



PLANNING COMMITTEE: 16th December 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

2014/1264: Single storey rear extension, two storey front extension, new first floor window in side elevation, alterations to first floor rear windows and front porch (part retrospective) at 14 Woodland Avenue

WARD: Phippsville

APPLICANT: Mr. E. McTaggart
AGENT: Mr. P. Dooley

REFERRED BY: Cllr. King
REASON: The proposed development would cause demonstrable harm to the amenities currently enjoyed by the occupiers of neighbouring properties

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

1.2 The proposed development will have no significant undue impacts upon the character of the original building, street scene and residential amenity and highway safety, and is therefore considered acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 Permission is sought for a single storey rear extension, two storey front extension, new first floor window in side elevation, alterations to first floor rear windows and front porch (part retrospective).
- 2.2 This application follows approval of a previous similar application ref. N/2014/0311. The changes comprise the increased height of the single storey rear extension from 3.1m to 3.5m, and a front porch.

3. SITE DESCRIPTION

- 3.1 A 1920's detached dwelling with spacious gardens located in a residential street mostly of similar era dwellings. The street runs north-south, rising slightly to the north, and the application site is on the east side of the road. The dwelling is of a pebble-dash finish with a front gable, turret, and an integral garage under an extended gable roof.

4. PLANNING HISTORY

- 4.1 N/2013/1054 – single storey front and two storey rear extensions – withdrawn.
N/2014/0311 – single storey rear and two storey front extensions with new first floor side window – approved.

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 states at paragraph 17 that high quality design and a good standard of amenity should always be sought for all existing and future occupants of land and buildings.

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

Policy E20 of the Local Plan allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale and appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

Policy H18 of the Local Plan allows for extensions to dwellings provided the design is acceptable and in keeping with the appearance and character of the host dwelling; and the effect upon adjoining properties.

5.4 **Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD 2011

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 7th 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 S10 of the JCS seeks to achieve the highest standards of sustainable design incorporating safety and security considerations and a strong sense of place.

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 Surrounding neighbours and Ward Councillor were notified of the application. At the time of writing this report, responses have been received from nos. **4, 5, 6, 7, 8, 10, 11, 13, 15, 16, 17, 23 Woodland Avenue and 25 Lime Avenue** objecting to the application. Comments are summarised as follows:

- Extension has not been built in accordance with the approved plans;
- Development would overshadowing adjacent properties;
- The premises would potentially be used for multiple occupation;
- Proposed design would damage the character of the building and not preserving distinctive character of the area;
- Garage is too short to accommodate a car;
- Development would put more pressure on demand of parking spaces;
- The extension is too big, too high and tower over neighbouring properties and breach the 45 degree rule;
- The garage door is out of keeping;
- The first application should have been referred to Planning Committee.

6.2 **Councillor Anna King** – called in the application for consideration by the Planning Committee as the proposed development would cause demonstrable harm to the amenities currently enjoyed by the occupiers of neighbouring properties.

7. APPRAISAL

Background

- 7.1 Planning application N/2013/1054 for the single storey front and two storey rear extensions to the property was submitted in October 2013. The application was subsequently withdrawn by the applicant as Officers considered that the proposal was unacceptable due to the potential impact on neighbouring properties.
- 7.2 A second planning application N/2014/0311 for the two storey front and single storey rear extension was submitted in March 2014. The nearby residents were consulted and a significant number of objection letters received. However, the application was not called in by the Ward Member to be considered by the Planning Committee. Following consideration of the submitted proposal against Development Plan Policy, notwithstanding the objection received, the proposal was considered acceptable and the application was determined and approved under delegated powers by Officers, in accordance with the Council's Constitution.
- 7.3 Following the planning approval, the applicant has commenced construction work. Unfortunately the development carried out so far has not been fully in accordance with the approved plans, the applicant has therefore submitted the current application to regularise the situation.

Principle of Development

- 7.4 The difference between the current proposal and the originally approved scheme relates to the height of the rear flat roof extension in that the height has been increased by 0.4m to 3.5m. This part of the extension has partially been completed. In addition, a front porch is proposed. The proposed front two storey extension would remain the same in terms of scale and design as that previously approved.
- 7.5 Notwithstanding the increase in height of the rear extension and with the addition of a front porch, it is considered that the principle of development has been established by the previous approval.

Design and Layout

- 7.6 The proposed front porch has a single-pitch roof and will project 1m beyond the garage frontage, but not beyond the existing bay-window frontage. In design terms this is considered acceptable, as it will not significantly detract from the character and appearance of the host dwelling or the street scene.
- 7.7 The proposed two storey front extension creates a matching front gable to existing and would provide a balanced feature to the existing front turret. The proposed roller shutter garage door type is commonly used in dwellings and it is considered that the proposal is acceptable in terms of design and layout.
- 7.8 The proposed rear extension projects 5.8m and has a flat roof with two roof lanterns. Although it is substantial in size, it is not considered to be out of keeping with the host building bearing in mind the application property is contained within a spacious plot. Notwithstanding the increase in height by 0.4m, it is considered that the proposed design is acceptable.

Residential Amenity

- 7.9 In terms of neighbour amenity, it is considered that the additional height will not add substantially to impacts of overshadowing or overbearing over that previously approved. This bears in mind existing permitted development rights, which permit single storey rear extensions up to 4m high overall, 3m at the eaves, and a 4m projection.
- 7.10 The northeast corner of the proposed rear extension falls within the 45 degree visual line from the rear ground floor window at no.16, bearing in mind an outbuilding was previously positioned on the boundary, it is not considered that the proposed extension, which is 1m from the boundary line, would cause unacceptable impact. As the proposed front extension is exactly the same as that previously approved, it is not considered that the impact on neighbour properties is unacceptable.

- 7.11 The proposed front porch would not cause undue impact on residential amenity.

Parking

- 7.11 The point raised regarding parking and the garage being too small for a vehicle is acknowledged, however, it is noted that garages can be used to house a variety of items/vehicles at the property owner's discretion, and there will still remain enough space to the front of the property for two vehicles to park off street, and this is considered acceptable and would not have undue impact on highway safety.

Other Matters

- 7.12 In addressing the point raised by neighbours concerning the use of the property as a house in multiple occupation (HMO), there is no evidence to suggest that the proposed extension will be used for any purposes other than a family dwelling. Members are advised that this property could lawfully be used as a house in multiple occupation for up to six people without planning permission, with or without the proposed extensions, as the property is not located within an Article 4 Direction (HMO) that prevents such change of use.
- 7.13 It is considered that the issue regarding HMO use could be given limited weight in this instance.

8. CONCLUSION

- 8.1 The main design issue is the enlarged rear extension. However, given that this will not affect the street scene, and given the former approval of a very similar scheme, it is considered that the impact upon surrounding visual amenity could not be substantiated.
- 8.2 In terms of residential amenity, it is considered that the additional height of the rear extension is not significant enough to impact on neighbouring properties in terms of overshadowing and overbearing to warrant refusal of this application.
- 8.3 Accordingly, this application is considered to be in line with Development Plan policies and recommended for approval.

9. CONDITIONS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 13/E178/12C, 13/E178/1A.

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

(2) The external walls and roof of the extensions 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 in accordance with Policy H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 Application files N/2014/1264 and N/2014/0311.

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
14 Woodland Avenue

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