

PLANNING COMMITTEE: 13th March 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1689

LOCATION: Garage Premises, 531 Harlestone Road

DESCRIPTION: Demolition of existing car servicing and sales garage and bungalow to the rear and erection of new built office premises (Professional and Financial Services Use and Business Use) with associated car parking and landscaping

WARD: New Duston Ward

APPLICANT: RAW Ventures Ltd
AGENT: Valerie Coleby

REFERRED BY: Councillor M Golby
REASON: Overdevelopment and concerned about scale of development

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 offices would result in the sustainable redevelopment of an existing employment site that would contribute to supporting the local economy without any significant impact on the town centre. In addition, subject to the conditions below, it would not have any undue adverse impact on the street scene, the highway network or the amenities of adjoining and nearby residential occupiers. The proposal thereby complies with Policies SA, S7, S8, S10, E1, N1 and BN9 of the West Northamptonshire Joint Core Strategy, Policies E20, B19 and T11 of the Northampton Local Plan, Policies OP1 and BE1 of the Duston Neighbourhood Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Full planning permission is sought for the demolition of the existing garage and bungalow to the rear and for the erection of new built office premises (Professional and Financial Services Use Class A2 and Business Use Class B1(a)) with associated car parking and landscaping. As the proposed use would become a mixed of both Classes A2 and B1(a), it will be classified as sui generis use.

- 2.2 The area of the site is 0.15 hectares. The floor area of the proposed building is approximately 423 sq. m. The layout of the ground and first floor offices are very similar and incorporate reception areas with a lift, offices, meeting rooms, toilets (including disabled) and canteens.

3. SITE DESCRIPTION

- 3.1 The existing site is located on the south west side of the A428 Harlestone Road. It comprises a former commercial garage, together with a bungalow (no. 531 Harlestone Road) and garden to the rear. The garage consists of a brick built building with workshops, a reception area and first floor offices. To the front of the garage is a forecourt with a canopy above. To the rear of the garage is the residential dwelling and garden. The site is currently unoccupied and enclosed by temporary fencing.
- 3.2 To the north of the site are residential properties. Immediately adjacent to the southern boundary is a footpath that leads from Harlestone Road to the rear of the terrace properties that lie to the south of the application site. To the south and west of the application site is a recreation ground known as Grafton Park.

4. PLANNING HISTORY

- 4.1 N/2017/0453 - Demolition of existing car servicing and sales garage and erection of new purpose built Classes A2/B1(a) office block with associated car parking and landscaping - Withdrawn (this application included the retention of the existing residential dwelling and was withdrawn following Highway objections).
- 4.2 N/2016/1145 - Demolition of garage and dwelling and erection of three houses and three bungalows with associated works including access drive (outline application with all matters reserved except access and layout) – Approved
- 4.3 N/2016/0346 – Demolition of garage and dwelling and erection of three houses and three bungalows with associated works including access drive (outline application with all matters reserved except access and layout) – Refused 7/07/16 due to insufficient parking layout.
- 4.4 N/2015/1088 – Removal of existing forecourt canopy, insertion of first floor windows to front. Demolish existing bungalow and change of use of part of land from bungalow and garden to car parking for 12no.vehicles to serve the commercial garage (re-submission of planning application N/2015/0675) – Approved.
- 4.5 N/2015/0675 – Removal of existing forecourt canopy and erection of a single storey workshop extension to existing garage, new windows to first floor front, demolish existing bungalow and provision of car parking spaces to rear - Withdrawn.
- 4.6 N/2015/0367 – Prior notification for a proposed demolition of bungalow – Prior Approval not required.
- 4.7 PS//2014/0300 – Enquiry regarding demolition of bungalow and erection of workshop.
- 4.8 N/2006/113 – Erection of extension to garage workshop – 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), Northampton Local Plan (1997) saved policies, and adopted Duston Neighbourhood Plan.

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 7 – There are three dimensions to sustainable development: an economic role, a social role, an environmental role.

Paragraph 14 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

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; encouraging the effective use of brownfield sites; managing patterns of growth to make fullest use of sustainable locations.

Paragraphs 18, 19 and 20 relate to the need to support economic growth to create jobs and prosperity and to meet the development needs for business.

Paragraph 26 – when assessing office development outside of town centres, local planning authorities should require an impact assessment if the development is over a locally set floorspace threshold.

Paragraph 35 - sustainable transport – developments should exploit opportunities for the use of sustainable transport modes.

Paragraph 37 – Planning policies should aim for a balance of land uses so that people can be encouraged to minimise journey lengths for employment and other activities.

Paragraph 56 – Good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 58 – Planning decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

Paragraph 109 – The planning system should contribute to and enhance the natural and local environment.

Paragraphs 123 and 125 – Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life and should limit the impact of light pollution

Paragraph 203 - Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

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 SA – Presumption in favour of sustainable development
Policy S1 – The Distribution of Development
Policy S7 – Provision of jobs
Policy S8 – Distribution of jobs
Policy S10 – Sustainable Development Principles
Policy E1 – Existing Employment Areas
Policy E2 – New Office Floorspace
Policy N1 – The Regeneration of Northampton
Policy BN9 – Planning for Pollution Control

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:

E20 – New Development
B19 – Existing Business Premises in Primarily Residential Areas
T11 – Development of Commercial Uses in a Primarily Residential Area

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Duston Neighbourhood Plan

At Full Council on 14th December 2015 Northampton Borough Council made the Duston Neighbourhood Plan. It now forms part of the Development Plan for Northampton. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (see [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#)).

With regard to Business use the vision and objective of the Neighbourhood Plan encourages maintaining local businesses and employment in Duston in locations and on sites which will be viable in the long term. Redevelopment is encouraged to provide new facilities and parking.

Relevant policies are as follows:

OP1: Sustainable Development Principles – Development should have regard to the vision and objectives set out in the neighbourhood plan and be located to ensure that it does not adversely affect:

1. The amenity of nearby residents;
2. The character and appearance of the local area in which it is located;
3. The social, built, historic, cultural and natural heritage assets of the Parish.

Policy BE1: Local character areas - New development will be required to respect and relate to the character and context of the area in which it is proposed. Proposals should maintain and, where possible, enhance or improve the character of the area.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highways** – Following an initial review of the application suggest various amendments that would need to be made. Advised that a minimum of 25 parking spaces need to be provided and that the highway verge in front of the property will have to be reinstated to match the neighbouring verge.

Following consultation on amended plans confirm they are acceptable and they have no further comments to make.

- 6.2 **NBC Public Protection** – no objections subject to conditions to deal with contamination and air quality and suggests advisory notes regarding construction times.
- 6.3 **NBC Planning Policy** – no conflict in policy terms therefore do not have any comments
- 6.4 **Councillor M Golby** – requests that the application is called in to be considered by Committee on the grounds of overdevelopment of the site and scale relative to neighbouring residential properties and the potential loss of amenity as a result.
- 6.5 **Duston Parish Council** – Object to the proposal. Note that along this side of the road there is residential housing and consider a commercial office block would not be in keeping with the street scene.
- 6.6 **Comments received from one neighbour** as follows:

Objects due to size of building and considers it is an overdevelopment of the site. States it will sit at least 2 metres in front of the existing garage and overshadow the neighbouring property with resultant loss of light and outlook. Considers the expanse of brickwork will act as a soundboard and reflect noise from Lodge Farm. Also concerned that a large scale building such as this would have air conditioning units which would emit noise. Considers offices on the site are incongruent with the surrounding residential area and hours of opening should be restricted if the proposal is allowed. Concerned about parking at the rear of the property due to noise and fumes and impact on neighbouring amenity. States that the proposal could lead to parking on the highway.

Following consultation on amended plans showing an amended parking layout, further comments received regarding the detrimental impact parking at the rear will have on neighbouring garden, public park and footpath. Objects to pollution from exhaust fumes and light. Considers proposal will lead to loss of amenity and detrimental impact on existing koi carp and wild birds that visit the garden. States that, due to the scale of the office block, it would be better placed on an industrial estate.

Comments also received from resident of Duston who states that the derelict site is becoming an eyesore and the fresh proposals are a welcome step towards improving the site however also questions whether the site is appropriate for offices.

Questions what has been done to decontaminate the site from chemicals and petrol from its previous uses. Makes suggestions about what considers to be a better siting of offices and car parking and vehicular access onto Harlestone Road.

Expresses concerns about the building looking more like a boarding house than offices and about it being converted into a House in Multiple Occupation, Lodging House, Refuge or Residential Care Home in the future with the addition of dormers in the roof to make it economically viable.

Considers revised plans should be submitted to take account of the above observations and neighbours comments. Also considers that the matter should not be delegated matter but a Planning Committee decision.

7. APPRAISAL

Principle of development

- 7.1 Planning policies, particularly the NPPF and the JCS, place a particular importance upon the generation of additional economic activity with the provision of new developments to meet the changing needs of businesses and to facilitate new economic and employment opportunities. Policy SA of the JCS is an overarching policy which requires Local Planning Authorities to support sustainable development. Sustainable development in the NPPF is defined as comprising three elements - economic, social and environmental. The proposal will provide jobs and therefore support the economic and social role of sustainable development. In addition, the development will bring an existing vacant site back into use with the demolition of buildings that do not enhance the appearance of the area. The proposal is therefore considered to offer environmental benefits with a new building that has been designed to complement surrounding development. The location and provision of jobs will comply with Policies S1 and S7 of the JCS and the renewal and regeneration of an existing employment site will comply with Policies S8, E1 and N1 of the JCS.
- 7.2 Policy E20 of the Local Plan requires new development to reflect the character of its surroundings in terms of design, layout, siting and scale and to ensure adequate standards of privacy, daylight and sunlight. Policy B19 advises that within primarily residential areas planning permission will not be granted for the extension of existing business uses where the development would have a significant adverse impact on residential amenity. Policy T11 requires adequate parking and manoeuvring facilities. These issues are covered below.
- 7.3 With regard to the Duston Neighbourhood Plan, Policy OP1 advises that new development should not adversely affect the amenity of nearby residents and the character and appearance of the local area. Policy BE1 states that all new development will be required to respect and relate to the character and context of the area in which it is proposed. The plan also indicates that existing employment sites should be retained unless it is demonstrated that they are not viable.

Design and Appearance

- 7.4 The application site is located within a primarily residential area with a variety of style and age of dwellings. Two storey dwellings are located either side of the application site. Dwellings to the east are a staggered terrace of six dwellings built in the 1960s and accessed from a small service road to the front. To the west is a 1950s detached dwelling and to the east of this are semi-detached dwellings of the same era.
- 7.5 The design of the proposed building takes its cue from the row of semi-detached dwellings to the east of the site, facing Harlestone Road and leading to the junction with Quarry Road. In the street scene, the proposal has a similar appearance to a pair of these semi-detached dwellings with gabled frontages, bay windows and rendering with brick detailing. The proposed building will be 15 metres wide with a double gabled frontage slightly staggered to fit in with the building line between the neighbouring dwellings. The proposal will be a two storey property with a height of 8.2 metres which is comparable to the height of dwellings either side. The footprint of the building is not exactly the same but is closely related to the footprint of the existing garage. With the canopy to the front of the site removed and replaced with a reduced area of car parking, landscaping and re-instated grass verges, the proposal will be a significant improvement to the street scene. The existing garage does not conform to the established character of the area. It is

considered that the proposal would result in the enhancement of the current appearance of the site and the street scene. In design terms the proposal is therefore acceptable.

Impact on neighbouring properties

- 7.6 In considering planning applications for commercial uses in primarily residential areas, the need to protect the amenity and character of the surrounding dwellings must be considered and a balance maintained between business activity and adjoining residential amenity. The application site is a current employment site and a long standing vehicle repair and sales site. Due to the longstanding history of the site there is currently no restriction on the hours of use of the site or on the layout or availability of car parking. Overall it is considered that a mixed A2/B1 office use is a more compatible use to a residential area.
- 7.7 With regard to the impact on no. 529 Harlestone Road to the south, the proposed building extends a further 3.7 metres from the rear elevation of 529 at two storey level. This is 5m less than the current building. To the front, the proposed building is 0.6 metres behind the front elevation of 529. There is a gap of 2 metres between the two buildings which accommodates a footpath. The 45 degree angle for the nearest ground floor window of no. 529 is not impinged. The eaves height of the proposed building is 5.2 metres which is similar to the height of the main rear section of the flat roof garage which currently occupies the site. The roof of the proposed building is hipped to reduce any overbearing impact. With no side windows in the side elevation facing onto no. 529. It is not considered the building will have any undue detrimental impact on the amenity of this property.
- 7.8 With regard to the impact on no.533 Harlestone Road to the north, objections have been received with concerns that the proposal is overdevelopment of the site and out of proportion with surrounding properties causing overshadowing and loss of view. The north elevation of the proposed building extends 1.6 metres further forward at the front than the existing building but is reduced by 1m at the rear. Whilst the building is stepped forward of 533, this is the situation at present and a characteristic of the layout of nearby sites. There is a 6m separation distance between the side of the proposed building and 533 and again the roof is hipped on the side to reduce any overbearing impact. There are two first floor windows on the side elevation facing 533 which will be obscure glazed to prevent any overlooking. One of these windows is a secondary window to the canteen area and the other serves a W.C. There are five windows at ground floor level where overlooking is prevented by the boundary fencing between the properties. It is not considered that the proposed building will unduly impact on 533 by reason of overlooking, overbearing or overshadowing.
- 7.9 Concerns have been expressed about the impact on residential amenity that could arise if the proposed offices included air conditioning units. Details of this have not been submitted with the application and further consent would be required if any external plant was to be added in the future. Further consideration would be given to noise impact at that time, if appropriate.

Parking and vehicle movements

- 7.10 With regard to the proposed parking layout, this has been altered to comply with highway standards. As a result, 4 parking spaces and cycle parking are provided at the front of the site and 21 spaces to the rear. The revisions now provide adequate parking but have resulted in a greater area to the rear of the site being developed for car parking. In an attempt to reduce any impact on neighbouring property, the parking spaces have been moved away from the boundary with no. 533 and moved to the boundary that abuts Grafton Park. On the side adjacent to no.533 the parking area will extend in line with the current rear most wall of the bungalow (to be demolished) with the remainder of the area being landscaped. Parking on the side adjacent to the park will extend almost to the rear boundary of the site. Objections have been received with

regard to the impact the use of the car park will have on neighbouring amenity in terms of noise, pollution and lighting.

- 7.11 When considering the use of the rear of the site for car parking, it is important to take into account that the previous use of the site as a commercial garage resulted in noise and vehicle activity with resultant emissions and vehicle movements to the front and rear of the site. The forecourt to the front of the site was used for unlimited car parking resulting in a cluttered appearance. The area to the rear of the garage and to the front and side of the bungalow was an established area for parking up to 12 vehicles (including vans) according to evidence seen on site visits, photos submitted for previous applications and images on google maps. The parking spaces were not laid out to current parking and manoeuvring standards and would have resulted in tandem parking and unnecessary vehicle movements. Furthermore the garage doors at the front and rear of the workshops were used to access the repair bays and when the weather was warm, these doors remained open allowing the noise of the vehicles being worked on to emanate from the building. Planning permission was granted in 2015 for the demolition of the existing bungalow and change of use of part of the land from bungalow and garden to car parking for 12 no. vehicles to serve the commercial garage (N/2015/1088 refers). Whilst under the current application, an additional 9 parking spaces are proposed at the rear, these will be serving a different use. It is unlikely that the number of vehicle movements during the day will be as frequent as those required for testing, moving and parking customers' vehicles. A landscaping condition is recommended to ensure that the site is screened and a lighting condition is recommended to control any external lighting of the car park. To encourage more sustainable means of travel and to create a safe form of development, a condition is recommended regarding the installation and retention of appropriate cycle storage.

Air quality

- 7.12 Public Protection Officers recognise that the proposal does not meet the requirement for an air quality assessment but consider that conditions relating to electric car charging points and gas fired boilers should be applied. Policy S11 of the WNJCS which relates to low carbon and renewable energy only applies to non-residential developments over 500m². As there is no policy basis in this instance, the issue cannot be afforded any weight as a material planning consideration and therefore the placing of a condition is not considered reasonable/necessary. It is noted however that the proposal includes solar panels to be erected on the rear of the building. These would contribute to reductions in carbon emissions and the requirement for sustainable development.

Contamination

- 7.13 Public Protection Officers also suggest conditions to deal with land contamination. Given the previous use of the site, these are considered to be necessary in the interests of health and safety.

8. CONCLUSION

- 8.1 It is considered that the proposed demolition of the garage and bungalow and the erection of offices would result in the sustainable redevelopment of an existing employment site that would contribute to supporting a successful local economy without any significant impact on the town centre. In addition, subject to the conditions below, it would not have any undue adverse impact on the street scene, the highway network or the amenities of adjoining and nearby residential occupiers.

- 8.2 The application is therefore recommended for approval.

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: 07/03/01, 17/03/10, 17/03/11, 17/03/12, 17/03/13A,

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

3. Details of all proposed external facing materials shall first 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 and Policy S10 of the West Northamptonshire Joint Core Strategy.

4. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and E20 of the Northampton Local Plan.

5. 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 pre-commencement in order to agree these details in a timely manner.

6. 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 and where remediation is necessary a remediation scheme must be prepared and 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.

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.

7. The existing bungalow shall be removed and the proposed car parking, vehicular access and manoeuvring spaces and grass verge reinstatement as shown on drawing shown on drawing no.17/03/13A shall be provided prior to the first occupation of the development hereby permitted and retained thereafter.

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

8. Prior to the construction of the office block, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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. Notwithstanding the information submitted, full details of the proposed cycle storage 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 building hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

11. Notwithstanding the details submitted, full details of the surface treatments to the car parking and access roads 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 building hereby permitted and retained thereafter.

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

12. The first floor north elevation windows shall be glazed with obscured glass to level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

10. BACKGROUND PAPERS

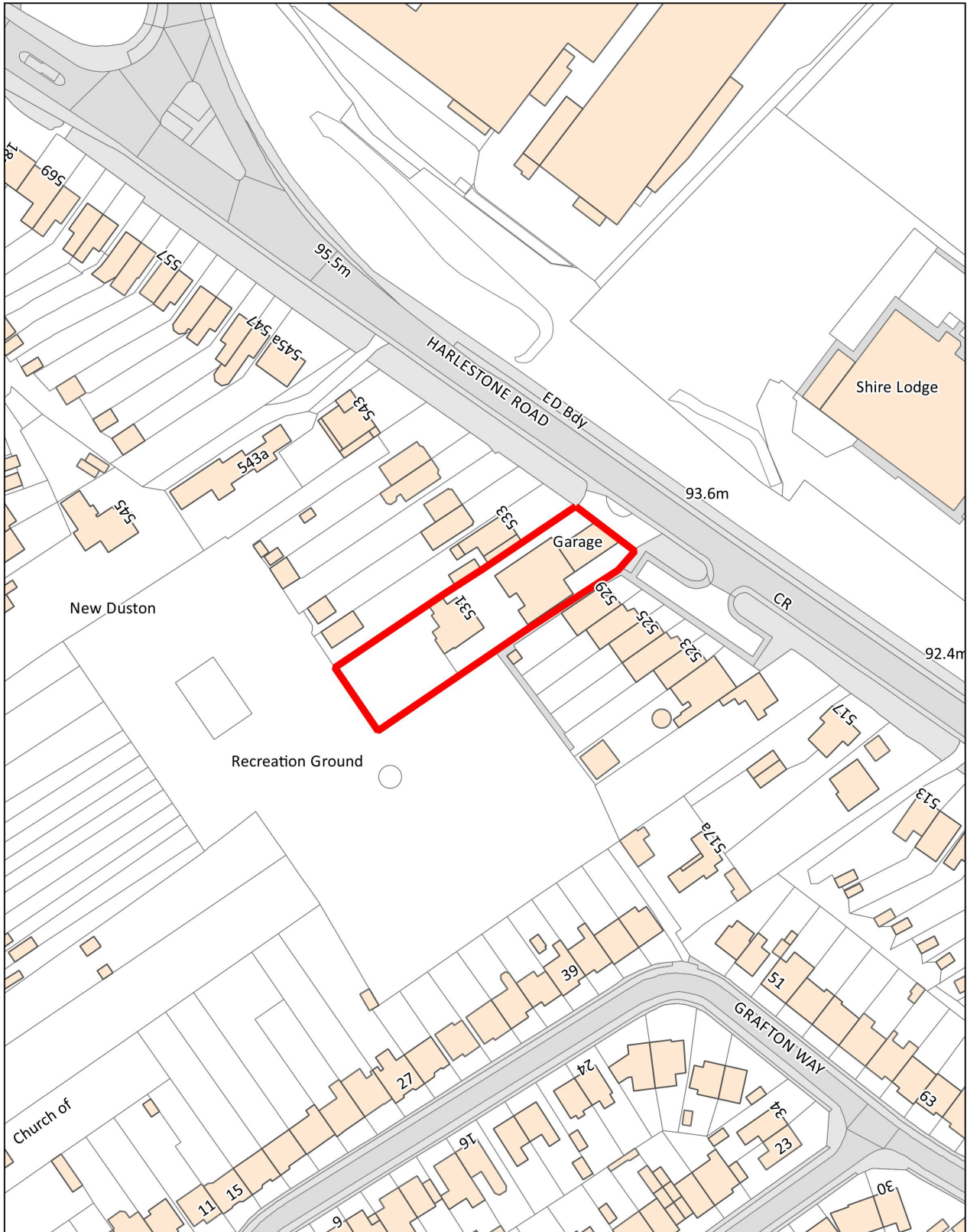
- 10.1 N/2016/1145, N/2015/1088

11. LEGAL IMPLICATIONS

11.1 The development is not 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: **531 Harlestone Road, Garage Premises**

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Date: 27-02-2018

Scale: 1:1,250

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