



PLANNING COMMITTEE: 31st July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0916

LOCATION: 21 Oakley Street

DESCRIPTION: Loft conversion with rear dormer (Part retrospective)

WARD: Castle Ward

APPLICANT: Mr F ISLAM
AGENT: Mr Mizanur Rahman

REFERRED BY: Head of Planning
REASON: Applicant is related to a Council employee

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 REFUSAL for the following reasons:

- 1) Due to its size, design and appearance, it is considered that the proposed dormer would dominate the existing rear roof plane, creating a substantial and incongruous addition, clearly visible from other neighbouring properties and the Conservation Area. It would fail to preserve the appearance and character of the Boot and Shoe Quarter Conservation Area and detract from the appearance and character of the host building. The proposed development for this flat roof dormer on the rear elevation will be contrary to saved policies E20, E26 and H18 of the Northampton Local Plan, S10 and BN5 of the West Northamptonshire Joint Core Strategy, the Council's Supplementary Planning Document on Residential Extensions and aims and objectives of the National Planning Policy Framework.
- 2) Due to the separation distance from the properties at the rear, the proposed dormer would create an unacceptable overlooking impact onto these properties detrimental to residential amenity contrary to Policies H18 and E20 of the Northampton Local Plan and the Council's Supplementary Planning Document on Residential Extensions and aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The application involves loft conversion and installation with a substantial flat roof dormer to the rear. The proposed development is part retrospective. A previous similar application N/2018/0406 was refused by the Council earlier in the year.

3 SITE DESCRIPTION

- 3.1 A Victorian mid-terrace dwelling, fronting directly on to the street, with rear outrigger and a very small rear garden. The site is within the Boot and Shoe Quarter Conservation Area.

4 PLANNING HISTORY

- 4.1 N/2018/0406 - Loft conversion with rear dormer with increase in ridge height (Part Retrospective) – Refused.

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), Northampton Local Plan (1997) saved policies.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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:

Section 7 – Requiring Good Design

Section 12 – Conserving and Enhancing Historic Environment

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 BN5 – The Historic Environment and Landscape

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

H18 – Extensions

E26 – Conservation Areas

5.5 Supplementary Planning Documents

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Conservation Officer** – the siting, design and massing of the dormer harms the characteristic roofscape within the Boot and Shoe Quarter Conservation Area, in which the continuous line of pitched slate roofs is a feature. The proposal would fail to preserve or enhance the character of the Conservation Area, the level of harm would be less than substantial but would not be outweighed by wider public benefit.

7 APPRAISAL

- 7.1 The application is a re-submission of a previous refusal for a loft conversion. The previous application proposed a rear dormer which extended the whole width of the dwelling. It would also extend higher than the existing ridgeline by 75mm. The proposal would have left none of the original roof visible. It was considered that the design and appearance of the proposed dormer would dominate the rear roof slope, appearing neither sympathetic nor subordinate to the modest scale and appearance of the existing dwelling. In addition, it was considered that the proposed development would create unacceptable overlooking effect on neighbouring properties and the application was duly refused, on the grounds of the harm to the character and appearance of the Conservation Area and the harmful impact on residential amenity due to unacceptable overlooking.
- 7.2 The current application is a revision to the previous scheme by reducing the ridge height to be in line with the existing roof. However, the proposed dormer still extends the whole width of the roof. The external finish of the dormer would be hanging tiles to match the existing roof. The dormer would have minimal set back i.e. 0.2m from the eaves, as per the previous scheme.
- 7.3 Although the dormer would not be visible from the front of the street, the Conservation Officer is of the opinion that the dormer would cover the whole of the rear roof slope and be highly visible in views from neighbouring properties and their gardens, which forms part of the outlook of nearby properties within the Conservation Area. The Conservation Officer remains of the opinion that the siting, design and massing of the dormer harms the characteristic roofscape within the Boot and Shoe Quarter Conservation Area, in which the continuous line of pitched slate roofs is a feature. It is considered that the proposed dormer would represent an over dominant feature and an unsympathetic addition to the dwelling, detrimental to the character and appearance of the Conservation Area.
- 7.4 Similar dormers have been refused elsewhere in the Conservation Area, the most recent one of these being at 4 Harold Street (N/2017/1294). This similar application was refused by the Council and dismissed on appeal by the Planning Inspectorate on 19th of June 2018. The Inspector in his decision stated that the character of the conservation area depends not just on the street elevations but also on the integrity of the terraces of houses as historic structures, with their uniformity and interesting traditional pitched roofs. The Inspector also noted in relation to this appeal that although other examples of rear dormers existed in the area, this does not justify the harm for an over dominant dormer.
- 7.5 The application site has a relatively narrow and short garden extending 10.5m at its longest with the neighbouring boundary. The Council's Residential Extensions and Alterations Design Guide SPD sets out that the separation distance between back elevations to back elevations on a three storey building should be 27m, to allow for a satisfactory degree of privacy. In this case, due to the limited separation distance between properties i.e. approximately 17m to the nearest neighbouring window, unacceptable overlooking would occur, in particular due to the elevated position of the windows to the dormer.

7.6 The proposal has not overcome the previous reasons for refusal. The proposal therefore fails to preserve or enhance the character or appearance of the Conservation Area. The level of harm, in terms of the NPPF paragraph 134, would be less than substantial but would not be outweighed by wider public benefit.

7.7 For the reasons given above the application is recommended for refusal.

8 CONCLUSION

8.1 Due to its design, size and location, it is considered that the proposed rear dormer is not in keeping with the character and appearance of the host dwelling; and would fail to preserve or enhance the character and appearance of the Boot and Shoe Quarter Conservation Area. In addition, the proposed dormer would create unacceptable overlooking impact onto properties to the rear.

8.2 The proposal will be contrary to the Council's Supplementary Planning Document on Residential Extensions, saved polices H18, E20 and E26 of the Northampton Local plan, policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning policy Framework.

9 BACKGROUND PAPERS

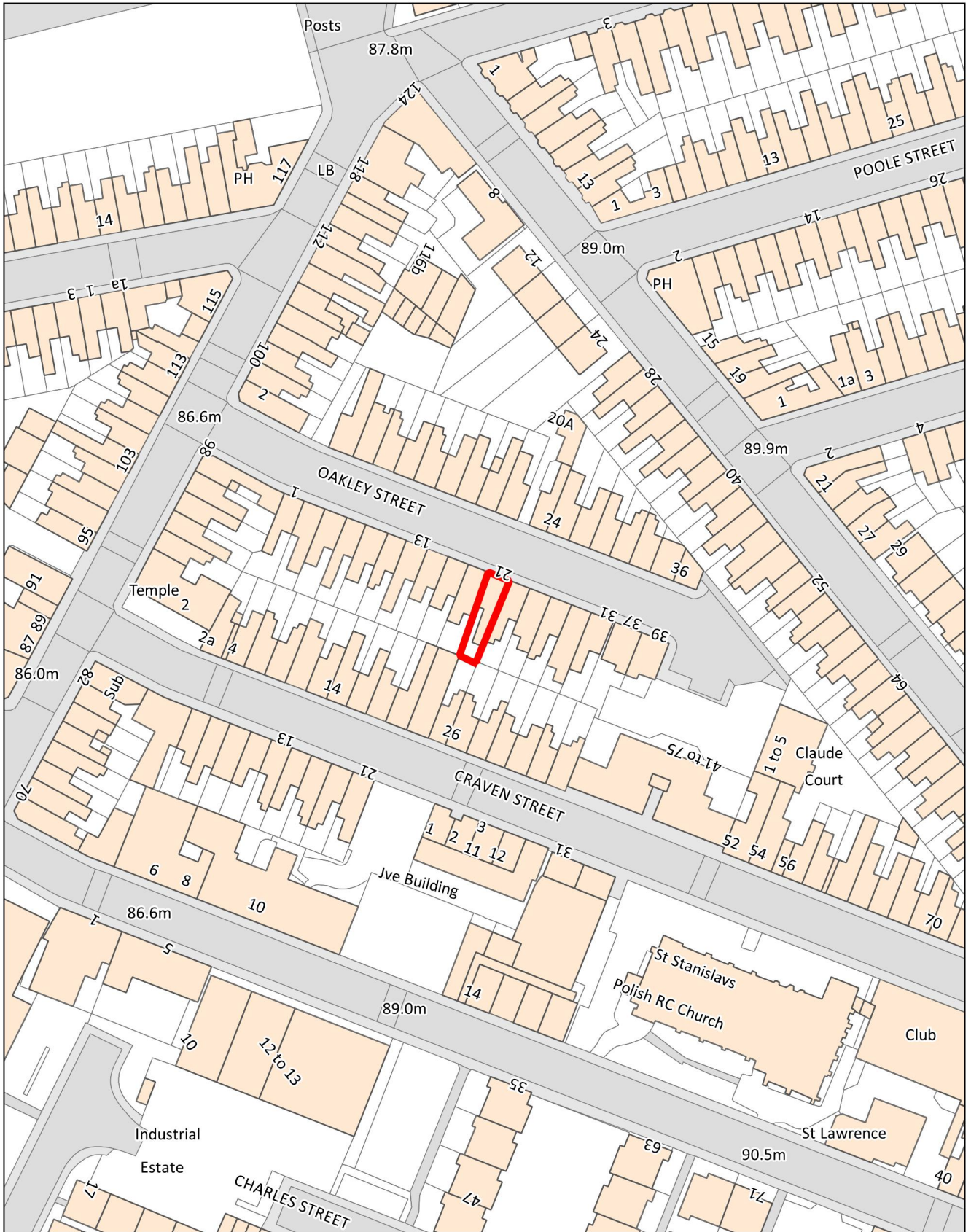
9.1 N/2018/0406, N/2017/1294.

10 LEGAL IMPLICATIONS

10.1 The development is not CIL liable.

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.



Title: **21 Oakley Street**

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Date: 05-07-2018

Scale: 1:1,000

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