

PLANNING COMMITTEE: 26th September 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0868

LOCATION: Kylemore , 12 The Avenue, Dallington

DESCRIPTION: Proposed new dwelling

WARD: Spencer Ward

APPLICANT: Mr J Jones
AGENT: Arcteck Designs

REFERRED BY: Councillor G Eales
REASON: Overdevelopment

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 represents an appropriate land use and would have a neutral impact upon the occupiers of neighbouring properties, the character and appearance of the surrounding area and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies BN3, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policies E20 and H6 of the Northampton Local Plan.

2. THE PROPOSAL

- 2.1 The applicant at 12 The Avenue seeks planning permission to erect a new dwelling to the front of the existing property. The dwelling would be accessed from the existing driveway, which runs from The Avenue.
- 2.2 The proposed dwelling would be two storeys and finished in bricks and rendered. It will have 4 bedrooms and an attached double garage.

3. SITE DESCRIPTION

- 3.1 The Avenue consists of a crescent shaped road, running to and from Harlestone Road. Dwellings within the vicinity are generally of larger proportions and of an individual design. Each dwelling is also located on a relatively large plot and features off-street car parking. There are a number of

examples in the surrounding area where additional dwellings have been constructed within the gardens of properties, and this partially defines the character of the area.

- 3.2 By reason of its design and layout, The Avenue is not a particularly heavily trafficked road. A further feature is that there are a number of trees adjacent to the road edges.

4. PLANNING HISTORY

- 4.1 N/2017/0130 - Erection two new dwellings with parking – Refused.

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

- 5.3 Paragraph 17 – sets out core land-use planning principles, which seek to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements. This is elaborated in paragraph 49, which requires that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 5.5 Paragraph 50 states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, Local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community.
- 5.6 Paragraph 56 states that good design is a key aspect of sustainable development and should contribute to making places better for people.

5.7 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:

- 5.8 Policy S4: Northampton Related Development Area - sets out the housing needs for the plan period for Northampton.

- 5.9 Policy S10: Sustainable Development Principles – seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.
- 5.10 Policy H1: Housing Density and Mix and Type of dwellings – considers the location and setting of the site, the character of an area, living conditions for future residents and amenities of occupiers of neighbouring properties. The principles of Policy H1 require that development should make most efficient use of land.
- 5.11 Policy BN3: Woodland Enhancement and Creation – development will not be permitted that leads to loss of veteran trees unless benefits of development outweigh the loss.
- 5.12 **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:

- 5.13 Policy E20: New Development - requires new development to reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be located in a manner which ensures adequate standards of privacy, daylight and sunlight
- 5.14 **Supplementary Planning Documents**
Northamptonshire Parking Standards (September 2016)

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Arboricultural Officer** – No objections, but request that matters should be in place to prevent damage to trees during the development process.
- 6.2 **Highway Authority** – No objections, but highlight the need for appropriate visibility from the site entrance and the proximity of trees to this, which may diminish visibility.
- 6.3 **Cllr G. Eales** – Object to the proposal on the grounds that it would be an overdevelopment of the site, that the access is unsafe, that the development would not be in keeping with the character of the surrounding area and that it may be utilised in the future as a house in multiple occupation or converted to two dwellings. It is requested that the application be determined by the Planning Committee.
- 6.4 16 letters of objection have been received. Comments can be summarised as:
- The development would lead of a loss of light.
 - The development would lead to a loss of privacy.
 - The proposed dwelling would be overbearing.
 - The proposal would have an adverse impact the streetscene. The Avenue has a unique character.
 - Trees have previously been removed from the site.
 - Site levels may be changed.
 - The dwelling could be converted to a more intense form of development.
 - The Avenue is privately owned.

7. APPRAISAL

- 7.1 Given that the application site is located within a predominantly residential area, it is considered that the creation of a further unit of accommodation would be complimentary towards the surrounding land uses. In addition, it is acknowledged that the Council cannot currently demonstrate a five year housing land supply. This development would make a contribution (albeit on the smallest scale) to addressing the significant need for new housing within the Borough.
- 7.2 A number of newer dwellings have been constructed within the gardens of existing properties. This contributes to the character of the area. As a consequence, it is concluded that the erection of an additional dwelling within the curtilage of the existing dwelling, which is within a sizeable plot, would not lead to a significant adverse impact upon the character of the surrounding area.
- 7.3 On account of the large garden that is present within the application site, it is considered that sufficient amenity space could be retained in order to meet the recreation needs of the occupiers of the existing and proposed dwellings.
- 7.4 The design of the proposed dwelling has been revised over the course of the application. This has resulted in the proposal of a smaller dwelling, which create a more subordinate design that enables the main feature of the site to be the original dwelling, particularly when viewed from the site's entrance. In order to create a good standard of development, a condition is recommended that would ensure that the Council approves building materials prior to the first commencement of development.
- 7.5 The proposed development features some design cues that are reflective of the general character of the surrounding area. These include window cills and lintels and chimneys. In addition, it is noted that due to the surrounding dwellings being constructed at different times, there is no particularly prominent design style in the vicinity. Furthermore, dwellings are sited in varying positions on each plot. For this combination of reasons, it is considered that the proposal would not lead to a significant adverse impact upon the character and appearance of the surrounding area.
- 7.6 By reason of the design and siting of the proposed dwelling, it is considered that there would be sufficient separation distances between the proposed and existing dwellings in order to prevent there from being a significant adverse impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy.
- 7.7 The presence of trees on the boundaries of the site is a key characteristic in defining the area's character. However, no objections have been received from the Council's Arboricultural Officer and, as a result, it is concluded that the development would not give rise to any significant impact upon trees.
- 7.8 Given that The Avenue is not an adopted road, no objections have been forthcoming from the Highway Authority. Notwithstanding this conclusion, comments have been received that have highlighted the proximity of trees to visibility splays and the potential for this to reduce visibility for vehicles leaving the application site. In response, it is noted that the development would utilise the existing access off of the highway that The Avenue does not generally experience a significant level of traffic, where vehicle speeds tend to be lower and the overall intensification in the use of the access would not be significant.
- 7.9 The development includes an appropriate amount of car parking, which would be secured by condition. This is considered necessary as on-street parking would not be desirable given the nature of The Avenue.
- 7.10 In order to secure a good standard of development, a condition is recommended that would require the implementation of tree protection measures over the course of the development.

- 7.11 It is also appreciated that a number of representations have been submitted that have commented on the possibility of the proposed dwelling being converted to a multiple dwellings or a House in Multiple Occupation at some point in the future. In response, it should be recognised that applications needs to be determined on the basis of their own individual merits as such changes would be likely to require a further application for planning permission.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the erection of an additional dwelling on this site represents an appropriate land use, is of an acceptable design that would not have a significant adverse impact upon the character and appearance of the area and would also have a neutral impact on the amenities of surrounding properties. As a consequence, it is considered that the development is in conformity with the requirements of national and local planning policies.

9. CONDITIONS

- 9.1 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: 1268-16/01C; and 1268-16/02C.

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

3. Full details of all proposed external facing materials shall be first 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. 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 first occupation of the dwelling 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 Policy E20 of the Northampton Local Plan. This condition is required in order to agree such details in a timely manner.

6. The driveway as shown on drawing 1268-16/02C shall 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.

7. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments 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 that details are agreed in a timely manner.

10. BACKGROUND PAPERS

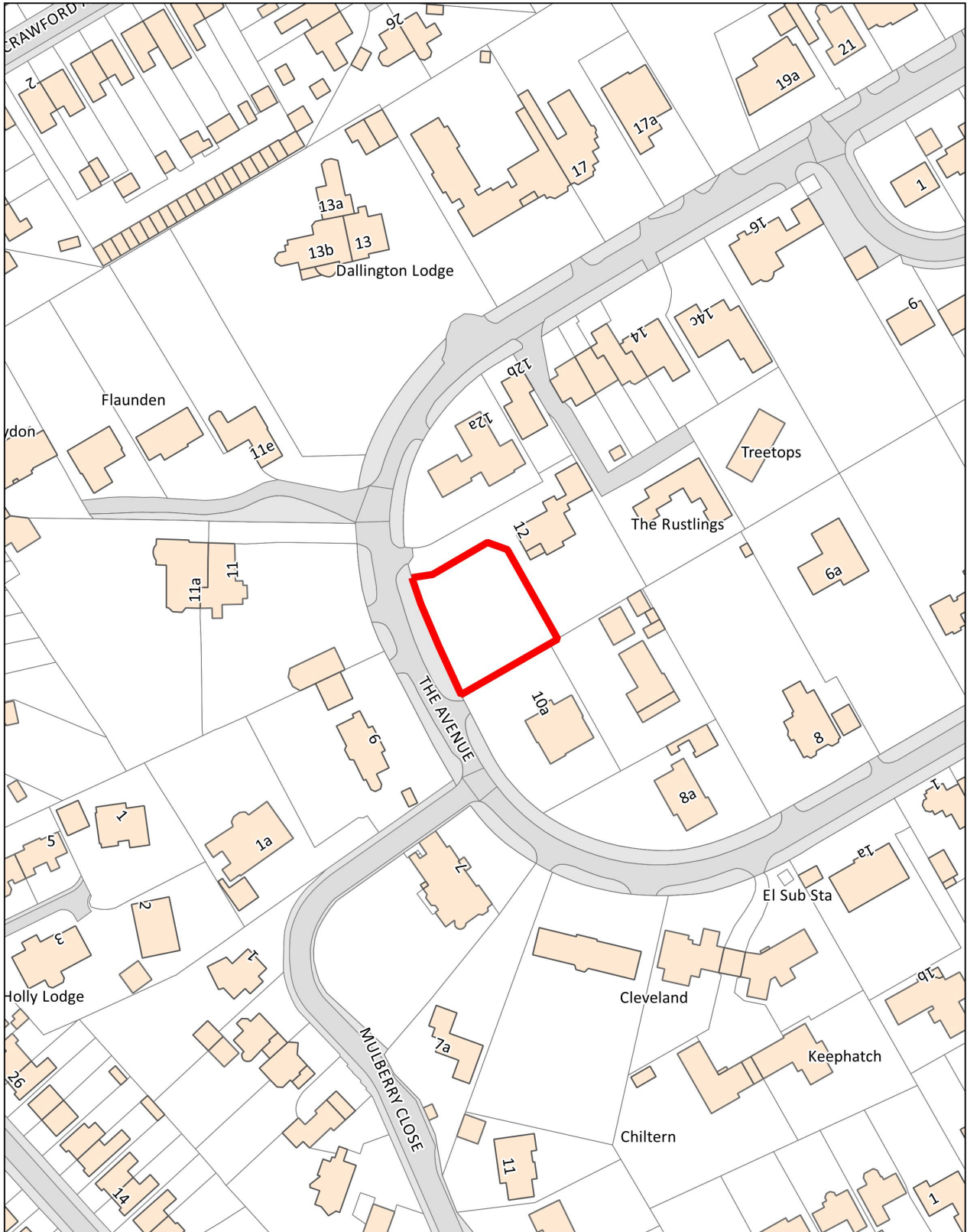
10.1 N/2017/0130.


11. LEGAL IMPLICATIONS

11.1 The development is CIL liable.

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: 12 The Avenue</p>	<p>Date: 15-09-2017</p>
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