



**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0202

**LOCATION:** Garage 1 Lock Up Garages, Harold Street

**DESCRIPTION:** Demolition of 11no domestic garages and erection of 2no new build units

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Council owned land

**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 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 11 existing garages and the erection of 2 dwellings. The pair of semi-detached properties would have a combined width of 9.3 metres, and a maximum depth of 11.25 metres. The dwellings would be two storey with a ridge of approximately 7.7 metres. The application site is located within the Boot and Shoe Quarter Conservation Area.
- 2.2 During the course of the application the proposal has been amended, with the dwellings being repositioned and amended in design to reflect the character of the Conservation Area and protect neighbouring amenity.

### **3 SITE DESCRIPTION**

- 3.1 The application site comprises a garage court located within a residential area. The site is located on the northern side of Harold Street, at the junction with Pytchley Street and comprises two rows of garages. Established trees are positioned on the southern edge of the application site.

### **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

Northampton Parking Standards (2019)

## 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 and working hours.
- 6.2 **NBC Conservation Officer** – Redevelopment of site for housing is appropriate and welcome. Suggest houses are repositioned closer to neighbouring property to better reflect the terrace nature of the streets.
- 6.3 **NBC Arboricultural Officer** – Two hornbeam are to be removed to facilitate the development and replaced with two golden elm. Their position should be determined and agreed on site within the Arboricultural Officer once the development has been completed.
- 6.4 **Northamptonshire Police** – Loss of parking for green space in revised plans results in forcing new residents to park on street where may not be able to observe vehicle and provides a place for flytipping. Recommend sheds moved away from fence line and fencing should be close board fencing and trellis.
- 6.5 **NCC Highways** – No comment on application. Request trees are contained within a tree pit and the species agreed.
- 6.6 Two neighbour letters have been received objecting to the application. The concerns raised can be summarised as follows:
- Rents one of the garages and parks car in it. Concern for safety if can't park in garage.
  - All of the garages are in constant use.
  - There is no street parking available after 6pm.
  - Building new dwelling in highly populated area with no parking is irresponsible.
- 6.7 One neighbour letter has also been received raising comments on the application. The points raised can be summarised as follows:
- No objection to proposed dwellings.
  - Live in urban area where greenery is not very abundant and request the three beautiful specimens of mature trees are saved.

## 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 and the Conservation Area

- 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 pair of semi-detached two storey dwellings with a gable roof. These dwellings face Pytchley Street. During the course of the application the design of the semi-detached properties has been amended to draw on design characteristics of surrounding properties, such as through the use of arched doorway entrances, soldier courses, and a stepped roof to take account of changing land levels.
- 7.5 The Council's Conservation Officer has been consulted on the proposal and raises no objection but suggests the dwellings should be closer to the neighbouring terrace row to continue the appearance of terracing. The proposed location of the semi-detached properties has been studied in detail and the proposed location is the closest the dwellings can be positioned adjacent the neighbouring terrace row without harming neighbouring amenity. It is considered that the proposed position of the dwellings would be acceptable and would not harm the character and appearance of the surrounding street scenes or that of the Conservation Area.
- 7.6 The application results in the loss of two existing trees on the southern side of the site. These trees are considered to have high amenity value to the character and appearance of the street scene and Conservation Area, where soft landscaping is minimal. Design alterations have been undertaken throughout the assessment of this application to try and secure the retention of these trees, however it has been established that in order to provide housing on this site, two of the existing trees will need to be removed (those nearest the corner of the site). To overcome this loss to the character of the area, two replacement golden leaved elm trees are proposed, which once established, will assist in improving the character and appearance of the area.

### **Amenity**

- 7.7 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.
- 7.8 The application site is bordered by Pytchley Street and Harold Street to the south and west and as such would not offer an unacceptable relationship to neighbouring residential properties across these streets. To the north of the application site is 20 Pytchley Street, which contains two residential flats. During the course of the application the proposal has been amended to re-position the dwellings away from these flats to ensure that there is not an unacceptable impact upon the neighbouring occupiers. To the east of the site is 1 Harold Street which presents a blank gable end to the application site. The separation distance between the rear elevation of the proposed dwellings and 1 Harold Street is 6 metres. Although tight, the side elevation of 1 Harold Street does not contain any windows at first floor for a direct overlooking relationship to be provided. It is also the character of the area for properties to be tight up to each other. On balance it is considered that this relationship is acceptable.
- 7.9 It is not considered that there would be an unacceptable impact upon the neighbouring amenity of 1 Harold Street or 20 Pytchley Street as a result of this application.
- 7.10 It is also the case that the proposed dwellings provide good size 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**

- 7.11 Concern was raised in a neighbour letter as to the loss of parking within the existing garages, alongside the lack of provision for the proposed dwellings.

- 7.12 The Northamptonshire County Council Parking Standards seek 2 on plot parking spaces per dwelling for 2 bedroom properties. The application proposes no parking spaces. Sheds are provided for each property which could be used for bicycle storage.
- 7.13 The application site as existing provides 11 garages with no external parking. The applicant has advised that 6 of these garages are currently occupied. 1 tenant is not entitled to a new garage as they live outside of Northampton, 4 are being offered garages in Ecton Street, and 1 is being offered a garage in Portland Place. 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, and as such the existing parking provision on the site must be assessed as nil.
- 7.14 The application as originally submitted included the provision of parking spaces on the southern edge of the site. This resulted in the loss of all trees and grassed spaces from the site. The provision of soft-landscaping was outlined by both the Conservation Officer and Arboricultural Officer as an important feature that contributes to the character and appearance of the Conservation Area. As such it is considered that the retention of soft-landscaping and the ability to provide replacement trees to enhance the street scene on balance outweighs the requirement for parking on this site. This is due to the application site being located within a highly sustainable location, within close walking distance of the town centre, in an area characterised by terraced properties without parking allocation.
- 7.15 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

### **Trees**

- 7.16 Concern was raised within a neighbour letter as to the loss of existing trees on the site. Northamptonshire Police raised concern with the retention of a soft-landscaping area due to fly-tipping opportunities.
- 7.17 The application site as existing contains three trees of a high amenity value to the street scene and character and appearance of the Conservation Area. During the course of the application, the design of the proposal has been amended to try and retain these trees. Unfortunately, it is the case that two of the existing trees must be removed to allow the re-development of the site to proceed. The removal of two trees has been agreed by the Council's Arboricultural Officer subject to two replacement golden leaved elm trees being planted on the open soft landscaping to the south of the site. Precise details on the location of these replacement trees will be required through condition.

### **Other Considerations**

- 7.18 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.19 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 that there is no parking, EV charging points cannot be requested. Matters relating to the energy efficiency of buildings are addressed under the Building Regulations and it would not be 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.
- 7.20 The Northamptonshire Police recommend the sheds are secure and the fence has flimsy trellis topping. Details on the proposed shed is recommended through condition. The boundary treatments are brick walls due to the location of the site within the Conservation Area.

## **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 K, (P)04 Rev E, (P)05 Rev D, (P)06 Rev H.

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

3. 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.

4. Prior to the construction of the new dwellings hereby approved above ground floor slab level, details of all proposed external facing materials for the dwellings and for the boundary wall 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. Prior to the first occupation of the dwellings hereby approved, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of at least 2 replacement trees on the site.

All planting, seeding or turfing agreed within the approved scheme 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.

6. Prior to first occupation of the dwellings hereby approved, full details of the shed 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.

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 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.

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 additional window(s) shall be installed in the side elevations of the properties hereby approved.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy (2014).

9. Prior to the commencement of the development hereby approved, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include details of how possible damage to the tree roots of the retained tree will be assessed, and what actions will be proposed as a consequence of this investigation. The development shall be undertaken in full accordance with the details approved.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

10. 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.

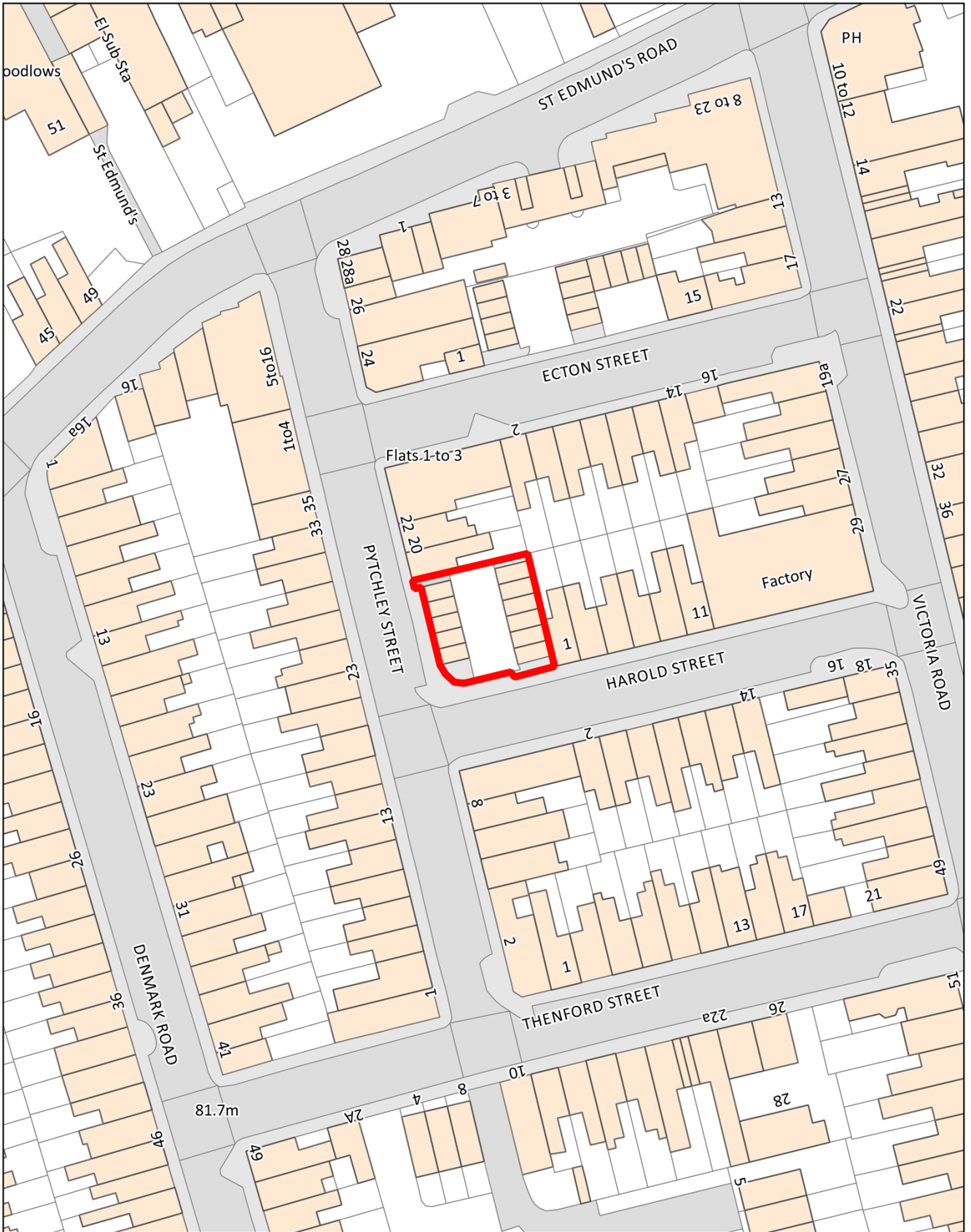
Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

## **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: **Garage 1 lockup garages, Harold Street**

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Scale: 1:750

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