



**PLANNING COMMITTEE:** 7<sup>th</sup> May 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0297**                      **Erection of single-storey dwelling including detached garage at Land Rear of 25 Penfold Lane, Great Billing.**

**WARD:**                              **Billing**

**APPLICANT:**                      **JJ Moon Limited**  
**AGENT:**                              **Architectural Solutions**

**REFERRED BY:**                      **Head of Planning**  
**REASON:**                              **Called in by Cllr Palethorpe due to concerns regarding potential overdevelopment of the site, access arrangements and the character of development.**

**DEPARTURE:**                      **No**

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#### **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 APPROVAL** for the following reason:

The impact of the proposed development on the character of neighbouring properties and the wider area, residential amenity and highway safety is considered to be acceptable and in accordance with Policies E20, H6 and H10 of the Northampton Local Plan (1997).

#### **1.2** As this recommendation was been formulated before the expiry of the formal consultation period on 3 May 2013 it may be subject to change in light of any additional representations received. Any change or update will be reported to Committee via the Addendum report to be circulated at the Committee meeting.

### **2. THE PROPOSAL**

#### **2.1** The proposals involve the construction of a standalone bungalow within the rear garden area of No.25 Penfold Lane. The new property's principal elevation would front directly on to Penfold Lane and would be

setback approximately 8m from the Penfold Lane boundary broadly in line with neighbouring properties. The footprint of the property would roughly resemble an 'H' with 2no. gable ends being proposed to both its eastern and western sides with dual-pitched roof designs. A standalone single garage is proposed to the southern side of the site. A new vehicular access, driveway and pedestrian access would be created on Penfold Lane involving the removal of 8.5m of existing low-level stone wall and planting immediately behind the wall.

### **3. SITE DESCRIPTION**

- 3.1 The application site constitutes a notable part of the rear garden area of No.25 Penfold Lane. No. 25 is located at the junction of Penfold Lane and Lady Winefride's Walk such that its principal elevation actually faces Lady Winefride's Walk to the south. The rear garden area in question abuts the western side of Penfold Lane (running a distance of 27m to the boundary with No.27 Penfold Lane) where a low-level stone wall is in existence with a mature hedgerow and landscaping located immediately behind. The garden stretches back (to the west) a distance of 32m when measured from the Penfold Lane boundary.
- 3.2 The existing dwelling at No.25 Penfold Lane is a bungalow setback approximately 8m from both its Penfold Lane and Lady Winefride's Walk frontages. It is afforded vehicular access leading to a single integral garage on Penfold Lane. Surrounding residential properties are typically 1½ storeys in built height (i.e. there is living space above the ground floor level with roofs served by either dormer or gable end windows), there are also examples of 2no. storey properties located to the opposing eastern side of Penfold Lane.

### **4. PLANNING HISTORY**

- 4.1 None relevant specifically to this property.

### **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**

National Planning Policy Framework (NPPF)

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

E20 - New Development

H6 - Housing Development within Primarily Residential Areas

H10 - Backland Development

## **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **NBC Access Officer:** No comments received.
- 6.2 **NBC Public Protection:** No comments received.
- 6.3 **Cllr David Palethorpe:** The proposals represent an overdevelopment of the site, are out of keeping with the area and adjoining existing properties. Also consideration needs to be given to Penfold Lane access.
- 6.4 Letters of notification were sent out to nearby residential occupiers, no responses have been received to date. It should be noted that the formal consultation period expires on 3<sup>rd</sup> May 2013 – Members shall be updated at the Committee Meeting (via the Addendum Report) in respect of any forthcoming representations.

## **7. APPRAISAL**

### ***Principle***

- 7.1 As detailed within the NPPF (para 49) housing applications should be considered in the context of the presumption in favour of sustainable development. The site is located within a primarily residential area as designated by the Northampton Local Plan (1997) – Policy H6 of the Local Plan dictates that planning permission shall be granted for residential development subject to compliance with specific criteria as discussed below. Consideration of the development's scale, density, character and highway implications shall be covered in the following sections of the report, but the principle of residential development is considered to be acceptable on this site.

### ***Design & Visual Impact***

- 7.2 It is considered that the proposed design would harmonise with the character of the area and would respect the visual appearance of nearby dwellings. The proposed low-level, single-storey scale of the proposals (4.5m ridge height) would aid this assimilation with the area and would help to ensure that the scheme would not result in an over-intensive development of the site. The use of varying dual-pitched roof elements and the two gable-ended frontages provides visual interest and feeds off the design cues offered by neighbouring properties.
- 7.3 It is not considered that the scheme would result in an overdevelopment of the site notwithstanding a notable reduction in the size of the rear garden area serving No.25 Penfold Lane. This rear garden is particularly generous in its dimensions relative to other rear gardens in the vicinity and would still measure in excess of 100 sq m following the implementation of the proposed scheme. It is felt that the urban grain of the area would be respected – the proposed dwelling's

footprint would be positioned on a similar alignment to adjacent properties running the western side of Penfold Lane and would allow the property to be afforded both front and rear garden areas in accordance with the character of the area.

- 7.4 The proposed plans indicate a palette of materials that would match surrounding dwellings – this would constitute concrete interlocking roof tiles, light-coloured brickwork and UPVC window and door openings. Brick coursing would be provided above window openings and under-eaves to the gable ends. Full material samples shall be secured via planning condition. It is felt that the proposals are acceptable in this context.

***Residential Amenity, Boundary Treatments, Landscaping***

- 7.5 Policy H10 of the Local Plan refers to the development of residential backland and states that planning permission shall not be granted unless it can be shown that the siting and layout would not be detrimental to the amenity of the locality and would not adversely affect the privacy of adjoining dwellings. The preamble to this Policy (para 3.18) suggests that backland development is problematic when the development consists of one house immediately behind another sharing the same access. In this case the proposed bungalow would front on to and be accessed directly from Penfold Lane.
- 7.6 The proposals would not be overbearing nor cause undue overshadowing by virtue of their single-storey stature. The dwelling would be setback 1.5m from the northern boundary of the site (abutting No. 27 Penfold Lane) and would be set far enough forward within the site so as to avoid directly opposing the side-facing window opening of No. 27. It should be noted that this boundary would also be afforded a 1.8m high close-boarded fence treatment to protect privacy.
- 7.7 To the southern side of the site a further 1.8m close-boarded treatment would be installed, which would form the boundary with the existing No.25 Penfold Lane. This would be set a minimum distance of 5m from the built extent of No.25 and would guard against any potential sensitive overlooking concerns.
- 7.8 To the western side of the site is located the grounds of No.2 Lady Winefride's Walk – this is a 1 ½ storey dwelling with an obscure-glazed dormer window opening located to the property's east-facing roof slope. It is not felt that the privacy of the occupiers of this property would be prejudiced by these proposals. In any event, the newly proposed west-facing openings (at ground floor level) would be set at an oblique angle (at least 45%) to the dormer window and existing mature coniferous landscaping is to be retained both along the western boundary of the site and within the rear garden area of the application site. Potential overlooking would be further mitigated as the proposed dwelling would be single storey.

- 7.9 The Penfold Lane frontage would be amended to allow for the introduction of both a new vehicular access (width of 7.5m) and a new pedestrian access (width of 1m). This would result in the loss of approximately 8.5m of the existing low-level stone walling that runs the western side of Penfold Lane in this area. Although it is considered that it would be preferential for this walling to be retained in a visual sense, it is noted that the removal of the wall is essential to allow the new dwelling to be served by its own independent access. 8.5m constitutes a short length of walling in the context of its full length (which is already interrupted by various other access and entry points along Penfold Lane); it is not felt that its removal would be to the detriment of the underlying character of the area. It should be noted that the applicant would be able to remove the walling in question without planning permission in any event.
- 7.10 Existing shrubbery and trees would be partly retained and trimmed back to the Penfold Lane frontage; there would also be selected removals to allow room for the development to be undertaken within the site. The Penfold Lane frontage would continue to be afforded a buffer of landscaping in the interests of visual amenity and additional planting could also be secured by condition.

### ***Highways & Parking***

- 7.11 The proposals involve the creation of a new vehicular crossover to Penfold Lane – a private drive would be positioned adjacent to the existing driveway serving No.25 and would be afforded 2m x 2m pedestrian visibility splays on either side in accordance with the Local Highway Authority's (LHA) Standing Advice. A new single garage would be located directly at the end of the new driveway, which would also be afforded a new vehicular turning head to its eastern side. It is felt that this level of off-street parking provision is acceptable to serve a new standalone dwellinghouse and the proposals would not compromise the existing off-street parking provision of the host property.
- 7.12 The details of the proposal are in compliance with the LHA's Standing Advice, i.e. in terms of junction position, access width, etc. It is felt that planning conditions should be imposed, in accordance with the Standing Advice, to secure drainage and hard surfacing details to ensure that both surface water and loose material do not discharge on to the public highway.

## **8. CONCLUSION**

- 8.1 The impact of the proposed development on the character of neighbouring properties and the wider area, residential amenity and highway safety is considered to be acceptable and in accordance with Policies E20, H6 and H10 of the Northampton Local Plan (1997).

## **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 development hereby permitted shall be carried out in accordance with the following approved plans: As Existing (13/H156/2); Location Plan & Proposed Floor Plans and Elevations (13/H156/1B).

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- (3) Details and/or samples of all proposed external facing materials including the new pedestrian access gate to Penfold Lane shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies E20 and H6 of the Northampton Local Plan.

- (4) Prior to the commencement of development, details of hard bound surfacing to the vehicular access hereby permitted shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented, and maintained at all times thereafter, in accordance with the approved details.

Reason: In the interests of highway safety and visual amenity in accordance with Policy E20 of the Northampton Local Plan.

- (5) Prior to the commencement of the development, details of a positive means of drainage to the vehicular access shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented, and maintained at all times thereafter, in accordance with the approved details.

Reason: To ensure that surface water from the vehicular access does not discharge onto the public highway in the interests of highway safety in accordance with National Planning Policy Framework.

- (6) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory

standard of development in accordance with Policy E20 of the Northampton Local Plan.

- (7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

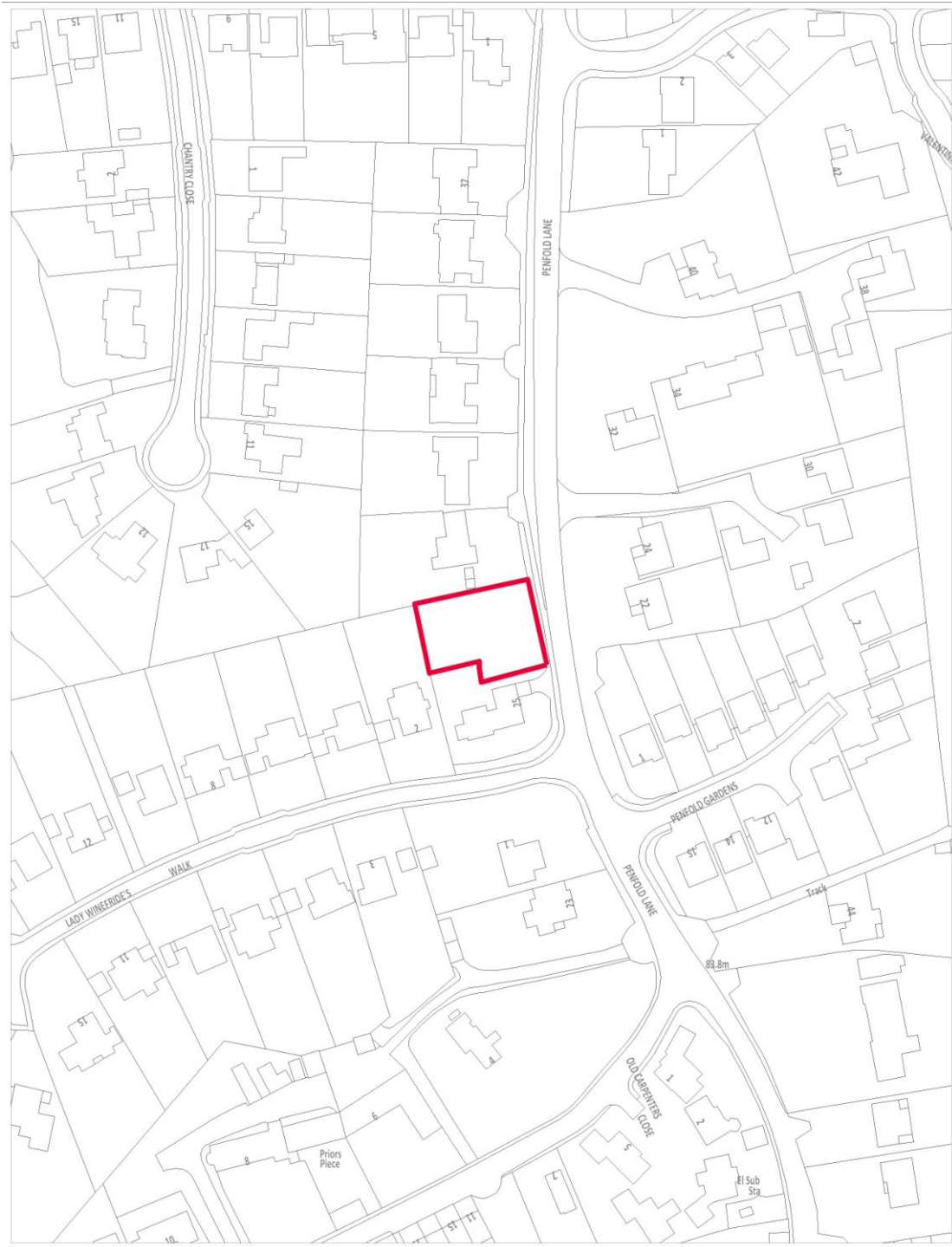
- 10.1 N/2013/0297

## **11. LEGAL IMPLICATIONS**

- 11.1 None for the Council as Local Planning Authority.

## **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.



Name: **Planning**  
 Date: **18th April 2013**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Committee**

Title

## 25 Penfold Lane

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