



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 30th June 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0555: Single storey extension to rear, 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. I. Flaxman

REFERRED BY: Cllr. A. 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:

The proposed development will have no significant undue impact upon the character of the original building, street scene and residential amenity, and is therefore considered acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of 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). Although substantially the same as the previously refused scheme, this application includes changes to the design of the front porch i.e. a different design front door and a side window to the proposed porch.

2.2 This application follows the refusal of a previous application ref. N/2014/1264 by the Planning Committee in December 2014 due to the detrimental impact on the amenity of neighbouring residents by reason of overshadowing and loss of light.

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. The external alterations to the property are substantially complete.

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- 4.1 N/2013/1054 – single storey front and two storey rear extensions – withdrawn.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 in May 2014.

N/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) – refused in December 2014.

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 adopted West Northamptonshire Joint Core Strategy (2014), and the saved policies of the Northampton Local Plan (1997).

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following paragraph is of particular relevance to the application:

Paragraph 17 states 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 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (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 Policy of particular relevance is:

Policy S10 – Sustainable Development Principles – development will achieve the highest standards of sustainable design and protect, conserve and enhance the natural and built environment.

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

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.

5.6 **Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD

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, 13, 17 Woodland Avenue. Comments are summarised as follows:

- Application does not address reasons for refusal of previous application, and with only minor alterations;
- The extensions exceed what was granted in the first application and overshadow neighbour at no.16;
- The developer had the opportunity to appeal the previous planning decision but chose not to;
- Development would alter the character of the area, particularly if multiple occupancy emerged as the ultimate objective.
- Application should be rejected for the same reason as previous application.

6.2 Councillor Anna King – called-in this 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 a 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. Following consideration of the submitted proposal against Development Plan Policy, notwithstanding the objections 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 commenced construction work. Unfortunately the development carried out was not fully in accordance with the approved plans, and the applicant submitted application N/2014/1264 to regularise the situation. This application was refused by the Planning Committee in December 2014, against Officer's recommendation. The reason of refusal states:

"The development would have a detrimental impact on the amenity of neighbouring residents due to overshadowing and loss of light. This would be contrary to Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework".

- 7.4 The applicant subsequently appealed against the refusal. However, the appeal was not accepted by the Planning Inspectorate as it was received outside the statutory 12 week time frame.
- 7.5 The current application is a re-submission of the previously refused application N/2014/1264 (which is now largely built) with changes to the design of the proposed front porch (which is not yet built).

Principle of Development

- 7.6 The difference between refused application N/2014/1264 and the originally approved scheme (N/2014/0311) relates to the height of the flat roof rear extension in that the overall height has been increased by 0.4m to 3.5m. This part of the proposal is now substantially complete. The proposed two storey front extension would remain the same in terms of scale and design as that previously approved.
- 7.7 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 in that the footprint of the rear single storey extension and the two storey front extension remains the same.
- 7.8 Although the proposed development is substantially complete, Members are reminded that retrospective development itself is not a valid reason for refusal of planning permission and each application shall be determined according to its merits base on material planning considerations.

Design and Layout

- 7.9 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. A double front-door is now proposed, together with a small side window on the north side.
- 7.10 The two storey front extension creates a matching front gable to existing and would provide a balanced feature to the frontage. 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.
- 7.11 The 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 that the application site is contained within a spacious

plot. Notwithstanding the increase in height by 0.4m, it is considered that the design is acceptable.

Residential Amenity

- 7.12 In terms of neighbour amenity, it is considered that the additional height to the rear extension does not add substantially to impacts of overshadowing or overbearing over that previously approved. This takes into account existing permitted development rights, which permit single storey rear extensions up to 4m high overall, 3m at the eaves, and a 4m projection.
- 7.13 The northeast corner of the rear extension falls within the 45 degree visibility splay from the rear ground floor window at no.16, however, bearing in mind that an outbuilding was previously positioned on the boundary, it is not considered that the extension, which is 1m from the boundary line, would cause unacceptable impact.
- 7.14 The front extension is exactly the same as that previously approved, and it is considered that it does not unduly impact on the residential amenity of neighbouring properties.
- 7.15 It is also considered that the proposed front porch would not cause undue impact upon the residential amenity of neighbouring properties.

Parking

- 7.16 The garage proposed is relatively small as compare with normal size garage but can be used to house a variety of items/vehicles at the property owner's discretion. 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.

8. CONCLUSION

- 8.1 It is considered that the proposed development would be in keeping with the character of the building and the street.
- 8.2 Apart from the proposed porch, the remainder of the proposal remains substantially the same as the previous application which was refused by the Planning Committee. However, 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 polices and recommended for approval.

9. CONDITIONS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 13/E178/12e, 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 extensions harmonise with the existing building in accordance with Policy H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 Application files N/2014/0311, N/2014/1264, N/2015/0555

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: **Site Location Plan**
 Date: **15th June 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
14 Woodland Avenue

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