



**PLANNING COMMITTEE:** 16<sup>th</sup> December 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1027:** Demolition of existing dwelling and erection of replacement two-storey dwelling with garage (as amended by revised plans received 10/11/14) at 41 Church Way

**WARD:** Park

**APPLICANT:** Mr Mick Kaare  
**AGENT:** Mr Bernard Chester, Tuckley Chester Design

**REFERRED BY:** Cllr Duncan & Cllr Markham  
**REASON:** Impact on conservation area and character of area and setting of listed building

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The amended design and appearance are considered acceptable and appropriate within the context of the conservation area and the setting of the listed building and the proposed development would not lead to any significant harm to neighbouring amenity or adversely impact on existing highway conditions in accordance with the requirements of Policies E20, E26 & H6 of the Northampton Local Plan, Policies H1 & S10 of the submitted West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 The application proposes the demolition of the existing bungalow, garage and outbuildings on site and the erection of a two-storey four-bedroom dwelling with detached double garage. Materials would comprise of natural stone, wooden windows and a slate roof.
- 2.2 The existing vehicular access would be widened on one side by the removal of approximately 0.9m section of the existing 1.8-2m stone wall to the right of the existing access increasing the driveway to 3.6m. Amended plans have been submitted showing the stone wall to the left of the access retained and a brick pier to be constructed to match the existing wall.

## **3. SITE DESCRIPTION**

- 3.1 The application site comprises of a bungalow, garage and outbuildings located on a corner plot with frontage to both Church Way and High Street and situated in the heart of Weston Favell Conservation Area.
- 3.2 The bungalow sits back in the plot with a 1.8-2m stone wall forming the boundary with Church Way and the footway along High Street with an existing vehicular access from High Street.
- 3.3 The surrounding properties are of varying ages and construction and predominantly two-storey. To the south of the site is St Peter's Church, a grade II\* listed building and the cemetery located to the south west.

## **4. PLANNING HISTORY**

- 4.1 There is no planning history.

## **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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

## **5.2 National Policies - National Planning Policy Framework (NPPF)**

The NPPF, paragraph 131, requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

## **5.3 Northampton Local Plan 1997 (Saved Policies)**

Policy E20 requires that any new development should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

Policy E26 allows for development in conservation areas providing it preserves or enhances the character of the area and does not include the demolition of buildings which make a significant contribution.

Policy H6 allows for new residential development in primarily residential areas subject to scale and density being appropriate, compliance with highway standards, the development not being piecemeal and not resulting in loss of facilities for which there is a need in the area.

## **5.4 Supplementary Planning Documents**

Weston Favell Conservation Area Appraisal and Management Plan (March 2010) advises that the designation of the area as a conservation area is due to the concentration of historic buildings dating from 17<sup>th</sup> to the 19<sup>th</sup> centuries within the core of the village along High Street and the area around St Peter's Church. The plan acknowledges the importance of St Peter's Church which dates back to at least the 12<sup>th</sup> century and that key views within the conservation area are of the church and from the north and south of Church Way.

The plan acknowledges that "boundary walls play an important role in creating the special character of Weston Favell. This is particularly so in Church Way and the southern part of High Street."

## **5.5 Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan.

The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7<sup>th</sup> October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy H1 of the JCS seeks to concentrate development primarily in and adjoining the urban area, making best use of previously developed land.

Policy S10 requires development to achieve the highest standards of sustainable design and amongst other things protect, conserve and enhance the natural and built environment and heritage assets and their settings.

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation Officer** - no objection. The design of the proposed development is considered appropriate within its context and the scale, massing and materials of the building sit well within the conservation area. The building is well proportioned for the plot and its ridge height sits beneath that of the immediately adjacent building at 39a Church Way. The success of the development will be significantly dependant on the details and quality of execution which should be conditioned.
- 6.2 The amended scheme has reduced the forward projection to the front of the building and provided this is no further forward than the bay windows of the adjacent properties there is no objection.
- 6.3 A number of objections have been raised to the removal of the stone wall to facilitate access to the existing driveway. The Weston Favell Conservation Area Appraisal and Management Plan acknowledges that *boundary walls play an important role in creating the special character of Weston Favell, this is particularly so in Church Way and the southern part of High Street.* The boundary wall to be removed is however a small remaining section of wall that has presumably been demolished to make way for the existing driveway entrance. There is some scope for the wall to be reduced to a similar width to the adjacent neighbouring pillar, which would retain the visual separation between the two properties.

6.4 **NBC Arboricultural Officer** – no objection. The trees on site are visible and contribute to the overall amenity of the area but are not of sufficient merit to warrant protection with a Tree Preservation Order.

6.5 **19 letters of objection** have been received including objections from **Weston Favell Residents Association and the Rector of the Church of St Peter**. A petition with 23 signatures has also been received. Comments are summarised as follows:

- No objection to existing property being demolished or materials proposed.
- Out of scale with existing properties.
- Out of character with conservation area and will detract from listed church.
- The property will be outside of the existing building line by several feet.
- Overlooking.
- Overshadowing.
- Loss of view of church tower and clock.
- Current sewer to bungalow prone to blocking.
- Impact on existing parking problems - further dropping the kerb to allow for the enlarged driveway will result in the loss of two parking spaces.
- The new house will become the dominant building on the corner of Church Way/High Street detracting from the former prominence of the church, closing off the aspect to the north when viewed from the church and will become an overbearing presence.
- Building forward of the building line is likely to impede the currently unimpeded view of the church travelling southwards down Church Way.
- Parking on and access to the church from High Street is difficult. The effect of taking an extra 1.5m for the new buildings drive plus visibility will push pedestrian activity and stationary traffic back towards the sometime dangerous and blind corner.
- Impact on parking will cause immediate issues between the church and the new residents.
- The 2010 Conservation Area Appraisal clearly marks the entirety of the boundary walls to the existing 41 Church Way as important.
- Removal of some 1.7m of stone wall in part of conservation area.
- The size of the proposed house is significantly larger in footprint and height than the bungalow being replaced.
- There has been excessive and incongruous recent infill further down Church Way.
- The plot should be more modestly developed with less impact on its surroundings.

- The Conservation Area Appraisal and Management Plan (2010) recognises St Peter's Church and immediate geographical area as being of "special historical importance".
- At present 41 Church Way is an unobtrusive one-storey building with a narrow entrance drive.
- Construction work at this junction will cause problems.

6.6 Amended plans were received on 10<sup>th</sup> November 2014. A **further 6 letter of objection** were received with comments summarised as follows commenting:

- Pleased that stone wall is being kept.
- Property still too large and ostentatious.

## 7. APPRAISAL

### Principle of Development

7.1 The NPPF advises that housing applications should be considered in the context of a presumption in favour of sustainable development. The site is a brownfield site located within a residential area as identified in the Northampton Local Plan where Policy H6 allows for new residential development subject to specific criteria as set out above. Subject to meeting the requirements of these criteria as assessed below and there being no adverse impacts on heritage assets the residential development of the site is considered acceptable.

### Design

7.2 The existing bungalow due to its scale, simple form and siting set back within the plot is visually unassuming within the surrounding context. However, the property has become vacant in recent years and subsequently fallen into a state of disrepair and currently does little to enhance the appearance of the area.

7.3 The proposed dwelling would increase the existing footprint by approximately 31.46 square metres and would be two-storey in height with ridge height of 7.8m and 7.3m respectively and an eaves height of 4.2m. Whilst the proposal evidently represents an increase in overall scale and height to the existing bungalow on site the proposed ridge line and eaves would remain lower than the neighbouring properties either side. The increase in footprint is not considered excessive and is broken down into relatively small additions to the side rear and front of the property.

7.4 The scheme has been amended to reduce the forward projection of the front gable and porch from 1.6m to 0.7m to such that the main body of the house would sit in line with the predominant building line of adjacent properties along Church Way and the front gable would not protrude beyond the adjacent bay windows to the front of properties on Church Way.

- 7.5 The side elevation facing towards High Street would be more visually prominent with the increase to two-storey when viewed from the east however this would be viewed in the context of the adjacent two-storey properties
- 7.6 The existing single garage would be demolished along with the adjacent outbuildings and replaced with a double garage with a pitched roof. The garage would be set back within the plot retaining its existing alignment with the neighbouring property at No. 100 High Street.
- 7.7 Materials would comprise of natural stone with wooden windows and a slate roof in keeping with more traditional properties located along High Street, the details of which would be secured by condition.
- 7.8 It is acknowledged that the proposed development is a significant alteration to the existing bungalow on site however, the overall scale, footprint and form are not considered excessive for the plot and the varied roof heights and window details add visual interest. The building would remain set back within the plot retaining the alignment with properties on Church Way and would be constructed with traditional materials in keeping with the character of properties on High Street. The design and appearance is therefore considered acceptable.

#### **Impact on Conservation Area and Listed Buildings**

- 7.9 St Peter's Church is a Grade II\* listed church located directly opposite the application site and despite being predominantly surrounded by properties on all sides the general setting of the church has an open character interspersed with several mature trees and enclosed by a stone boundary wall. The surrounding properties are generally set back from the road frontage adding to this open character and to the dominant presence of the church within a central part of the conservation area.
- 7.10 By virtue of its location on the corner of High Street and Church Way the application site is viewed in the context of the setting of the church from all sides with the exception of the rear. The proposed dwelling would be more visually prominent than the existing bungalow when viewed along Church Way from the North West due to its height and proportions slightly narrowing the view southwards towards the church, however, the amended alignment of the front of the proposed dwelling and lower ridge height than adjacent dwellings would assist in reducing the impact. The increased sense of enclosure of this view would be minimal retaining the visually open setting of the church and its visual prominence such that it is not considered the proposal would lead to any significant adverse impact on the setting of the listed building.
- 7.11 The scheme has been amended to retain the entire length of the stone wall that extends along the front of the site to the left hand side of the existing driveway.

A 900mm section of stone wall would be removed to the right hand side to the access to allow for a wider entrance. Subject to conditioning a method statement for the removal of this section of wall and the making good of the remaining stone pier it is not considered that the historic importance of these walls within the conservation area would be harmed.

- 7.12 The design and appearance of the scheme is considered appropriate within the context of the conservation area and the setting of the listed church and is therefore considered acceptable.

### **Impact on Residential Amenity**

- 7.13 No. 39a Church Way is a two-storey dwelling located to the north west of the site. The property has been extended to the rear with part two-storey and part single storey extension. Windows facing towards the application site comprise of ground floor toilet, landing and first floor bathroom. Whilst the increase in height from the proposed dwelling may have some impact on light to these windows due to the orientation, these windows could not be considered main habitable rooms and therefore are afforded less protection.
- 7.14 No. 100 High Street is a two-storey dwelling located to the east with no main windows facing towards the application site. The proposed dwelling would be orientated towards the rear garden off this property which is some 29m in length. A proposed first floor bedroom window would be situated approximately 9m away from this neighbouring boundary but at an angle looking down the garden such that it is not considered there would be any adverse impact on the immediate private space to the rear of this property in terms of overlooking.
- 7.15 The protection of views of the listed building from neighbouring properties is not a planning consideration.

### **Highway Impacts**

- 7.16 Local concern has been raised regarding the loss of already limited on-street parking due to the widening of the existing access. Parking is already restricted at the point of access due to be altered by an existing white line which extends across the front of No. 100 High Street ending at the section of wall on the application site to be removed. The alterations to the access would therefore not lead to any further reduction in the level of on-street space to that existing.
- 7.17 The proposal would make provision for on-site parking for four vehicles with a double garage and area of hardstanding. Whilst visibility is restricted in both directions by existing boundary walls the access is existing. As such it is not considered that the proposed alterations would lead to any increased adverse impact on existing highway conditions and is therefore considered acceptable in this regard.



## **Other Matters**

- 7.18 The application site has a number of trees located to the front including Hollies and Apple trees which are visible from the public highway and add to the amenity of the site. The application advises that it is the intention to retain as much of the existing landscaping as possible. The trees are not considered of sufficient merit to warrant protection by a Tree Preservation Order however the retention of some trees would provide a degree of maturity to the development. A condition requiring a tree protection plan is proposed to ensure protection of retained trees during construction.

## **8. CONCLUSION**

- 8.1 The amended design and appearance are considered acceptable and appropriate within the context of the conservation area and the setting of the listed building and it is not considered that the development would lead to any significant harm to neighbouring amenity or adversely impact on existing highway conditions. The application 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) Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity to ensure the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

- (3) A sample panel of the stonework a minimum of 1 square metre in area to be used in the construction of the external walls shall be made available for viewing on site prior to the commencement of construction work on site. The stone shall be laid, coursed and pointed in the traditional manner in the area. The works shall be carried out in accordance with the approved details.

Reason: To ensure that materials are appropriate to the appearance of the building/area in accordance with Policy E20 of the Northampton Local Plan.

- (4) Notwithstanding the submitted details, prior to any works commencing on the stone boundary wall, a detailed method statement shall be submitted in relation works to be carried out to the stone wall and the construction of the stone pier and a sample of the stonework made available for inspection on site. The works shall be carried out in accordance with the approved details and completed prior to the occupation of the dwelling.

Reason: To ensure that materials are appropriate to the appearance of the building/area and sympathetic to the character of the conservation area and setting of the adjacent Grade II\* listed building in accordance with Policy E20 of the Northampton Local Plan and the requirements of the National Planning Policy Framework.

- (5) 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 including the driveway and parking area. 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.

- (6) 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.

- (7) Prior to commencement of development a Tree Protection Plan showing details of trees to be retained on site and measures for their protection during construction including details of protective fencing shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be implemented prior to commencement of development and maintained throughout the duration of the development and no plant shall be sited, no materials nor waste shall be deposited, no bonfires shall be lit or the ground level altered within the vicinity of the trees shown to be protected on the approved plan.

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.

- (8) Before any work is carried out, further precise details of the windows including sections and profiles at a scale of 1:10 or 1:20 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: To ensure that materials are appropriate to the appearance of the building/area in accordance with Policy E20 of the Northampton Local Plan.

- (9) The access, driveway and parking area shall be laid out in accordance with the drawing 2554/PL/1 rev B prior to the occupation of the dwelling hereby permitted and retained thereafter.

Reason: In the interests of highway safety in accordance with the aims and objectives of the National Planning Policy Framework.

- (10) The development hereby permitted shall be carried out in accordance with the following approved plans: 2554/PL/1 rev B, 2554/E/1B rev B, 2554/FP/1B rev B received 10 November 2014, 2554/G and 2544/SS received 17 September 2014.

- (11) The first floor bathroom window in the north-west elevation shall be glazed with obscured glass 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 Policy E20 of the Northampton Local Plan.

- (12) 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 or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and in the interests of the character and appearance of the conservation area and the setting of the adjacent listed building in accordance with the aims of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

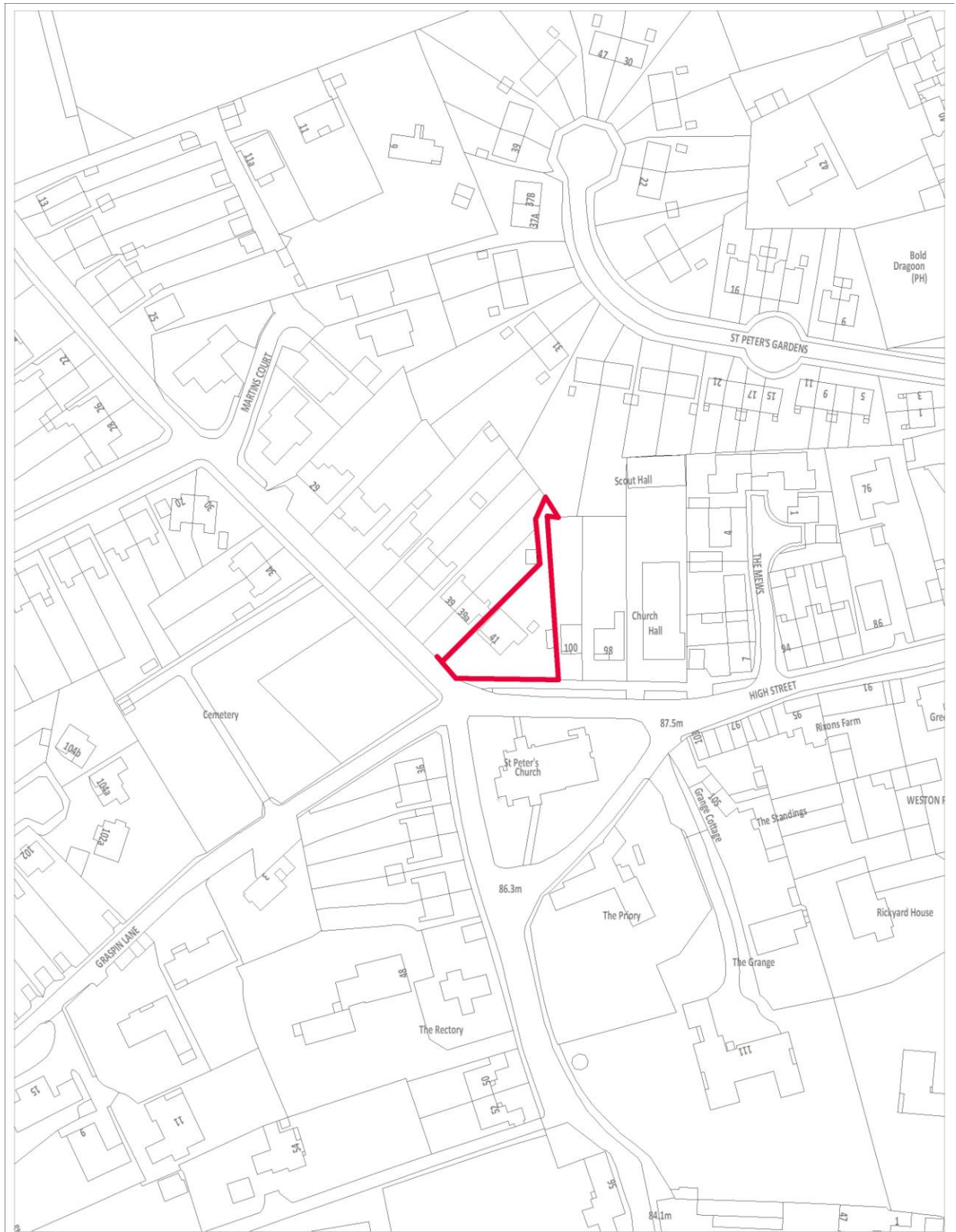
### **10.1 N/2014/1027.**

## **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: **Location Plan**  
 Date: **3rd December 2014**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Planning Committee**

Title

## 41 Church Way, Weston Favell

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