

**PLANNING COMMITTEE:** 17<sup>th</sup> December 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/1047:** Erection of detached bungalow (revision of previously approved application N/2009/0824) on land adjacent to 15 Whitehills Crescent

**WARD:** Spring Park

**APPLICANT:** Mr R. Cole

**REFERRED BY:** Cllr. J. Yates  
**REASON:** Concerned regarding the scale of the development and impacts on privacy

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 REFUSAL** for the following reason:

Due to its position and design, the proposed rear dormer window would lead to a negative impact upon the privacy of neighbouring properties, adversely affecting residential amenity. The proposal therefore fails to comply with the requirements of the National Planning Policy Framework and Local Plan Policies E20 and H6.

**2. THE PROPOSAL**

2.1 The applicant seeks permission to retain a dormer bungalow, which includes two projecting gables to the front and back, two on-site car parking spaces with access from a private access way leading to Whitehills Way.

2.2 Planning permission N/2009/0824 has previously been granted for the erection of a bungalow on the site. Whilst construction works have commenced, it has become apparent that the building works are not in

accordance with the approved details. As a consequence of this, the developer has submitted this application to regularise the situation.

### **3. SITE DESCRIPTION**

3.1 The application site comprises a former area of wasteland that is located to the rear of the residential properties on Central Avenue, Sandhills Road and Whitehills Way. In addition there are various commercial and residential properties located within Whitehills Crescent, to the east of the site. A bungalow has previously been constructed on the adjacent land.

3.2 The application site is broadly level and is situated at a lower level than the residential properties at 4-14 Whitehills Way to the north. The rear boundary of the gardens of these properties abuts the application site. The site is accessed via a private service road that runs between Whitehills Road and Sandhills Road.

### **4. PLANNING HISTORY**

4.1 An initial outline application to erect a dwelling on this site was refused planning permission in 2008 (reference: N/2007/1579). The reasons for this were that the building would represent an incongruous form of development and would intensify the use of a private service road. The proposal was subsequently revised and resubmitted in 2009 (reference: N/2009/0824). This application was approved and included a condition removing permitted development rights for future extensions and additional windows to the side and rear elevations in order to prevent overdevelopment of the site and to maintain the privacy of existing properties.

### **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.

#### **5.2 National Policies**

Paragraph 17 of the National Planning Policy Framework (NPPF) states that previously developed sites should be effectively reused, whilst ensuring that new developments are well designed that secure a good standard of amenity for the residents of the development and those that occupy existing properties.

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

E20 – New development

E40 – Crime and anti-social behaviour  
H6 – Residential development

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

Parking  
Planning out Crime

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

#### 6.1 **Environmental Health** – No objections

6.2 **Cllr. J. Yates** – Requests that the application be determined by the Planning Committee due to the development having an adverse impact on the privacy levels of surrounding residents and that the size and height of the kitchen extension having an adverse impact upon neighbour amenity arising from an overdevelopment of the site. The proposal does not address the private service road issues or provide any contributions towards street lighting.

6.3 Objections from the occupiers of **15 and 17 Sandhills Road** and **6, 8, 10** and **12 Whitehills Way**. Comments can be summarised as:

- The proposal will lead to a loss of privacy.
- The increase in roof height creates an overbearing feature that would be detrimental to residential amenity.
- The development differs from that which previously gained planning permission.
- Usage of the substandard private service road would be increased by the development to the detriment of highway and pedestrian safety

6.4 Letters of support received from **7, 9, 10, 11, 12** and **14 Whitehills Way** including one letter without address stating that the development does not affect privacy levels, is visually acceptable and a good use of the land. The development has made the area more secure.

### 7. **APPRAISAL**

7.1 As there is an existing planning permission for a dwelling on this site, the principle of residential development is therefore considered acceptable. However, the proposed dwelling for this application is of a different design to that previously approved, it is important to assess the impact of this new development in the local context.

7.2 The most significant variations are that there has been an increase in dimensions of the rear projecting gable (increase by 2m in length and 0.9m in height), and the insertion of a dormer window within the rear roof slope. There is an increase in the height of the building and the front projecting gable by approximately 0.12m and 0.24m respectively. There is also a change to the general fenestration details.

- 7.3 The dormer window is situated in close proximity to the northern boundary of the site. As a consequence of this, combined with its size and window opening, it is considered that there would be a significant loss of privacy to the occupiers of the neighbouring properties to the north (situated within Whitehills Way). The areas most affected by this overlooking would be rear gardens, which are areas where existing residents could reasonably expect a greater degree of privacy. It is considered that the proposed development fails to comply with the requirements of Local Plan Policy E20, which requires that new developments to be designed and located in such a manner to ensure adequate levels of privacy.
- 7.4 Although the dwelling has a bigger rear projection than the previous approval and the height of the building has increased marginally, it is not considered that these would lead to an adverse impact upon visual amenity or the amenities of surrounding properties in terms of loss of light, outlook and privacy because of the separation distances between this element of the building and the site's boundaries. It is noted that this element of the development would reduce the garden area available to future occupiers; however, the development would retain a rear garden space of approximately 130m<sup>2</sup>, which is considered sufficient to meet the likely needs of the occupiers of a three bedroom dwelling as required by the NPPF and Local Plan Policy H6.
- 7.5 Representations received including comments upon the suitability of the use of the service road to access the site and the fact that it is currently unlit. Whilst these points should be noted, it is considered that they can be given relatively little weight given that a previous planning permission exists to develop this site for a bungalow.
- 7.6 The proposal includes the provision of two off street car parking spaces, which is sufficient to meet the needs of the development.

## **8. CONCLUSION**

- 8.1 Whilst the principle of developing this site for residential accommodation is acceptable, it is considered that the rear dormer window leads to an unacceptable loss of privacy to the gardens of the surrounding properties, which is contrary to national and local planning policies.

## **10. BACKGROUND PAPERS**

- 10.1 N/2007/1579, N/2009/0824 and N/2013/1047

## **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.



Name: Planning  
Date: 3rd December 2013  
Scale: 1:1250  
Dept: Planning  
Project: Committee

Title

### Building plot adjacent to 15 Whitehill Crescent

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