

PLANNING COMMITTEE: 17th January 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1448

LOCATION: 49 Acre Lane

DESCRIPTION: Single storey rear and front extension, internal alterations and new first floor extension over existing garage to side

WARD: Spring Park Ward

APPLICANT: Mr & Mrs Darren Newbold
AGENT: Leaf Architecture & Design Ltd

REFERRED BY: Councillor Aziz Rahman
REASON: Impact on no.51 Acre Lane

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 would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, wider area and amenity of adjoining occupiers to comply with Policies E20 and H18 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy, the Council's Supplementary Planning Document on Residential Extensions and aims of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for a first floor side extension above the existing attached garage and a single storey rear extension with a projection of 3 metres. There would also be a single storey front extension. The proposed brickwork to the side wall of the first floor extension would match the existing house. Following concerns from officers on the original submission, the applicant has reduced the first floor rear projection by 0.8 metre to 2.2 metres.

3. SITE DESCRIPTION

3.1 The application site consists of a two storey modern detached dwelling with a flat roof attached garage to the side and parking on an existing hardstanding in front. The property has a private rear garden enclosed on 3 sides. The adjacent property at no.51 Acre Lane has no side windows

in its gable facing the site. There is an existing shed at the end of the back garden. The site is not in a conservation area.

4. PLANNING HISTORY

4.1 No recent applications.

5. PLANNING POLICY

5.1 Statutory Duty

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 Northampton Local Plan (1997) saved policies.

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:

Paragraph 17 relates to design and protecting amenity of other properties.

Paragraphs 56 and 57 promote good design in new development.

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. Policy of particular relevance is:-

S10 Sustainable Development Principles - promotes high quality design in determination of planning applications.

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 Design of new development - encourages good design and consideration given the amenity of adjoining occupiers in terms of light, outlook and privacy.

H18 Residential Extensions - relates to domestic extensions. Consideration to be given to design and effect on neighbouring occupiers.

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD (2011).

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor Aziz Rahman** - loss of light to first floor rear window and called in application to be determined by the Planning Committee.
- 6.2 **51 Acre Lane** - object to application; loss of light to rear garden, back living room, kitchen and bedroom. Have no objection to an upper floor extension as long as it is only in line with the house and not projecting and overshadowing with loss of light to habitable rooms.

7. APPRAISAL

Main issues

- 7.1 The main issues to consider are the impact on the appearance and character of the host building, wider area and amenity of adjoining occupiers.

Impact on appearance and character of host building and area

- 7.2 Although the proposed side/front extensions would be visible from Acre Lane, it is considered that the effect on the street scene would be reasonably limited given the property is set back from the public highway and the proposed development would not appear unduly prominent. The proposed design, appearance and scale are considered in keeping with the host building and any approval would be subject to a matching materials condition for the walls/roof to ensure a satisfactory external appearance. Although the single storey rear extension would be constructed in render which does not match the existing house, this is considered acceptable as it is out of public view. The proposed gable roof over the front extension would also be of similar design to that at no.51 Acre Lane.

Impact on amenity of neighbours

- 7.3 The proposed single storey rear extension would only project 3 metres off the original rear wall of the applicant's property. Due to the level of projection and relationship to existing rear facing windows, it is considered that the effect on no.47 Acre Lane would be reasonably limited.
- 7.4 The most impact would be on no.51 Acre Lane, which has a ground floor rear facing living room close to the boundary with a bedroom above. Given that the proposed side extension would be located to the south of no.51 Acre Lane, it would result in some overshadowing to the rear ground floor living room window. However, the proposal does accord with the 45 degree guide as set down in the Council's Extensions Design Document for assessing loss of light. As the proposed extension would only project 2.2 metres at first floor level beyond the rear wall of the objector's house, it is not considered that the impact on no.51 in terms of overshadowing and overbearing would be significant enough to warrant refusal of the application.
- 7.5 As the proposed extension would have no side facing windows, it is considered that there would be minimal overlooking to the rear of both nos.47 and 51 Acre Lane. A condition removing permitted development rights for side windows would be imposed to prevent potential overlooking to the rear of the two adjoining occupiers.
- 7.6 Due to the existing separation of over 30 metres to the properties opposite the front of the site on Acre Lane, there would be limited impact on their amenity. The same can be said regarding properties at the rear on Cornfield Close which are 25 metres away. As the proposed front extension is of a reasonably modest scale, it is not considered that it would have any undue impact on nos.47 and 51 Acre Lane.

Other issues

- 7.7 There are some existing trees within the applicant's rear garden that will require removal. However none of the trees are protected by a Tree Preservation Order and are considered to have low amenity value. There is no objection to their removal.

8. CONCLUSION

- 8.1 While it is acknowledged that the proposed development would have some impact on the amenity of the adjoining occupier at no.51 Acre Lane, it is not considered that the effect would be significant enough to justify refusal of planning permission. On balance, the proposal is being recommended for approval subject to the following conditions.

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) The development hereby permitted shall be carried out in accordance with the following approved plans: L.10B, 16-021-TOPO and 16-021- MBS.

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

- 3) The external walls and roof of the side and front 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 E20 of the Northampton Local Plan.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the side facing elevations of the proposed extensions.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

- 10.1 N/2016/1448.

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

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.



Title: **49 Acre Lane**

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Date: 04-01-2017

Scale: 1:1,200

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