



Housing & Neighbourhood Services C/o Mr T Millican Leefe House 27 Abbey Street Market Harborough LE16 9AA	Application Ref: - 17/00621/REG3
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**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR PLANNING PERMISSION**

Location of development:	Conversion of redundant garages to create 2 residential dwellings including change of use of adjoining hardstanding and amenity space to residential use.
	Courtyard 2 Barnard Corby Northamptonshire
Date of application:	19.04.2018
Plan Numbers	192 PA 302 Proposed Plans and Elevation. 192 PA 003 Proposed Site Plan. 192 PA004 Site Plan.

DECISION DATE: 19 April 2018

PROPOSAL: Conversion of redundant garages to create 2 residential including change of use of adjoining hardstanding and amenity residential use.

AT: Courtyard 2 Barnard Corby Northamptonshire

Following consideration of the application in respect of the proposal outlined above, it was resolved to **GRANT PLANNING PERMISSION** for the following reasons:-

1. Subject to the conditions the proposed conversions are considered to represent a form of development which is of a suitable design and appearance that preserves the character and appearance of the street scene, whilst safeguarding the living conditions of neighbouring residents and providing sufficient off street parking in the interests of highway safety. The proposal is therefore considered to be in accordance with the requirements of Policies 1, 3, 8 and 15 of the North Northamptonshire Joint Core Strategy, paragraphs 14 and 17 and Sections 6 and 7 of the National Planning Policy Framework and no other material considerations indicate that the policies of the development plan should not prevail, furthermore the decision has been reached taking into account paragraphs 186-187 of the National Planning Policy Framework.

subject to the following conditions, which have been imposed for the reasons stated:-

CONDITIONS

1. The development hereby approved shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:
 - 192 PA 302 Proposed Plans and Elevation.
 - 192 PA 003 Proposed Site Plan.
 - 192 PA004 Site Plan.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. **Reporting of Unexpected Contamination**
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 that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

4. The demolition, earth removal, infilling, landscaping, foundation and building works required to implement this development shall only be carried out between the hours of:
 - Saturdays - 8.00am to 1.00pm
 - Monday to Friday - 8.00am to 6.00pm
 - And no audible work on Sundays and Bank Holidays

Reason: To safeguard the amenities of neighbouring properties and the area generally and ensure compliance with Policy 8 of the North Northamptonshire Joint Core Strategy

5. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for protection, in the course of development.. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory in accordance with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

6. No development shall take place including any works of demolition until a construction management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicle of site operatives and visitors
- Detailed work programme
- Site HGV delivery/removal hours to be limited to between 09:30 - 16:30.
- routes for construction traffic
- detailed plan showing the location of on site stores and facilities including the site compound visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
- hours of operation
- method of prevention of mud being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles
- breakdown of number, type, size and weight of vehicles over demolition and construction period.
- Detail of debris management
- Public liaison position, name, contact details and details of public consultation/liaison

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

7. Samples of the materials to be used in the construction of the dwellings, boundary walls/fences and hard surfaced areas shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory and its relationship with the Conservation Areas appropriate, in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Prior to the first occupation of the development hereby permitted details of the proposed enclosed secure bicycle parking and bin storage for each dwelling shall be submitted to and approved in writing by the local Planning Authority and the scheme approved shall be provided and be retained thereafter.

Reason: To ensure the provision and availability of adequate cycle parking and bin storage in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

9. Prior to the commencement of development a scheme showing the proposed boundary treatment of the plots shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure, and these shall be provided in accordance with the approved scheme before the adjacent dwellings are first occupied. The approved fence, hedge or wall shall subsequently be retained thereafter.

Reason: To ensure a suitable form of boundary treatment is constructed in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

INFORMATIVES

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, Officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

PLEASE NOTE All local plan policies and proposals which are relevant to this decision are specified in the list below which forms part of this decision notice.

POLICIES:

- Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

APPROVED PLANS:

192 PA 302 Proposed Plans and Elevation.
192 PA 003 Proposed Site Plan.
192 PA004 Site Plan.

SIGNED



Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000. Any planning application which involves alterations to the kerb and construction of a vehicle crossing in the highway (including the footway and/or verge) will require a separate written application to be made to the Development Management Northamptonshire Highways, 1 Angel Square, Angel Street, Northampton NN1 1ED

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

GUIDANCE NOTES FOR APPLICANTS WHERE AN APPLICATION HAS BEEN APPROVED

1. APPLICATIONS FOR PLANNING PERMISSION, APPROVAL OF RESERVED MATTERS, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT.

If the applicant is aggrieved by the decision of the Local Planning Authority to grant permission, approval or consent subject to conditions he or she may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings in conservation area consent), within six months of the date of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) www.planning-inspectorate.gov.uk). The Secretary of State has power to allow a longer period of the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the Local Planning

Authority otherwise than subject to the conditions imposed by them having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by her or him.

1. If planning permission, conservation area consent or listed building consent is granted subject to conditions, whether by the Local Planning Authority or by The Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any development which has been or would be permitted, he or she may serve on the Oxford City Council a purchase notice requiring the Council to purchase her or his interest in the land under Section 137 of the Town and Country Planning Act 1980 or Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings and buildings in conservation areas.
2. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to her or him. The circumstances in which such compensation is payable are set out in Section 114 and Part II of Schedule 3 of the Town and Country Planning Act 1990 (or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 9 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of listed buildings).

2. ADDITIONAL NOTES IN RESPECT OF LISTED BUILDING CONSENT

1. If it is desired to modify the development referred to in the application as submitted or to vary it in any respect a further application will be necessary.
2. This notice refers only to the grant of listed building consent and does not entitle the applicant to assume that the consent of the City Council has been granted for all purposes:
 - a. Where an application for planning permission under Section 57(1) of the Town and Country Planning Act 1990 has been made, the applicant will be sent a separate notice of decision;
 - b. a separate notice will be sent in relation to the deposit of plans under the Building Regulations 2000;
 - c. if the development for which listed building consent has been granted includes the erection of a building for which plans are required to be deposited under the Building Regulations 2000, no work should be done in or for the purpose of erecting that building until the applicant has satisfied herself or himself that the requirements of Section 219 of the Highways Act 1980 have been complied with or that they do not apply to this building.
3. The grant of listed building consent does not absolve the applicant from complying with any restrictive covenants which affect the land referred to in the application.

3. APPLICATION FOR CONSENT TO DISPLAY ADVERTISEMENTS

If the applicant is aggrieved by the decision of the Local Planning Authority to grant consent, subject to conditions, he or she may appeal to the Secretary of State for the Environment in accordance with Regulation 17 and Part 3 of Schedule 4 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 within eight weeks of the receipt of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) [Error! Hyperlink reference not valid.](#)).

