
Application for Planning Permission

19/00434/REG4**Change of use of former rear yard of retail unit into residential garden and erection of boundary wall AT 97 Ripley Walk, Corby**

1. Site and Surroundings

- 1.1. The subject site relates to a plot of derelict land located to the south east of 97 Ripley Walk. To the north east of the site is the recently redeveloped Alberta Close development (formally Canada Square). To the south east of the site is 42 Ripley Walk, a foot path and an undercroft leading towards Hudson Close. To the south west of the site are a number of neighbouring residential dwellings, a foot path and an undercroft. To the north west of the site is 97 Ripley Walk, an undercroft and foot path leading to Alberta Close.
- 1.2. The area is designed in line with Radburn Principles, typical of the Kingswood Estate, with roads separated from footpaths and homes facing inwards onto walkways. Alongside many UK examples of Radburn Housing Estates this has resulted in places that allow for high levels of anti-social behaviour and crime, as many areas are not overlooked or benefit from natural surveillance. Due to the redevelopment of the Canada Square shops formally adjacent to the applicant site an additional anti-social behaviour enclave has been created, with a walled off 'dead' space hidden from view from all but one footpath.
- 1.3. The walled off space has low amenity value, with a crumbling staircase and wall and various pieces of concrete and brick debris littering the site. The sites previous use provided a 'back up' storage space for some of the Canada Square retail units.
- 1.4. A large established tree is located in the existing rear garden of 97 Ripley Walk.

2. The Proposal

- 2.1. The proposal will see the land use change from derelict/shop back to a residential garden land. The stairs will be removed alongside elements of the existing wall. New elements of wall will also be erected or fixed to demarcate and separate the plot from the public spaces of Ripley Walk. The height of the wall will measure 1.9m to match the existing. The brick work will match existing, including a blue engineering brick rowlock course.
- 2.2. The derelict site measures approximately 27.5m² and increases the private garden space of 97 Ripley Walk to approximately 59m².

3. Site History

- 3.1. 17/00453/REG3 - Change of use of former rear yard of retail unit into residential garden of 97 Ripley Walk, Corby and erection of boundary wall. Application Returned.
- 3.2. 14/00050/DPA - Demolition of existing buildings and construction 36 new houses and flats including associated works. Application Permitted.
- 3.3. 13/00175/COU - Change of use from 6 bedroom house in multiple occupation (HMO) to 7 bedroom HMO, garage converted to bedroom. Application Permitted.

4. Planning Policy

- 4.1. Policies 7 and 8 of the North Northamptonshire Joint Core Strategy (2016) (NNJCS)
- 4.2. The National Planning Policy Framework (2019) (NPPF)

5. Internal Consultations

- 5.1. Property Officer
 - 5.1.1. No comments received.

5.2. Landlord Services

5.2.1.No comments received.

5.3. Tree Officer

5.3.1.No comments received.

6. **External Consultees**

6.1. Crime Prevention Officer

6.2. Northamptonshire Police has no formal objection or comment to this planning application in its present form.

6.3. Many thanks for consulting Northamptonshire police when considering this application.

7. **Advertisement and Representations**

7.1. Neighbour letters sent 12/09/2019

7.2. Site notice posted 12/09/2019.

7.3. No representations received.

8. **Key Determining Issues**

8.1. Principle of the Development

8.2. Impact upon the Character of the Area and Street Scene

8.3. Impact upon Neighbouring and Occupier Amenity

9. **Officer Assessment**

9.1. Principle of the Development

9.1.1.Policy 7 of the NNJCS (2016) resists the loss of open space. Although an argument could be made that the site is open space, the supporting text to Policy 7 (paragraph 3.80) categorised public open spaces as contributing towards health, quality of life, sense of place and overall well-being. This is reiterated in paragraph 97 of the NPPF (2019) and chapter 8 as a whole. The development site offers no quality or community enhancing features, being hidden from public view, derelict and littered with rubble and rubbish. It actively detracts from the quality of life of residents and actively increases the fear of crime from local residents, conflicting with Policy 8 of the NNJCS. As such, the area should not be categorised as open space but as a former retail backups, its last known official use before the redevelopment of the Canada Square district centre.

9.1.2.As such, the conversion of the use of this land to private garden results in no loss of a community services, facility or asset and would not contradict with Policy 7 of the NNJCS or the NPPF in principle.

9.2. Impact upon the Character of the Area and Street Scene

9.2.1.The proposal will improve the character of the area and the street scene. Currently the site is derelict, littered with rubble with two walls half demolished. The proposal will see the wall facing the Walk rebuilt to match the existing, bringing uniformity and a consistent demarcated boundary to the footpath. The wall will also hide the derelict land from public view whilst also allowing for the owner of 97 Ripley Walk to incorporate the land into the ownership and take over the responsibility of its maintenance and upkeep. This will improve the overall design and user experience within the area.

9.2.2.As such, the change of use of the land and erection of the wall will result in an improvement to the character and appearance of the area and street scene, conforming to Policy 8 of the NNJCS and the NPPF.

9.3. Impact upon Neighbouring and Occupier Amenity

9.3.1.Both the amenity of 97 Ripley Walk will be improved as will the amenity of neighbouring properties.

- 9.3.2. The amenity space of 97 Ripley Walk, which houses up to 7 residents as a large HMO, will be vastly improved. Currently the property has an irregularly 'L' shaped rear garden that does not afford much useable space. Incorporating this space within the garden land will create a useable square amenity area that will benefit the existing and future residents of the dwelling.
- 9.3.3. The development will also actively reduce the fear of crime for other local neighbours who pass through Ripley Walk. A blind corner will be removed, ensuring there are less areas for people to hide from view.
- 9.3.4. As such, the development will result in a net gain in amenities for both the residents of 97 Ripley Walk and the wider area, complying with Policy 8 of the NNJCS and the NPPF.

10. Conclusion

- 10.1. The development results in no loss of quality or useable open space. The development actively improves the character of the area and neighbouring/occupier amenity. The development complies with Policies s7 and 8 of the North Northamptonshire Joint Core Strategy (2016) and the National Planning Policy Framework (2019).

11. Recommendations: Approve subject to the following conditions:

1. Full planning permission

The development hereby permitted 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. List of Approved Plans and Drawings

The development shall conform in all aspects with the plans and details shown in the schedule of plans as listed below, unless variations are agreed by the Local Planning Authority.

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.

Informative

The applicant should note that the change of use to private garden land does not automatically incorporate the land within the curtilage of the host dwelling. Therefore, any permitted development rights which relate to development within the curtilage of a dwellinghouse will not automatically be applied to this land.

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/or Article 1 of the First Protocol of the Act and consider that it is appropriate.

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 the property in accordance with the general interest. The interferences are therefore justifiable and proportional. 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 grant planning permission.

Officers to Contact:

Stuart Moseley
Tel No: 01536 464141

Email: stuart.moseley@corby.gov.uk