

**North Northamptonshire Area Planning Committee
(Thrapston)
18th October 2021**

Application Reference	NE/21/01085/FUL
Case Officer	Ian Baish
Location	25 Russell Way Higham Ferrers Rushden Northamptonshire NN10 8EJ
Development	Single storey rear extension and loft conversion with a rear dormer.
Applicant	Mr And Mrs Stuart-Smith
Agent	Harbur Design - Mr Daniel Clutterbuck
Ward	Higham Ferrers
Overall Expiry Date	9 September 2021
Agreed Extension of Time	21 October 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation as a material written objection has been received from Higham Ferrers Town Council that is contrary to the officers proposed decision and cannot be satisfactorily resolved by design amendments or conditions.

1. Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The application proposes to remove an existing attached lean to style outbuilding to the rear of the dwelling which currently provides a store and a utility room. A single storey rear extension spanning across the rear elevation of the property would then be erected to provide an extended open plan kitchen diner. This would also allow for the re-configuration of the ground floor space to provide a downstairs W.C.
- 2.2 The rear extension would have a mono pitched roof and would measure approximately 3.300 metres in depth by 6.011 metres wide. The eaves height would measure 2.478 metres and the ridge height would be 3.516 metres.
- 2.3 A check of the Council's records has confirmed that the property has retained its permitted development rights and therefore a single storey rear extension with a depth of 3 metres and a maximum height of 4 metres could be erected without formal planning consent under Schedule 2, Part 1, Class A of the General Permitted Development (England) Order 2015 (as amended).
- 2.4 Therefore, the proposed single storey rear extension would only exceed the depth that would be classed as permitted development by 300mm.
- 2.5 The proposal also seeks to convert the roof space of the dwelling to provide a master bedroom with en-suite bathroom. This conversion would consist of an alteration to the roof, taking it from a hip to a gable. A roof dormer would also be inserted within the rear roofslope. The dormer would project from the roof by 3.475 metres at the highest part of the roof and have a height of 3 metres.
- 2.6 It is important to note that a hip to gable extension and a rear dormer with a maximum cubic content of 40m³ could be erected without the need for planning consent under Schedule 2, Part 1, Class B of the General Permitted Development (England) Order 2015 (as amended). The proposal would increase the volume of the original roof space by approximately 62.646m³.
- 2.7 Therefore, the increase in volume for this proposal over what could be erected without planning consent is approximately 22.646m³
- 2.8 The proposal also seeks to install two roof windows on the front roof slope and a soil vent pipe on the side of the hip to gable extension. These items are covered by Schedule 2, Part 1, Classes C and G of the General Permitted Development (England) Order 2015 (as amended) respectively and do not require planning permission in their own right.
- 2.9 In essence, the proposed dormer extension is 22.646m³ larger and the depth of the rear extension 300mm larger than Permitted Development rights allow.

3. Site Description

- 3.1 The application site comprises a three bedroomed 1940s style end of terrace dwelling of red brick construction under a concrete tiled roof. The dwelling is situated on a rectangular shaped plot with two off road parking spaces to the front and a garden to the rear.
- 3.2 The site is immediately surrounded by similar style terraced dwellings to the south and east with a pair of similar style semi detached dwellings to the west. The land to the north comprises a development of 1970s style semi- detached dwellings on Meadow Close which have a front to rear relationship with the dwellings on Russell Way.
- 3.3 The site is not listed or within a Conservation Area. It is within a Nature Improvement Area (NIA) and within the 2 kilometre, buffer of the Upper Nene Valley Gravel Pits Site of Special Scientific Interest (SSSI) and Ramsar site.

4. Relevant Planning History

- 4.1 None relevant

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Higham Ferrers Town Council

Objection which can be summarised below:

- Over development of the site
- Negative Impact on neighbouring amenity
- Contrary to policy HF. DE1 of the Higham Ferrers Neighbourhood Plan
- The increase in number of bedrooms requires additional parking

Officer note: The Officer contacted Higham Ferrers Town Council and provided further information and clarity as to what could be carried out using permitted development rights without the need for formal planning consent. The similarities between the proposal and potential permitted development were pointed out, in terms of visual and amenity impact, along with the impact on parking.

Further comments received:

The Council noted the information provided but resolved not to withdraw their objection – reasons are summarised below:

- The proposal extends beyond what can be carried out as permitted development and the limits have been set for a reason

- The additional bedroom provided would increase the number of bedrooms to five
- The Council remain concerned re: the impacts on parking and traffic related issues

Officer note: The submitted plans show three existing bedrooms and a bathroom at first floor level and a bedroom with en-suite bathroom at second floor level. Therefore, the total number of bedrooms as a result of the proposal would be four, not five.

5.2 Neighbours / Responses to Publicity

Ten neighbouring properties were notified by letter and no representations have been received.

5.3 Highways (LHA)

Observations which can be summarised below:

- A four-bedroom property is required to provide three off road parking spaces.
- The applicant is required to provide 2m x 2m visibility splays on either side of the access.
- The access must be constructed from a hard-bound material.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development
Policy 4 - Biodiversity and Geodiversity
Policy 8 - North Northamptonshire Place Shaping Principles

6.4 East Northamptonshire Council Local Plan (Saved Policies) (LP) (1996)

None relevant.

6.5 Emerging East Northamptonshire Local Plan (LPP2) (2021)

EN1 – Spatial Development Strategy
EN13 – Design of Buildings / Extensions

6.6 Higham Ferrers Neighbourhood Plan (RNP) (Made 2018)

HF DE1 – Achieving High Quality Design

6.7 Other Relevant Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Northamptonshire County Council - Local Highway Authority Parking Standards (2016)

East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

East Northamptonshire Council – Residential Extensions SPD (2020)

7. **Evaluation**

The key issues for consideration are:

- Visual Impact
- Impact on Neighbouring Amenities
- Highway Matters

7.1 **Visual Impact**

7.1.1 *Velux roof windows and soil vent pipe:*

The Velux windows and soil and vent pipe could be added to the property without the need for planning consent subject to limitations which are stipulated as part of the permitted development legislation, regarding the height at which the windows are located from the floor and the distance that they project from the roof slope, and the total height of the soil vent pipe. The proposal would conform with the legislation.

7.1.2 *Hip to gable and flat roof rear dormer:*

The proposal also seeks to alter the roof on the west elevation of the property from a hip roof to a gable roof arrangement and construct a flat roof dormer to the rear (north elevation) to provide an additional bedroom within the roofspace. This would square off the existing roof slope in order to provide more internal space within the loft. This element of the proposal would be visible from the street scene at Russel Way and Meadow Close.

7.1.3 It is acknowledged that the hip to gable element of the proposal would add bulk to the front and rear elevations of the property when viewed from the street and would also alter the symmetry between the dwelling subject to this application and the dwelling at the eastern end of the terrace (number 31 Russell Way). However, a hip to gable alteration and a smaller rear dormer extension could be carried out as permitted development without requiring formal planning consent.

7.1.4 The only restriction as part of the permitted development regulations relates to the increase in the volume of the original roofspace which is limited to 40 cubic metres for a terraced property. The combination of the hip to gable extension and rear dormer would increase the volume of the roofspace by 62.646 cubic metres, which would exceed what could be carried out without planning consent by 22.646 cubic metres. Although it is acknowledged that the householder extensions SPD states that the use of flat roof dormers should be avoided, the proposed dormer is to the rear of the property and it is also noted that the roof of the dormer would not

exceed the height of the original roof of the dwelling. A combination of a hip to gable and a flat roof dormer under 40 cubic metres would be allowed without planning permission.

- 7.1.5 A soil vent pipe is also proposed to be installed on the side (west) elevation on the hip to gable extension to serve the ensuite. It is noted that Class B of the General Permitted Development (England) Order 2015 (as amended) contains a clause which restricts the installation of a soil and vent pipe. However, this is a feature that could be added under Class G of the same order without the need for planning consent. Vent pipes are a common feature to be found on residential properties and a refusal of planning permission on this basis would not be justified.
- 7.1.6 The ridge height of the hip to gable element of the proposal would be at the same height as that of the ridge of the original dwelling. It is noted that this type of extension would alter the symmetry of the appearance of the terrace. However, a hip to gable extension of an identical appearance could be erected without the need for planning consent. It is also considered that if the height of the hip to gable element were to be lowered, that the visual impact would be greater than at the proposed height as it would introduce another roof level and would appear further at odds with the appearance of the terrace than if it were at the same height as the ridge of the existing part of the roof.
- 7.1.7 Turning to the dormer element of the proposal, this would be located to the rear elevation of the property and would not be visible from the front of the property when viewed from Russell Way as it would be obscured by the hip to gable extension. Permitted development legislation would allow for a smaller flat roof dormer to be added to the property in addition to the hip to gable extension, and therefore it is only the visual impact that the additional 22.646m³ of bulk would have on the rear elevation of the property and the roof scape of the terrace and the wider area that is for consideration as part of this proposal.
- 7.1.8 The rear flat roof dormer would be visible from the gardens of the properties on Russell Way and from the properties located to the rear on Meadow Close, however, this type of extension is a common feature to be found on residential properties and a smaller dormer of the same height and appearance could be constructed without planning. Whilst the shape and bulk of the proposed dormer would alter the roof scape of the terrace to a greater degree than the dormer that could be erected as a permitted development, its visual effect would not be sufficiently harmful to justify refusing planning permission. The proposed dormer would not be too dominant when seen against the large roof area and relatively steep roof pitch of the terrace.
- 7.1.9 *Single storey rear extension:*
The proposal also seeks to create a single storey pitched roof extension off the rear of the property, to provide an extended open plan kitchen / diner. This element of the proposal would measure 3.3 metres in depth by 6.011 metres wide by a maximum height of 3.516 metres. The single storey nature and location of the rear extension would ensure that this element of the proposal appeared subservient to the host dwelling and would not be

visible from the street. It would be possible to view the top of this element of the proposal from the neighbouring and adjoining properties and their gardens, however, the low roof height would ensure that it would not raise any concerns in terms of its visual impact or impact on the character and appearance of the area.

- 7.1.10 Given the similarity between this proposal and what could be constructed without the need for planning consent, it must be noted that permitted development legislation requires the materials used in any external works to match those used on the original dwelling. To this end, the applicant has confirmed that the roof tiles and brickwork would match existing. However, the submitted plans show the windows as anthracite grey and the dormer to be clad in standing seam aluminium cladding (or similar) which would not be appropriate in this context. It is therefore recommended that a condition is included to secure that full details and samples of the materials for the dormer element of the proposal are submitted to and approved by the Local Planning Authority prior to works on the dormer commencing.

7.2 Highway Safety and Parking

- 7.2.1 The proposal involves the creation of one additional bedroom within the roof space of the dwelling which would increase the total number of bedrooms from three to four. It is noted that the Local Highway Authority (LHA) require a three bedroom property to provide two off-road parking spaces and a property providing four or more bedrooms is to provide three off-road parking spaces.
- 7.2.2 Two existing off-road spaces are provided to the front of the property, as the former front garden has already been surfaced to provide two spaces.
- 7.2.3 The LHA has observed that three spaces should be provided as the number of bedrooms is increasing from three to four. However, it would not be possible to provide a further parking space within the curtilage of the property.
- 7.2.4 The LHA also stated that the applicant should provide pedestrian visibility splays at 2 x 2 meters in each direction. A site visit confirmed that the access is existing and consists of a dropped kerb which appears to be to local authority standards, and a driveway providing parking for two vehicles side by side at the required dimensions.
- 7.2.5 Whilst the observations of the LHA are noted, it must be considered that a loft conversion (albeit smaller) could be constructed which would allow for a fourth bedroom to be provided without the need for planning permission. On street parking is also available within the immediate area which is free of restriction and it is not considered that a refusal of planning permission based on the lack of a third parking space would be justified in this particular set of circumstances.

7.3 Impact on Neighbouring Amenity

- 7.3.1 The nearest properties to the proposal are no's 14, 16, 23 and 27 Russell

Way and no's 5 and 6 Meadow Close.

7.3.2 *14 and 16 Russell Way*

These properties face the site and are located to the south at a distance of approximately 23 metres. It is therefore considered that the proposal will not have a detrimental impact on either of these properties in terms of overlooking, overshadowing or overbearing effects due to the separation distances.

7.3.3 *23 Russell Way*

This property is located directly to the west of the site at a distance of approximately 4.5 metres. The single storey nature of the rear extension, separation distance and the lack of any windows proposed at first floor level would ensure that the proposal would not have a detrimental impact in terms of overlooking, overshadowing or overbearing impact. It is noted that the proposal seeks to install three windows at ground floor level on the west elevation which would face the side boundary of number 23. However, a solid fence of approximately 1.8 metres in height marks the boundary between the two properties and the proposed windows would not directly align with any windows on the side elevation of number 23 and window openings could be added to the ground or first floor side elevations of either of these properties without the need for planning consent in any case.

7.3.4 *27 Russell Way*

This property adjoins number 25 to the east. The single storey nature and low overall roof height of the rear extension does not raise concerns in terms of the effects of overlooking, overshadowing or overbearing impact.

7.3.5 In terms of the impact of the loft conversion, number 27 has a deep rear garden and it is not considered that the rear facing dormer would raise concerns regarding overbearing impacts or a level of overlooking that would be any worse than the current situation. Any views would be across the garden of number 27 and would be relatively the same as from the existing first floor windows or as could be constructed under permitted development. It is also considered that as the rear of the properties face north that the additional bulk of the dormer would not have a significant impact in terms of overshadowing or loss of light.

7.3.6 *5 and 6 Meadow Close*

These properties are located to the north of the site at a distance of approximately 25 metres. The front of these properties face the rear of the application site. Further, a dense boundary hedge marks the boundary, along with fencing on the applicant's side. It is not uncommon for dwellings to have a front to rear relationship at this distance and it is not considered that the proposal would have a detrimental impact in terms of overlooking, overshadowing or overbearing effects.

7.3.7 *3 West Street*

No.3 West Street is located to the north of the application site and has no south facing windows. Therefore, there are no concerns regarding the impact of the proposal on this neighbouring property.

7.3.8 For the reasons noted above, it is considered that the impact of the proposed development on the amenity of nearby properties would be acceptable.

7.4 Ecology

7.4.1 The application site lies within the 2-kilometre buffer zone of the Upper Nene Valley Gravel Pits, Site of Specific Scientific Interest and a Nature Improvement Area. It is not considered that the proposal would have a detrimental impact on these sites. An application of this nature would not usually trigger a consultation with Natural England or the Councils Ecology Advisor, however on this occasion both were consulted and provided no response.

8. Other Matters

8.1 Equality: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.2 Fall back position: As detailed in this report, the applicant could construct a hip to gable extension and a rear dormer extension without the need for formal planning consent, this would enable the applicant to create a fourth bedroom. It must also be noted that the proposed single storey extension would be 3.3 metres in depth and it is also considered that a larger single storey home extension of up to 6 metres in depth could be constructed in this location without formal consent subject to neighbour notification.

8.3 Over development: A comment has been received from Higham Ferrers Town Council which states that the proposal would result in overdevelopment of the site. The footprint of the dwelling would only be extended by 3.3 metres as a result of this proposal and the dwelling would retain a moderately sized garden to the rear, a deep frontage and a space to the side to allow for access. It is therefore considered that the proposal would not amount to overdevelopment of the plot.

9. Conclusion / Planning Balance

9.1 The proposal seeks to erect a single storey rear and a hip to gable roof and dormer extensions. The proposal would only be slightly larger than what could be erected without the need for formal planning consent. It is considered that the proposal would be acceptable in terms of its scale, visual impact, impact on neighbouring amenity, highway safety impact and its impact on ecology. A refusal of planning consent would not be justified.

10. Recommendation

10.1 That Planning Permission be GRANTED subject to the following conditions:

11. Conditions

1. The development hereby permitted shall be begun before the expiration of

3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2. Prior to the construction of the rear dormer, full details or samples of the external cladding to be used shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved materials and retained in the agreed manner in perpetuity.

Reason: To ensure a satisfactory elevational appearance.

3. Except where expressly stipulated by condition, the development hereby permitted shall be carried out strictly in accordance with the following plans and documents:

- Application Form, received on 12th July 2021,
- Drawing number 200479-E-001, Existing Floorplan, Roof Plan, Block / Site Location Plans, received on 14th July 2021,
- Drawing number 200479-P-001, Proposed Floor Plans, Roof Plan and Block/Site Location Plans received on 14th July 2021,
- Drawing number 200479-P-002A, Proposed Elevations and Section, received on 23rd September 2021.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.