

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

APPLICATION REF: N/2018/1548

LOCATION: Land to south west side of Ringway

DESCRIPTION: Demolition of 6no garages, construction of 2no bungalows and formation of parking areas

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 proposal would contribute towards the Council's five year housing land supply and, as part of a balanced assessment, it is considered to be acceptable. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S10, H1, BN1, BN2, RC2 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of six existing garages, the erection of two bungalows and the formation of parking areas.
- 2.2 The proposed bungalows would be one bed properties and would have gabled roof forms. Each bungalow would measure 9.2 metres in width, 9 metres in depth and 4.9 metres in height.
- 2.3 In addition, the proposal includes the demolition of existing garages and the consolidation of the existing parking arrangements such that the cul-de-sac off Ringway would be served by 23 parking spaces.

- 2.4 The scheme has been amended following its submission to alter the siting of the southernmost dwelling and introduce gabled roof forms to both dwellings to better reflect the character of the area.

3 SITE DESCRIPTION

- 3.1 The application site comprises part of a residential cul-de-sac and includes three distinct elements: an open space area to the north west of the site adjacent to No.97 Ringway that includes a centrally located tree and a wall largely screening this part of site from the road; informal parking areas included a garage block running alongside the west side of the road; and an area of open space to the south east corner of the site that includes a tree adjacent to the flank wall of No. 1 Ringway.
- 3.2 There is considerable variety in dwelling types in the locality of the site included two storey terraced houses to the east of the site, terraced bungalows to the west of the site, and three storey flats to the south of the site. Land levels rise from north to south along the application site.

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 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 RC2 - Community Needs

Policy BN1 - Green infrastructure

Policy BN2 - Biodiversity

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 policy is 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 **Public Protection (NBC)** – No comments received.

6.2 **Highway Authority (NCC)** – No comments received.

6.3 **Police Crime Prevention Design Advisor** - Northants Police has no objections to these dwellings. They are orientated to be in line with existing housing and either address the street or the public open space as do their neighbours. All new doors and windows should meet the requirements of ADQ of Building Regulations and be 3rd party accredited for SBD approval. Ground floor windows and doors should have one pane of laminate glass to P1A to reduce opportunities for forced entry.

6.4 **Arboricultural Officer (NBC):**

Comments relating to new dwelling to south eastern part of the site

A mature lime tree will be require to be removed to allow for the proposed construction. However, as the tree is close to the existing dwellings, and requires frequent pruning to contain its mass, its loss is considered to be reasonable in the context of the proposed development. Two trees close to the proposed development will require tree protection measures.

Comments relating to new dwelling to north western part of the site

An immature walnut tree close to the proposed development site will need to be removed to allow for the proposed construction. Whilst the tree is of reasonable form, there are a number of defects in the crown and several trees of greater stature to the tree's west. The amenity that this individual specimen offers to the locality as an individual is therefore reduced as its loss from the skyline would be difficult to pinpoint. Trees to the north of the proposed development will require tree protection measures.

7 APPRAISAL

Principle of development

7.1 The application site is located in a designated residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.

7.2 However, the Council cannot 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 two dwelling

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.

Open space

- 7.3 The application site includes two small areas of open space. Policy RC2 of the Joint Core Strategy relates to open space and seeks to resist the loss of open space unless it can be demonstrated that:
- There is evidence that improvements can be made through the provision of a replacement facility of equal or better quality taking into account accessibility; or
 - The proposal will bring about community benefits that outweigh the loss of the facility; or
 - Having regard to the relevant open space study, the space is surplus or is little used.
- 7.4 In addition, Paragraph 97 of the NPPF also seeks to protect against the unjustified loss of open space of public value.
- 7.5 In this instance, the proposal would result in the loss of two small areas of open space. However, the two areas of open space the subject of this application are not identified in either the Council's open space or green infrastructure studies. In addition, the two open space areas only contain grass and two trees such that they are of limited ecological value. Furthermore, the open space to the northwest of the site is screened from the road by a brick wall such that it is subject to poor surveillance and therefore vulnerable to anti-social behaviour and crime. It is also noted that the wider area includes areas of open space and, in particular, that there is a large area of open space to the west of the site. Therefore, it is considered that the quality and public value of the two areas of open space the subject of this application is limited such that the community benefits arising from the provision of two dwellings would outweigh their loss.

Layout and design

- 7.6 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 is in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.7 The proposed bungalows would be located to the side of existing residential properties and have been sited to reflect the front building lines and relationship with the street of adjacent properties. Furthermore, the scale of the new bungalows would relate acceptably to their surroundings and they would have gabled roof forms to reflect the prevailing character of the area. As such, it is considered that the new dwellings would not appear unduly prominent or intrusive in the streetscene.
- 7.8 The new houses would result in the loss of two mature trees. However, tree reports have accompanied the application and been assessed by the Council's Arboricultural Officer. The lime tree to be lost in the south eastern part of the site is considered to be too close to existing properties such that it is causing maintenance issues and therefore its loss is considered acceptable. The loss of the walnut tree in the north western part of the site is regrettable as it provides a transition from Ringway to the adjacent treed area of open space. However, defects have been identified in the walnut tree. As such, and given the presence of numerous trees to the west, it is considered that the loss of the walnut tree is not objectionable. There are also a number of trees adjacent to the proposed bungalows, but it would not be necessary for these to be removed as part of the proposals. Although, it is recommended that tree protection measures are secured by condition to prevent construction activities adversely impacting on the retained trees.
- 7.9 The proposed bungalows include side windows to provide surveillance of adjacent paths and open space. The new dwelling to the south west part of the site would result in a section of the neighbouring path having a narrow passage between a high wall that projects out from the adjacent flats and the boundary treatment for the garden of the new dwelling. However, the wall that projects from the flats does not need to be full height for its entire length and is under the

control of the applicant such that they have agreed to reduce the height to create a safer form of development.

- 7.10 The proposals also include the demolition of a garage block and the reconfiguration of the parking bays within the cul-de-sac. The existing cul-de-sac is already somewhat dominated by parking and, whilst this would not be remedied by the proposal, the demolition of the garages would open up the streetscene and remove an alleyway such that it would have a beneficial impact on the character and appearance of the area.
- 7.11 Overall, it is considered that the proposal would not have an adverse impact with regards to the character and appearance of the area.

Residential amenity

- 7.12 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.13 In terms of the amenities of neighbours, the proposed dwellings would only be single storey in scale and would be set to the side of their immediate neighbours, comprising No. 1 Ringway for the new dwelling and No. 97 Ringway for the new dwelling to the northwest part of the site. No. 1 does not benefit from any flank windows and, as such, the proposal would not adversely affect the amenity of this neighbour property. No. 97 Ringway benefits from a flank window, however this window is small in size, is not the principal window for the room that it serves and currently neighbours an area of open space such that it is considered the proposal would not have an objectionable impact on the amenity of future occupiers of this property.
- 7.14 In respect of the amenities of future occupiers, the proposal is for one bed units and all habitable rooms would be served by windows providing reasonable level of outlook. The garden sizes for the new dwellings, whilst relatively small, would be similar to other properties in the locality and it is also noted that there is a large outdoor amenity area to the west of the site. The submitted plans also indicate that there would be scope for bin storage within the rear gardens of the proposed development. Although, given the limited size of the proposed gardens, it is recommended that permitted development rights for extensions are removed from the new dwellings by condition. There would be some overlooking of the garden for the new bungalow to the south east part of the site from the upper floor windows in the adjacent flats, but the flats would only have angled views into the garden such that it would not be an unacceptable relationship. Turning to the new bungalow to the north west of the site, it is noted that No. 97 benefits from a narrow flank window that would look into the curtilage of the new dwelling. However, whilst an unusual relationship, this window would only look onto a path running to the side the property and would not afford views into the new dwelling or its rear garden such that it is considered that it would not give rise to an unacceptable relationship. As such, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers.
- 7.15 Overall, it is considered that the proposal would not give rise to an unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

Parking and highway safety

- 7.16 The Parking Standards seek one on plot parking space per one bed dwelling, which equates to two parking spaces for the proposed development. Whilst the proposal does not include any on plot parking, it would improve the existing on street situation through the demolition of the existing garages and the creation of six on street parking spaces. As such, it is considered that the proposal would provide parking and highway safety benefits.

Other considerations

- 7.17 The application proposal includes the demolition of garages and therefore a condition relating to contamination is recommended should planning permission be forthcoming.

8 CONCLUSION

- 8.1 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 respect, the site is located in a residential area and therefore the principle of residential development on the site is acceptable under the development plan, with the proposal development also contributing to the Council's five year housing land supply. The proposal would however result in the loss of an area of open space which includes two trees, although the limited harm from this loss is considered to be outweighed by the benefits to the community of providing housing to contribute to the Council's five year housing land supply and the provision of additional on street parking. Furthermore, subject to conditions, no other 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: 01, 02, 03, 04, 05, and 06.

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

3. 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.

4. Prior to the construction of the new dwellings hereby permitted, tree protection measures shall be installed in accordance with the recommendation in the submitted Arboricultural Reports (references 1789.44_Fv1 and 1789.43_Fv1) and maintained for the duration of the construction of the new dwellings.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5. Prior to the construction of the new dwellings 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. Prior to the construction of the new dwellings 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.

7. All planting, seeding or turfing shown on approved drawing numbers 03 and SCH-002 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.

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.

8. The new parking spaces shown on approved plans shall be constructed prior to the occupation of the dwellings 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.

9. Prior to the construction of the sheds shown on the plans hereby approved, full details of the 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.

10. 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 shall be erected to the dwellings hereby permitted.

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

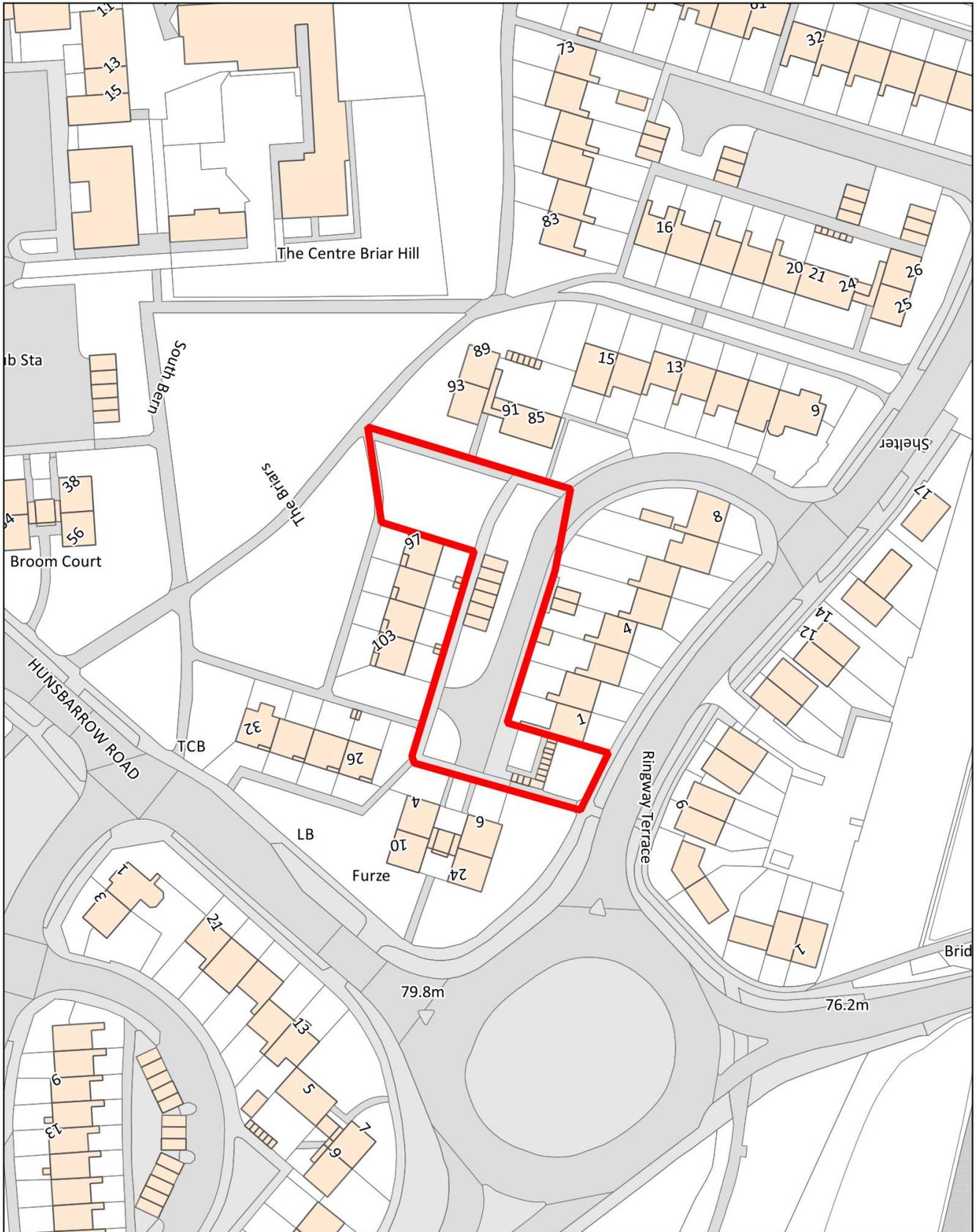
- 10.1 N/2018/1548.

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: **Land to South West of Ringway**

© Crown copyright and database rights 2018 Ordnance Survey licence no. 10019655

Date: 08-01-2019

Scale: 1:1,000

Drawn by: -----