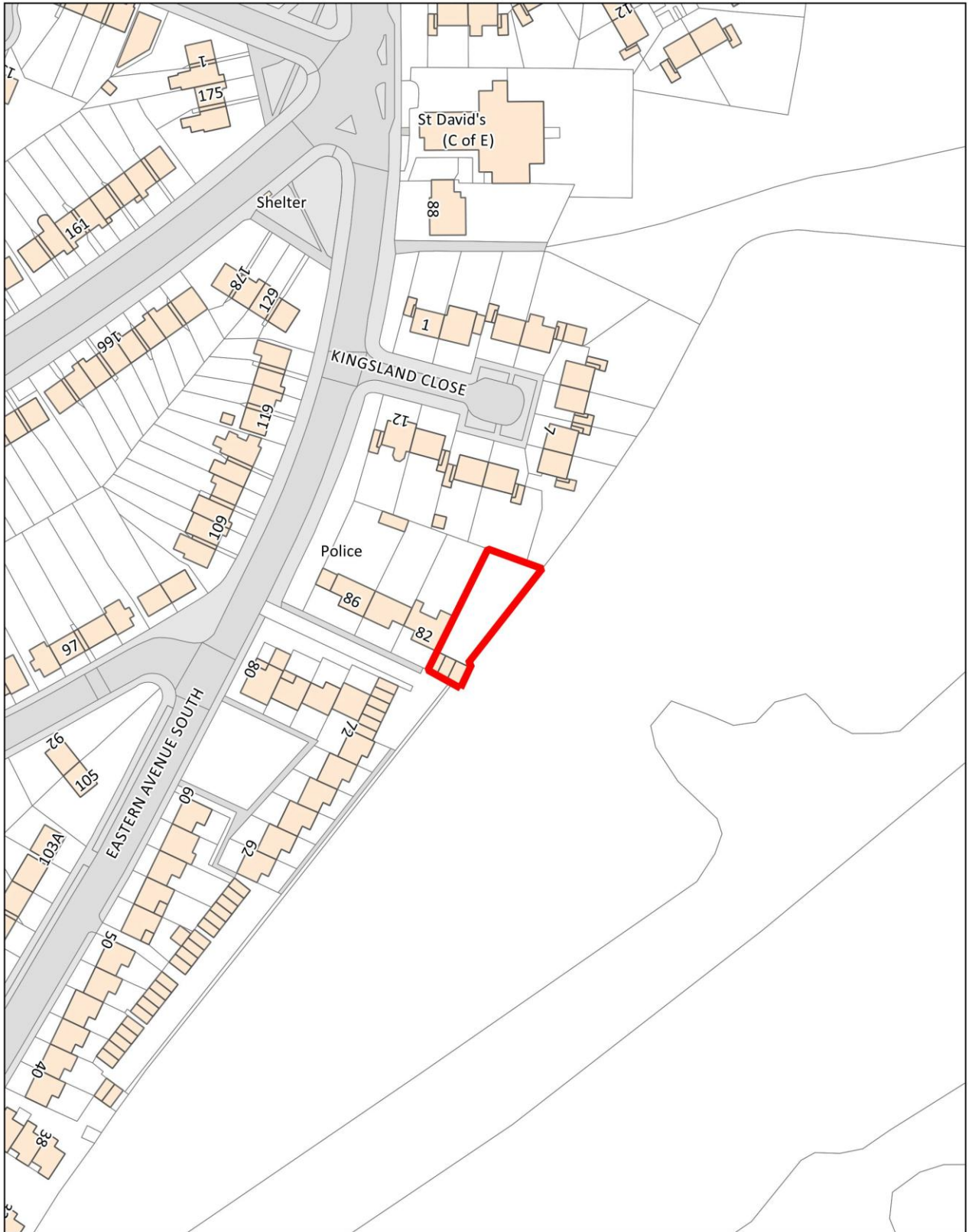
- 10.1 N/2016/0016.

## **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: **82 Eastern Avenue South**

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Date: 27-06-2016

Scale: 1:1,250

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