



Planning Committee Report

Committee Date: 4th April 2023

Application Number: WNN/2022/0897

Location: The Vicarage, 104 Semilong Road, Northampton, NN2 6EX

Development: Demolition of existing single and two storey building and construction of new two storey building to consist of 10no Residential Units (3no one bed and 7no two bed) with car park access, refuse store and car park

Applicant: Mr Altaf A Hussain

Agent: Anva

Case Officer: Samantha Taylor

Ward: St. George Unitary Ward

Referred By: The report is referred by the Head of Planning Delivery

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: REFUSE PERMISSION subject to the reasons detailed below with delegated authority to the Assistant Director – Planning and Development to amend the reasons as deemed necessary

Proposal

The application proposes the demolition of the existing detached property and the construction of a new two storey apartment building consisting of 10no. residential apartments, with parking, access and refuse store.

Consultations

The following consultees have raised **objections** to the application:

- Highways

The following consultees have raised **no objections** to the application:

- Anglian Water

Objection letters from 3 third party representatives have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Background
- Principle of Development
- Design and Layout
- Residential Amenity
- Parking and Highway Safety
- Flood Risk and Drainage.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons:

- 1). Unacceptable harm to the character of the area by reason of the design and visual dominance of the proposal
- 2). Harm to the amenity of the occupiers of no.1a Semilong Terrace
- 3). Insufficient internal space for the future occupants of Units 4, 9 and 10
- 4). Insufficient on-site parking to meet the requirements of the development
- 5). Insufficient information regarding flood risk and drainage.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a detached two storey dwelling located on a generous corner plot that is surrounded by roads on three sides (Semilong Road/Terrace, Cambridge Street and Essex Street), with a parking court located adjacent to the northern side of the site, partway along this boundary. The site is neighboured by a two storey end of terrace dwelling to the northern side, No. 1a Semilong Terrace.
- 1.2 The local area is characterised by predominantly 2 – 2.5 storey terraced properties forming permitter blocks, which address the street. The neighbouring properties to the north, west and south comprise of two storey properties. On the opposing side of Semilong Terrace, to the east, there is a three-storey care facility/sheltered housing development.

2 CONSTRAINTS

- 2.1 No constraints exist.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application proposes the demolition of the existing dwelling and the erection of a new two-storey apartment block comprising of 10no. residential units. The accommodation comprises 3no. 1 bedroom apartments and 7no. 2 bedroom apartments.
- 3.2 The proposal would have an L-shaped plan form, with brick finish, render detailing below windows. The proposal measures 17.25m along Semilong Road/Terrace, 8.25m along the side elevation adjacent to no. 1a Semilong-Terrace. Along Cambridge Street, the proposal measures 29.85m, with the side elevation along

Essex Road measuring 10.8m. Along Cambridge Street, the height to the ridge line would be 8.95m and along Semilong Road/Terrace the height to the ridge line would be 8.3m. There are discrepancies between the elevations submitted, with the elevation for Cambridge Street showing a hipped roof (drawing no. 015.22/11) and the side elevation along Essex Road showing a side-projecting gable roof (drawing no. 015.22/12). A side projecting gable is shown adjacent to no. 1a Semilong Terrace, which is consistent with the elevations shows along Semilong Road.

- 3.3 The access to the site is proposed from Essex Street, and measures 9.75m wide, with parking provided for 10 spaces within the site. A cycle storage area is located within the site adjacent to no. 1a Semilong Terrace. A refuse store is proposed to be built into the proposed apartment building, at ground floor adjacent to Flat 3.

4 RELEVANT PLANNING HISTORY

- 4.1 The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
N/2020/1145	Demolition of existing property and erection of 10no new flats and associated 17no car parking spaces	Planning Permission Refused and Appeal Dismissed.
N/2019/0803	Demolition of existing property and erection of 13no new flats and associated 15no car parking spaces.	Planning Permission Refused and Appeal Dismissed.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

National Policies

- 5.2 The relevant policies within the National Planning Policy Framework (NPPF) are as follows:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

Development Plan

- 5.3 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the Northampton Local Plan Part 3 and adopted

Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

5.4 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:

- S1 – The Distribution of Development
- S3 – Scale and Distribution of Housing Development
- S10 – Sustainable Development Principles
- C2 – New Developments
- H1 – Housing Density and Mix and Type of Dwellings
- H4 – Sustainable Housing

Northampton Local Plan Part 2 (2011-2029)

5.5 Following adoption of the Northampton Local Plan Part 2, the following policies are considered to be of relevance:

- Policy 1 – Presumption in favour of sustainable development
- Policy 2 – Placemaking and Design
- Policy 4 – Amenity and Layout
- Policy 13 – Residential and other residential led allocations
- Policy 14 – Type and Mix of Housing
- Policy 35 – Parking Standards

Material Consideration

- Residential Extensions and Alterations Design Guide SPD
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website.

Consultee Name	Position	Comment
Anglian Water	Comments	Details of surface water disposal and foul water drainage are not provided and should be secured by planning condition. Planning conditions are recommended.
WNC Highways	Objection	Visibility splays are not shown from the site access, and are required not shown on the proposed plans. There is insufficient information to assess the size of the parking spaces. Parking space 10 is located adjacent to the apartment building and should be wider than a standard space due to the

		<p>proximity to a solid wall.</p> <p>A total of 17 parking spaces would be required, the proposal includes only 10. The proposal does not accord with the required Parking Standards. The area is heavily reliant upon on-street parking, and the additional overspill from the development would result in additional pressure to the detriment of Highway Safety.</p> <p>No evidence, such as a parking beat survey has been submitted which demonstrates sufficient on-street parking.</p> <p>17 cycle parking spaces are required, whereas the development provides 12. This is insufficient to meet the required standard.</p>
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7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 Responses have been received from 3 objectors raising the following comments:

- Loss of Light
- Loss of privacy
- Insufficient parking is provided in support of the application
- Issues with existing on-street parking provision
- Concerns with occupation of the existing property
- Concerns with the processing of application by the Planning Authority
- Concerns regarding the ownership arrangements for the site

8 APPRAISAL

Background

8.1 The current application has been submitted further to earlier planning applications N/2019/0803 and N/2020/1145, both of which have been refused planning permission and subsequent appeals dismissed. Both earlier applications were for similar developments, seeking permission for a residential apartment building.

8.2 A summary of the proposals, differences, decisions and appeal dismissals is provided below:

N/2019/0803 and APP/V2825/W/20/3249179 - This application sought planning permission for a residential apartment block containing 13no. apartments together with 15no. parking spaces, a separation distance of 9 metres from no. 1a Semilong Terrace. The application was refused and appeal dismissed for the following reasons:

- the effect of the proposed development on the character and appearance of the area;

- the effect of the proposed development on the living conditions of the occupiers of 1a Semilong Road (No 1a);
- the living conditions for future occupiers;
- the effects of the proposed development on highway safety with regard to proposed car parking provision;
- and the effects of the proposed development on flood risk.

N/2020/1145 and APP/V2825/W/21/3271771 – This application sought planning permission for a residential apartment block of 10no. apartments together with 17no. parking spaces, a separation distance of 11.4 metres from no. 1a Semilong Terrace. The application was refused and appeal dismissed for the following reasons:

- the effect of the proposal on the character and appearance of the area;
- the effect of the proposed development on the living conditions of the occupiers of 1a Semilong Terrace
- an additional refusal relating to insufficient details regarding Flood Risk Assessment and drainage was issued by the Planning Authority, at the time of the appeal, additional information regarding these had been provided and as such, this was not upheld by the Inspector

8.3 These applications and decisions are material considerations in the assessment of the current application.

Principle of Development

8.4 The application site is located within a residential area and therefore, the redevelopment of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.

8.5 It is accepted that the Council cannot currently demonstrate a 5 year housing land supply within the Northampton Area. Therefore, in accordance with the presumption favour of sustainable development set out within Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The redevelopment of this site for 10 apartments would contribute towards the Council's housing land supply with associated social and economic benefits. This, therefore, weighs in favour of the proposal.

Design and Layout

8.6 Policy 2 of the Northampton Local Plan Part 2 and Policies H1 and S10 of the Joint Core Strategy place great importance on the quality of design of new developments. These policies are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.

8.7 The Appeal Inspector for the previous schemes on the site stressed the highly prominent nature of the application site, which is bounded by roads on all three sides of the site, with an parking court and rear garden space/end of terrace property lining the remaining side. In addition, the Inspectors have noted the presence of the site opposite, which contains a 3 storey care facility, but comment that this does not occupy as prominent a site and is settled within the streetscene. The Inspectors note that any development on this site would be read in the context of the adjacent traditional two storey terraced housing and commercial buildings.

- 8.8 The Appeal Inspectors also raised concerns with the sizeable footprint of the proposed apartment blocks, relative to the overall plot with extensive elevations, that would have insufficient articulation and that given the 3 storey scale of the previous proposals, would create a substantial roof form and unacceptable scale of the proposed apartment building. In addition, the Appeal Inspector raised concerns with the side elevation of new apartment building along Semilong Road due to the scale, design detail and proximity to the highway appearing overly dominant and unreflective of the character of the streetscene, which is characterised by the strong rhythm of the terraced properties and fenestration details. Overall, in regards to the previous applications, the Inspector concluded that due to the overall scale, design and siting, the appeal scheme would be particularly incongruous by the prominent position of the site such that it would harm the character and appearance of the area.
- 8.9 There are clear changes between the earlier proposals and the current application. Notably the plan form of the building has changed to be L-shaped creating additional floorspace at ground and first floor, which allows the reduction in height of the building to 2 storeys. As such, instead of being rectangular in form, fronting Cambridge Street, the current application now wraps around the site along Cambridge Street and Semilong Road. The undercroft parking previously proposed has been removed and therefore, the site plan shows the provision of 10no. parking spaces, 9 adjacent to the existing parking area/rear garden space of no.1a Semilong Terrace and 1 space adjacent to the side elevation facing Essex Road.
- 8.10 Along the south elevation fronting Cambridge Street the proposed apartment building is located 2.25m from the pedestrian pathway, increasing to 4.1m at the corner with Semilong Terrace due to a step in the plan form of the building. Along Semilong Road, the apartment would be situated 2.05m from the pedestrian footway increasing to 2.5m adjacent to no. 1a Semilong Terrace.
- 8.11 Whilst the reduction in height from 3 storeys to 2 storeys is welcomed and considered an improvement to previous schemes, the design of the apartment building does not sufficiently break down the form of the apartment building. Whilst some areas of assumed render is provided below the windows proposed, this does not provide sufficient articulation of the building to create the necessary visual breaks. This proposal also wraps around the corner of Cambridge Street and Semilong Road, which adds to the visual dominance of the proposed apartment building. The proximity of the apartment building to Cambridge Street and Semilong Road also compounds the visual dominance of the proposed apartment building.
- 8.12 As noted by the Inspectors, the earlier proposals were considered out-of-keeping with the character of the area and considered harmful due to the sizeable footprint of the apartment building. The current proposal, due to its L-shaped plan form and size, would occupy substantially more of the plot, especially when combined with the hardstanding to be used for parking. In addition, there is less ability for the site to accommodate landscaping. The sizeable footprint of the apartment building, in combination with its design, form and scale, would be result in an overly dominant and visually intrusive development that would harm the character of the area.
- 8.13 It is considered that whilst the proposed development has made improvements to the schemes previously proposed, these amendments are not sufficient to overcome the Planning Authority's concerns or the Inspectors appeal decisions. It is considered that the proposed development would not respect the scale, design and siting of surrounding properties and would represent a cramped, visually incongruous and dominant feature in the streetscene, to the determinant of the character of the area.

The proposal development would therefore accord with Policy 2 of the Northampton Local Plan Part 2, H1 and S10 of the Joint Core Strategy and the NPPF.

Residential Amenity

- 8.14 Policy 4 of the Northampton Local Plan Part 2, Policy H1 of the Joint Core Strategy, the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 8.15 In respect of the amenity of neighbouring properties, concerns were raised by the Appeal Inspectors for the previous applications on the site that northern elevation of the proposed apartment building would be substantially larger in scale than the existing dwelling on the site, and would incorporate several upper floor windows serving bedrooms. As such, the Appeal Inspectors concluded that due to its siting, orientation and scale the proposed building would significantly increase the extent of overlooking, cause an unacceptable loss of privacy, along with a reduction in sunlight and overshadowing to the garden of no. 1a Semilong Terrace.
- 8.16 The current application is situated 9.9m from the shared boundary with the rear garden space of no. 1a Semilong Terrace. The separation distance has been reduced from 11.4m from the most recent application/appeal scheme. There are windows serving bedrooms on the first floor of the apartment building and other habitable living and kitchen spaces. This would create an unacceptable impact on privacy by significantly increasing the extent of overlooking. Whilst the reduction from three storeys to two storeys is considered an improvement, the Planning Authority's concerns and Inspectors decision regarding harm to amenity have not been overcome.
- 8.17 In addition, as the form of the building is L-shaped, the proposed building introduces additional bulk along Semilong Road, which reduces the availability of light into the rear garden of no. 1a Semilong Terrace. This would result in a reduction in sunlight and overshadowing of the garden space of no.1a Semilong Terrace. As such, the earlier refusal reasons and reasons for appeal dismissal have not been overcome.
- 8.18 It is also important to consider the internal amenity afforded to future residents of the proposed development. The Nationally Described Space Standards (NDSS) provide minimum internal space requirements for new development and are relevant to the consideration of this application.
- 8.19 The proposed development would provide 3no. one bedroom apartments and 7no. two bedroom apartments. The required space standards are set out below together with the proposed floorspace.

Apartment	Apartment Type	Floor Space (sqm)	NDSS (sqm)	Acceptability
1	2bed 3 person	63	61	Acceptable
2	2 bed 3 person	63.5	61	Acceptable
3	1 bed 1 person	42.5	39	Acceptable
4	2 bed 4 person	67.2	70	Unacceptable
5	1 bed 2 person	50	50	Acceptable
6	2 bed 3 person	63	61	Acceptable
7	3 bed 3 person	63.5	61	Acceptable
8	2 bed 2 person	54.5	61	Unacceptable
9	2 bed 4 person	67.2	70	Unacceptable

10	1 bed 2 person	52.7	50	Acceptable
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- 8.20 The proposed development would provide 7 apartments that would provide an acceptable internal floorspace, to meet the requirements of the NDSS, and therefore, provide an acceptable standard of amenity in terms of space for future residents. However, 3 of the proposed apartments do not meet the minimum required internal floorspace standards as set out within the NDSS, and therefore, these fail to provide a satisfactory internal space for future residents. These are the internal spaces for Units 4, 8 and 9. It is noted that Unit 8 does seek to provide a 2 bedroom apartment for 2 people. However, the NDSS sets out that as a minimum 2 bedroom apartments should be considered on a 3 person occupancy minimum.
- 8.21 In addition the NDSS, it is also important to consider the availability of light and outlook to the habitable living spaces for future occupants, including to bedrooms, living accommodation and any shared kitchen/living/dining areas.
- 8.22 As common with apartments, the proposal includes shared kitchen/living/dining areas, with some having separate kitchen to the shared living/dining areas. The floor plans show that at least one window is provided to these shared spaces and 1 window is provided to each bedroom. This would provide sufficient outlook and access from each of the apartments to provide sufficient amenity in terms of light and outlook.
- 8.23 The proposed development by reason of its siting, orientation, scale and proximity to no.1a Semilong would significantly increase the extent of overlooking, causing an unacceptable loss of privacy along with a reduction in sunlight and overshadowing of the garden at no. 1a Semilong Terrace. In addition, the proposed development would fail to provide sufficient internal space for the future occupiers of Units 4, 8 and 9 and would therefore provide an unsatisfactory level of amenity for future occupiers of those units. Therefore, the proposed development would fail to accord with Policy 4 of the Northampton Local Plan Part 2, Policy H1 of the Joint Core Strategy, the NPPF and the NDSS.

Parking and Highway Safety

- 8.24 Policy C2 of the Joint Core Strategy and the NPPF seek to ensure that proposals for new development do not cause unacceptable harm to highway safety. The Parking Standards SPD sets out the requirements for parking in terms of quantum and size.
- 8.25 Whilst the most recent application/appeal was considered to overcome the parking concerns raised by the Highways Officer, that proposal included the provision of 1 parking space per bedroom. The current proposal falls short of the requirements of the Parking Standards SPD, as only 10 on-site parking space are proposed.
- 8.26 Furthermore, when measured from the site block plan, the spaces shown measure at 2.25-2.3m by 4.8m. These spaces do not meet the required 2.5m by 5m requirements for parking spaces. It is also noted that parking spaces 9 and 10 are located adjacent to solid walls/structures and therefore, these spaces should be a minimum of 3.3m by 5m is required, to allow for easy access to vehicles. As such, the proposed development fails to provide adequate on site parking. Officers consider that the proposed parking would be insufficient to meet the requirements of the proposal in terms of quantum and size, and therefore, this would exacerbate existing on-street parking issues to the detriment of highway safety.

- 8.27 During the Officers site visit and as noted in responses from third party representatives, the is situated in n area with high demand for on-street parking.
- 8.28 In addition, the Highways Officer has raised concerns with the site access and notes that visibility splays have not been provided, and that it would be difficult to achieve the visibility required for the scale of development proposed. As such, the site access is considered to be unsatisfactory and would result in harm to highway safety.
- 8.29 The proposed development fails to provide acceptable on-site parking and as such would exacerbate existing on-street parking issues within a high demand area and the proposal would not provide a safe and satisfactory access to the severe detriment of highway safety. As such, the proposal fails to accord with Policy C2 of the Joint Core Strategy, the NPPF and the Parking Standards SPD.

Flood Risk and Drainage

- 8.30 Whilst the application site is in Flood Zone 1, the application comprises major development and therefore should be accompanied by a Flood Risk Assessment and details of Surface Water Drainage in accordance with government guidance and Policy BN7 of the Joint Core Strategy. No such details have accompanied the application and therefore it has not been demonstrated that the development is acceptable on flood risk grounds.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 To conclude, the site is in a residential area and therefore the development is acceptable in principle under the development plan. However, the Council 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, whilst the proposal would contribute to the five year housing land supply, it would only make a very small contribution. Furthermore, it is considered that the benefits arising from the provision of ten residential apartments are significantly and demonstrably outweighed by the harm from the detrimental impact on the character of the area; the detrimental impact on the amenity of No 1a Semilong Terrace; poor level of amenity provided for future occupiers of the new development; insufficient on site parking provision to the detriment of highway safety; unacceptable access to the detriment of highway safety and the failure to demonstrate that the development is acceptable on flood risk grounds.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 It is recommended that planning permission is refused subject to the reasons as set out below with delegated authority to the Assistant Director_for Planning and Environment to approve any amendments to those reasons as deemed necessary.
1. The proposed development would not respect the scale, design and siting of surrounding properties and would represent a cramped, visually incongruous and dominant feature in the streetscene to the detriment of the character and appearance of the area. As such the proposal would comprise a poor-quality form of development that would be contrary to Policies S10 and H1 of the West Northamptonshire Joint

Core Strategy, Policy 2 of the Northampton Local Plan Part 2 and the National Planning Policy Framework.

2. The proposed development, by virtue of its two storey scale, siting, plan form and proximity to no. 1a Semilong Terrace would appear visually intrusive and overly dominant when viewed from the garden at No 1a Semilong Terrace and would also give rise to an increase in overlooking and reduction in sunlight to occupiers of this property. Therefore, overall, the proposed development would give rise to a detrimental impact on the amenity of neighbouring properties and would provide a poor standard of amenity for future occupiers of the new dwelling contrary to Policy H1 of the West Northamptonshire Joint Core Strategy, Policy 4 of the Northampton Local Plan Part 2 and the guidance in the National Planning Policy Framework.
3. By reason of the internal layout of the apartments, the proposed development would fail to provide sufficient internal space for the future occupiers of Units 4, 8 and 9 and would therefore provide an unsatisfactory level of amenity for future occupiers of those units. Therefore, the proposed development would fail to accord with Policy H1 of the Joint Core Strategy, Policy 4 of the Northampton Local Plan Part 2 (significant weight), the NPPF and the NDSS.
4. The site is in an area with high parking demand and the proposal would provide insufficient on plot parking. As such, the proposed development would have a detrimental impact upon parking provision and highway safety contrary to Policy C2 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.
5. The application comprises major development and therefore should be accompanied by a Flood Risk Assessment and details of Surface Water Drainage. No such details have accompanied the application and therefore it has not been demonstrated that the development is acceptable on flood risk grounds. Therefore the proposal is contrary to Policy BN7 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.



**West
Northamptonshire
Council**

Title: The Vicarage, 104 Semilong Road

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