

**PLANNING COMMITTEE:** 7 February 2012  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2011/1276:** Two storey side extension  
Greenacres High Street Weston Favell

**WARD:** Park

**APPLICANT:** Mr. & Mrs. W. J. Coley  
**AGENT:** AT Architects

**REFERRED BY:** Cllr. Norman Duncan  
**REASON:** Proposal is overbearing, overshadowing and overlooks adjacent property causing invasion of privacy; and also design is not in keeping with host dwelling.

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The impact of the proposed development on the character of the original building, street scene, residential amenity and the character of the Conservation Area is considered to be acceptable and in accordance with Policies E20, E26 and H18 of the Northampton Local Plan, the Residential Extensions and Alterations Design Guide SPD, and with the aims and objectives of PPS5.

**2. THE PROPOSAL**

2.1 Permission is sought for a two storey side extension on the east side of the house.

**3. SITE DESCRIPTION**

3.1 A 19<sup>th</sup> century former farm house located within the Weston Favell Conservation Area. The building sits slightly lower than road level, and

is L shaped with spacious gardens to the rear. There is a stone wall along the frontage, and tall hedges along the east boundary.

#### **4. PLANNING HISTORY**

4.1 None relevant.

#### **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:**

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 5 – Planning and the Historic Environment

##### **5.3 Northampton Borough Local Plan**

E20 – New Development

E26 - Conservation Areas

H18 - Extensions

##### **5.4 Supplementary Planning Guidance**

Residential Extensions and Alterations Design Guide SPD

#### **6. CONSULTATIONS / REPRESENTATIONS**

6.1 **NBC Conservation Officer:** No objections – considers that the proposal is in accordance with pre-application advice, with the design acceptable in terms of its impact upon the character of the host building, and upon the Conservation Area.

6.2 **NBC Arboricultural Officer:** Recommends condition re protection of root area of two very large mature Cedar trees in rear garden. Advised that he has no objections to removal of Silver Birch tree.

6.3 Surrounding neighbours notified, site notice and newspaper advertisement placed.

6.4 **73 High Street** – objecting on grounds of overshadowing, overlooking, and unacceptable design not in-keeping with host building.

6.5 **66 High Street** – objecting to proposal as contractors vehicles would obstruct the road, creating an unsafe situation; removal of the silver birch tree would affect amenity of the area; the proposal would reduce the light to his front garden and front window; and the size of the

proposal is out of keeping with the local environment and overdevelops the property.

## **7. APPRAISAL**

### ***Design and appearance***

- 7.1 The proposed extension extends to the side by 6.32m. The roof design is gable ended, and is set down from the main ridge line. The proposal will form an east wing similar to the existing, original west wing. It is considered that this is an acceptable design, as the frontage fenestration and materials are to be in-keeping with its context, and the proposed extension will appear subservient to the host dwelling. The space to the side of the house measures approximately 10m, comfortably accommodating the extension.
- 7.2 It is considered that the extension will be in accord with the historic street scene, as it will not deviate from the building line of the original farmhouse, which helps to inform the character of the area, with the front boundary wall to remain. The street scene in this historic part of the village is very varied, with different set-backs and spacings, and it is for this reason that it is considered that the proposal will have no adverse impacts, and is therefore considered acceptable and in accordance with the relevant policies.

### ***Impact on neighbours***

- 7.3 The adjoining property to the east (no.73) is set approximately 16m away (distance between side elevations). A high (4-5m) hedge defines the boundary in between. The occupiers of no.73 have expressed concerns that the extension will be overbearing, and result in overlooking and overshadowing.
- 7.4 The proposed extension would project to a point approximately 9m from the existing side elevation of the neighbouring house no73. There are four windows in the side elevation of no73 (two living room windows at ground floor and two bedroom windows at first floor). However, one of the first floor windows and both of the ground floor windows are secondary windows, whereas the other window on the first floor is the only window to that bedroom. The development would therefore have an effect on the outlook and light currently available from that window.
- 7.5 As there are other principal windows to two of the rooms it is not considered that the proposal would have a significant impact on the enjoyment of these rooms. The other bedroom would be more affected. It is currently somewhat enclosed by the presence of the substantial boundary hedge which stands some 6m away.
- 7.6 The Council's adopted Residential Extensions and Alterations Design Guide SPD (2011) provides guidance on separation distances between

elevations. It does not directly address the scenario of side facing windows although the recommended separation between a blank side elevation and a rear elevation is 13m for two-storey houses. In contrast the proposed extension would retain only 9m. Bearing in mind that it is not the whole / principal elevation that would be affected (i.e. only one bedroom), and the amount of separation retained combined with the scale of the existing hedge, it is considered that the sense of enclosure / mass and impact on light to these habitable room windows would not be such as to warrant refusal of the application.

- 7.5 In considering the issue of overlooking, the upper windows in the east elevation of the proposed extension serve a bathroom, walk-in wardrobe, and loft space. A condition that these windows be obscure glazed is recommended, and it is considered that this would satisfactorily mitigate issues of overlooking from the side elevation (with or without the existing hedge).
- 7.6 There may be some additional overlooking of neighbouring gardens from the upper rear elevation windows of the proposal, but only of areas that are already overlooked and therefore this is not considered significant enough to warrant refusal of the application.
- 7.7 The neighbour across the street (no.66) has objected on grounds that the proposal will overshadow his front garden and lounge window. However, it is noted that the distance between these front elevations is only approx. 0.5m short of the required distance of 21m. It is therefore considered that any additional overshadowing that may occur to no.66 would be minimal, when also taking into consideration the offset position of this house to the application site, and as such would not warrant refusal of the application.
- 7.8 This neighbour has also objected to the removal of the Silver Birch Tree. However, this tree is in poor form (see para. 7.10), and is only one of a group of trees along this boundary. It is therefore considered that its removal will not significantly affect the visual amenity of the area.
- 7.9 The issue raised regarding the possibility of contractor's vehicles creating an unsafe situation whilst parked along the street is not considered material to the assessment of this application.

### **Trees**

- 7.10 NBC Arboricultural Officer advises that he has no objections to the removal of the Silver Birch tree, as it has been previously topped and has subsequently been left in poor form (anticipates tree is in decline) and is therefore not eligible to be included in a TPO. A condition is recommended to protect the root area of the two large Cedar trees in the rear garden, as advised by the Council's Arboricultural Officer. Protection of these trees by condition is considered necessary by virtue

of the being in a Conservation Area and as they add considerably to the amenity of the area.

### ***Impact on Conservation Area***

7.11 This proposal is in accordance with pre-application advice from the Conservation Section. As such, it is considered that the proposal will have no adverse impacts upon the character and appearance of the Conservation Area (see para. 7.2), as the scale and design is in-keeping with the host dwelling and with its historic setting.

## **8. CONCLUSION**

8.1 It is considered that this application accords with Policy and design guidance, and is therefore recommended for approval.

## **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 external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy H18 of the Northampton Local Plan.

(3) The proposed windows in the easterly elevation which serve the upper floors of the extension shall be glazed with obscured glass (minimum level 3) before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property in accordance with Policies E20 and H18 of the Northampton Local Plan.

(4) A tree protection barrier (such as Heras fencing) of not less than 2 metres in height and on secure immobile footings (by way of incorporating ground pins and diagonal supports) shall be installed at a distance of not less than 11.4 metres from Cedar tree stems. The tree protection barrier to be located across the whole of the rear garden area to restrict all access. The tree protection barrier to be installed prior to any construction activity and remain in situ and undisturbed until all construction is completed and all plant and materials removed from site.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and

maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

10.1 N/2011/1276.

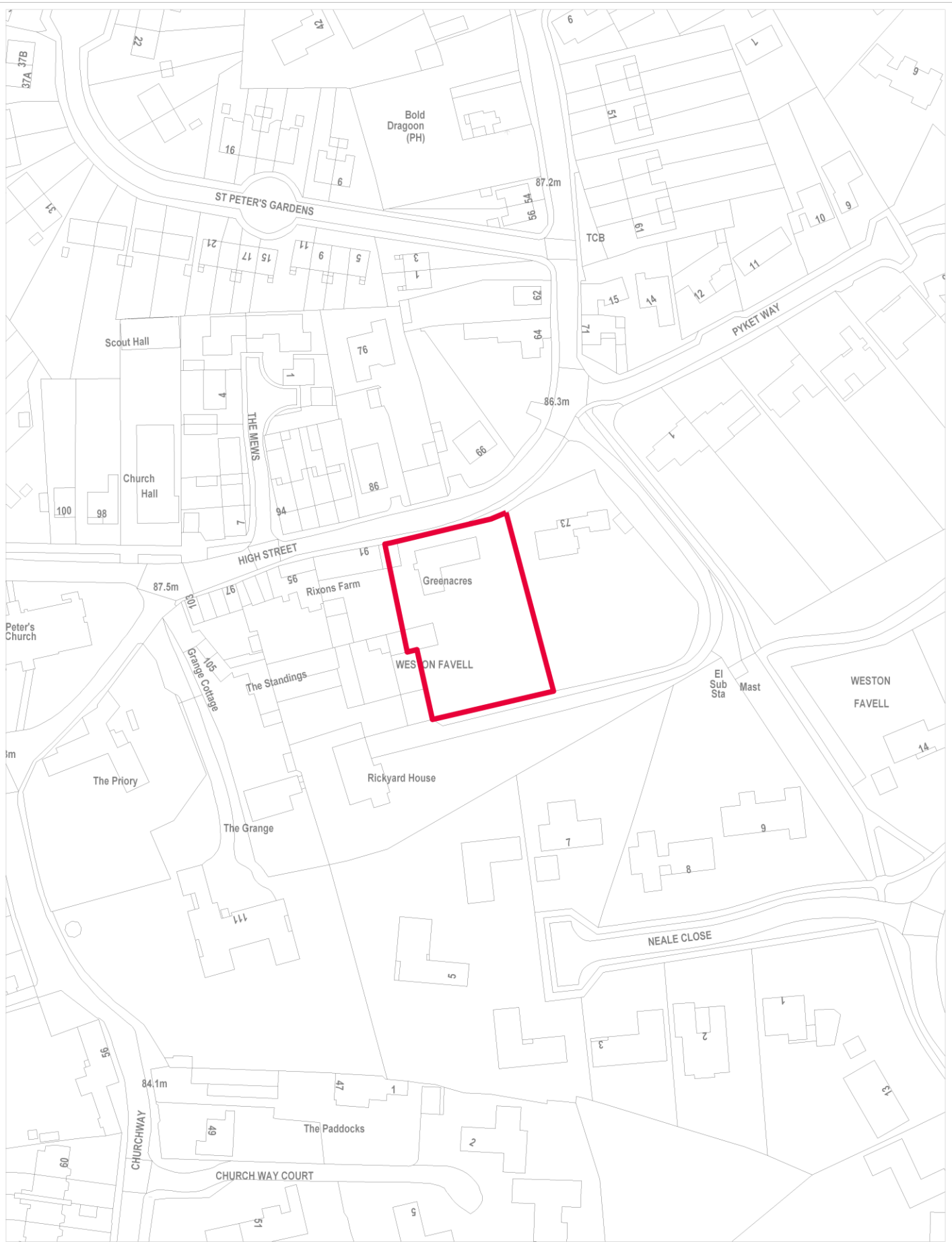
## **11. LEGAL IMPLICATIONS**

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.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	E. Williams	27/1/12
<b>Development Control Manager Agreed:</b>	Gareth Jones	30/1/12



Name: Sharon Weir  
 Date: 26th January 2012  
 Scale: 1:1250  
 Dept: Planning  
 Project: Site Location Plan

Title

## Greenacres, High Street, Weston Favell

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