



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 4th July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0172

LOCATION: 44 St Johns Avenue

DESCRIPTION: Single Storey Front Extension, First Floor Front Extension, and Rear Dormer

WARD: Obelisk Ward

APPLICANT: Mr & Mrs Mitchell
AGENT: Mr Lee Randall

REFERRED BY: Councillor S Beardsworth
REASON: Acceptable impact on amenity

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

The development proposed would by virtue of its siting, scale and mass, result in an unacceptable impact on the adjoining neighbouring property (number 42 St. Johns Avenue) in terms of overbearing and overshadowing to the detriment of residential amenity contrary to the aims and objectives of the National Planning Policy Framework, Policies H18 and E20 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document.

2. THE PROPOSAL

2.1 The proposal is for a two storey extension to the front/side of the property, a single storey front extension and a rear dormer.

3. SITE DESCRIPTION

3.1 The application site consists of a semi-detached dwelling with an attached garage to the side, a porch to the front and a first floor side extension, which is set back 4.5m from the first floor front elevation. The property is located at a curve in the road and is staggered behind the property to the south, 42 St Johns Avenue. The adjoining

property no. 46 St. Johns Avenue, has a two storey extension to the front, similar to that proposed and a single storey front lounge extension.

4. PLANNING HISTORY

- 4.1 N/2006/0674 – Single storey extension to front, pitched roof over garage and change of use of garage to living accommodation – Approved (not constructed).
- 4.2 N/1997/636 – Two storey extension – 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.

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. Policies of particular relevance are:

S10 Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, protect, conserve and enhance the natural and built environment; enhance biodiversity and reduce the fragmentation of habitats; and minimise pollution from noise, air and run off.

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 – planning permission for the new development will be granted subject to the design of any extension adequately reflecting the character of its surroundings in terms of layout, siting, form, scale and materials and the development being

designed, located and used in a manner that ensures adequate standards of privacy, daylight and sunlight.

H18 – planning permission for extensions to dwellings will be granted subject to the design and appearance of the extension being acceptable, in keeping with the appearance and character of the dwelling and the effect upon adjoining properties.

5.5 Supplementary Planning Documents
Residential Extensions and Alterations Design Guide

6.0 CONSULTATIONS/REPRESENTATIONS

6.1 **Councillor Sally Beardsworth** - calls application to be determined by Planning Committee – does not think the application should be refused as the neighbours have a similar extension which has set a precedent. Furthermore there are no neighbour objections to the proposal.

7. APPRAISAL

Main issues

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

Design and appearance

7.2 The application seeks to extend the property to the front/side incorporating the existing garage and porch and an existing two storey side extension. The proposed two storey extension would be built above the existing garage, forward of the existing two storey extension, with a ridge height to match the existing roof. The extension will project to the front with a gable with a lower ridge height, similar to the gable frontage of the adjoining neighbouring extension. In terms of design and appearance the proposal is in keeping with the design of the original house. Due to the staggered nature of dwellings in this section of St. Johns Avenue there will be no terracing effect and in addition, the extension will partially rebalance the appearance of the property in keeping with the adjoining semi-detached property.

7.3 At ground floor level, a proposed single storey extension with gable end will project 5.7 metres forward of the existing garage. Whilst this is a substantial projection, due to the 12 metre set back from the highway and the relationship with the property to the south (No. 42), which is set forward of the application property, the appearance of the proposal is considered to be acceptable in the street scene.

7.4 With regard to the rear dormer this would be a flat roof projection with a volume of approximately 35 cubic metres. Although it is a relatively large dormer and would be partially visible from the cul-de-sac that runs to the south of the application site, it is not considered that it significantly detracts from the street scene or the character of the area.

Impact on neighbouring properties

7.5 No. 44 St Johns Avenue shares a side boundary with No. 42 but is set to the rear of this neighbouring dwelling with the front elevation in line with the rear elevation of the neighbouring property. The proposed side extension above the existing garage and the front projection will abut the boundary with No 42. Due to the relationship of

these properties the application site already has an overbearing and overshadowing effect on the residential amenity of the occupiers of this property. The proposed extension, which will bring the first floor side wall of the application dwelling closer to the boundary, will further impact on this neighbour's amenity. Application of the '45 degree rule' as outlined in the Residential Extensions and Alterations Design Guide' confirms that the presence of the proposed extension will detrimentally impact on the amenity of this neighbouring property and impact on habitable rooms to the rear of the property.

- 7.6 It is not considered that the single storey front extension will unduly impact on the amenity of No.42. The extension will be sited adjacent to the enclosed car port of No. 42 and will be set 2 metres behind the front of the car port. It will not overlook or overshadow the front of this neighbouring property.
- 7.7 With regard to the impact on the neighbouring property to the north, No. 46 St Johns Avenue, as this property has been extended at the front, it is not considered the proposal will impact on neighbouring amenity in terms of overbearing, overlooking or overshadowing.
- 7.8 With regard to the proposed dormer it is not considered that this will have any undue impact in terms of overlooking or overshadowing. Two rear windows will serve bedrooms but it is not considered that this will lead to any further significant overlooking than the current situation of bedrooms at first floor level.

Other matters

- 7.9 The proposal will result in the loss of the existing garage, however there is hardstanding to the front of the property providing sufficient parking for several vehicles. It is not considered therefore, that the loss of the garage would lead to any adverse impacts on the highway or adjacent amenity.
- 7.10 Reference has been made to a similar extension built on the neighbouring property, No. 46, considering that a precedent has been set. It should be noted that each case is dealt with on its merits. The relationship between No. 46 St. Johns Avenue and the neighbouring property at No. 48 differs in that the approved extension does not lead to any unacceptable overshadowing or appear visually overbearing. Furthermore, the extension at No.46 was approved in 2005 prior to the adoption of the Residential Extensions and Alterations Design Guide.

8.0 CONCLUSION

- 8.1 In view of the relationship between No. 42 and 44 St Johns Avenue it is considered that the two storey side/front extension would overshadow and have a visually overbearing impact on No.42 St Johns Avenue to the detriment of the amenity of these neighbouring occupiers. The proposed development is therefore considered contrary to the objectives of National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, Local Policies E20 and H18 of the Northampton Local Plan and the aims and objectives of the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document and is therefore recommended for refusal.

10. BACKGROUND PAPERS

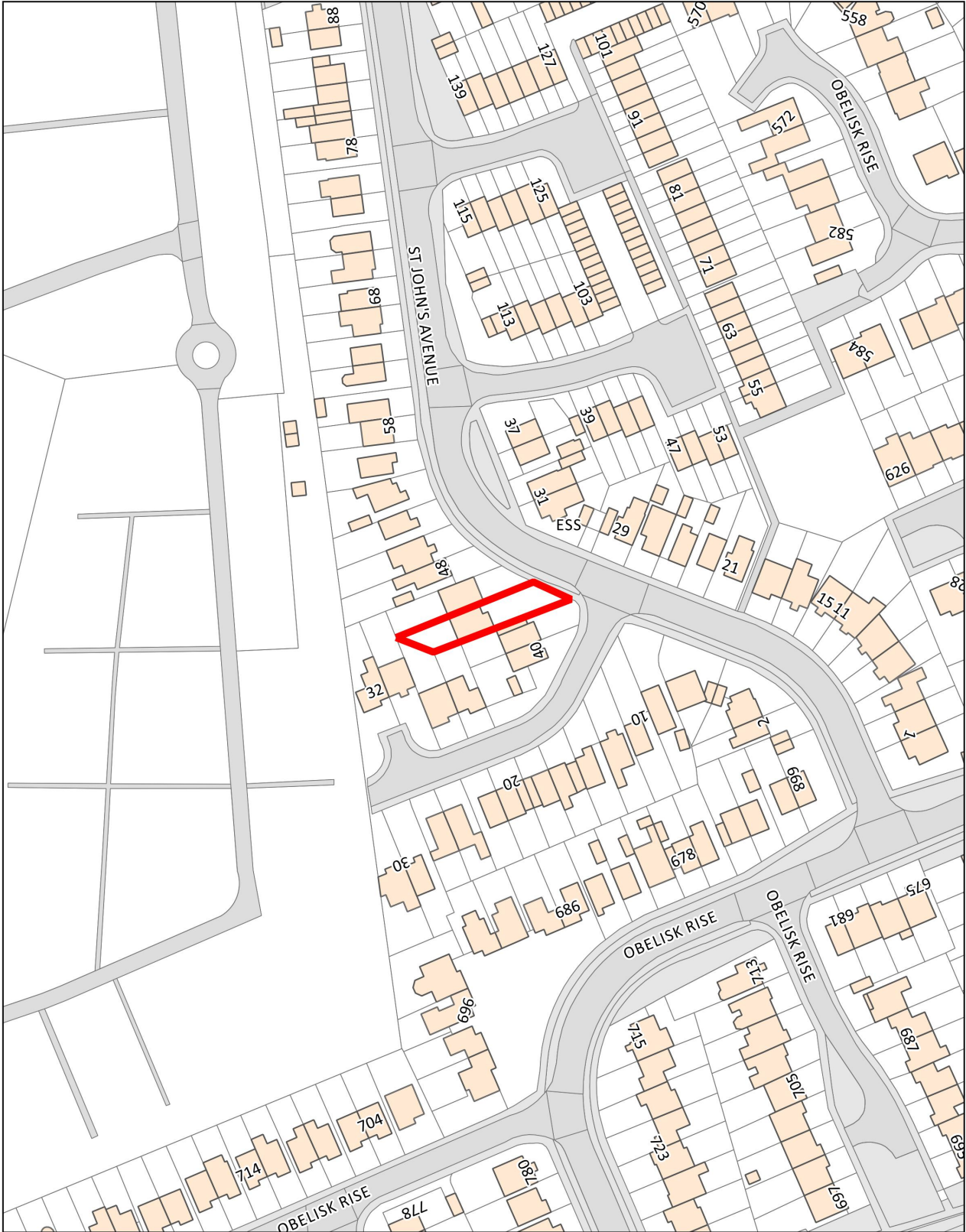
- 10.1 N/2017/0172.

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.



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Date: 23-06-2017

Scale: 1:1,250

Drawn by: Planning