

PLANNING COMMITTEE: 22nd January 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1547

LOCATION: Land and garages to west of Ringway

DESCRIPTION: Demolition of 12no domestic lock up garages and construction of 2no new dwellings

WARD: Delapre & Briar Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

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 new dwellings is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. On balance, 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 and H10 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of the garages described below, the erection of a pair of 2 bedroom semi-detached dwellings, and provision of 13 car parking spaces. The dwellings will be sited along the eastern boundary in line with the neighbouring dwellings to the south. The proposed dwellings are of utilitarian and functional design. The access and turning facilities will remain as existing off Ringway.

3 SITE DESCRIPTION

- 3.1 The application relates to four blocks of flat roofed, brick built garages each comprising three individual garages located to the west of Ringway some 1.84km to the north east of its junction with Hunsbarrow Road, The application site lies to the west of the railway line in an area predominately comprising of local authority built housing stock.

4 PLANNING HISTORY

- 4.1 None relevant.

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

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)

Policy H10 – Backland Development

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 **Arboriculture Officer (NBC)** – The four trees to be removed are of low quality and amenity value and their loss is considered to be reasonable providing the arboricultural measures specified in the report to prevent harm to T5 are implemented.
- 6.2 **Highway Authority (NCC)** – Has requested the provision of a footway to the back of the car parking spaces provided immediately to the rear of the proposed dwellings (note: the scheme has been amended to incorporate the proposed footway).
- 6.3 **Northamptonshire Police** – The parking provision to the rear is vulnerable to crime, and the shed will need to be compliant to current standards.
- 6.4 **Representations** – Objections can be summarised as follows:
 - The proposal will exacerbate existing car parking problems in the area.
 - Dwellings bounding the western boundary are set on higher land and therefore appropriate retaining measures will need to be incorporated into the proposals.

7 APPRAISAL

Principle of development

- 7.1 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 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 11 of the 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 towards the Council's housing supply with associated social and economic benefits, and this therefore weighs in favour of the proposal.

Layout and design

- 7.3 Saved Policy E20 of the Northampton 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. In addition, Saved Policy H10 of the Northampton Local Plan seeks to resist backland development unless it can be shown that the development would not be detrimental to the character of the locality or the amenity of neighbours.
- 7.4 The application site comprises a former garages court site set amidst a variety of different types of housing. Therefore the proposal would not result in the loss of residential garden land, and would comprise the re-use of brownfield land which is encouraged under the NPPF.
- 7.5 The proposed layout has been revised to set the dwellings in line with existing dwellings to the south. The simple and utilitarian design proposed would be in keeping with existing buildings. The proposed development is therefore considered to be acceptable in terms of layout and design.

Residential amenity

- 7.6 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 7.7 The proposed units will be set in line with the blank gable walls to a block of flats to the south, and separated by a distance of about 17m to the rear elevations of the line of dwellings to the north. The front of the site overlooks the Ringway and an area of open space and structural landscaping alongside the railway line. It is considered that the proposal would not have significant impact on residential amenity.

Parking and highway safety

- 7.8 The applicant has confirmed that only 3 of the twelve garages are currently let (the licensees will be relocated in the area), and the other garages have been vacant for a considerable period of time with little prospect of being let. The garages are in disrepair and subject to antisocial behaviour.
- 7.9 In the instance of this application the proposed scheme will provide a total of 13 car parking spaces; 4 car parking spaces will be dedicated to the occupiers of the proposed units and the remainder for existing residents. In circumstances where nine of the garages are vacant it could be argued that the scheme represents a net addition of 9 parking spaces allowing for 4 dedicated spaces for the proposed dwellings. The scheme accords with the parking standards for new development.
- 7.10 In lieu of the garages, the proposed development would rationalise the site by providing housing, and useable additional parking and improved circulation to ease congestion.
- 7.11 The scheme is considered to be acceptable on grounds of amenity, parking and highway safety. The scheme has been revised to provide for a footway to the rear of the line of car parking spaces along the access road as required by the Highway Authority.
- 7.12 The submitted plans show sheds to serve each dwelling, these could serve as cycle stores details of which will be secured by condition.

Trees

- 7.13 The proposed development will require the removal of trees to the front and rear of the site (T1-T4). Due to the proximity of trees T1-T3 to the proposed dwellings, it is not possible to retain the trees. It was considered that it was not appropriate to retain another (T4) (a large Norway Maple) in a narrow and confined garden space.
- 7.14 T5 (Silver Birch) can be retained but will require the parking bays to be constructed sensitively using, for example, a no dig construction method and permeable load bearing surfacing. Permission is recommended to be conditioned appropriately to require details of the construction method of the parking bays and tree protection measures during construction.

Other Matters

- 7.15 Objectors have referred to differing land levels and the need to ensure that appropriate retaining structures are put in place. It is recommended that this matter is dealt with through conditions.
- 7.16 In the interests of visual amenity, the layout has to be such that parking to the rear cannot be avoided. Given that the site is surrounded by residential development it is considered that the proposed parking will have an acceptable level of natural surveillance.

8 CONCLUSION

- 8.1 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, towards the Council's housing supply with associated social and economic 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: (P)01, (P)03, (P)04, (P)05, & (P)06.

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

3. Prior to the construction of the development hereby approved above ground floor slab level, 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 in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

4. Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with any other means of enclosure to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the 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 and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to the construction of the development hereby permitted, 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 H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

6. The construction of the development hereby permitted shall not 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. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

7. 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 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.

8. Notwithstanding the submitted details, full details of the storage sheds 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: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

9. The parking spaces and manoeuvring areas shown on approved plans shall be constructed prior to the occupation of the building hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

10. The tree protection measures detailed in Section 6 of the submitted Tree Survey and Arboricultural Impact Assessment Report by McIntyre Trees (Dated November 2018-Ver 1789.42_Fv1) shall be implemented.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policies BN3 and S10 of the West Northamptonshire Joint Core Strategy.

11. 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 side elevations of the proposed development.

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

10 BACKGROUND PAPERS

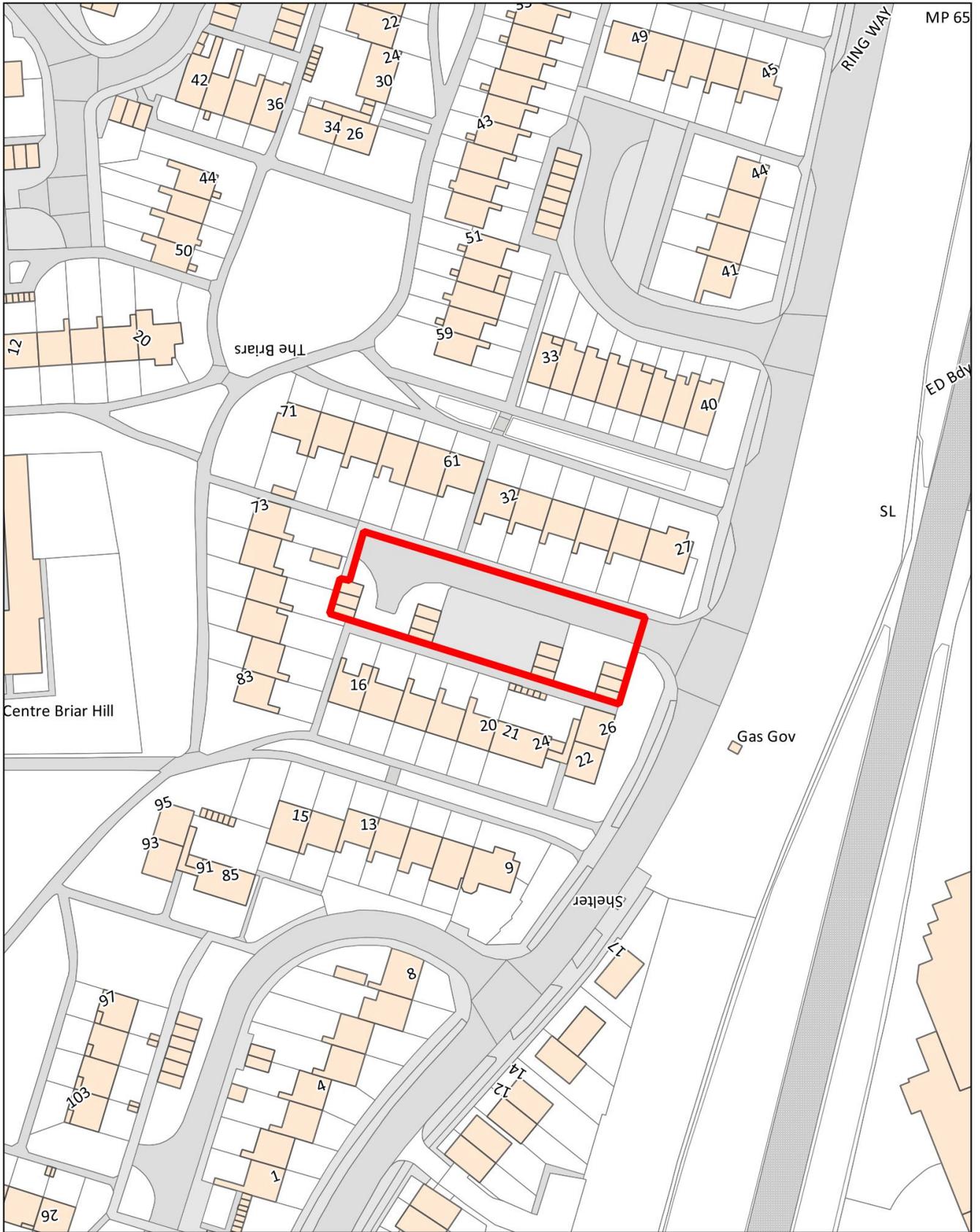
- 10.1 N/2018/1547.

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: **Land & Garages West of Ringway**

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Date: 08-01-2019

Scale: 1:1,000

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