

<b>PLANNING COMMITTEE:</b>	<b>6<sup>th</sup> September 2016</b>
<b>DIRECTORATE:</b>	<b>Regeneration, Enterprise and Planning</b>
<b>DIRECTOR:</b>	<b>Steven Boyes</b>
<b>APPLICATION REF:</b>	<b>N/2016/0581 and N/2016/0582</b>
<b>LOCATION:</b>	<b>20 High Street, Great Billing</b>
<b>DESCRIPTION:</b>	<b>Listed building consent and planning permission for alterations and extensions to studio</b>
<b>WARD:</b>	<b>Billing Ward</b>
<b>APPLICANT:</b>	<b>Mrs Mandi Boydell</b>
<b>AGENT:</b>	<b>JSP Design Associates</b>
<b>REFERRED BY:</b>	<b>Councillor Suresh Patel</b>
<b>REASON:</b>	<b>Overdevelopment</b>
<b>DEPARTURE:</b>	<b>No</b>

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#### **APPLICATION FOR DETERMINATION:**

##### **1. RECOMMENDATION**

###### **N/2016/0581 – Listed Building Consent Application**

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

The proposed works would not harm the character and significance of this Grade II listed building and as a consequence the proposal is compliant with the requirements of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H18 of the Northampton Local Plan.

###### **N/2016/0582 – Planning Application**

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

Having regard to the existing pattern of development in the area, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would not have an undue detrimental impact on the character and appearance of the host dwelling, Great Billing Conservation Area and the amenity of adjoining occupiers in accordance with the requirements of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H18 of the Northampton Local Plan.

##### **2. THE PROPOSAL**

- 2.1 The proposal is to extend and build above the existing flat roof garage to be used as a studio/workshop by the applicant ancillary to the existing dwelling.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of a Grade II\* listed building which lies within the Great Billing Conservation Area. The listed property consists of the main 2 storey dwelling and a newer single storey element that was formerly used as a post office but is now in residential use. Adjoining the single storey building is a flat roof garage which is used by the applicant as a workshop/studio. The application site is surrounded by residential development. Ground levels of the site vary as the site rises to the north.

### **4. PLANNING HISTORY**

- 4.1 N/2012/0431 and 0432 - Alterations to include link to garage, lean to greenhouse, new gate and change of use of former post office to residential - Approved

82/0816 and 82/LB25 - 2 dormer windows at the post office – Approved (not implemented)

NR/71/0412 - Change of use of shop to dwelling and conversion of store to shop – Approved

NR/67/222 – Access - Approved

NR/63/496 - Private garage and motor access - Approved

### **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.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and 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:

Paragraph 17 requires that planning decisions should seek to secure developments of a high quality design, whilst conserving heritage assets in a manner appropriate to their significance.

Section 12 of the NPPF elaborates upon the importance of heritage as a material consideration. In particular, it is made clear that it is desirable to sustain and enhance the significance of heritage assets and put them to a viable use consistent with their conservation. It states that where a development proposal would lead to less than substantial harm to the significance of a listed building the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 131 and 132 encourage the consideration of the impact on the significance of heritage assets and their settings.

### 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:

S10: Sustainable Development Principles – requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

Policy BN5: The Historic Environment and Landscape – seeks to conserve and enhance heritage assets in a manner commensurate with their significance.

### 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 – New Development – seeks to secure development which has an acceptable design and layout and achieves acceptable standards of amenity.

Policy E26 – development will be permitted provided it preserves or enhances the character and appearance of those areas.

Policy H18 – Extensions to dwellings – permission will be granted subject to acceptable design and appearance and in keeping with the character and appearance of the host dwelling and the effect upon adjoining properties.

### 5.5 **Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

### 6.1 **Historic England** – Recommend the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's expert conservation advice.

- 6.2 **NBC Conservation** – No objection. The existing flat roofed garage detracts from the setting of the listed house and the proposed pitched roof extension will not have an adverse impact on the setting. The area is characterised by a high density of development and the proposed studio will not cause harm to the character of the conservation area.
- 6.3 **Councillor Suresh Patel** – wishes to call the application in to be determined by the Planning Committee as considers the proposal is overdevelopment of the site.
- 6.4 **Great Billing Parish Council** – object; consider proposal is superfluous to requirements and an erosion of the Conservation Area. Appreciate that the garage itself is not of historical value but consider the proposal will affect the existing footprint and privacy of neighbours. Consider the proposal would destroy the historic roofline of the shared courtyard in Pound Lane.
- 6.5 **Objections** have been received from **16, 18, 19, 21 High Street, 1, Cattle Hill, 2, 4, 6, 8, 10, 12, Pound Lane, 54 Main Road, Wilby (as owner of property in High Street, Pound Lane and Cattle Hill)**. Comments can be summarised as follows:
- Spoiling the historic roofline of the Pound Lane courtyard
  - Overdevelopment of the site
  - Effect on listed building
  - Impact on conservation area
  - Overlooking and loss of privacy
  - Overshadowing
  - Materials out of character with the area
  - Concerns about proposed use of the building
  - Loss of view
  - Impact on value of property
  - Concerns about future maintenance of Pound Lane outbuildings
  - Concerns that foundations of rear wall of outbuildings would be undermined
  - Consider need for light and space could be met with a ground floor extension
  - Concerned about lack of consultation

## 7. APPRAISAL

- 7.1 The main issues to consider are what impact the proposed development would have on the character and appearance of the listed building, the conservation area and neighbouring amenity.

### **Impact on listed building**

- 7.2 The proposal is to extend the existing flat roof studio by extending part of the south east elevation of the building outwards by 1.3 metres, and building above the studio to provide a second storey. The proposal to extend the building outwards is on an area that already has planning permission for the erection of a greenhouse. This formed part of the previous consent for alterations and change of use of the post office to residential and can still be implemented. The principle of extending at ground floor level has already been established by the previous permission
- 7.3 The second storey extension would have a ridge height of 5.4 metres above ground level with the side walls of the existing building raised by 0.7 metres. Whilst the existing studio is within the curtilage of a Grade II\* listed dwelling, it is attached to outbuildings which formed the former post office and is a 1960s building of no historic interest. It is considered that the flat roofed garage detracts from the setting of the listed house and that the proposed pitched roof extension will not have an adverse impact on the listed building's setting.

### **Impact on character and appearance of the conservation area**

7.4 With regard to the impact on the character of the conservation area, No. 20 High Street is sited at the centre of the village which is characterised by a non-uniform layout with close relationships between buildings and buildings with varying roof slopes and ridge heights. The garage/studio building is sited 11 metres from the front boundary of the property and is partially screened from High Street by tree and shrub planting. The building would not be visible from any public viewpoint in Pound Lane and would be scarcely visible from public viewpoints in Cattle Hill. The building will have design elements copied from the existing building (cladding at first floor level on the end elevations to match that on the front face of the garage and link building), other traditional materials (reclaimed bricks, wooden doors and window frames and roof tiles to match the main building) will ensure that it blends with its surroundings. Historic England have recommended that the application is determined in accordance with planning policy and on the basis of the Conservation Officers advice. The Conservation Officer has no objection to the proposal and it is considered therefore that the proposal would not unduly impact on the character or appearance of the conservation area.

#### **Impact on neighbouring properties**

7.5 The studio is sited immediately adjacent to the outbuildings to the rear of properties 2-12 Pound Lane. The external ridge of the new roof will be visible by 1.1 metres above the ridge of part of these outbuildings. A dormer window feature in the south east elevation will provide light and head room to the first floor. Further light is also provided to the first floor by windows in the north east and south west elevations. Ground floor windows in the south east elevations and a partially glazed door in the north east elevation provide light to the ground floor accommodation.

7.6 Various objections have been received from the occupiers of the cottages in Pound Lane. With regard to overshadowing, it is considered that due to the limited height of the proposed building above the adjacent outbuildings, overshadowing of the adjacent courtyard will not occur. With regard to overlooking, there are no windows or rooflights in the elevation facing Pound Lane and a proposed window in the north east elevation gable is below the ridge line of the neighbouring outbuildings. It is not considered that the proposal will lead to overlooking of properties in Pound Lane. With regard to comments received regarding loss of view, there are no legal rights to a view and this is not a planning consideration. Whilst the ridge height of the proposed dwelling will be visible above the ridge height of the outbuildings, varying roof heights are a characteristic of the area and it is considered that the increase in height will not be to such a degree to justify refusal of the application. Concerns about the impact of the proposal on property value is not a planning consideration.

7.7 Other objections received from occupiers in Pound Lane relate mainly to private property matters. Questions have been raised by residents about how they will access and maintain their outbuildings but this is the same situation that exists at present and is a matter for the individual parties to resolve. It can be noted however that the applicant states that he has taken this into consideration by making the first course of bricks a row of snapped headers corbelled out to allow a ridge ladder to be seated against it for safe access.

7.8 In terms of the relationship of the proposed extension to other neighbouring properties, the extension will be sited approximately 10 metres away from the side/rear of 18 High Street and approximately 20 metres from 1 Cattle Hill. The site is located at a higher level than no. 18 High Street, however shrub/tree and fence screening would largely obscure the proposal from view. To ensure there is no overlooking between the shrubs/trees especially in the winter when vegetation cover may not be so dense, it is considered necessary to impose a condition requiring that all first floor windows on the south east elevation are obscure glazed. Due to the separation distance between the north east elevation and 1 Cattle Hill, it is not considered that there will be undue overlooking of this property.

- 7.9 Concerns have been raised about the proposed use of the studio stating that it could be converted into a separate dwelling. A condition will be imposed stating that the use of the studio shall be used only for purposes incidental to the main use of the site as a dwellinghouse. Planning permission would therefore be required to use the studio as a separate unit of accommodation.

#### **Other matters**

- 7.10 Concerns have also been raised from neighbouring properties about the lack of consultation. It should be noted that all neighbouring properties were consulted, a site notice was erected and the application was advertised in the press. This, in addition to the necessary statutory consultees being notified, means that all statutory requirements in terms of publicity have been met.
- 7.11 The application has been called in to be determined by the Planning Committee due to concerns about overdevelopment of the site. In terms of the footprint of buildings on the site, these will not be increased over and above what is already approved by the greenhouse extension. The proposal will provide an additional internal floorspace of approximately 21 square metres at first floor level which will be used for purposes ancillary to the main dwellinghouse. Any existing amenity space will not be impacted upon. It is not considered that the proposal represents overdevelopment of the site.

### **8. CONCLUSION**

- 8.1 It is not considered that the proposed extension will harm the appearance or setting of the listed building or detract from the appearance or character of the Great Billing Conservation Area and will not unduly impact on neighbouring amenity. Subject to conditions the proposal is therefore considered to be acceptable.

### **9. CONDITIONS**

#### **Listed Building Consent Application N/2016/ 0581**

- (1) The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the (Listed Building and Conservation Areas) Act 1990

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, 122.4445, 122.4446, 122.4447, 122.4448, 122.4478, 122.4479, 122.4480.

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

- (3) Details and/or samples of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Policies E20 and H18 of the Northampton Local Plan.

#### **Planning Application N/2016/0582**

- (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: Site Location Plan, Block Plan, 122.4445, 122.4446, 122.4447, 122.4448, 122.4478, 122.4479, 122.4480.

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

- (3) Details and/or samples of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Policies E20 and H18 of the Northampton Local Plan.

- (4) Notwithstanding the details submitted, the first floor south east elevation windows hereby permitted shall be glazed with obscured glass to level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of adjoining occupiers of nearby property in accordance with Policies E20 and H18 of the Northampton Local Plan.

- (5) The proposed studio shall remain ancillary to the existing residential use of the premises and at no time shall it form a separate planning unit.

Reason: For the avoidance of doubt and to protect the residential amenities of nearby properties in accordance with Policies E20 and H18 of the Northampton Local Plan.

- (6) 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 south east elevation of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policies E20 and H18 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

- 10.1 N/2012/0431 and N/2012/0432, N/2016/0581 and N/0582

## **11. LEGAL IMPLICATIONS**

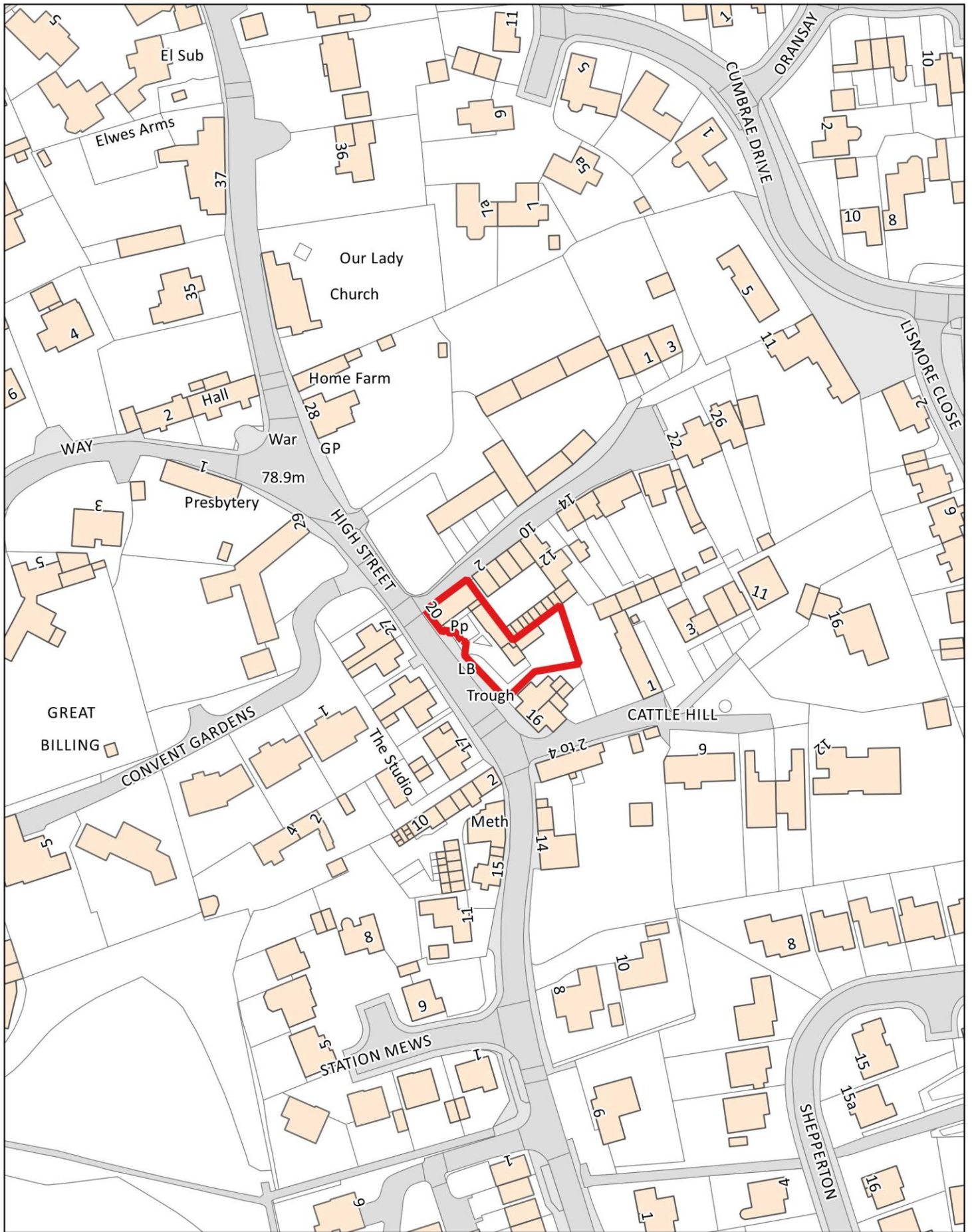
- 11.1 None

## **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.







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