



**PLANNING COMMITTEE:** 21<sup>st</sup> January 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0386

**LOCATION:** Lock Up Garages adjacent to 43 Hopmeadow Court

**DESCRIPTION:** Demolition of 10 lock up garages and erection of two storey detached dwelling and provision of car parking

**WARD:** Talavera 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 principle of residential development is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. The siting, scale and design are considered acceptable and would be in keeping with the character and appearance of the surrounding area, without harmful impact on neighbouring amenity, trees, crime prevention and parking/highway safety. The proposed development is therefore 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, Saved Policy E20 of the Northampton Local Plan and Policies 1 and H2 of the Growing Together Neighbourhood Plan.

### **2 THE PROPOSAL**

#### **2.1** Permission is sought for demolition of 10 single garages and erection of a three-bedroom detached dwelling house immediately adjacent to no. 43 Hopmeadow Court. There would be a private garden to the rear measuring 11 metres deep with associated off street parking for 3 cars adjacent. The property would have a pitched roof and measures 8.1 metres in height. The houses would be constructed in brick with roof tiles similar to nearby properties on the estate.

- 2.2 The proposed dwelling house comprises lounge, dining room, kitchen and WC at ground floor level with three bedrooms and bathroom above.
- 2.3 There will be alteration to the existing parking layout, however, the number of new spaces provided following the demolition of garages would be 23 (including 3 to serve the proposed dwellinghouse).

### **3 SITE DESCRIPTION**

- 3.1 The site consists of a residential parking court within an established residential estate. The site comprises 10 single lock up garages and is relatively flat in topography. It is enclosed by residential dwellings with parking on all sides, set within pockets of landscaping and tree planting. None of the trees are protected by preservation orders. The site is not in a conservation area or near any listed buildings. The site is in a low risk flood zone (flood zone 1).

### **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 and the Growing Together Neighbourhood Plan (2017).

### **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 - The Distribution of Development

Policy S3 - Scale and Distribution of Housing Development

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 policy is material to this application:

Policy E20 New development (design)

#### **6.4 Growing Together Neighbourhood Plan (2017)**

Policy 1 Design Quality  
Policy H2 Small scale Housing

#### **6.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG (2004)  
Parking Standards SPD (November 2019)

### **7 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Tree Officer** - Have no adverse comment upon the principle of the proposed development on purely arboricultural grounds, but if the development is to proceed a site-specific arboricultural method statement will be required that will set out how the ground protection measures are to be installed.
- 7.2 **NBC Public Protection** - recommend conditions relating to contamination, construction hours and low emissions.
- 7.3 **NCC Highways** - The layout plans submitted are now acceptable. The application site is not affected by a Public Right of Way. Planning Permission does not give or imply permission for adoption of new highway or to implement any works within the highway and / or a Public Right of Way.
- 7.4 **Northamptonshire Police** - The layout still retains the 'gap' between the existing residents rear garden fences and the new gardens. This is likely to be an unpleasant space set between two rear fence lines and should be secured as previously advised with a lockable gate accessible only to those existing residents who have rear garden gates leading out into the existing parking area.
- 7.5 Two neighbour letters of objections summarised as follows:
- Parking and access concerns
  - Impact on disabled residents
  - Crime / security concerns
  - Health and safety concerns
  - Impact on trees
  - Out of keeping with area
  - Noise and vibrations from construction process
  - Loss of garages
  - Loss of light and privacy
  - Impact on open space/ trees
  - Over-crowding

### **8 APPRAISAL**

- 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, trees, security and highway conditions/ parking.

## **Principle of development**

- 8.2 The application site is located in an established 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 urban area of Northampton. 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 one dwelling, 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 appearance**

- 8.3 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.
- 8.4 The proposed design, roof form, fenestration and general appearance are in keeping with the area which also comprises other two storey dwellings with comparable height to the proposed dwelling and a large proportion also constructed in brick. The new house would also follow the building line of the properties to the immediate west and any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved.

## **Residential amenity**

- 8.5 The site is surrounded by residential properties on all four sides. To the east of the proposed dwelling, is a row of terraced two storey properties 16 metres away at their closest. Due to the separation involved, the impact is considered acceptable in terms of loss of outlook, light and overbearing. Given that there would be no first-floor east facing side windows in the flank elevation of the proposed dwelling, direct overlooking would also be limited.
- 8.6 In terms of the occupiers to the immediate west, these would be separated by a pedestrian path around 2 metres wide. However, the relationship is such that loss of residential amenity would be minimal as there are no side windows would be affected in the existing property. Given the separation of over 30 metres to the closest property to the south east, at no. 28 Hopmeadow Court, it is considered that there would be limited impact on this neighbour in terms of overlooking loss of light, outlook and overbearing.
- 8.7 Turning to the effect to the nearest occupiers to the north of the application site, the rear wall of the new dwelling is in excess of 20 metres away and positioned at a slight angle. For this reason, the impact of built form would be reasonably limited.
- 8.8 In terms of the amenity of future occupiers, 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 space 11 metres long, providing an acceptable level of residential amenity. Although the two storey properties to the east of the site would directly overlook the rear amenity space, it is considered that the separation involved is reasonable and the need for an additional dwelling would outweigh these concerns. Matters relating to the energy efficiency of buildings are generally addressed under the Building Regulations. As all new properties have to comply with these, the proposal complies with Policy S10 of the JCS.

## **Parking and Highways**

- 8.9 The application site currently comprises 10 single garages which are all earmarked for demolition. 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

out of the 10, 6 are currently occupied and 4 vacant. However, a desktop exercise was carried out and each current occupant would be offered an alternative garage as close as possible to their homes either on Hopmeadow Court or Greatmeadow Court, a short distance away.

- 8.10 The Northamptonshire County Council Parking Standards seek 1 on plot parking space for 1 bedroom properties and 2 parking spaces for two and three bedroom houses. The proposal provides 1 three bedroom property, with 3 parking spaces to the side/front which exceeds the minimum parking requirement by 1 space for a single dwellinghouse.
- 8.11 The proposal provides 23 parking spaces. There will be a net loss of 1 space as compared with the existing parking provision, if the existing garages were to be included in the calculation. However, as garages are not counted as parking spaces, there will be a net increase of 9 spaces to serve the local residents. The Local Highway Authority raise no objection. There also appears to be spare parking capacity during the day for resident parking. It is considered that the proposal would not have an unacceptable impact upon the highway network and accords with Paragraph 108 and 109 of the National Planning Policy Framework.
- 8.12 There are also at least 4 bus stops on the nearby Blackthorn Road within five to ten minutes walk from the site. The site is therefore considered to be sustainable, in accordance with the SPD on Parking Standards. In addition, a vehicle electric charging point would need to be provided in accordance with the requirement of the Parking Standards SPD. A planning condition is therefore recommended for its provision.

### **Security and Crime Prevention**

- 8.13 Northamptonshire Police Crime Advisor raises concern a gap remains between the side of the existing house and proposed dwelling. However, a gate cannot be secured by condition as this would be outside the application site and involve an existing path being stopped up. Appropriate boundary treatment, however, can be secured by condition on any grant of planning permission. Most of the proposed car parking spaces would also benefit from direct surveillance from the new dwelling's front windows.

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

- 8.14 The Council's Environmental Health Officers recommend that a standard land contamination condition be secured on any grant of planning approval. This accords with Policy BN9 of the Joint Core Strategy. Construction hours can be controlled under Environmental Health legislation. There is no policy justification for insisting on gas fired boilers.

### **Trees**

- 8.15 There are a number of semi-mature trees within the site. 5 are earmarked for removal and some others are to be retained. A tree protection condition is recommended on of any planning approval in accordance with the Tree Officer comments. This would require ground protection measures and a Method Statement to be submitted and agreed. This accords with Policies S10 and BN3 of the JCS and the aims of the NPPF.

### **Other issues**

- 8.16 Given that construction period is likely to be for a temporary period only, it would be unreasonable to refuse planning permission in terms of noise / nuisance.

### **CONCLUSION**

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

## 8 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, P03F, P04, P05 and P06A.

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

- 3) 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.

- 4) Prior to the construction of the new dwelling 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 dwelling 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 dwelling 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 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.

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

Reason: To safeguard the privacy of adjoining properties in accordance with 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 extensions or roof alteration/enlargements including dormer windows and roof lights 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.

9) Prior to the commencement of construction work, the applicant shall provide a site specific Arboricultural Method Statement detailing ground protection measures in relation to trees earmarked for retention on site to be agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with any recommendations contained therein and prior to the commencement of construction and retained throughout the development process.

Reason: In the interests of sound arboricultural practice to accord with Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

10) The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the dwelling 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.

11) Full details of one electric vehicle charging point for the approved dwelling or the communal parking spaces hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards SPD.

## **9 BACKGROUND PAPERS**

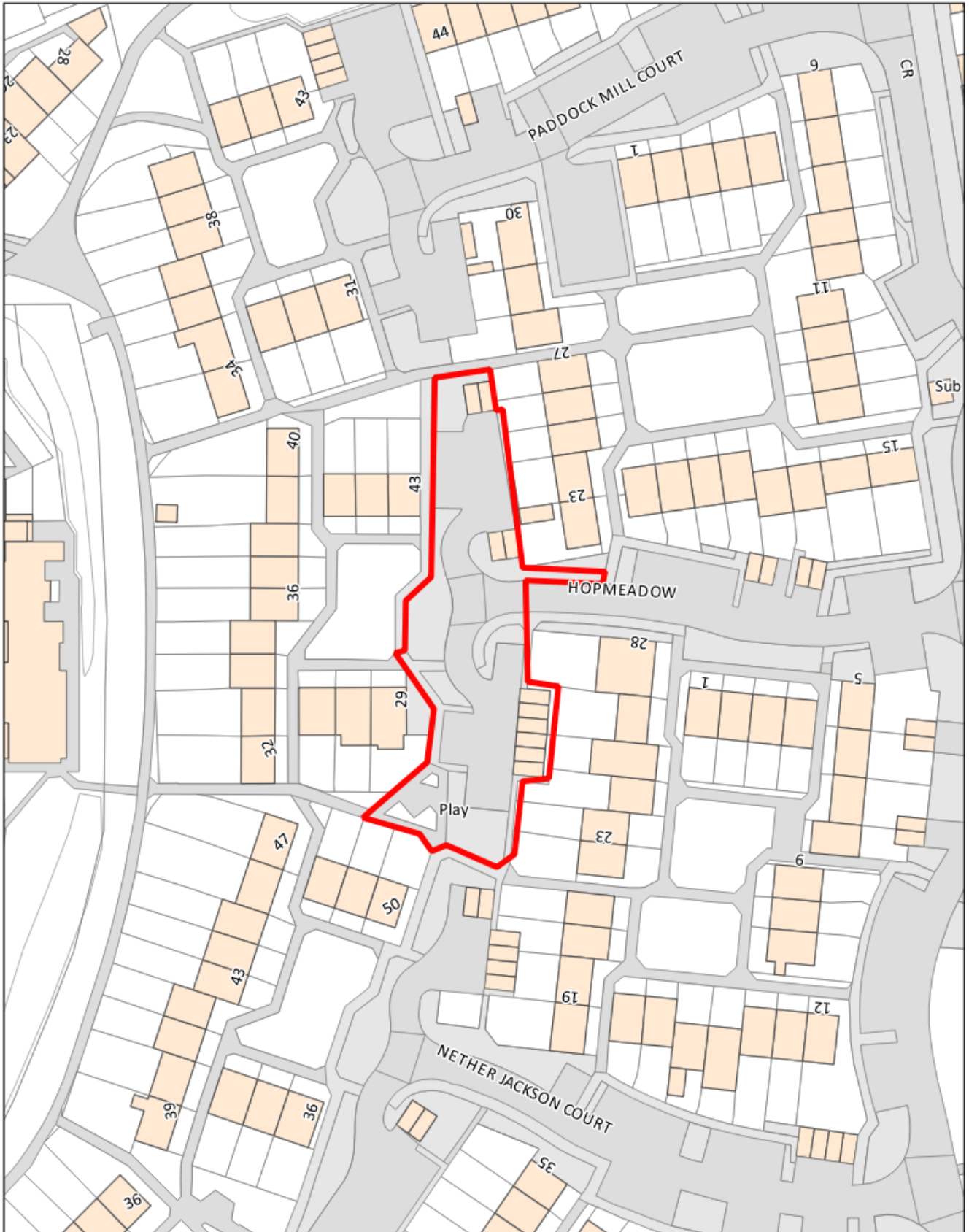
9.1 N/2019/0386.

## **10 LEGAL IMPLICATIONS**

10.1 The development is CIL liable as it would result in the creation of a new dwelling.

## **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 adj 43 Hopmeadow Court**

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