

PLANNING COMMITTEE: 19th December 2017

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1371

LOCATION: Land rear of 133 Lindsay Avenue

DESCRIPTION: New two bedroom detached house

WARD: Eastfield Ward

APPLICANT: Mr Naz Choudary AGENT: RJA Designs

REFERRED BY: Head of Planning

REASON: The Applicant is an elected Member

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. **RECOMMENDATION**:

REFUSAL for the following reasons:

- 1) Due to the size of the application site and relationship with adjacent properties, the proposed development would offer limited amenity space around the proposed dwelling. It is considered that the proposal would represent an overdevelopment of the site and result in a cramped form of development detrimental to the appearance and character of the area and residential amenity of nearby and future occupiers contrary to Policy E20 of the Northampton Local Plan, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and National Planning Policy Framework.
- 2) Due to the limited separation between the proposed dwelling and rear of nos. 131 and 133 Lindsay Avenue, the development would have a detrimental impact on the residential amenity of the occupiers of these properties in terms of overbearing, restricted outlook and visual intrusion contrary to Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the erection of a two storey detached dwelling. The proposed house would have lounge, diner and kitchen at ground floor and 2 en-suite bedrooms above. There would be a small garden to the side and rear garden and the provision of two off-road parking spaces. Access would be via Beech Avenue. The front elevation would be finished in

render painted white to match adjoining properties and with a tiled roof. The footprint of the new house measures 8.5m by 6.6m.

3. SITE DESCRIPTION

3.1 The site is located on a vacant piece of land at the end of the rear garden of no. 133 Lindsay Avenue. The site is rectangular in shape and largely overgrown, measuring 135 square metres. It is not in a conservation area or close to any listed buildings. The site is also adjacent to the side elevation of no. 170 Beech Avenue, a two storey end terrace dwelling with rear garden 25 metres long. Most of the properties on Beech Avenue benefit from on-street parking.

4. PLANNING HISTORY

4.1 Planning permission was granted in 2014 for a 3 bedroom detached dwelling, although at the time the site area was significantly larger including part of the garden of no. 131 Lindsay Avenue. The current proposal involves a much smaller site area.

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), 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:

- Paragraph 17: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Paragraphs 32 and 35: create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- Paragraph 47: requires Authorities to have a five year housing land supply.
- Paragraph 49: advises that housing applications should be considered with a presumption in favour of sustainable development.
- Paragraph 57: requires development to be of a good quality design.

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 – seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.

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.

5.4 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 policy is material to this application:

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.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016) Planning out Crime in Northamptonshire SPG (2003)

6. CONSULTATIONS/ REPRESENTATIONS

Comments received summarised as follows:

- 6.1 **Local Highway Authority (NCC)** commented on original plans in terms of vision splays, drainage, access gradients.
- 6.2 Environmental Health (NBC) no objections.

7. APPRAISAL

Main issues

7.1 The main issues to consider are the principle of residential development, impact on the appearance and character of the area, neighbour amenity, residential amenity of future occupiers and parking/highway safety.

Planning Policy

7.2 The National Planning Policy Framework (NPPF) promotes sustainable forms of development and encourages efficient use of land. It requires good design and urges Local Authorities to reject inadequate design (Paragraph 64.). Paragraph 32 encourages safe access for all. Policies S10 and H1 of the West Northamptonshire Joint Core Strategy also encourage high quality design and adequate amenity for future occupiers and neighbours. Policy E20 of the Local Plan requires good design and gives consideration to privacy and sunlight/residential amenity.

Principle of development

7.3 The site is located within a primarily residential area as identified in the Local Plan. Within such an area the principle of residential development is considered acceptable, subject to matters of detail being acceptable and in line with Development Plan Policy. The development of a dwelling would contribute, albeit in a small way, towards the Borough's five year housing supply.

Planning History

7.4 In 2014, planning permission (reference N/2014/0717) was granted for a single dwelling and the site area included part of the rear garden of no. 131 Lindsay Avenue. The planning permission has since lapsed. The current application is significantly different in that the application site is

much smaller than the previous approval, therefore the previous decision is not material to the determination of the current application.

Impact on appearance and character of the area

- 7.5 The character of the surrounding area typically consists of terraced and semi-detached properties set on substantial plots of land with reasonable length gardens some 20 metres deep. Due to the degree of site coverage and remaining surrounding land, it is considered that the proposal would lead to overdevelopment of the site, with limited space around the proposed dwelling and significantly reducing the length of garden to the existing dwelling. The resultant form of development would appear cramped and out of keeping with the existing character of the area with a very limited rear and side garden. This fails to comply with Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy on good design.
- 7.6 The proposed dwelling will be two storey with front facing gable roof that spans approximately half of the house's frontage. The front gable would echo many of the nearby properties further along Beech Avenue. It is considered that the appearance would be in keeping with the street scene in general. The proposed render would match that on nearby properties.

Impact on amenity of adjoining occupiers

7.7 Policy H1 of the Joint Core Strategy and Policy E20 of the Northampton Local Plan require good standards of residential amenity in terms of light, privacy and outlook. In this instance, the side wall of the proposed house would be within 10 metres of the rear elevation of no. 133 Lindsay Avenue. Due to the limited separation, massing and height of the proposed development, it is considered that the proposal would be visually intrusive and overbearing on the neighbouring properties. It would also lead to loss of outlook from their existing rear facing windows. In addition, the rear wall would be very close i.e. within one metre to the boundary with no. 131 Lindsay Avenue and again would have an impact on the enjoyment of their back garden. The effect on the side of no. 170 Beech Avenue would be limited due to the siting of the two properties.

Amenity of future occupiers

7.8 Given that all habitable rooms would be served by windows, it is considered that there would be adequate light and outlook. As per paragraph 7.5 above, the proposed rear garden would result in unsatisfactory residential amenity for future occupiers due to its minimal size at only 1 metre deep. The proposal would be contrary to Policy H1 of the Joint Core Strategy.

Parking and Highway safety

7.9 The proposal is for a two bedroom dwelling which requires two off-road parking spaces to accord with Local Parking standards. Access would be taken from Beech Avenue and the applicant proposes vision splays in either side of the access point. The submitted plans also appear to comply with Local Highways Standing Advice.

8. CONCLUSION

8.1 Although the proposal would contribute to the Council's 5 Year Housing Land Supply and bring a vacant and unsightly plot of land back into use, it is considered that the proposal is unacceptable and for the reasons cited above and the application is recommended for refusal. On balance, the benefits of the proposed scheme do not outweigh the concerns to the extent that a positive recommendation can be made.

9. BACKGROUND PAPERS

9.1 N/2017/1371.

10. LEGAL IMPLICATIONS

10.1 The development is CIL liable as it would result in creation of a new dwelling house.

11. SUMMARY AND LINKS TO CORPORATE PLAN

11.1 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: 133 Lindsay Avenue

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Date: 07-12-2017

Scale: 1:1.250

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