



**PLANNING COMMITTEE:** 4<sup>th</sup> September 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1024

**LOCATION:** 2 Bostock Mews , Bostock Avenue

**DESCRIPTION:** Conversion and extension of coach house into 1no dwelling

**WARD:** Abington Ward

**APPLICANT:** Mr J Lee  
**AGENT:** Design Board-Architectural Services

**REFERRED BY:** Councillor D Stone  
**REASON:** Parking and overlooking concerns

**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 principle of residential development on the site for a new dwelling is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. As part of a balanced assessment, it is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 of the Northampton Local Plan.

#### **2 THE PROPOSAL**

2.1 The application seeks planning permission for the conversion of a rear coach house into a self-contained one bed dwelling. The new property would have a floor space of 72sqm with a lounge and kitchen on the ground floor, and a bedroom and bathroom on the upper floor. It would also benefit from a front yard area with a cycle store and refuse area.

#### **3 SITE DESCRIPTION**

3.1 The application site is located to the west side of Bostock Avenue and to the rear of properties on the Wellingborough Road. It comprises an end of terrace two storey house (No. 1 Bostock

Avenue) that has been converted into two flats. In addition, the site includes a two storey coach house to the rear and it is this building that is the subject of the application. The site is separated from the backs of properties on the Wellingborough Road by a cobbled access drive.

## **4 PLANNING HISTORY**

- 4.1 N/2008/0417: Change of use of Coach House to offices (Class B1). Permitted.
- 4.2 N/2008/0201: Removal of lean-to passage to rear of flat and erection of entrance conservatory. Permitted.
- 4.3 N/2008/0149: Change of use of coach house to office (Class B1) (first floor) and store (Class B8) (ground floor). Refused for the following reason:

The proposal would intensify traffic movements on what is a substandard service road with inadequate width. It is considered that the proposed development would form a substandard development detrimental to highway and pedestrian safety and contrary to Policy T3 of the Northamptonshire County Structure Plan and the advice contained in PPG13 Transport.

- 4.4 N/2007/1174: Use of first floor as a flat (application for a Certificate of Lawfulness for an existing use). Granted.
- 4.5 N/2007/1173: Change of use of ground floor to flat. Permitted.

## **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:

Paragraph 11 set out that the presumption in favour of sustainable development.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places to work and live.

Paragraph 127 also addresses the importance of design and its impact on the quality and character of an area, as well as detailing that developments should create places that promote health and well-being, including a high standard of amenity for existing and future users.

Paragraph 109 details developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraphs 170 and 180 requires planning to prevent new development from being put at unacceptable risk from or being adversely affected by air or noise pollution.

### 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 S1 - The Distribution of Development  
Policy S10 - Sustainable Development Principles  
Policy H1 - Housing  
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:

Policy E20 - New Development (Design)

### 5.5 **Supplementary Planning Documents**

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

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

### 6.1 **Councillor Danielle Stone** – Called in the application on the grounds of:

- Overlooking and intrusion into the garden and bedroom of 3 Bostock Avenue; it's far too near to back door of No. 3 and would effectively be a flat in the garden of this neighbouring property.
- Parking pressures.
- Rubbish storage issues.

### 6.2 **Highway Authority (NCC)** – Based upon the Northamptonshire Parking standards 2016, the proposed development would generate a demand for 1 vehicle. As there is no residual parking capacity in the area, any increase in demand will increase the instances of illegal and unsafe parking, such as parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This is supported by the data gathered in the third party parking beat survey on 20<sup>th</sup> November 2016 and a survey carried out by the County Highway Engineer on 28 February 2017. This is also a view supported by various departments within Highways as well as the police, who handle the complaints as a result of parking problems.

It is agreed that being in a sustainable location, with easy access to small shops and bus stops, can decrease vehicle usage for short journeys. However, the County Highway Authority would argue that it does not necessarily correlate to decreased vehicle ownership.

Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the County Highway Authority would argue that the cumulative impact of “minor” developments such as this need to be considered as a whole.

In conclusion, this development will increase the demand further and will increase dangerous parking practices. The County Highway Authority considers any impact that will compromise the safety of motorists and pedestrians to be a severe developmental impact. Therefore, in the interest of highway safety, Northamptonshire Highways must object to the application.

### 6.3 **Public Protection (NBC)** – No comment received.

### 6.4 **Three letter of objection** has been received which include the following points:

- The coach house is only a glorified shed.
- The application property is already divided into two flats.
- Invasion of privacy to adjoining neighbour.
- Add more pressure to local roads and exacerbate parking issues on Bostock Avenue.
- Access road to site is regularly parked up such that access to the site will be blocked.
- Refuse bins are already an issue at the end of Bostock Avenue, with bins blocking the pavement and fly tipping.
- Application should be considered alongside application N/2018/0929 at 8 Bostock Mews.
- Adverse impact on property values of neighbours.

## **7 APPRAISAL**

### **Principle of development**

- 7.1 The pre-application site is located in a residential area within the settlement of Northampton and as such a new residential dwelling is acceptable in principle under the Development Plan.
- 7.2 Notwithstanding the above, the Council cannot however presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in paragraph 14 of the National Planning Policy Framework (NPPF), development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

### **Design and Layout**

- 7.3 Saved Policy E20 of the Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.4 The coach house the subject of the application is set to the rear of terraced properties and the proposed works would only involve limited external alterations to the coach house, comprising changes to fenestration details and the addition of conservation style roof lights. As such, it is considered that the proposal would not adversely affect the character and appearance of the area.

### **Residential Amenity**

- 7.5 Saved Policy E20 of the Local Plan, Policy H1 of the Joint Core Strategy and the NPPF seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.6 In terms of the residential amenities of neighbours, part of the existing coach house extends across the rear garden of No. 3 Bostock Avenue, with a first floor window facing down the garden of No. 3 and also high level ground floor windows in the side elevation of the building. These existing windows are both obscure glazed but are openable windows. The application proposes to replace these existing windows with obscure glazed and non-opening windows and this can be secured by condition. The remaining windows to serve the new dwelling would also make use of existing openings, with the new roof lights being high level such that they would offer no outlook. As such, it is considered that the proposal would not result in a significance change in the degree of overlooking to No. 3. Although, to safeguard the amenities of No. 3 and the other neighbouring residential properties to the side and rear of the site, it is recommended that conditions are also imposed to prevent the insertion of any further windows to the new property and remove permitted development rights for extensions.
- 7.7 The new dwelling would also face towards the rear elevation of No. 1 Bostock Avenue, which is subdivided into two flats. However, the windows in the rear outrigger serving No.1 are obscured glazed bathroom windows and therefore it is considered that the proposal would not adversely impact on the residential amenities of occupiers of the flats at No. 1 Bostock Avenue.

- 7.8 With respect to the amenities of future occupiers of the new dwelling, the proposed unit would have its own outdoor amenity space with sufficient space to accommodate refuse storage and a fence is proposed to separate this area from the open area to the side of the existing flats at No.1 Bostock Avenue which can be secured by condition. In addition, both floors of the new dwelling would be served by windows and the new property would not be located any closer to the rear of commercial properties on the Wellingborough Road than the existing flats on the site. As such, it is considered that an acceptable standard of amenity would be afforded for future occupiers of the proposed development.

### **Parking and Highways**

- 7.9 The County Parking Standards seek 1 vehicle and 1 secure covered cycle parking space per bedroom in a new residentially dwelling. The application proposes a cycle store, and this can be secured by condition, but the plot is not large enough to accommodate an on-plot parking space. Furthermore, the County Highway Engineer objects to the application on the basis that there is no residual parking capacity in the area and the proposal would increase parking demand further, leading to unsafe parking practices and detriment to highway safety. However, the site is located in a sustainable location to the rear of local facilities along the Wellingborough Road. As such, and taking into account that the building has a floorspace of 72sqm and could be used for ancillary residential purposes and has previously had permission for an office use (under reference N/2008/0417), it is considered that objections could not be sustained on parking and highway safety grounds of the impacts of any planning application.
- 7.10 In reaching this conclusion, it is noted that a previous application for a mixed office and storage use on the site (under reference N/2008/0149) was refused on highway grounds. However, this was on the basis of delivery vehicles associated with the storage use, with no highway objections raised to a subsequent application for the building to be used for only offices purposes (under reference N/2008/0417).
- 7.11 In addition, it is noted that there is an application under consideration at No. 8 Bostock Avenue to convert this terraced property into 4 flats under reference N/2018/0929, which would also result in a parking shortfall of one space under the County Parking Standards. However, and notwithstanding that the application at No. 8 is still under consideration, given the sustainable location and planning history of the site, it is considered that objections could not be sustained on parking and highway grounds to the proposal individually or collectively with the proposed development at No. 8 Bostock Avenue.

### **Other Considerations**

- 7.12 Third party representations have been received regarding the impact of the proposal on property values, however this is not a material planning consideration.

## **8 CONCLUSION**

- 8.1 To conclude, the site is in an existing housing area within the urban area of Northampton and the principle of residential development on the site is therefore acceptable under the development plan. However, the Council cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and would contribute, albeit on a small scale, to the Council's housing supply with associated social, economic and environmental benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

## **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: A696-SLP; A696-1a and A696-2.

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

3. The northern side windows and first floor stairwell window shall be non-opening and 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 properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the submitted details, prior to the occupation of the dwelling hereby permitted, full details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwelling hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to the occupation of the development hereby permitted, the proposed timber fence as shown on the approved plans shall be implemented in accordance with the approved details and retained thereafter.

Reason: In the interests of visual and residential amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy

6. Prior to the occupation of development, bicycle storage shall be provided in accordance with the approved details and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the National Planning Policy Framework.

7. 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 window(s) others that shown on the approved plans shall be installed in the elevations of the dwelling hereby permitted.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

8. 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 or roof enlargement shall be erected to the dwelling hereby permitted.

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

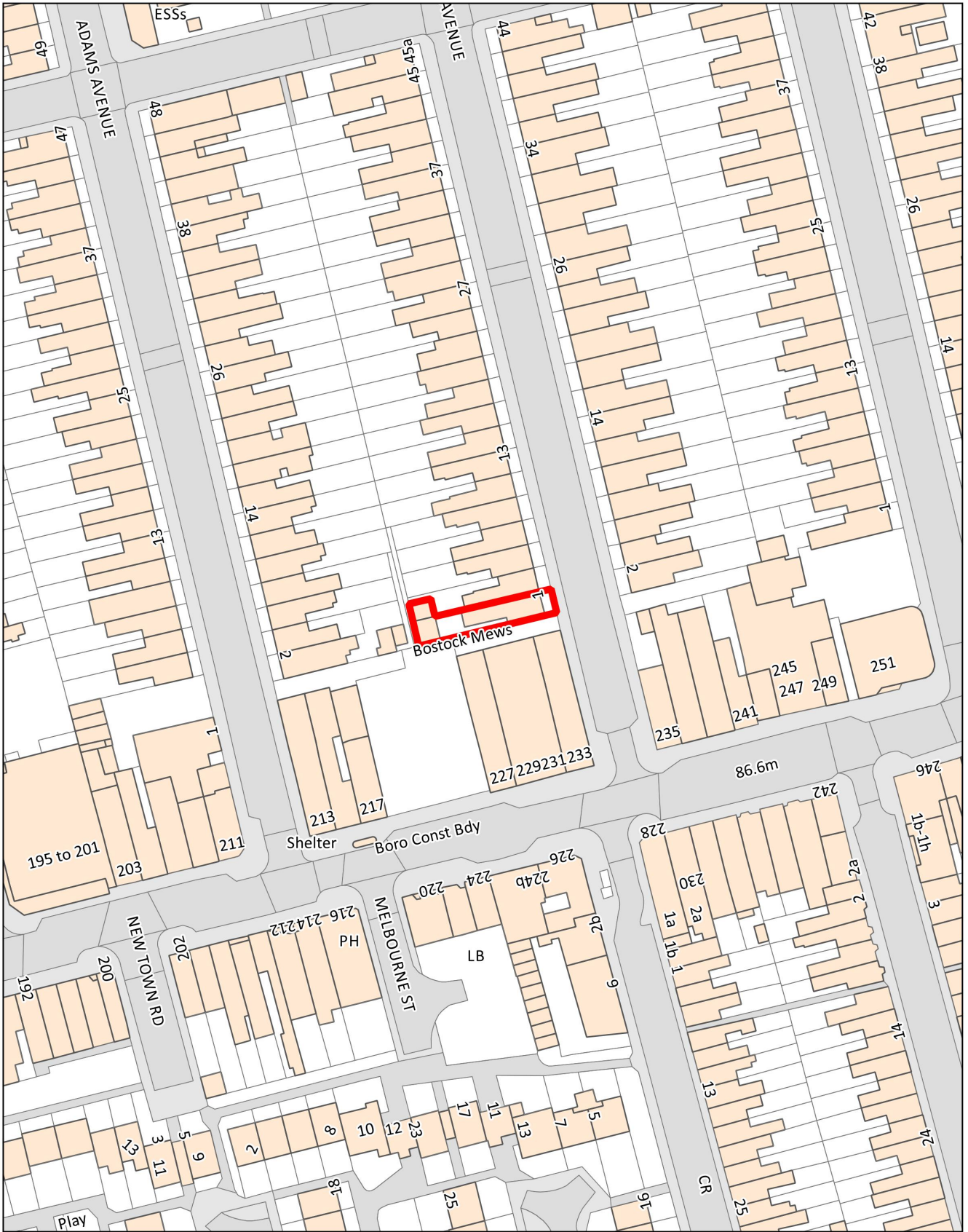
- 10.1 N/2008/0417, N/2008/0201, N/2008/0149, N/2007/1174 and N/2007/1173.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **2 Bostock Mews**

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