



Planning Committee Report

Committee Date: 7th September 2021

Application Number: WNN/2021/0429

Location: 40 Gloucester Avenue, Northampton

Development: Ground floor level rear side balcony terrace with garage underneath for car parking, with external alterations to rear side

Applicant: Eaton Properties

Agent: Anva

Case Officer: Andrew Holden

Ward: Delapre and Rushmere Unitary Ward

Referred By: Assistant Director of Place & Economy

Reason for Referral: Member has an interest in the applicant company

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The proposed development entails the construction of a platform to the rear of the building, which would provide a covered balcony / platform area for the use of the office, accessed by means of new doors which would replace the window. This would be placed above an existing parking area which would be made enclosed. Folding doors would be fitted to the front.

Consultations

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

- Highways
- Environmental Health

No letters of objection or in support 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:

- Principle of Development.
- Impact on the amenities of adjoining residential and commercial occupiers.
- Highway and Pedestrian Safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

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 an area to the rear of an existing shop unit and would serve the office area to the rear of this. Above this are flats. The area has the typical character of the rear of shops and the associated private rear access. Beyond this rear access are allotments.

2. CONSTRAINTS

2.1. There are no relevant constraints.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. The proposed development entails the construction of a platform to the rear of the building, which would provide a covered balcony / platform area for the use of the office, accessed by means of new doors which would replace the window. This would be placed above an existing parking area which would be made enclosed. Folding doors would be fitted to the front.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
49/0219	The Erection Of Two Shops With Dwelling Houses Over.	Approved 28/06/49
82/0081	Extension To Shop And Flat And Alterations To Roof Space To Provide Additional Bedrooms.	Approved 13/10/82

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.

Development Plan

- 5.2. 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 adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S10 – Sustainable Development Principles

Northampton Local Plan (Part 2) (LPP2)

- 5.4. The relevant policies of the Northampton Local Plan are:
- E20 – New Development (Design)

Material Considerations

- 5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Residential Extensions and Alterations Design Guide.

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	Comment
Environmental Health	Electric vehicle charging points should be provided, 1 per unit. Construction hours must be controlled.
Highway Authority	No comments to make.

7. RESPONSE TO PUBLICITY

No third party or neighbour responses received at the time of writing this report.

8. APPRAISAL

Principle of Development

- 8.1. The proposal would provide enhanced facilities for the users of the associated office and therefore is considered to be acceptable in principle, subject to the impacts as discussed below.

Impact on the character of the area

- 8.2. The character of the area is very much one of a “back alley” situation, and therefore not particularly visually appealing. The proposed installation is considered to be of an acceptable appearance and would not be visually detrimental to its environment.

Impact on the amenities of adjoining residential and commercial occupiers.

- 8.3. Either side of the site of the proposal are the rear yard areas of neighbouring premises. In the case of number 38, this is used for parking, whilst the area to the rear of 42 is used for commercial storage in association with the shop. Neither is used as a residential garden or for amenity space in association with the commercial uses and, therefore, there would be no impact on occupiers or users of these spaces in respect of overlooking, overshadowing or loss of visual amenity.
- 8.4. To the rear of the site, and forming the main outlook from the proposed platform, is an area of allotments. The users of these would not be unduly adversely affected by the proposal.
- 8.5. Occupiers of the flats on the upper floors of this and the neighbouring buildings would be unaffected by the proposal, the only potential impact being from the use of the space. In the unlikely event this was to be used in an anti-social manner, this could be dealt with under other legislation.

Impact on highway and pedestrian safety.

- 8.6. The land is currently used for car parking and this would remain the case at ground level. The access onto the rear private access is not provided with visibility splays, however this is no change from the current situation. It is not considered that any worsening of the current situation would occur. It can also be noted that the site is near to the end of the private access, meaning that the number of passing vehicles or pedestrians would be limited.

Other Matters

- 8.7. Comments from Environmental Health specify the need for electrical vehicle charging points. As this is an existing parking area, which in itself would not have needed permission, and the principal reason for the application is the canopy area above and the enclosure of this space, rather than the provision of parking, it is not considered reasonable in this case to require such provision.
- 8.8. Environmental Health also request that the hours of construction are controlled. This would not normally be controlled under planning other than for very large schemes and given the limited scale of this proposal this is not considered to be necessary or reasonable.

9. FINANCIAL CONSIDERATIONS

- 9.1. CIL is not payable for this development.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposed development would not have an unacceptable impact upon the character and appearance of the host premises and wider area, or on the amenities of the users of neighbouring properties and land. Therefore, no objections are raised to the proposal with regards to the aims and objectives of the National Planning Policy

Framework, Policy S10 of the West Northamptonshire Joint Core Strategy or Saved Policy E20 of the Northampton Local Plan.

11. RECOMMENDATION / CONDITIONS AND REASONS

11.1. The proposed development is recommended for approval subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

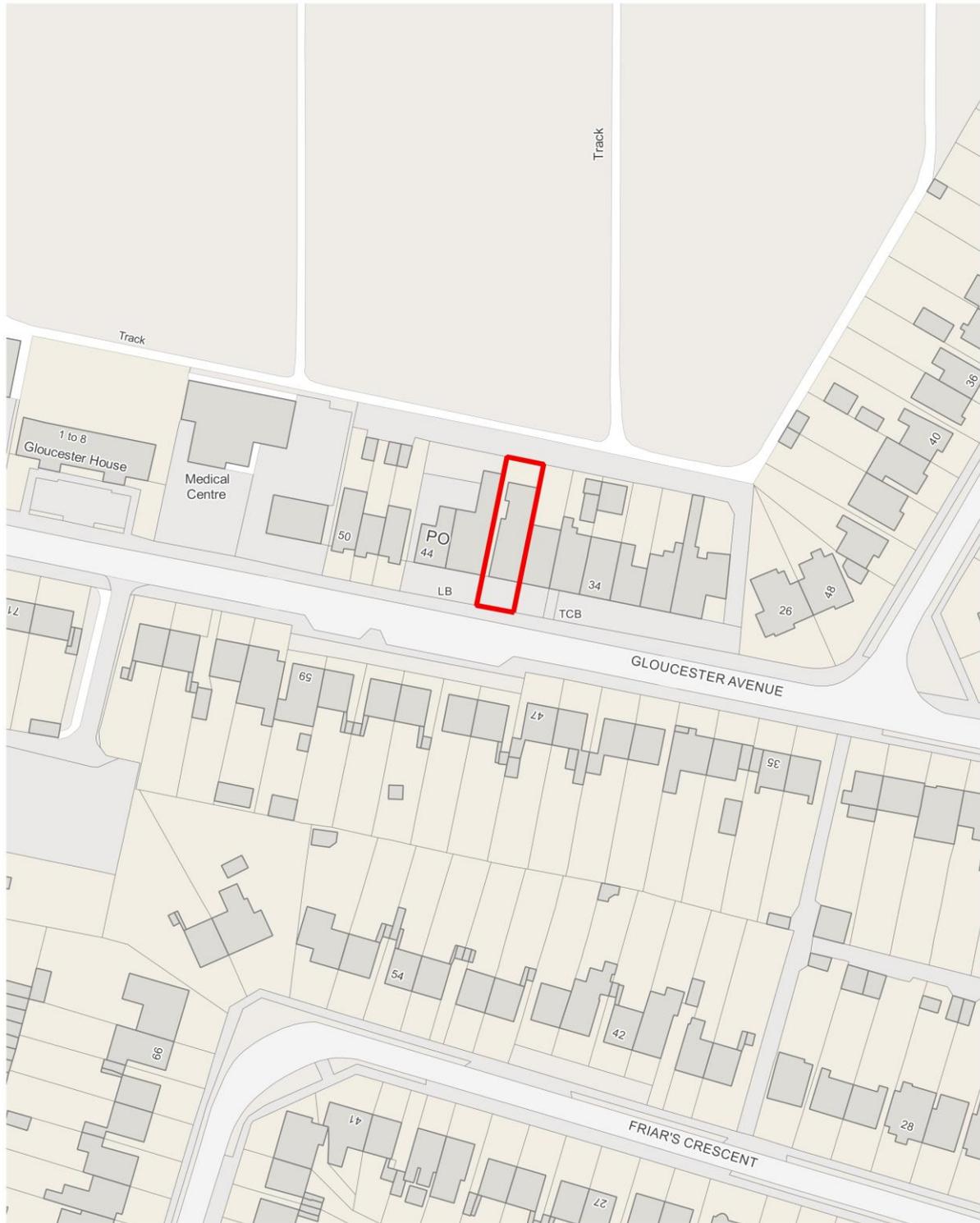
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 070-21.03 A, 070-21.04 B, 070-21.05 B, 070-21.06 B.

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

3. Notwithstanding the submitted plans, details of materials for the proposed extension, balustrade and roof canopy shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.



**West
Northamptonshire
Council**

Title: 40 Gloucester Avenue

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Scale: 1:1,000

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