



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

**PLANNING COMMITTEE:** 17<sup>th</sup> October 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1055

**LOCATION:** 29 - 31 Ash Lane

**DESCRIPTION:** Conversion and modification of outbuilding (permission N/2014/0769) into a dwelling and construction of detached double garage (part retrospective)

**WARD:** Nene Valley Ward

**APPLICANT:** Mr Adam Smith  
**AGENT:** Russell Parkhill Architects Limited

**REFERRED BY:** Councillor J Nunn  
**REASON:** Intensification of access

**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 represents an acceptable land use and would have a neutral impact upon the character and appearance of the surrounding area, neighbour amenity and highway safety. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Policies E20, H7 and H10 of the Northampton Local Plan.

**2. THE PROPOSAL**

2.1 The applicant seeks planning permission to convert a partially constructed garage/outbuilding to a residential dwelling, which would involve some extensions. The development also includes the provision of a double garage.

**3. SITE DESCRIPTION**

3.1 The application site consists of the rear garden of an existing bungalow sited in Ash Lane, Collingtree. This garden has already seen some infill development, as three bungalows have already been constructed, in addition to a part constructed garage/outbuilding. The surrounding area is predominantly residential in character.

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

- 4.1 N/2010/0328 – Outline application for five dwellings with access – Withdrawn
- N/2010/0502 – Outline application for three dwellings with access – Approved
- N/2011/0437 – Erection of five dwellings – outline application – Refused
- N/2013/0208 – Closure of existing vehicular entrance and creation of new cross over from Ash Lane – Approved
- N/2014/0769 – Erection of 1.5 storey garage block with garden room and workshop with storage above and 1.8m high access gate – Approved

#### **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.

- 5.3 Paragraph 17 emphasises the importance of good design that has a neutral impact. Paragraph 49 states that applications for housing development should be assessed with reference to the overriding presumption in favour of sustainable development. This is in addition to Paragraph 50 which requires the delivery of a wide choice of homes.

##### **5.4 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:

- 5.5 Policy H1 – It is a requirement for new housing developments to make the most efficient use of the land with regards to the location and setting of the site and its environs; the accessibility of the site; proximity to public transport routes and the impacts upon future and existing residents.
- 5.6 Policy S10 – Sustainable Development Principles – This policy requires that new developments protect, conserves and enhances the built environment.

##### **5.7 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:

- 5.8 Policy E20 – New Development – This policy states that new proposals should be of an acceptable design and ensure a neutral impact upon neighbouring properties in terms of light, outlook and privacy.

- 5.9 Policy H6 – New Residential Development – Permission should be granted for new residential proposals, provided that they are of a suitable scale and density and would not have a detrimental impact upon the character of the surrounding area.
- 5.10 Policy H10 – Backland Development – Residential developments should not have a detrimental impact upon the character and appearance of the area and the amenities of surrounding properties, including any dwellings within the curtilage of the development.
- 5.11 **Supplementary Planning Documents**  
Northamptonshire Parking Standards (September 2016)

## 6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Environmental Health** – Request a condition requiring the submission of a noise mitigation strategy.
- 6.2 **Highway Authority** – Make observations regarding the minimum requirements for visibility splays and the width of access. It is also requested that at least the first 5m of the access be hard surfaced and that the driveway doesn't drain onto the public highway.
- 6.3 **Councillor J. Nunn** – Requesting that the application be determined by planning committee on the grounds that the development would result in an intensification of the access and that the driveway is in close proximity to other accesses.
- 6.4 One letter of objection commenting on a loss of privacy from the proposed development.

## 7. APPRAISAL

- 7.1 The Council cannot demonstrate the requisite five year housing land supply and the proposed development would result in the creation of an additional unit of residential accommodation, which would make a contribution (albeit on a small scale) to addressing the significant need for new housing. Furthermore, the creation of a residential development is compatible with the surrounding area and therefore represents an appropriate land use.
- 7.2 Given that a similarly sized building (in the form of a garage) already benefits from planning permission, it is considered that there would not be any significant adverse impact upon the character and appearance of the surrounding area on the grounds that the increase in footprint and built form of development would not be significantly larger. In addition and for similar reasons, the proposed development is unlikely to have any significant adverse impacts upon the amenities of surrounding residential properties in terms of matters such as light and outlook.
- 7.3 Notwithstanding this conclusion, it is noted that the way that the building is used would vary from the previously approved garage. However, the proposed dwelling would be a bungalow, with the bulk of windows being sited on the ground floor where views from windows would be obscured by existing boundary treatments. Given that that all of the rooms would be sited on the ground floor, it is also considered that the development would not have a significant adverse impact upon the privacy levels of neighbouring properties owing to the lack of views. In order to create certainty of these conclusions, conditions are recommended that would remove permitted development rights for future installation such as extensions or windows.
- 7.4 The original dwelling featured a significantly proportioned garden and, as a result, it is concluded that the proposal would not represent an over development of the site given that satisfactory

private amenity space would be retained for the occupiers of the existing dwelling and the occupiers of the proposed bungalow.

- 7.5 The position of the garage is such that there would be no significant adverse impact upon the amenities of surrounding properties. The garage and proposed driveway would also ensure that there would not be a significant impact upon the highway system given that appropriate car parking would be provided.
- 7.6 Whilst it is appreciated that some building works have taken place, in order to provide certainty that the proposed development does not significantly impinge upon visual amenity, a condition is recommended that would enable the Council to approve the proposed building materials.
- 7.7 The Highway Authority has commented upon the minimum width of the access road and sizes of visibility splays. The submitted plans show that these matters would be secured within the proposed development. In order to secure a good standard of development, conditions are recommended covering drainage and surface treatments.
- 7.8 Whilst it is appreciated that the development would result in more vehicles using the access road, it is considered that the nature of the increase would be relatively small. Furthermore, given that the driveway would be constructed with the appropriate width, visibility splays and surfacing, it is considered that this would not be detrimental to highway safety.
- 7.9 The application site is in close proximity to the M1, which is heavily trafficked. In line with the advice of the Council's Environmental Health section, a condition is recommended that would require the submission of a further noise assessment, which would also secure appropriate mitigation (such as glazing and ventilation system) to be installed in the building if required. This would enable compliance with the National Planning Policy Framework, in addition to Policy S10 of the Joint Core Strategy.

## 8. CONCLUSION

- 8.1 It is considered that the proposed development represents an appropriate land use and, subject to conditions, would have a neutral impact upon the character and appearance of the surrounding area, the highway system and neighbour amenity.

## 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: SMI 209 SUR 10; SMI 209 PA 10; SMI 209 PA 20; SMI 209 PA 30; SMI 209 PA 40; and SMI 209 PA 50.

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 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 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.

5. 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.

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, dormer windows or outbuildings shall be erected to the dwelling hereby permitted.

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

7. The car parking, garage and driveway as shown on drawing SMI 209 PA 50 shall be fully implemented prior to the first occupation of the development and shall be retained thereafter.

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

8. The driveway (of which a minimum of 5m from the highway boundary shall be bound with a hard surface) shall be constructed so as not to drain onto the public highway.

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

9. Notwithstanding the details submitted, a noise mitigation scheme (including, but not limited to, glazing and ventilation types) shall be submitted to and agreed 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 hereby permitted and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

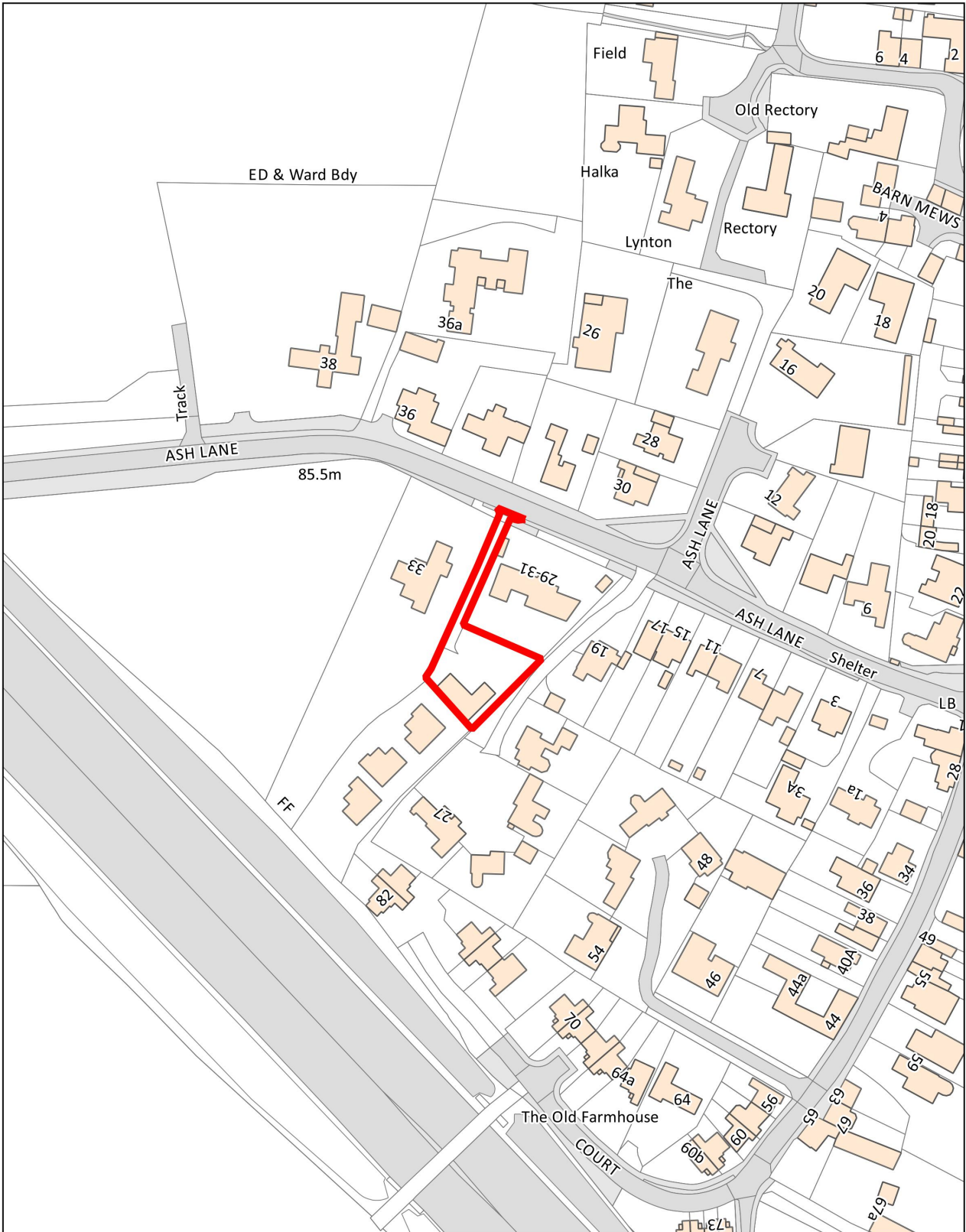
10.1 N/2010/0328, N/2010/0502, N/2011/0437, N/2013/0208 and N/2014/0769

## **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.



Title: **29-31 Ash Lane**

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Date: 04-10-2017

Scale: 1:1.500

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