

PLANNING COMMITTEE: 4TH June 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0337

LOCATION: Lock Up Garages, Croftmeadow Court

DESCRIPTION: Erection of 2 new dwellings

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Miss Isobel Barrett

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 erection of two dwellings. 9 parking spaces are also proposed.
- 2.2 The proposed dwellings would be semi-detached with a total width of 9.5 metres and a depth of 7.6 metres. The maximum ridge height of the dwellings is 7.7 metres.
- 2.3 During the course of the application the proposal has been amended to re-configure the proposed parking layout in accordance with Highway comments.

3 SITE DESCRIPTION

- 3.1 The application site comprises a hardstanding parking court and grassed area that is located within a residential area. The site is located on the northern side of Croftmeadow 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, working hours, vehicle charging points, and boilers.
- 6.2 **NBC Arboricultural Officer** - No objection provided that the arboricultural control measures specified within the Tree Survey and Arboricultural Impact Assessment Report are implemented and maintained throughout the development.
- 6.3 **Northamptonshire Police** – Would be improved through facing the street scene as car parking spaces would be overlooked. Fence line requires trellis topping to reduce climbing opportunities. Crime safety advice for the sheds is provided and windows and doors should be Building Control compliant.
- 6.4 **NCC Highways** – The development would displace a few spaces. Parking can be rationalised and some added on verge adjacent – a plan is provided showing this. *(Following these comments the proposed parking layout was amended in line with Highways advice).*
- 6.5 No neighbour letters have been received as part of this application.

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 parking 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 proposed semi-detached dwellings would be located following the line of the existing row of terraces at 39-42 Croftmeadow Court, and would be two storey dwellings with gable end roofs, matching in character and appearance the surrounding properties. It is considered that the proposed dwellings 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 The application site is bordered by 39 Croftmeadow Court to the west, a two storey property. The proposed dwelling would fall in line with the side elevation of this existing property, which contains no windows. As such it is not considered that there would be an unacceptable impact upon this property as a result of the proposal. To the east of the application site is the blank side elevation of 38 Croftmeadow Court, which is separated from the proposed dwellings by approximately 12

metres. Due to this separation distance, it is not considered that there would be an unacceptable impact upon this neighbouring property as a result of the proposal.

- 7.7 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

- 7.8 The Northamptonshire County Council Parking Standards seek 1 on plot parking space for 1 bedroom properties. The proposal provides 2, 1xbedroom property, and 9 parking spaces. 2 parking spaces would be allocated to the proposed dwellings, and 7 parking spaces provided for communal parking by existing residents and visitors. The proposal also provides 1 shed per property, which could be used for bicycle storage.
- 7.9 The application site as existing provides a hardstanding area which can accommodate approximately 10 vehicles. The proposal provides 7 unallocated replacement parking spaces, a net decrease of 3 parking spaces.
- 7.10 Northamptonshire County Council Highways Department have been consulted on this application. As originally submitted the Highways department raised opportunities for additional parking spaces to be provided on this site. Following this the scheme was amended in line with the advice from the Highways officer. No additional comments have been received from the Highways department following the amendment.
- 7.11 With the Highways Department not raising an objection to the amended scheme, it is considered that it must be assessed that there would not be an unacceptable impact upon the highway network as a result of this proposal.

Other considerations

- 7.12 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.13 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 and 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.
- 7.14 The Northamptonshire Police advised that it would be an improvement if the dwellings were facing the street scene in line with number 38 Croftmeadow Court to overlook the parking spaces. It is the case that the proposed dwellings cannot be positioned to the east of the site in line with number 38 due to an existing substation in this location. Should the dwellings have been positioned further forward in the current location to allow the properties to face the street scene whilst still retaining a rear garden, there would have been an unacceptable impact upon the neighbouring amenity of number 39. With the proposed dwellings matching in character the appearance of 39-42 Croftmeadow Court, and a number of other properties within this Court offering a direct view over the parking spaces, it is not considered that an objection can be made to the positing of the proposed dwellings with the front elevations to the north.
- 7.15 The Northamptonshire Police also recommended that the fence is supplemented with trellis topping, and security measures are put in place for the shed and windows and doors. Details on

the proposed sheds and boundary treatments are recommended through condition. An informative is suggested advising of the Northamptonshire Police comments on security.

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 Rev A, (P)02 Rev A, (P)03 Rev B, (P)04 Rev A, (P)05 Rev A, (P)06 Rev B.

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 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 B 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 B shall be constructed prior to the first occupation of the dwelling 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 dwelling 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.

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 dwelling 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. The development hereby approved shall be undertaken in full accordance with the findings of the 'Tree Survey and Arboricultural Impact Assessment Report' 18101_15_Fv1 by MacIntyre Trees, dated December 2018.

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.

INFORMATIVE:

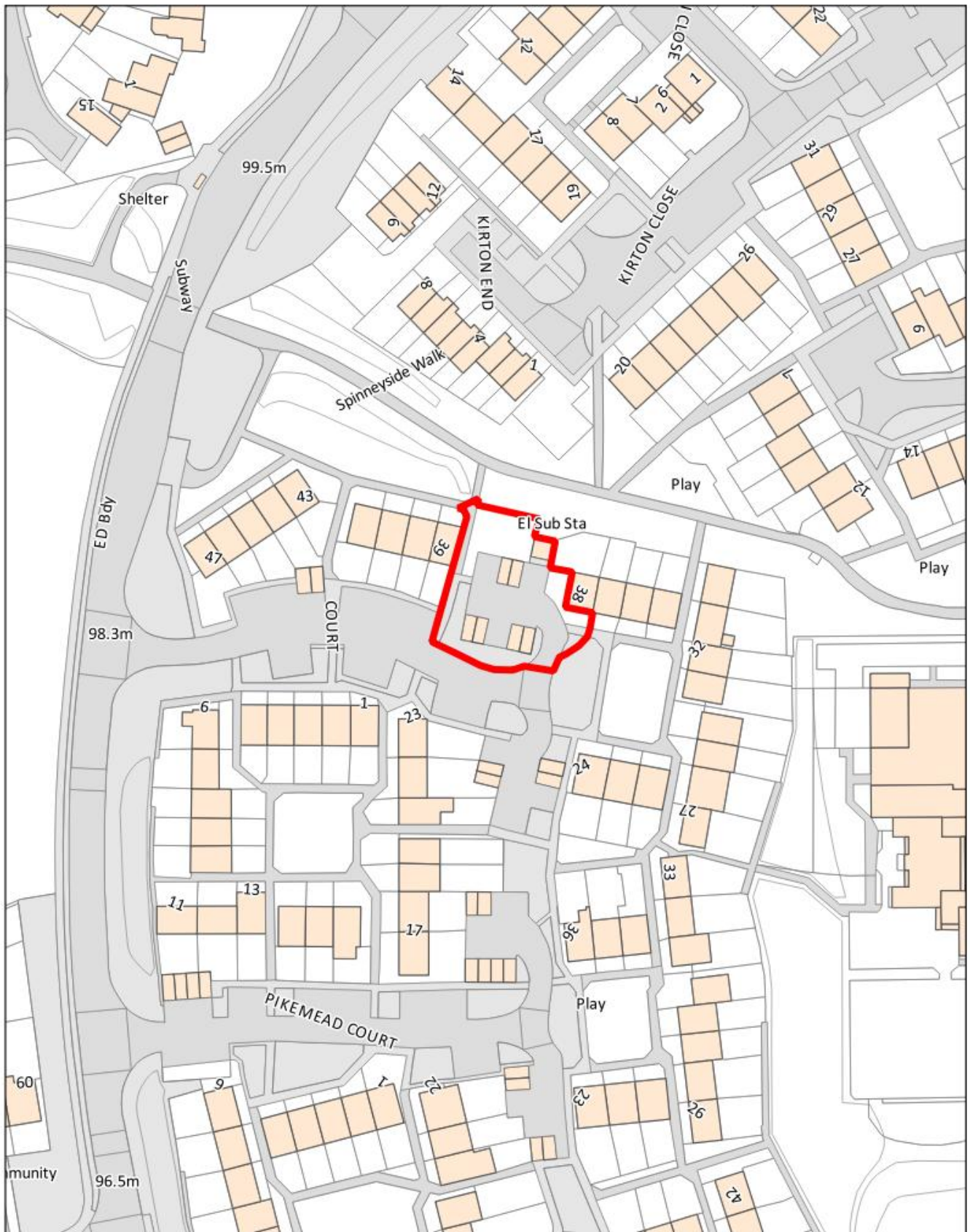
The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

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.



Title: **Garages at Croftmeadow Court**

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Date: 17-05-2019

Scale: 1:1,000

Drawn by: -----