

PLANNING COMMITTEE: 24th September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0390

LOCATION: Garage 1 Lock Up Garages, Preston Court

DESCRIPTION: Demolition of 8no domestic lock up garages and construction of 3no new build units

WARD: Brookside 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, 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 8 existing garages and the erection of a terrace of 3 dwellings. 37 parking spaces are also proposed (an increase of 11 above that existing). The proposed terrace row would be positioned to fall in line with the existing terrace row to the north, and would have a width of 13.5 metres, a depth of 10.5 metres and a height of 8.3 metres.
- 2.2 During the course of the application the proposal has been amended, with the dwellings being rotated 90 degrees to complement the existing pattern of development and with the level of parking provision being increased.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court, open parking area and an existing area of hardstanding (not accessible by vehicles) located within a residential area. The site is located on the northern end of Preston Court.

4 PLANNING HISTORY

- 4.1 None.

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 policy is 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 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, vehicle charging points and boilers, and an informative on construction and demolition noise.
- 6.2 **NBC Arboricultural Officer** – Advise that trees T1, T5, T6, T7, T9, T10 are additionally acceptable to be removed to improve local amenity.
- 6.3 **Northamptonshire Police** – Narrow gap between garden fence and retaining wall creating a space for nuisance and inappropriate congregation. No overlooking of the parking. The rear fence line should be supplemented with a trellis topping.
- 6.4 **NCC Highways** – The addition of a kerb edge and dropped kerb to pedestrian footpath and the marking of the extent of the highway is required.
- 6.5 1 petition has been received with 324 signatures. This petition is titled 'Petition to stop Northampton Partnership Homes building new houses in Lumbertubs' and relates to 7 sites. The reason outlined is the concern with the loss of garages due to an existing parking problem, and the exacerbation of this parking problem as a result.

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 It is also the case that 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 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

- 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 is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.4 The application proposes a terrace row of three properties. These properties would be two storey with tile hanging at first floor to match the surrounding character. The dwellings would be orientated to follow the existing row of terraces to the north. It is considered that the proposed dwellings would complement the existing character and appearance of the area and as such would be acceptable in design terms.

Amenity

- 7.5 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.
- 7.6 To the north of the proposed terrace row is number 10 Preston Court which does not contain any windows facing the proposed dwellings. In line with this it is not considered that there would be an

unacceptable impact upon the residential amenity of this neighbouring property to the north. The proposed dwellings are separated from residential properties by existing and proposed parking and the street to the east, south and west. It is also not considered that the proposed new parking layout and additional spaces would not result in an unacceptable impact upon neighbouring amenity.

- 7.7 In line with the above it is considered that the proposal would not have an unacceptable impact upon neighbouring amenity.
- 7.8 It is also the case that the proposed dwelling provides good sized rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

Parking and highway safety

- 7.9 Concern was raised within a petition that there is an existing parking problem in this area and the loss of garages would exacerbate this.
- 7.10 The Northamptonshire County Council Parking Standards seek 2 on plot parking space per dwelling for 2 bedroom properties. The proposal provides 3 2xbedroom properties and 37 parking spaces. The proposal also provides 1 shed per property which could be used for bicycle storage.
- 7.11 The application site as existing provides 8 garages. It is understood that 2 of these garages are currently occupied and both occupiers will be offered a replacement within Rillwood Court. It is the case, however that the existing garages are not to a size that could be counted as providing existing parking spaces for the site. To the rear of the existing garage block, 10 open parking spaces are available, alongside an additional 16 spaces to the east of the site in an open hardstanding area. As such there are currently 26 parking spaces available on this site. The proposal provides 37 parking spaces, an increase of 11.
- 7.12 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection subject to suggested alterations which have been undertaken to the proposed site plan. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

Other considerations

- 7.13 Northamptonshire Police raised concern with the proposed layout due to the creation of footpaths around the proposed dwellings. It is the case that footpaths are a characteristic of this area, and it is not considered that an objection can be made to this proposal due to this. Concern was also raised that the proposed parking spaces are not overlooked, however there are a number of residential properties which have windows overlooking that proposed parking spaces and the layout is not considered unacceptable. Northamptonshire Police also advise that trellis topping to the fencing is required. A planning condition requiring details on boundary treatments is proposed.
- 7.14 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.15 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations. As all new properties have to comply with these, the proposal complies with Policy S10 of the JCS. The site is not in an air quality management area such that it is not considered that it would reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.

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. The Council also 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 towards the Council's housing supply with associated social and economic benefits. Furthermore, 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)02, (P)03 Rev E, (P)04, (P)05 Rev A, (P)06 Rev A.

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

3. Prior to the commencement of construction works on site, 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. This is a pre-commencement condition to ensure timely submission of details.

4. 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.

5. Notwithstanding the submitted details, prior to the construction of the new dwellings 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 new dwellings hereby permitted.

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.

6. All planting, seeding or turfing shown on approved drawing numbers (P)03 Rev E 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.

7. The new parking spaces shown on approved plan (P)03 Rev E shall be constructed prior to the first occupation of the dwellings hereby approved and retained thereafter solely for the parking of vehicles.

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.

8. Prior to first occupation of the dwellings hereby approved, full details of the sheds for each property shall be submitted to and approved in writing by the Local Planning Authority. The approved sheds shall be provided on site in full accordance with the submitted details prior to first occupation of the dwellings hereby approved.

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

9. 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 alteration/enlargement 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. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

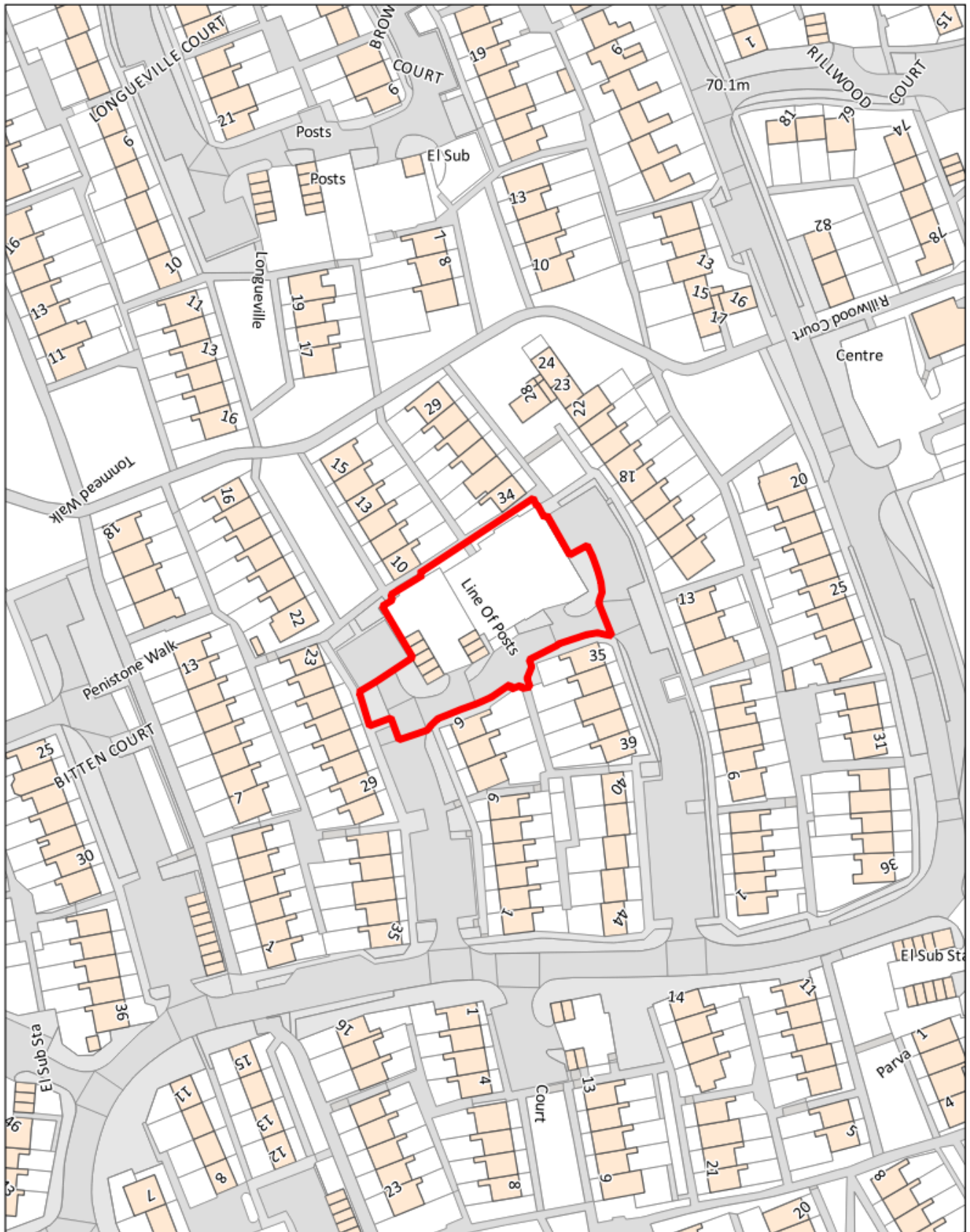
Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Lock up garages, Preston Court**

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