



PLANNING COMMITTEE: 11th February 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/1206: Two storey side extension with new window in side elevation (re-submission of N/2013/0905) at 15 Brook Lane, Dallington

WARD: Spencer

APPLICANT: Steve McDonnell
AGENT: Joby Simpson

REFERRED BY: Head of Planning
REASON: Called in by Cllr Gareth Eales due to conservation implications and concerns around land ownership

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The impact of the proposed development upon the character and appearance of the Dallington Conservation Area, residential amenity and highway safety is considered to be acceptable and in accordance with Policies E20, E26 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposals are for the erection of a two-storey side extension. 2no. new front-facing velux windows are proposed in addition to a new first-floor side-facing window. The ridge height and roof pitch of the newly proposed element would match the existing 1 ½ storey dwellinghouse. The extension is proposed to cover a rectangular footprint of 3.6m in

width (when measured along the Brook Lane frontage) and 7.5m in length (when measured along the side elevation).

- 2.2 A previous planning application (N/2013/0905) was approved at the site for a 2no. storey side extension. This new application represents a re-submission and slight enlargement of the previously approved scheme. The consented extension was of the same height and general appearance, only covering a smaller footprint area of 3m in width by 7m in length. Construction has commenced on site, therefore this new application is part-retrospective.

3. SITE DESCRIPTION

- 3.1 The site constitutes a 1 ½ storey semi-detached property located within the Dallington Conservation Area. It exhibits a mixture of buff brick and rendered elevations with a concrete tiled roof. There is also a front-facing dormer window in existence. Dallington Brook runs the western side of the site whilst a stone boundary wall of approximately 1.2m in height abuts the brook and also runs the western side of the site. A part of this stone wall has been knocked through to allow space for the newly extended footprint of the extension.

4. PLANNING HISTORY

- 4.1 N/2013/0905 Two-storey extension with new window in side elevation (Approved subject to conditions).

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 saved policies of the Northampton Local Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton 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 Consultation of local neighbours and consultees has been undertaken, representations received are summarised as follows:

6.2 **NBC Conservation:** There were no objections to the previous application on the basis that the development was considered to have a neutral impact upon the conservation area. Although the proposed extension is larger than the previously consented scheme, it is not considered to have an additional visual impact. The enlarged extension has necessitated the removal of part of the stone wall to the west of the property. The wall forms a boundary feature to Dallington Brook and is of historic origin. It is not however identified as an important boundary wall in the Dallington Conservation Area Appraisal and is not considered to be curtilage listed to The Vicarage. There are no substantive objections from a conservation perspective.

6.3 **Canal & River Trust:** The application falls outside of the notified area for its application scale.

6.4 **Objections** have been received from **7 Hamlet Green; 6 St. Margarets Garden; 29, 53, 55, 69 Brook Lane; 19 Park Drive; 106, 118, 120 Dallington Road; 12 Dallington Park Road.** Their objections can be summarised as follows:

- The applicant has failed to comply with the original application and plans, which retained the ironstone boundary road.
- The boundary wall that has been demolished is historic; its removal has an adverse impact upon the character and appearance of the Dallington Conservation Area.
- There would not appear to be room to reinstate the wall once building works are complete.
- The ironstone wall forms part of the boundary of the Grade 2 Listed Vicarage and should be rebuilt accordingly. The Council's Conservation Officer should examine the listing of the Vicarage to ascertain if the ironstone wall is part of the listing.
- The part-removal of the boundary wall could lead to the destabilisation and collapse of the remainder of the wall.
- There have been flooding issues associated with the brook in the past.
- The siting of the extension is not appropriate adjacent to the brook, building inspectors have not inspected the works.

- The building appears to encroach into the garden of No. 120 Dallington Road. This property has possessive title to the land adjacent to the boundary wall.
- The planning application form has been accepted with material inaccuracies. Work has commenced and there is nothing to prove that the entire site falls within the ownership of 15 Brook Lane.

7. APPRAISAL

Design & Conservation Area

- 7.1 The property is a mid-20th century development that lies within the Dallington Conservation Area; its contemporary appearance reflects the age of the property. The extension would have a neutral impact upon the character and appearance of the conservation area by virtue of its sensitive siting and scaling to the immediate side of the existing dwelling house. It would take forward a complimentary palette of materials to reflect the existing appearance. It is considered that the relationship between the proposed extension, the host dwelling and the surrounding area has not been adversely impacted upon by the slight 0.6m increase in width and 0.5m increase in length proposed when compared to the originally consented scheme (N/2013/0905).
- 7.2 A number of representations have been received from local residents, the majority of which raise comments / objections in respect to works that have already been carried out to the stone wall that is positioned to the south-western boundary of the application site. The originally consented scheme has no impact upon this wall. However, the newly proposed scheme has necessitated the demolition of a short stretch of this wall so as to accommodate the newly expanded footprint of the extension.
- 7.3 The demolition of the wall does not require planning permission, notwithstanding the site falls within a conservation area. The Council's Conservation Officer has commented that the wall is not identified as an important boundary wall in the Dallington Conservation Area Appraisal and is not considered to be curtilage listed to The Vicarage (Grade II Listed).
- 7.4 It has been suggested via the consultation process that the applicant does not hold full ownership of the application site. However, the applicant has submitted - as part of the application - a signed Certificate of Ownership (Certificate A) declaring full ownership of the site. This corresponds with a red line location plan that extends around the entirety of the proposed works (including the area of wall affected by the scheme). The application should proceed on this basis, particularly in the absence of any evidence to suggest alternative ownership of the land and wall in question. The issue of land

ownership constitutes a private civil matter to be resolved by the affected parties outside of the planning process.

- 7.5 There is no evidence to suggest that the removal of a section of the wall would lead to the subsequent destabilisation and removal of further sections of this wall. As a further note, it is evident from an inspection of the wall on site that various repair works have already been carried out in the past and that these works have involved the use of modern building materials such as bricks.

Residential Amenity

- 7.6 The proposals would have no detrimental impact upon residential amenity in the area. The area of the proposed works is relatively secluded to the side of an existing dwelling. The existing side elevation of the property is already afforded non-obscure window openings. The newly proposed side facing window to the proposed extension would not therefore provide views that are not already available from within the dwelling.

Parking & Highways

- 7.7 The proposed extension would be positioned upon the existing side driveway of the property. However, there would remain adequate driveway to the frontage of the property to accommodate 1 no. car off-street. There are also on-street car parking opportunities available in the immediate area. In this context it is felt that the application is acceptable.

Flood Risk

- 7.8 The proposals constitute householder works within Flood Zones 2 and 3. In accordance with the Environment Agency's Standing Advice, the applicant has confirmed that the floor levels within the proposed development shall be set no lower than existing levels and has provided details of flood risk mitigation / resilience measures to be incorporated including the installation of a new cavity tray as part of the ground level building works. The scheme is considered to be acceptable in a Flood Risk context.

8. CONCLUSION

- 8.1 The impact of the proposed development upon the character and appearance of the Dallington Conservation Area, residential amenity and highway safety is considered to be acceptable and in accordance with Policies E20, E26 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

9. CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Existing Plans & Elevations (01); Proposed Plans & Elevations (02).

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

- (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 and preserves the character and appearance of the Dallington Conservation Area in accordance with Policies E26 and H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

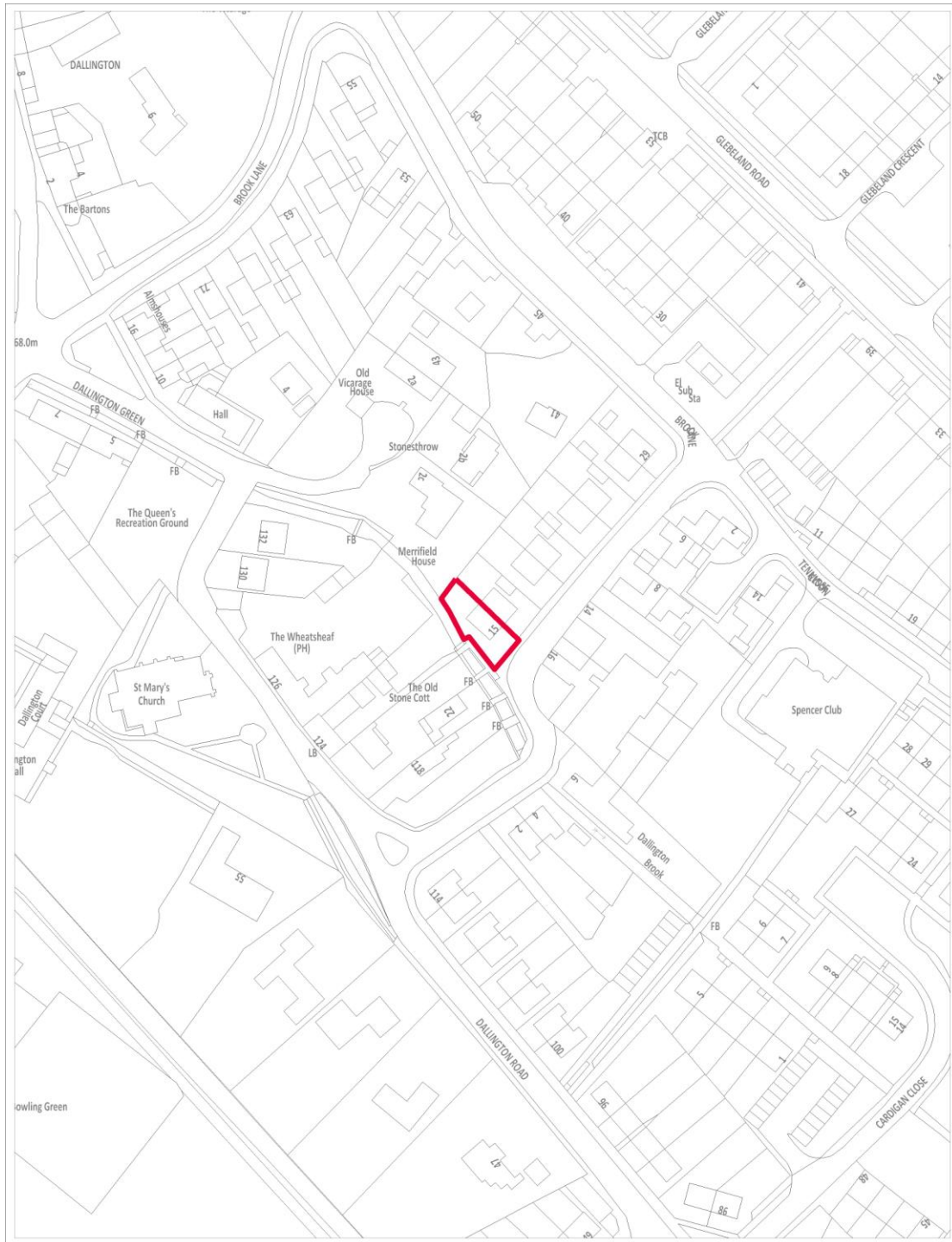
- 10.1 N/2013/1206 & N/2013/0905

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: **27th January 2014**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Committee**

Title
15 Brook Lane

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