



PLANNING COMMITTEE: 2nd September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0811: Erection of detached 3-bed dwelling at the rear together with parking spaces and widening of existing vehicular access (Re-submission of planning application N/2015/0275) at 279 Main Road, Duston

WARD: New Duston

APPLICANT: Mr T Hadland
AGENT: Mr T Dobrasczyk

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Applicant is a Councillor

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

The development would result in an unacceptable and inappropriate form of back land development which would have an adverse impact on the character of the area by introducing an incongruous feature at odds with the prevailing pattern of development. This would be contrary to Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policy H4 of the submitted Duston Neighbourhood Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks planning permission to erect a detached 3-bed dwelling in the rear garden of 279 Main Road. The dwelling would be a single storey bungalow. Access would be via the existing driveway from Main Road which would be extended with a turning head provided. To facilitate this part of the garage serving the property will need to be demolished.

2.2 This is a resubmission of a scheme for a 1.5 storey dormer bungalow. Planning permission was refused following consideration by the Planning Committee in June 2015 for the following reasons:

1. The development would result in an unacceptable and inappropriate form of back land development which would have an adverse impact on the character of the area by introducing an incongruous feature at odds with the prevailing pattern of development. This would be contrary to Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policy H4 of the submitted Duston Neighbourhood Plan and the National Planning Policy Framework.

2. The dwelling proposed would result in an unacceptable level of overlooking of the garden of 5 Larch Close resulting in a loss of privacy to the detriment of the residential amenity of the occupiers of this property. This would be contrary to Policy H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policy H4 of the submitted Duston Neighbourhood Plan and the National Planning Policy Framework.

2.3 The overall height of the bungalow has been reduced by approximately 0.8metres.

3. SITE DESCRIPTION

3.1 The site forms part of the rear garden to 279 Main Road, a large detached dwelling with a substantial garden area. Much of the end of the garden where the dwelling is proposed is overgrown.

3.2 The site is within a residential area and is bordered on three sides by residential properties.

4. PLANNING HISTORY

4.1 Planning permission N/2006/0812 granted for detached dwelling to side of 279 Main Road in 2006. The development was implemented.

4.2 Planning permission N/2015/0275 refused for the erection of a detached 3-bed dwelling at the rear together with parking spaces and widening of existing vehicular access in June 2015.

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), Northampton Local Plan (1997) saved policies and emerging Neighbourhood Development Plans where relevant

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 sections are of particular relevance to this application:

Part 6 requires the delivery of a wide choice of quality homes and the provision by a Local Planning Authority of a five year housing land supply.

Part 7 requires good design.

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. Policies of particular relevance are:

Policy S10 - Sustainable Development Principles
Policy H1 - Housing Density, Mix and Type of Dwellings

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:

E20 New development

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Duston Neighbourhood Plan (Submission)

Duston Parish Council has submitted a Neighbourhood Plan for examination and this has been found to be sound. A referendum will now be held in November. Consequently weight can be given to the policies of this submission document subject to the extent to which there are unresolved objections and the degree of consistency with the policies in the NPPF.

The following policies are relevant to the determination of this proposal:

H4 supports the principle of small scale development on large gardens subject to adequate amenity, direct frontage access, conservation area requirements being met and provision of natural landscaping.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NCC Highways** have commented that the development should adhere to the Local Highway Authority Standing Advice.

6.2 Six letters of objection have been received from the residents of **277A and 279 Main Road, 5, 7 and 11 Larch Lane and 98 Park Lane** making reference to the previous reasons for refusal and highlighting the similarities with the previous scheme in terms of footprint and access. It is claimed that there will be an

adverse impact on amenity due to the location of the driveway close to the boundary with residential properties and visual impact, overlooking and overshadowing. Concerns are expressed regarding the potential for the roof space of the bungalow now proposed to be used for living accommodation in the future. The loss of existing trees on the site is also raised as well as concerns regarding the impact on the character of the area in terms of the height of the bungalow and the backland nature of the development. In addition possible security implications are also highlighted.

- 6.3 **Duston Parish Council** comment that the revised plans appear to have addressed neighbour concerns and there are no objections in relation to Policy H4 of the Neighbourhood Plan.

7. APPRAISAL

- 7.1 The main issues to consider are the principle of development, the design of the dwelling and its impact on the character and appearance of the area, the impact on the amenity of neighbouring residents and road safety. The previous decision on application N/2015/0275 to refuse planning permission must also be considered. This was on two grounds - the backland nature of the development and the impact of this on the character of the surrounding area and overlooking from the first floor windows.

Principle

- 7.2 The development would clearly constitute backland development being sited in the rear garden of 279 Main Road and with no direct frontage access to Main Road. Main Road is broadly characterised by a linear pattern of development, although immediately to the north of the site is a cul-de-sac, Larch Lane.
- 7.3 It is considered that this form of backland development in this location would not accord with the prevailing pattern of development detrimental to the character of the area and would, in principle, be contrary to the relevant planning policies and the emerging policies of the Duston Neighbourhood Plan.
- 7.4 The applicant's agent has submitted a Design and Access Statement which makes reference to other developments in the wider area and which would therefore create a precedent for the proposed scheme. Each application must be considered on its own merits and against the planning policies relevant at the time. In this instance it is considered that the backland form of development is contrary to the current policies and would be detrimental to the wider area.

Design/Appearance

- 7.5 The actual design of the dwelling is considered to be acceptable being of a fairly conventional form. There is a mix of dwelling types in the vicinity and as such the proposed development would not seem out of character.
- 7.6 However due to the backland nature of the proposal identified previously, and this not fitting in with the prevailing pattern of development, it is considered that the dwelling would have a detrimental impact on the character of the area by introducing an alien and somewhat incongruous backland form. This would outweigh the contribution which the development would make towards the Borough's five year housing supply.

Amenity

- 7.7 Previously the proposed development consisted of a 1.5 storey dormer bungalow which had two windows in the roof of the north elevation. These were considered to create an unacceptable overlooking relationship with the property to the north, 5 Larch Lane. These windows have now been removed from the scheme and no first floor accommodation is proposed. Consequently it is considered that the overlooking issue has been overcome.
- 7.8 The separation distances between the proposed dwelling and existing properties is not considered to result in unacceptable overshadowing or loss of light.

Road Safety

- 7.9 With regard to the issue of road safety the Highway Authority have not raised any objection. It is not considered that the proposed development would adversely impact on highway safety.

8. CONCLUSION

- 8.1 It is considered that the development now proposed has overcome the previous reason for refusal regarding the overlooking of neighbouring property. However it is still considered that the development represents an unacceptable and inappropriate form of backland development which would have an adverse impact on the character of the area by introducing an incongruous feature at odds with the prevailing pattern of development and that consequently the other reason for refusal of planning application N/2015/0275 remains pertinent.

9. BACKGROUND PAPERS

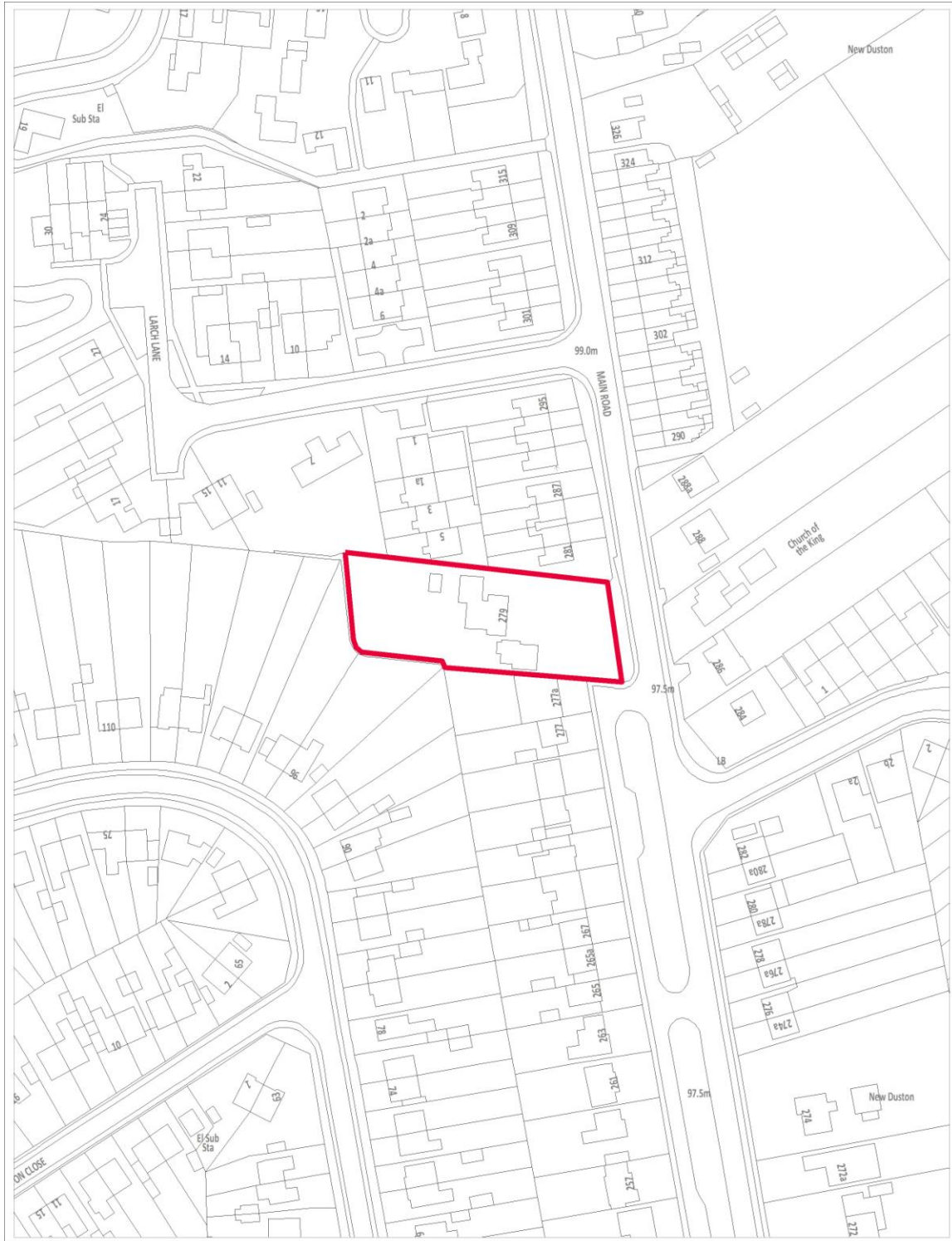
- 9.1 N/2015/0811

10. LEGAL IMPLICATIONS

- 10.1 None

11. SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 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: 18th August 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
279 Main Road, Duston

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