

**PLANNING COMMITTEE:** 30<sup>th</sup> July 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0137

**LOCATION:** Lock Up Garages, Fieldway

**DESCRIPTION:** Demolition of 10no domestic garages and erection of 2no new build units

**WARD:** Headlands Ward

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

**REFERRED BY:** Head of Planning  
**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 principle of residential development on the site for two new dwellings is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. The proposed siting, scale and design are considered acceptable and would not have undue impact upon the character and appearance of the surrounding area, neighbouring amenity, trees, security and parking/highway safety. The development is therefore in compliant with the aims and objectives of the National Planning Policy Framework, Policies S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

#### **2 THE PROPOSAL**

2.1 Permission is sought for erection of two, two storey semi-detached properties, each with one bedroom. The properties contain living room/dining room and kitchen on ground floor with bathroom, landing and bedroom above. The proposed dwellings would have rear gardens measuring approximately 20 metres long and would be served by one off-road parking space each with access off Fieldway.

#### **3 SITE DESCRIPTION**

- 3.1 The site consists of a block of 10 domestic garages located within a primarily residential area. Access is currently taken off Fieldway. The site is surrounded by residential properties on all sides with a mix of mainly two storey dwellings and blocks of flats. The site is not near any conservation areas or any listed buildings and is in a low risk flood zone (flood zone 1). The site is relatively flat.

#### **4 PLANNING HISTORY**

- 4.1 No recent planning applications.

#### **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), Northampton Local Plan (1997) saved policies.

##### **National Policies**

- 5.2 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 - Distribution of development

Policy S3 - Scale and distribution of housing

Policy S10 - Sustainable Development Principles

Policy H1 - Housing Design, Density and Mix

Policy BN3 - Trees

Policy BN9 - Planning and 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)

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments summarised as follows:

- 6.1 **NBC Tree Officer** - the one mature lime tree on the frontage identified as T1 has been identified for removal and therefore no tree protection measures will be required for that particular tree. However, the remaining lime trees, included together in G2, are to be retained and MacIntyre Trees' report recommends ground protection measures to accommodate the development whilst causing the least avoidable harm to the roots of those trees. However, no detail of ground protection is offered and so a site-specific document will be required that will demonstrate how the proposals can be implemented without causing harm to the adjacent trees.
- 6.2 **NBC Environmental Health** - No objections subject to contaminated land condition and consideration given to air quality and construction noise.
- 6.3 **Northamptonshire Police** - No objection provide the plot to the left has trellis topped boundary to side and all new doors and windows should be Building Regulation compliant. The shed should be secured with a mortice lock.
- 6.4 **Northamptonshire Highways** - no objection subject to a condition that footway be re-instated.

## 7. APPRAISAL

### Main issues

- 7.1 The main issues for consideration are the principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity, security, trees, and highway conditions/ parking.

### Principle of residential development

- 7.2 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. In addition, the site comprises land that has been previously developed and thus the redevelopment of such brownfield land is encouraged under the NPPF.
- 7.3 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 dwellings 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 impact on the appearance and character of the area

- 7.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place 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 proposed design and general appearance are in keeping with other dwellings in the area, in terms of scale and height. Any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved. This would accord with Policy S10 of the Joint Core Strategy and E20 of the Local Plan.

### Impact on amenity of neighbouring occupiers

- 7.5 The site is surrounded a block of flats to the south and residential dwellings to the north and east. In terms of the nearby flats, due to the separation, the proposed dwellings would have limited effect in terms of loss of outlook, overbearing, privacy and light. In terms of the impact on the property to the north at number 32 Fieldway, there would be some effect on the rear windows of this property, however the relationship is such that loss of residential amenity would be reasonably limited. Given front separation, any impact on the properties opposite the site would also be considered to be acceptable.

### **Amenity of future occupiers**

- 7.6 Saved Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy all seek to secure a sufficient standard of residential amenity for future occupiers. All habitable rooms would be served by adequate light and outlook and private amenity spaces 20 metres long, providing an acceptable level of residential amenity. Bin storage would be secured by condition. Although the flats to the south of the site would directly overlook the rear amenity space, it is considered that the separation is reasonable and the need for additional two dwellings would outweigh officer concerns and a refusal could not be justified.

### **Parking and Highways**

- 7.7 The application site currently comprises 10 single garages. However, garages are not generally counted as parking spaces under the County Parking Standards as they are often too small to be used for day to day parking. NPH has confirmed that only 5 out of the 10 garages are currently occupied. However, a desktop exercise was carried out and each current occupant would be offered an alternative garage as close as possible to their homes.
- 7.8 Off-street parking would be provided for 2 cars, one for each dwelling and complies with Northamptonshire Parking Standards. The proposal also includes adequate vision splays in either side of the access. The Local Highway Authority have no objections provided that the footway is re-instated which could be secured by condition There are no major issues with on-street parking in the vicinity of the site that would justify refusal of planning permission. The proposal complies with Paragraphs 108 and 109 of the NPPF.

### **Security and Crime Prevention**

- 7.9 Northamptonshire Police Crime Advisor raises no objection subject to consideration be given to security measures including boundary treatment surveillance of parking areas and securing of fenestration in accordance with the Northamptonshire "Planning Out Crime" Guidance and Policy S10 of the Joint Core Strategy. These could be agreed by condition on any grant of planning permission. The proposed car parking spaces would also benefit from direct surveillance from the front windows in the new dwellings.

### **Contamination and Environmental Health issues**

- 7.10 The Council's Environmental Health Officers recommend that a standard land contamination condition be secured which would be agreed by condition on any grant of planning approval. This accords with Policy BN9 of the Joint Core Strategy. Construction hours could be recommended by an informative note. There is no policy justification for insisting on gas fired boilers.

### **Landscaping and Trees**

- 7.11 The proposal includes removal of one mature Lime tree adjacent to the site access and retention of some other lime trees to the immediate south of this. The NBC Tree Officer recommends ground protection measures to accommodate the development however no detail of this has been submitted and he suggests a site specific document being provided that demonstrates how the proposals can be implemented without causing harm to the adjacent trees. However, in response to this, as these trees are outside the application site, a condition would not be considered reasonable in this instance but an informative would be added to any planning approval advising

the applicant on protection of trees outside the site. The loss of the Lime tree is regrettable, however, there would still be trees retained immediately to the south of the site frontage. It is considered that the harm to amenity would be outweighed by the provision of affordable housing in this instance

## **8. CONCLUSION**

- 8.1 To conclude, the site is in an existing residential area within the built up area of Northampton and the principle of development is acceptable and would contribute to the 5 year land supply. In this instance, the proposal would comply with the development plan and national policy and subject to conditions, no harm has been identified that would significantly outweigh benefits. The proposal is considered acceptable.

## **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: P01A, P02A, P03A, P04, P05, P06, SCH001 and SCH002.

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

- 3) Notwithstanding the submitted plans, 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 and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- 4) The bin storage areas shall be implemented in accordance with the details on the approved plans prior to first occupation of development and retained in that form throughout the lifetime of development.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy

- 5) The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the buildings 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 aims of the National Planning Policy Framework.

- 6) Prior to the occupation of development, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan and H1 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 shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

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 windows including dormers and roof windows shall be installed to the dwellings hereby permitted.

Reason: In the interests of privacy in accordance with Policy E20 of the Northampton Local Plan.

9) 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 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.

10) Details of security measures including security to doors and windows shall be first submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development hereby permitted.

Reason: In the interests of security to comply with Policy S10 of the Joint Core Strategy.

11) Prior to the first use of the approved parking spaces, 2m by 2m pedestrian vision splays shall be provided on either side of the access and retained in that form throughout the lifetime of the development.

Reason: In the interests of highway safety to comply with the aims of the National Planning Policy Framework.

12) The footway at the front of the site shall be re-instated in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development hereby permitted.

Reason: In the interests of highway safety to comply with the aims of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

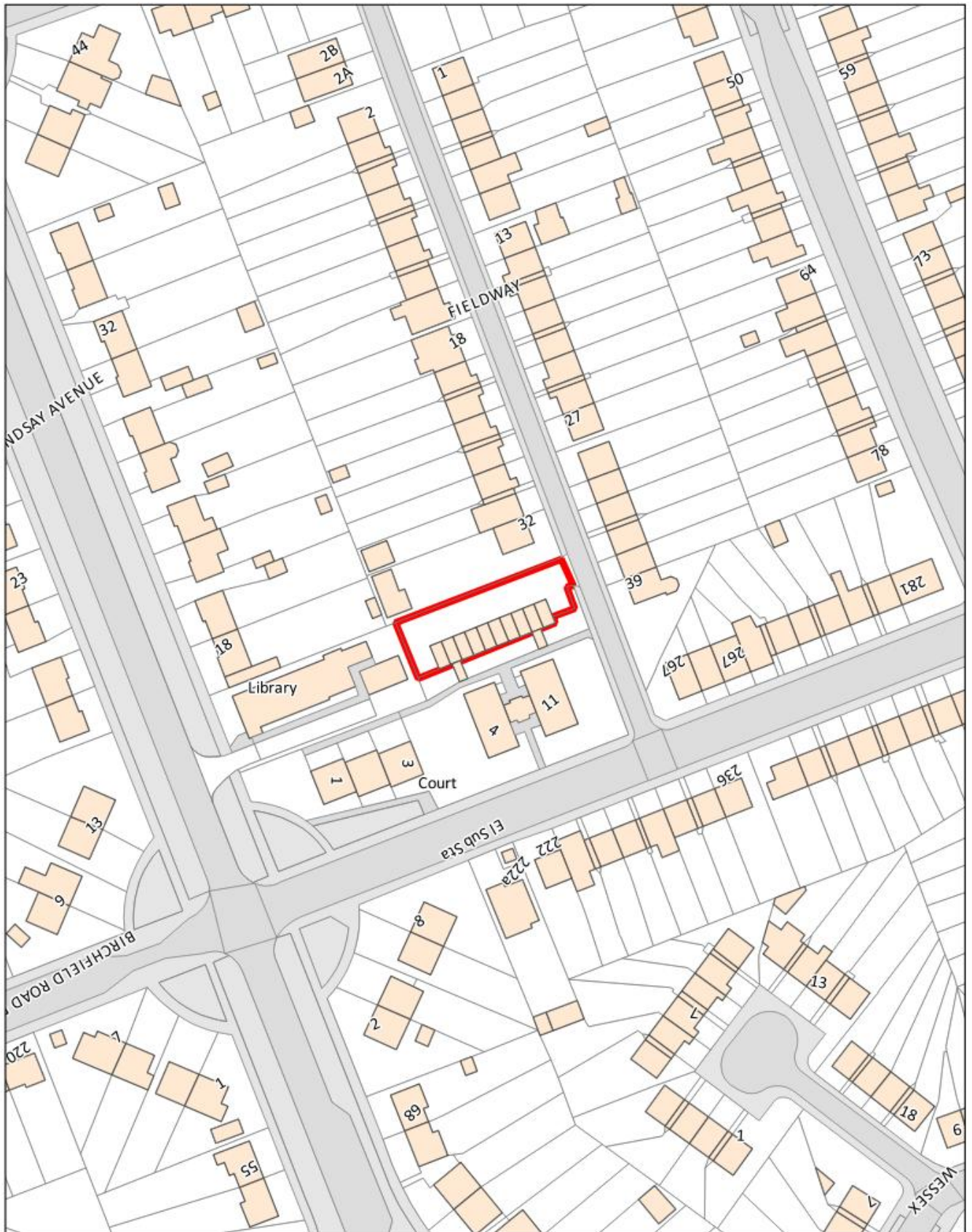
10.1 N/2019/0137.

## **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: **Garages at Fieldway**

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Scale: 1:1,000

Drawn by: -----