



PLANNING COMMITTEE: 9 February 2010

DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2009/0865 **Single storey side extensions and alterations to garage, second floor roof extensions and alterations, replacement front boundary wall and gates at 41 Rowan Avenue**

WARD: Headlands

APPLICANT: Mr P Langford
AGENT: Making Plans

REFERRED BY: Councillor D Garlick
REASON: Loss of privacy and boundary wall out of keeping with the area

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions and for the following reason:

The proposed development would not have an undue adverse impact on the visual or residential amenity of the area and complies with Policy 2 of the East Midlands Regional Plan, Policies E20 and H18 of the Northampton Local Plan and advice in the Supplementary Planning Guidance "Residential Extensions Design Guide."

2. THE PROPOSAL

2.1 Full planning permission is sought for various extensions and alterations to the existing dwelling including:

- Creation of second floor solar therapy room for disabled occupant
- Extension to garage to side of house
- Creation of disabled room/annexe to side of property

- New front boundary wall and railings and includes

3. SITE DESCRIPTION

- 3.1 The application site comprises a substantial detached residential dwelling constructed in “art deco” style and is located at the eastern end of Rowan Avenue in the area of Boothville, Northampton. It is situated within a Primarily Residential Area as defined by the Northampton Local Plan.

4. PLANNING HISTORY

- 4.1 None recent

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

5.3 East Midlands Regional Plan 2009

Policy 2 – Promoting Better Design

5.4 Northampton Borough Local Plan

E20 – New Development

H18 - Extensions

5.5 Supplementary Planning Guidance

Residential Extensions Design Guide (2002)

6. CONSULTATIONS/REPRESENTATIONS

- 6.1 **Highway Authority (NCC):** Recommend that the proposed gates be set back 5 metres from the highway and visibility splays be provided on each side of access.

- 6.2 **Councillor D Garlick:** Concern that the proposed sun therapy room would impact on privacy and would affect homes on Lumbertubs Rise and neighbouring properties. The proposed front walls also cause concern as its height and materials is out of keeping with the area. The proposed rear garage doors have also caused concern about what might end up in the back garden.

- 6.3 Letters of objection from **22, 23, 33, 37, 39, 43 & 45 Rowan Avenue, 14 Lumbertubs Rise and Boothville Residents Association:**
- The glaring nature of the proposed glass construction would invade privacy of 43 Rowan Avenue and 14 Lumbertubs Lane
 - 3 storeys would be out of keeping with surrounding buildings
 - proposed boundary wall out of keeping with adjacent frontages
 - the nature and size of the proposed changes raise concerns on the intentions of the applicant
 - extension of garage would impact severely on line of sight and amenity of reception room on number 39
 - would overlook more than 10 properties and cause invasion of privacy
 - proposed glass construction would be a jarring eyesore, highly visible and at odds with surroundings
 - replacement wall and gates would be totally out of keeping with area
 - proposal is totally contrary to the aesthetic and will be an unwelcome imposition on a great number of people in neighbourhood
 - object to doors at rear of garage as this will lead to cars being parked in rear garden and is enough parking at front for 4 plus cars
 - the proposed room is not a disabled therapy room as no disabled person lives there and is no disabled access to roof
 - application states the second floor is for disabled use but does not have a lift or shower provision
 - light glare from therapy room to 14 Lumbertubs Lane
 - Concern over long term use of property
 - Impact on line of sight and light levels to reception room on 39 Rowan Avenue

7. APPRAISAL

Main issues

- 7.1 The principal considerations in this proposal are the impact on the character and appearance of the area and on the original dwelling and the impact on amenity and living conditions of adjacent properties.

Policy context

- 7.2 In determining planning applications of this type, Policy H18 of the Northampton Local Plan states that the design and appearance of an extension is of significant importance as is the impact on the amenity of other properties. Policy E20 also applies to extensions and encourages the design to adequately reflect the character and surroundings in terms of layout, siting, form and scale. Detailed guidance is also contained within the Council's Adopted Residential Extensions SPG.

Front Boundary Wall and Gates

- 7.3 Many properties on Rowan Avenue have low front boundary walls constructed in natural stone, which help to define the character and appearance of this residential area. The applicants' property is individually designed and markedly different to the rest of the properties in the vicinity of the site being "art deco" design.
- 7.4 The proposed front boundary treatment would be a maximum height of 1.6 metres and be designed with wall and horizontal railings. Although the height of the proposed wall and gates would be higher than most of the walls in the streetscene it is considered that the proposed boundary treatment would be in keeping with the character of this "art deco" property. The horizontal panelling on the proposed gates would also echo the fenestration and general horizontal emphasis of the host property. The proposed materials used in the wall would match the original house.
- 7.5 Given that the host building is very much a contrasting feature within the existing streetscene and given the strong design characteristics of this building, it is considered that it would be inappropriate to mimic the stone boundary treatment characteristic of the wider area. Overall, it is considered that the proposed boundary treatment respects the strong character of the host dwelling without harm to the streetscene.
- 7.6 The Highway Authority recommends that the proposed gates be set back from the highway and that visibility splays be provided to the access. However, these requirements could not be reasonably secured without a very visually contrived arrangement. With this in mind and given that Rowan Avenue is quiet in terms of traffic volumes refusal could not be sustained on highway safety grounds.

Proposed extensions and alterations

- 7.7 Several neighbours have concerns over the second floor "sun therapy room" and its potential for overlooking to surrounding properties and its visual impact.
- 7.8 Although it is acknowledged that it may have some impact on the residential amenity of the area, given that the proposed side facing windows would be obscure glazed combined with the separation concerned, it is considered that the impact on adjacent numbers 39 and 43 Rowan Avenue in terms of privacy would be acceptable. Given large rear-to-rear separation distances of approaching 50 metres, it is considered that there would be no significant adverse overlooking to properties to the rear of the application site.
- 7.9 As the proposed second floor extension would be sited behind an existing second floor stairwell it would be largely screened from the public domain. As such, it is considered that the impact on the

streetscene would be limited. Given the separation distances and relationship to neighbouring properties it is also considered that the impact from “glare” and/or light emitted from the proposed room’s use would also be acceptable.

- 7.10 The proposed design of the single storey elements is considered acceptable due to their limited scale and sympathetic design. A condition is recommended for materials to match the existing building in order to ensure a satisfactory external appearance of development.
- 7.11 Number 39 Rowan Avenue has expressed concern that the proposed single storey garage extension adjacent to their property would affect their amenity to their reception rooms. As the extension would be single storey only and given the relationship it is considered that the impact on that property’s living conditions is acceptable.
- 7.12 Overall, in terms of residential amenity, subject to a condition on the approval for obscure glazing to the second floor side windows, it is considered that the impact on the neighbours would be acceptable and the proposed development would comply with advice in the SPG on Extensions (2002) and Policies E20 and H18 of the Northampton Local Plan 1997.

Other Matters

- 7.13 Concern has been expressed about the potential future use of the house in that some objectors consider that it could be easily converted into a boarding house or other use. Any such change of use would require planning permission. The current application is exclusively for extensions and alterations and as such these points must be disregarded in determining the current application.
- 7.14 There is also concern over the submitted drawings which show proposed rear facing garage doors and the objectors perception that this may result in parking in the rear garden. It is considered that this is unlikely to occur given the parking space to the front of the property on the driveway and also in the proposed garage.
- 7.15 Some neighbours have had reference to a restrictive covenant. However this is not a land use planning matter and cannot be taken into account in the determination of the application.

8. CONCLUSION

- 8.1 It is considered that owing to the design and siting of the proposal, the extensions and new wall would have an acceptable impact on the visual amenity of the locality and on the amenity of neighbours and complies with Development Plan policy and Guidance contained within the SPG on Residential Extensions.

9. 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 side facing windows serving the proposed second floor sun therapy room shall be glazed with obscured glass before the development permitted is first occupied and thereafter retained in that form at all times. No development shall take place until a sample of the proposed obscure glass has been submitted to and approved in writing with the Local Planning Authority.

Reason - To safeguard the privacy of adjacent neighbours in accordance with Policy H18 of the Northampton Local Plan.

(3) The external walls of the single storey extensions and front boundary wall shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

Reason - In the interests of visual amenity in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2009/0865

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 associated Frameworks and Strategies.

Position:	Name/Signature:	Date:
Author:	Jonathan Moore	18/01/10
Development Control Manager Agreed:	Gareth Jones	22/01/10

