

PLANNING COMMITTEE: 19th March 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0146

LOCATION: 10 Toms Close

DESCRIPTION: Alterations to design of two storey extension approved in Planning Permission N/2016/1151 including change in ground floor UPVC door from double to single door, insertion of an obscured, top opening window to the first floor side elevation and a change in dimensions

WARD: Nene Valley Ward

APPLICANT: Northampton Partnership Homes
AGENT: N/A

REFERRED BY: Head of Planning
REASON: Council owned land

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 alterations to the design of the proposed extension would have no significant additional impact on the amenities of neighbouring occupiers than the previous approval and would not be out of keeping with the character and appearance of the area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for amendments to the previously approved development in respect of the side (North-Western) elevation to widen the door at ground floor to create a double door and to add a window at first floor level. The door and window have been installed and therefore the application is retrospective. In addition, the depth of the two storey extension has been slightly increased.

3 SITE DESCRIPTION

- 3.1 The site comprises a semi-detached house within a cul-de-sac of similar properties. This house has now been clad in brick, as per the previous approval. Following other approvals several of the neighbouring houses within the cul-de-sac have been demolished, ultimately only three pairs of the original semis will remain.

4 PLANNING HISTORY

- 4.1 N/2016/1151 - Demolition of an existing single storey out-house and the construction of a two storey extension to the rear of the existing property; change external finish of house to brick – Approved 26/10/2016.

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 section is of particular relevance to this application:

Paragraph 56 - Good design should contribute positively to making places better.

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.

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 – Design

Policy H18 – Household Extensions

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD

6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 Representations objecting to the proposal have been received from one neighbouring occupier making the following points in summary:

- The window originally inserted was not obscure glazed.

- This should have been requested at the outset.
- Window could be changed to clear glass.
- Increased size of back door and shed base does highlight that plans were not followed.
- The shed base has also been amended, indicating plans were not followed.
- Window should not be approved just because it is already there.

6.2 Two representations in favour have also been received, making the following points in summary:

- No issues with retrospective planning for no. 10.
- No privacy issue.
- It is usual for changes to be required over a three year build period.
- The side window would not have any effect even if clear glazed due to distance from nearest windows.
- To suggest it could be returned to clear glass discredits the planning system as it suggests future occupiers could break planning legislation unchallenged.
- Have made the change to obscure glass to respect the objector concerns.

7 APPRAISAL

7.1 The issues to consider in respect of this amendment are any additional impact on adjoining occupiers which would result.

7.2 The alterations proposed relate to the insertion of a double width rather than a single width door at ground floor and the insertion of a side facing window at first floor. The depth of the extension would be marginally increased also.

7.3 The minor increase in the depth of the extension, by 0.45m to 3.71m, would have no perceptible additional effect on either neighbour due to the siting and separation distance from nearby properties.

7.4 The ground floor side facing door as altered faces towards a 1.8m boundary fence between the site and no. 11 Toms Close and beyond this the detached garage at that property. As such there would be no impact on this property or other more distant neighbours from the widened door.

7.5 The first floor window was originally inserted as a clear glazed window but following concerns from officers has now been altered, and is now obscurely glazed at the lower part with opening only at the top vent, which is clear glazed.

7.6 The window faces towards the immediate neighbour at no. 11 Toms Close but faces the side of the house rather than directly to the garden and can also be seen from other more distant neighbours to the rear at nos.19, 21 and 22 Glebe Farm Close.

7.7 As the window is obscurely glazed at the lower part, it would afford no clear view of these gardens. The top vent, although is glazed with clear glass, is above eye level, hence overlooking would be limited.

7.8 Reference has been made by an objector that the window could be changed to clear glazing in the future. This would in itself require planning permission and a condition is proposed in addition, to prevent this taking place to protect residential amenity.

8 CONCLUSION

8.1 The variations to the approved plans will have no additional impact on the amenities of adjoining occupiers and is therefore considered acceptable.

9 CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: 062-(CO)-8009, 221-(CO)-8009 C, 222-(CO)-8009 D, 231-(CO)-8009 B.

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

- (2) The first floor window on the North-Western elevation of the extension hereby approved shall be maintained as being glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent and retained in that form at all times.

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

10 BACKGROUND PAPERS

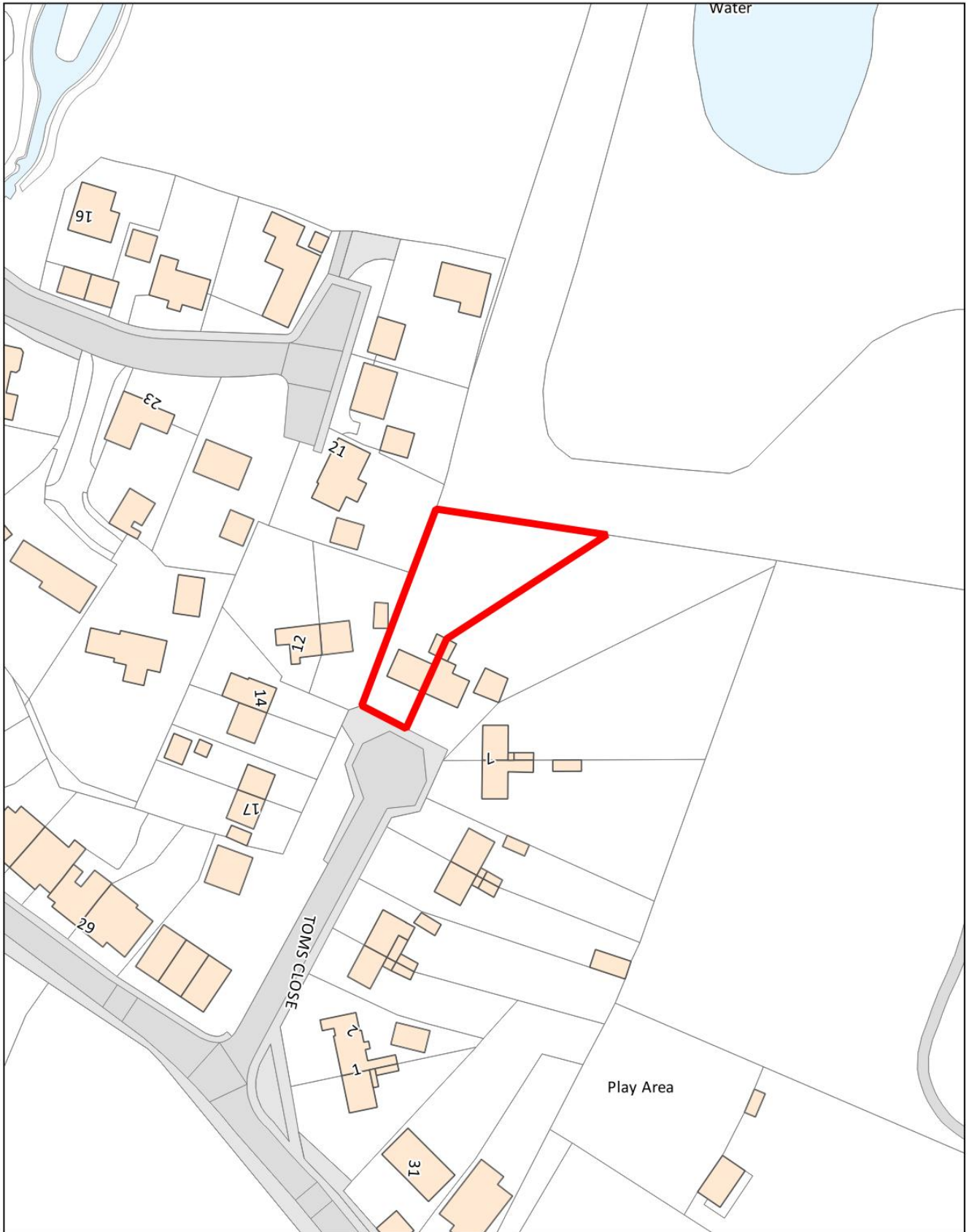
- 10.1 Application file N/2019/0146.

11 LEGAL IMPLICATIONS

- 11.1 The development is 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: **10 Toms Close**

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Date: 28-02-2019

Scale: 1:1,000

Drawn by: -----