



**PLANNING COMMITTEE:** 24<sup>th</sup> September 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0693

**LOCATION:** Lock Up Garages, Thirlmere Avenue

**DESCRIPTION:** Demolition of 15 no. garages and proposed development of 2 no. dwellings with associated parking (part retrospective) – amendment to planning permission N/2018/1469

**WARD:** Eastfield Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Bonnie Carswell

**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, hall and WC on ground floor with bathroom, landing and bedroom above. The proposed dwellings would have rear gardens measuring approximately 7.5 metres long and would be served by two off-road parking space each [with access off](#) Thirlmere Avenue. Each dwelling would be 4.8 metres in width, 7.6 metres in depth and with hipped roofs.7.5 metres in height.

- 2.2 The proposal is an amendment to a previous planning approval N/2018/1469 granted by the Planning Committee in January 2019. The changes being that the siting of the proposed dwellings have been moved 2.5 metres to the south east, to avoid a sewer under the site. As a result, the proposed rear gardens have been reduced from 10m to 7.5m deep. The house designs remain the same.

### **3 SITE DESCRIPTION**

- 3.1 The site previously consisted of a block of 15 domestic garages located within a primarily residential area. Access is currently taken off Thirlmere Avenue. The site is surrounded by residential properties on all sides, mainly two storey dwellings. 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 N/2018/1469 Permission granted for the erection of two dwellings. This is still extant. The garages have been demolished already.

### **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.

### **6 National Policies**

- 6.1 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.

#### **6.2 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

### 6.3 **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 policies are material to this application:

Policy E20 New development (design)

### 6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

## 7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **Public Protection (NBC)** – No objections subject to conditions relating to land contamination, construction hours and mitigation measures to support the Low Emission Strategy.

7.2 **Highway Authority (NCC)** – No comments to make.

7.3 **Tree Officer (NBC)** - No objections to make.

7.4 **Northants Police** – Commented on previous application. The doors and windows in the dwellings and the sheds need to be designed to reduce opportunities for forced entry / burglaries.

7.5 One neighbour objection received stating impact on traffic generation and pedestrian safety concerns.

## 8 **APPRAISAL**

### **Main issues**

8.1 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**

8.2 As planning permission was previously granted on site for two dwellings, the principle of development has already been established. The development would contribute towards the Council's housing supply with associated social and economic benefits.

### **Design and impact on the appearance and character of the area**

8.3 The design of the proposed dwellings is identical to that under previous planning permission N/2018/1469. It is considered that the proposed development would be in keeping with the character of the local area.

### **Impact on amenity of neighbouring occupiers**

8.4 In terms of the amenities of neighbours, the proposed dwellings would back onto the rear gardens of Nos. 221 and 223 Fullingdale Road. With the revised siting of the proposed dwellings, there would still be good separation, with some 28 metres between the rear elevations of the new and existing properties such that the proposal would not adversely affect the amenities of occupiers of properties on Fullingdale Road. The flank wall of the new dwellings would be set in some 7.5 metres from the rear garden boundary of properties on Thirlmere Avenue and 4 metres from the rear garden boundary of properties on Grange Road. Given that the new dwellings would have a

hipped roof form and no first floor flank windows, it is considered that the proposal would not appear unduly prominent or give rise to an unacceptable loss of privacy or reduction in sun or daylight to its side neighbours. However, planning conditions are recommended to prevent the insertion of additional first floor flank windows and remove permitted development rights for extensions and roof alterations.

### **Amenity of future occupiers**

- 8.5 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 7.5 metres long, providing an acceptable level of residential amenity.

### **Parking and Highways**

- 8.6 The County Parking Standards seek 1 on plot parking space per dwelling for 1 bed properties. The proposal is for 2 x 1 bed properties with each house served by two allocated parking spaces and therefore the scheme would exceed the requirements in the Northamptonshire Parking Standards. In addition, the submitted plans also show sheds to serve the new dwelling and these could serve as cycle stores and be secured by condition.
- 8.7 The new houses would utilise an existing access and it is noted that the County Highway Engineer raised no objections to the access arrangements. In terms of the garages that have already been demolished, the applicant confirms that residents are provided with alternative parking spaces elsewhere. Overall, it is considered that the proposal is acceptable on the grounds of parking and highway safety.

### **Security and Crime Prevention**

- 8.8 Northamptonshire Police Crime Advisor commented on the last application that 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. These could be agreed by conditions on any grant of planning permission. The proposed car parking spaces would also benefit from direct surveillance from the proposed side windows in the new dwellings.

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

- 8.9 The Environmental Health Officer has provided guidance regarding the Council's Low Emission Strategy and recommends a condition relating to construction hours. In this respect, 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. 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.

### **Impact on Trees**

- 8.10 There are some existing semi-mature trees outside the site close to the southern boundary. The NBC Tree Officer has previously raised no objections and there is no impact on existing trees.

## **9 CONCLUSION**

- 9.1 To conclude, the site is in an existing residential area within the built up area of Northampton and 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.

## 10 CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: P01A, P02A, P03A, P03I, P04B, P05B and P06F.

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

- 2) 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.

- 3) 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.

- 4) 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.

- 5) All planting, seeding or turfing shown on the approved plans 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) The new manoeuvring areas and 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.

- 7) Prior to the construction of the sheds shown on the plans hereby approved, full details of the sheds and details of security of the fenestration 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.

- 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 windows shall be installed at first floor level in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 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.

## **11 BACKGROUND PAPERS**

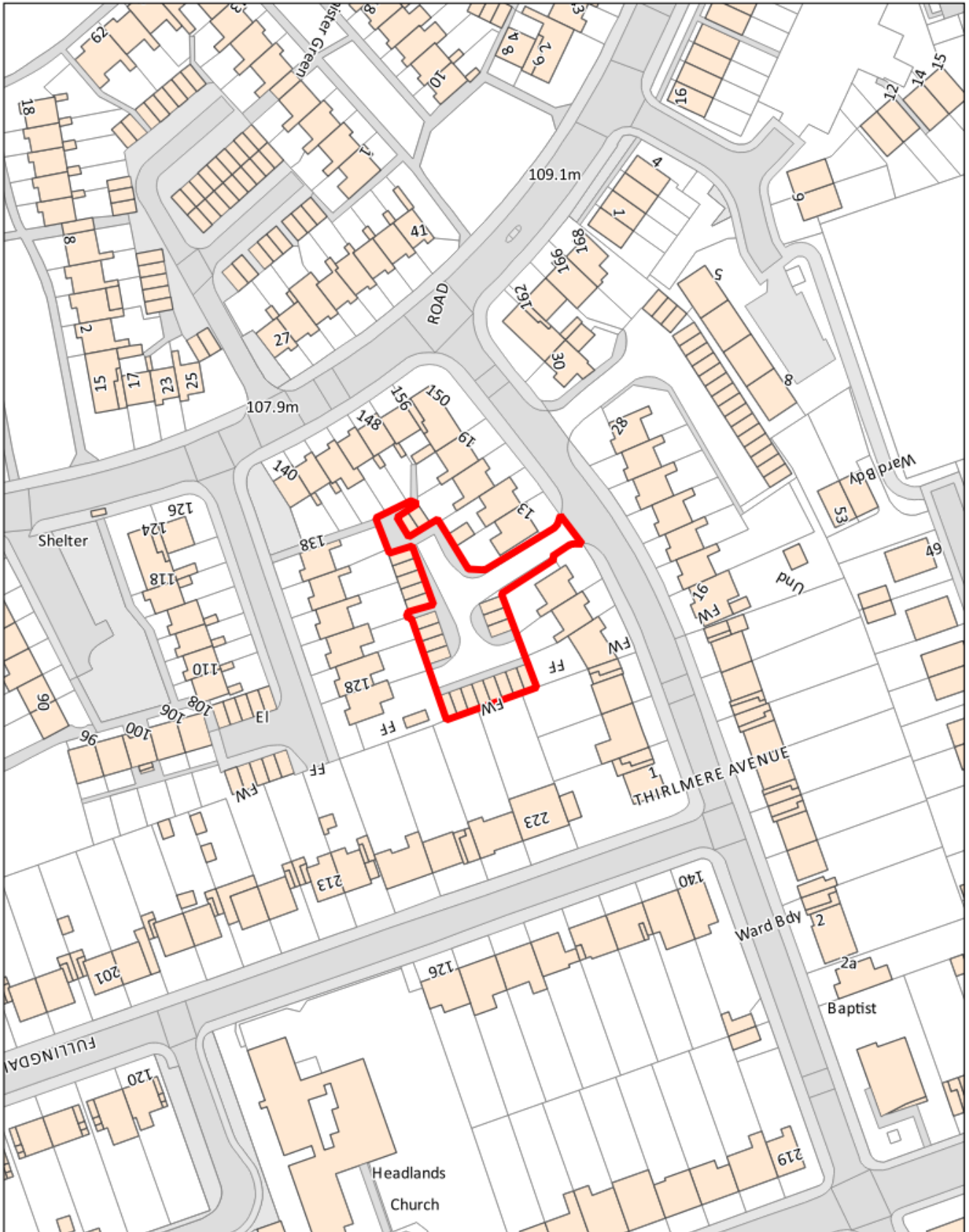
- 11.1 N/2019/0693.

## **12 LEGAL IMPLICATIONS**

- 12.1 The development is CIL liable.

## **13 SUMMARY AND LINKS TO CORPORATE PLAN**

- 13.1 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: **Lock up garages, Thirlmere Avenue**

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