



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 6 March 2012
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2012/0019 **Erection of one three bedroom detached bungalow to rear of 8 Edgemont Road**

WARD: **Weston**

APPLICANT: **Ms Sue Davis**
AGENT: **Mr Martin Beattie**

REFERRED BY: **Cllr N Duncan**
REASON: **Precedent and impact on drainage**

DEPARTURE: **No**

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development is considered acceptable in this predominantly residential area without having a detrimental impact on the appearance, character and amenity of the locality or on highway safety. Adequate access and parking is provided and satisfactory tree protection and would comply with Policies E11, E20, H6 and H10 of the Northampton Local Plan, Policy 2 of the Regional Plan and aims of PPS1, PPS3, PPS23, PPG13 and PPG24.

2. THE PROPOSAL

2.1 Full planning permission is sought for the erection a three bedroom detached bungalow with double detached garage, private front and rear gardens to the rear of 8 Edgemont Road, a large detached bungalow. The proposed bungalow would have an L-shaped footprint measuring some 14m by 9.2m with a ridge height of some 5m and 2.7m to the eaves. Access to the bungalow would be via the existing drive to the host dwelling off Edgemont Road. This drive would be extended to the northern side of existing bungalow and follow the side boundary to the proposed dwelling / garage. The existing hardstanding and garage to no8 would be retained.

3. SITE DESCRIPTION

- 3.1 The application site forms part of the existing large rear garden of 8 Edgemont Road which measures some 45m long and 25m wide. The proposed plot measures some 23m by 25m. It is currently bound on 3 sides by close-boarded fencing and intermittent tree planting.
- 3.2 The area is residential and characterised by substantial detached dwellings in large plots with a relatively high degree of variety of house types. To the south of the site is no 6 Edgemont Road a two storey detached house. The northern boundary abuts the rear garden boundaries of 6, 7, 8 and 9 Mountclair Court. The eastern boundary is adjacent to Lumbertubs Way.

4. PLANNING HISTORY

- 4.1 No recent planning applications.

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
PPS3 - Housing
PPS23 - Pollution Control
PPS25 - Development and Flood Risk
PPG13 - Transport
PPG24 - Noise

5.3 Northampton Borough Local Plan

E11 - Tree Protection
E20 – New Development
H6 - Residential development in primarily residential areas
H10 - Backland Development

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Public Protection (NBC):** No objection but would suggest conditions relating to contaminated land and noise.

- 6.2 **Arboricultural Officer (NBC):** No objections, the proposed new building will be in close proximity to numerous trees and will require several removals to facilitate the development with the physical protection, the trees are low order and with little public visibility. The conifer hedge to the rear of the site provides an important screen and if retained will be in close proximity to the new building. Recommend conditions for tree protection.
- 6.3 **Highway Authority:** width of turning head should be kept maintained all the way at 3.8metres.
- 6.4 Letters of **objection** received from numbers **2, 4, 5, 6, 7, 9, 21 Edgemont Road:**
- Overlooking and loss of privacy
 - Impact on drainage and flooding
 - Impact on character of area
 - Restrictive covenant in deeds preventing the proposed development
 - Highway safety implications
 - Impact on trees
 - Impact on sunlight
 - Noise from traffic from Lumbertubs Lane
 - Precedent

7. APPRAISAL

- 7.1 The principal considerations are the impact on the appearance and character of the area, impact on amenity of neighbours and whether there is satisfactory access to the proposed dwelling.

Policy context and principle of development

- 7.2 The site is located within an established residential area consisting mainly of detached residential dwellings sited in large plots with substantial rear gardens. Policy H10 of the Local Plan would apply given the proposal is for backland development. This policy states that planning permission will not be granted for backland development unless it can be shown that the siting and layout will not be detrimental to the character and amenity of the locality and will not cause disturbance to or adversely effect the privacy of adjoining dwellings. Policy E20 is also relevant which encourages good design while Policy H6 relates to development in primarily residential areas.

Impact on appearance and character of the area

- 7.3 The proposed dwelling would not be readily visible from the front of the site given that it would be concealed from view behind the existing surrounding dwellings and would therefore have limited effect on the street scene. The proposed design and scale of the property would be in keeping with the appearance of the area and would have an adequate sized garden area providing sufficient amenity to future

occupiers (i.e. approx. 240m²). No8 would retain a substantial garden rear garden (i.e. 19m x 19m).

- 7.4 For the foregoing reasons, whilst it is noted that there are no other apparent examples of backland development in the immediate locality it is considered that the proposal would not be overly detrimental to the character of the area that would justify refusal of planning permission.
- 7.5 A condition to control finishing materials is recommended and as is a condition removing permitted development rights for future extensions in order to prevent over-development.

Impact on amenity and living conditions of neighbours

- 7.6 The proposed bungalow would be 28m from nos. 8 and 6 Edgemont Road and 28m from the nearest dwelling in Mountclair Court (no6). Given the existing boundary treatment (approx, 1.8m high close boarded fencing), separation and relationship to existing properties it is considered that there would unlikely be any significant loss of amenity in terms of overbearing, loss, of outlook, overlooking and overshadowing.
- 7.7 Whilst officers acknowledge that the use of the proposed access would generate an increase in vehicle movements and have some impact on the amenity of the existing dwelling it is considered that this is not reason on its own to withhold the grant of planning permission. The side of the existing dwelling has no windows facing oriented towards the proposed access and subject to conditions for boundary treatment officer consider that there would be an acceptable effect on residential amenity. Neighbouring properties are a sufficient distance away not to be detrimentally affected by the proposed access, particularly bearing in mind that it would serve a single dwelling.

Traffic Noise

- 7.8 To the rear of the site lies the busy Lumbertubs Way dual carriageway which is heavily trafficked throughout the day. The applicant has submitted a detailed Noise Assessment which is considered acceptable by the Council Environmental Health Officer in terms of securing suitable living conditions of future occupiers of the proposed dwelling.

Impact on Trees

- 7.9 The applicant has submitted a Tree Constraints Plan with their application detailing trees to be removed and retained. This is considered acceptable by the Borough Arboricultural Officer who raises no objections subject to tree protection measures which can be secured by condition.

Access and Parking

- 7.10 The proposed new access would run along the side of the attached garage on the side of the host. This arrangement is considered acceptable by the Highway Authority. Regarding parking, the applicant proposes a new double garage to the front of the proposed bungalow which would provide sufficient off road parking for at least 2 cars which accords with national planning policy in PPG13. Sufficient off-street parking would also be retained for the host bungalow in the form of an existing garage and hardstanding which could accommodate at least 3 cars.

Other considerations

- 7.11 Neighbouring residents have also expressed concern about drainage and potential flooding. The site is not in a designated flood zone. The applicant proposes to connect to the existing drainage network; this would be overseen through the Building Control process.
- 7.12 Another concern raised by objectors is that if this proposal were to be permitted it could set an undesirable precedent for other properties to do the same. Nonetheless, precedent of this type is not a material planning consideration, as each application must be considered on its individual merits.
- 7.13 The concern that there is a restrictive covenant preventing further single dwellings is a civil matter and cannot be taken into account in the determination of a planning application.

8. CONCLUSION

- 8.1 The proposed development is considered acceptable in principle given its location within a primarily residential area. Due to its design, siting, scale and acceptable access the proposal would ensure an acceptable level of amenity for future occupiers while ensuring satisfactory impact on existing trees within the site and parking. This would comply with Policies E20, H6 and H10 of the Northampton Local Plan and aims of PPS1, PPS3, PPG13, PPG24 and PPS23.

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) Details and or samples of all proposed external facing materials shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to commencement of construction work on site.

Reason - In the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan.

- 3) Full details of the method of treatment of all external boundaries of the site shall be submitted to and approved in writing by the local planning authority, implemented prior to the occupation of the building and retained thereafter.

Reason - To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development to accord with Policy E20 of the Northampton Local Plan.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification no extensions shall be erected to the residential development hereby permitted without the prior written consent of the local planning authority.

Reason - To prevent over-development to accord with Policy E20 of the Northampton Local Plan.

- 5) The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the building hereby approved and retained thereafter.

Reason - In the interests of highway safety to comply with aims of PPG13.

- 6) Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the local planning authority implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason – In the interest of visual amenity to comply with Policy E20 of the Northampton Local Plan.

- 7) No development shall take place until full details of tree protection measures have been submitted to and approved in writing by the local planning authority. A Tree protection barrier shall be installed outside of the BS 5837;2005 minimum recommended Root Protection Areas for all trees identified for retention on submitted plan no. MBB/10/02. The barrier shall be in accordance with figure 2 of BS 5837; 2005 and installed prior to any development at the site and shall remain in situ and undisturbed until all construction activity is completed and materials and plant removed from the site.

Reason – in the interest of sound arboricultural practice to comply with E11 of the Northampton Local Plan.

- 8) The recommendations and mitigation of the noise assessment undertaken by Auricle Acoustics dated 29 September shall be implemented prior to the development coming into use and the applicant shall demonstrate that these measures have been fully implemented prior to the house being occupied.

Reason – in the interests of residential amenity to comply with PPG24.

9) No development shall take place until a desktop study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the local planning authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme) which shall be submitted to and approved in writing by the LPA. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation reports shall be submitted to the LPA within 2 weeks of completion.

Reason – In the interests of pollution control to comply with PPS23.

10. BACKGROUND PAPERS

10.1 N/2012/0019.

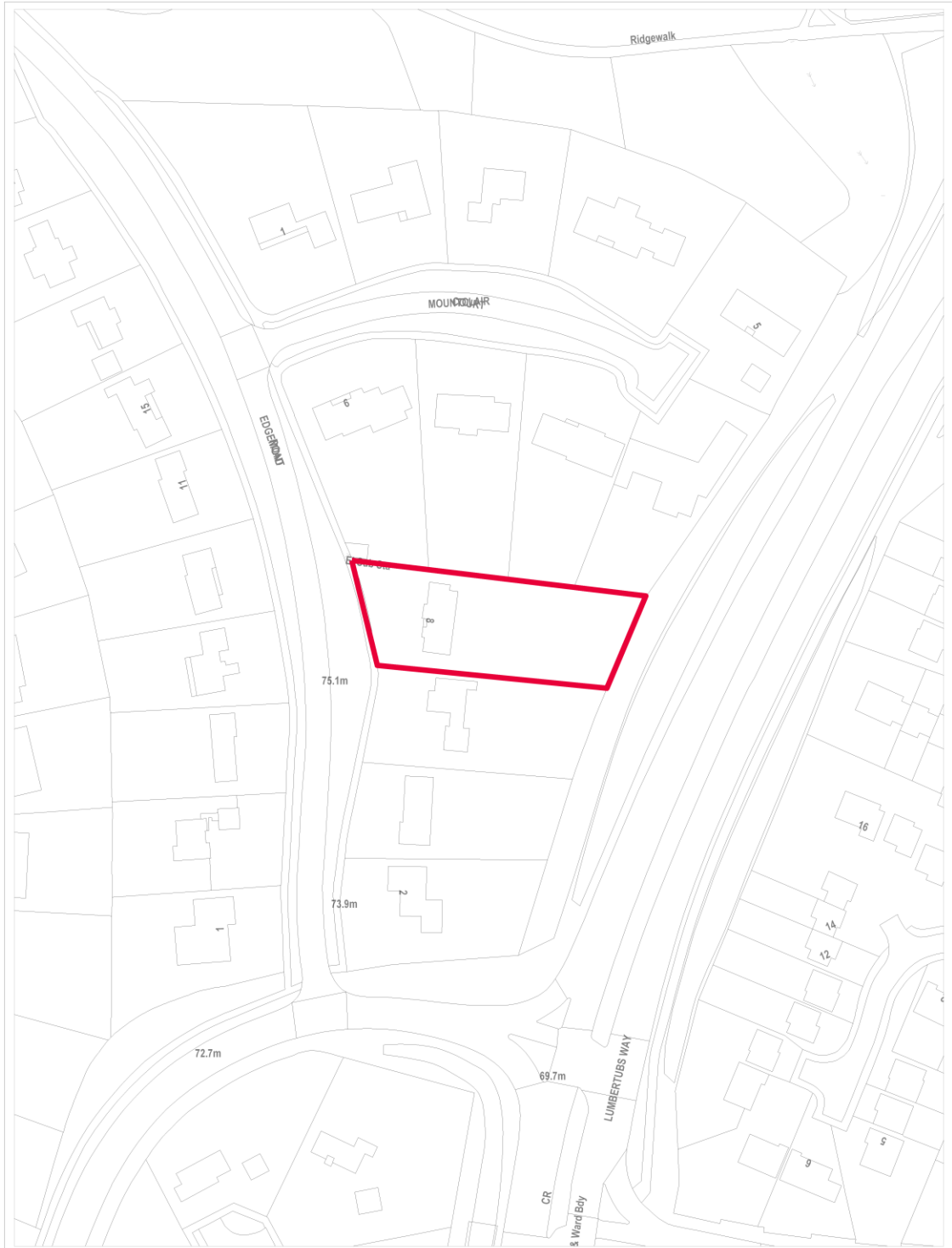
11. LEGAL IMPLICATIONS

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	15/02/2012
Development Control Manager Agreed:	Gareth Jones	23/02/2012



Name: Registration
 Date: 23rd February 2012
 Scale: 1:1250
 Dept: Planning
 Project: Location Plan

Title
8 Edgemont Road

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