



NORTHAMPTON
BOROUGH COUNCIL

PLANNING COMMITTEE: 27 October 2009
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

APP: N/2009/0765 Part retrospective three storey side extension, single storey extensions, dormer window and velux windows to existing building , front boundary fence at 2 The Drive/3 The Crescent.

WARD: Kingsley

APPLICANT: Crescent Homes Ltd
AGENT: Ellis Architectural Design

REFERRED BY: Councillor A Simpson
REASON: Long history of applications on site, out of keeping with primarily residential area, widespread concern from local residents

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1. REFUSAL for the following reason:

By reason of its design, height and relationship with the existing building, the side extension forms an incongruous and discordant feature, detrimental to character and appearance of the host building and that of the surrounding streetscene contrary to Policy 2 of the Regional Plan and Policy E20 of the Northampton Local Plan and the aims and objectives of PPS1.

- 2 Authorise an Enforcement Notice requiring the demolition of the unauthorised side extension which forms part of this application with a compliance period of 6 months.

2 THE PROPOSAL

2.1 This is a full planning application relating to an existing care home at 2 The Drive/ 3 The Crescent which includes the following principal elements:

- Single storey rear extensions to provide ancillary office space and two additional en-suites;
- A 3 storey side extension comprising lift shaft, entrance hall and provision of en-suites to some of the existing bedrooms with solar panels to front facing roofslope;
- A 1.8m high close boarded fence to front of site along common boundary with 1 The Crescent and along the front boundary parallel with The Drive; and
- A rear facing dormer window and velux rooflights to the existing building.

2.1 The 3 storey side extension in the current submission projects by approximately 3.2m from the side facing main wall of the host building and is approximately 7.7m deep. As the side extension is well under construction the application has been advertised as part retrospective.

3 SITE DESCRIPTION

3.1 The site is located in Kingsley Ward at the junction of The Drive and The Crescent and comprises a residential care home for the elderly which, has been extended considerably over the years. It is approximately 2km north of Northampton town centre. No.2 The Drive lies at the southwestern end of the Drive and faces towards Abington Grove. The application site is situated within a primarily residential area as defined by the Northampton Local Plan.

4 PLANNING HISTORY

4.1 The property has an extensive planning history dating back to 1981 when permission was granted for use of the site as a residential care home. The prevailing planning permission restricts the use to a maximum of 33 residents.

4.2 In December 2005, an application for full planning permission (ref. N/2005/1155) was refused for large two storey and single storey extensions to the home on the grounds of over-development, impact on neighbouring properties and on nearby trees. This was dismissed at appeal on 5 December 2006 on grounds of impact on amenity of neighbours and impact on the streetscene.

4.3 In June 2009, planning permission was granted (ref. N/2009/0273) for ground and first floor extensions to the home of a significantly smaller scale than the 2005 application. Part of that approval included the erection of a first floor extension above an existing ground floor side

projection. The ground floor element has been demolished and work is well advanced on replacing it with a 3-storey side extension. However this extension is larger than the N/2009/0273 approval and thereby represents a breach of planning control. Following investigation by the Council's Planning Enforcement Section the current planning application was submitted last month with the objective of regularising the breach.

5 PLANNING POLICY

5.1 Development Plan

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 current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 – Delivering Sustainable Development

PPG 13 – Transport

5.3 East Midlands Regional Plan 2009

Policy 2 – Promoting Better Design

5.4 Northampton Borough Local Plan

E11 Trees

E20 – New Development

5.5 Supplementary Planning Guidance

SPG Parking

6 CONSULTATIONS/REPRESENTATIONS

Internal

6.1 **Access Officer:** no objections

6.2 **Arboricultural Officer:** no objections or tree protection measures necessary

External

6.3 **County Highways:** No objections in principle to the extensions however it is noted that the existing vehicle crossover on to the Drive is to be removed and therefore would result in loss of 2 off road parking spaces. It was noted that at the time of the previous application there was a significant shortfall in parking and additional spaces were requested and noted that most visitors parking is on street and most spaces are currently taken up along both frontages. The 2 car spaces

are to be retained and vehicle crossover reinstated. 2m by 2m visibility splays are to be shown where the new fence meets the vehicle access or the fence reduced to 0.6m high for the first 2m.

Councillors

6.4 The application has been referred to Planning Committee by **Cllr Simpson** for the following reasons:

- The site has a long history of numerous applications often constantly pushing the boundaries of what is acceptable
- The current site is becoming a massive complex that is out of keeping with this primarily residential area
- There is widespread concern from local residents
- It was previously suggested that the area be considered for conservation status and although not progressed that still raises a question over this application and its impact

Neighbours

6.5 **1 letter of objection received from no. 11 The Drive and 1 from 1 the Crescent:-**

- The side extension is out of scale and keeping with the original building and has not followed the plans for which permission was given
- Retrospective Planning permission should not be given for this blatant and cynical disregard of planning legislation.
- Adverse impact on character and appearance of the Drive

- Are inaccuracies on the submitted plans- the roof line is shown as being below that of the existing roof and is at least as high in reality, the new wall line is also shown as being 200mm outside the existing wall while in reality it is double this
- Parking issues- is difficult to understand why the owner is wishing to remove 2 off road parking spaces
- Proposed extension should not visually dominate the original dwelling and should not be detrimental to its original appearance
- Extension adversely impacts on symmetrical design of original building and impacts on streetscene and is prominent
- Design makes its visually dominant, out of character and overbearing,
- Would be no access to any parking and removal of spaces would be a retrograde step and detrimental to residents

7 APPRAISAL

Policy context and Principal Considerations

- 7.1 The main issues to consider in this case are the impact on the appearance and character of the original building and the locality and impact on living conditions of neighbouring properties.
- 7.2 In determining this application, Policy E20 is the main policy contained within the Northampton Local Plan relating to the proposed scheme and states that planning permission will be granted for new development subject to the design adequately reflecting the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and the development being designed in a manner which ensures adequate standards of privacy, daylight and sunlight. Policy 2 of the Regional Plan and PPS1 emphasise the need for good design in all development. Paragraph 34 of the PPS1 states that local planning authorities should plan positively for the achievement of high quality design for all development.

Impact on appearance and character of the area

Proposed extensions

- 7.3 It should be noted that the proposed single storey extensions already benefit from planning permission under consent N/2009/0273. As such the main consideration is how the proposed 3-storey side extension impacts upon the streetscene and visual amenity of the area.
- 7.4 The proposed roof form of the side extension is approximately 2.7m higher than the previously approved first floor extension thereby resulting in a more bulky built form and increasing the visual impact of the development. The extension has been constructed in blockwork while the existing building is built predominantly in red brick. It is the applicant's intention to render the extension which officers have reservations over given that the materials would not match the host building.
- 7.5 The front wall of the side extension is in line with the principal front wall on the host building and, given its size, bulky roof form and lack of set-back, does not appear as a subordinate feature when viewed from the street. The roof form of the extension features a gable to the western end (to the highway) and a hip to the east (to the host building). The roof ridge of the extension is at approximately the same height as that of the principal existing roof but higher than the immediately adjoining existing roof form. As a consequence of these circumstances, the extension appears as a visually awkward addition to the original building.
- 7.6 Although the side extension is to some extent screened from view from The Drive by existing tree planting to the boundary, this is not sufficient to mitigate the visual harm arising. For these reasons, it represents an incongruous form of development that detracts from the appearance and character of the streetscene and host building, which is

compounded by the site's prominent location at the junction of The Drive and The Crescent. It is considered, therefore, that the side extension is unacceptable and contrary to national and Development Policy, which promote high quality, design.

- 7.61 Although the design of the side extension is considered to be unacceptable, it is acknowledged that the proposed solar panels, dormer and rooflights are all of an appearance and size in keeping with the host building.

Front boundary fence

- 7.7 The submitted plans indicate the provision of a 1.8m high front boundary fence along the roadside boundary parallel to The Drive and along the common boundary with the adjacent no.1 The Crescent. The proposed fence along The Drive would represent a continuation of an existing boundary fence. It is considered that this aspect of the proposals would be acceptable subject to the details of the appearance fence being controlled by the Council as local planning authority.

Impact on amenity and living conditions of neighbouring properties

- 7.8 As stated above, the proposed single storey extensions have approval under N/2009/0273. At that stage it was concluded that given the relationship with the adjacent properties that there would be no undue detrimental impact on neighbouring amenity.
- 7.9 The proposed 3 storey side extension, given its position on the side of the property away from the adjacent house no.1 The Crescent and bearing in mind the separation distances of approximately 21 metres to the front main walls of the nearest houses on the opposite side of The Drive, would not result in any adverse impact on residential amenity in terms of overshadowing, loss of outlook / privacy or overbearing effects. The side extension is also partly screened from The Drive by existing tree planting which acts as something of buffer between the care home and houses on the western side of The Drive.
- 7.10 It is also considered that, as the proposed development would only result in one additional bedroom over and above the number currently permitted, there would not be a materially significant increase in noise and disturbance above that which is already apparent from the existing nursing home.

Impact on existing Trees

- 7.11 There are three semi-mature trees within the curtilage of the site directly adjacent to the side extension. The Council's Arboricultural Officer raises no objections to the impact on these features given that they offer limited contribution to the streetscene. He has also advised that the trees are not worthy of protection. In respect to the appeal

application N/2005/1155 the Planning Inspector raised concern re the impact on the Beech Tree adjacent to the site. This tree is further away from the side extension and it is considered that it would not be affected adversely by the current proposal. There is some intermittent tree planting along the side boundary of the front garden area with the adjacent property no.1 The Crescent. It is considered that the impact of the proposed fence on these features would be limited particularly given that there is an existing low metal fence along this boundary.

Parking and Highway issues

- 7.12 There would be no increase in number of residents to the existing home. The County Parking SPG outlines that the parking requirement for care homes is 2 parking spaces per 5 residents. As a result, there would be no requirement for additional parking at the site and it is therefore considered that there is adequate on street parking on the adjacent streets without significantly harming highway safety.
- 7.13 Although the Highway Authority raise concern that the proposed closing up of the existing access on to The Drive would result in loss of some off street parking, it is considered that as the removal of access would not require planning permission it would be unreasonable to resist the application on these grounds. Furthermore, there are no prevailing planning conditions requiring that parking be maintained on site. It should be noted that there is limited off-street parking available at the premises and as such at present visitors to the home tend to park in the surrounding streets or travel by alternative modes of transport. Although these arrangements currently place some pressure on the on-street parking capacity in the vicinity of the use, the level of additional demand arising from the development is not considered to be sufficient to justify refusal of the application.
- 7.14 The Highway Authority also advises that visibility splays should be provided on either side of the access. However, this advice is superseded by the proposed closure of the access.

Other considerations

- 7.15 The applicant is currently using the front garden area as a space for storing building materials during the ongoing construction process. The applicants have confirmed that it is their intention to re-instate this area to garden following the completion of building works; as such this would not require planning permission.

8 CONCLUSION

- 8.1 The development is considered to be unacceptable given the design of the side extension and its relationship to the host building which would be detrimental to the character and appearance of the host building and

surrounding area. The proposed development is recommended for refusal and considered to be contrary to Policy 2 of the Regional Plan and Policy E20 of the Local Plan and aims and objectives of PPS1.

8.2 As the development has commenced it is also recommended that Committee resolve to give authorisation to officers to issue an Enforcement Notice requiring demolition of the side extension by reason of its unacceptable design, height and relationship with the existing building which forms an incongruous and discordant feature detrimental to the character and appearance of the host building and surrounding streetscene.

9. CONDITIONS

9.1 Not relevant.

10. BACKGROUND PAPERS

10.1 None.

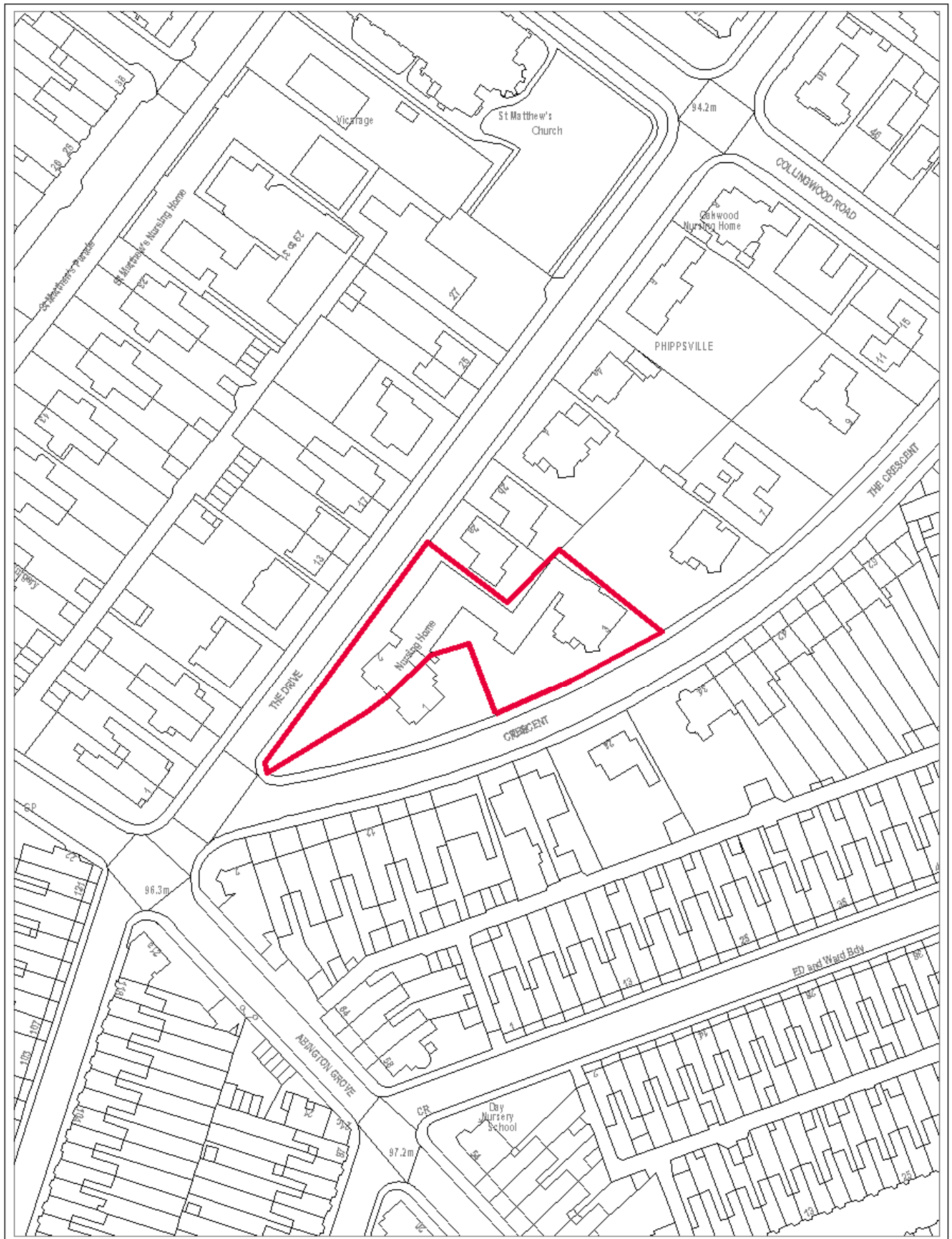
11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

12.1 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.

Position:	Name/Signature:	Date:
Author:	Jonathan Moore	8/10/09
Development Control Manager Agreed:	Gareth Jones	9/9/09



Im: Jon Martin
 dt: 7th October 2009
 nr: 1:1250
 nt: Planning
 mt: Location Plan

Title
2 The Drive/3 The Crescent

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