

North Northamptonshire Area Planning Committee (Wellingborough)

15 December 2021

Application Reference	NW/21/00727/FUL	
Case Officer	Mr Christopher Mohtram	
Location	5 North Street Mears Ashby Northampton Northamptonshire NN6 0DW	
Development	Single storey one-bedroom annexe attached to an existing detached garage	
Applicant	Ms Walton	
Agent	Archi-tec Architectural Design	
Ward	Earls Barton Ward	
Overall Expiry Date	13 October 2021	
Agreed Extension of Time	15 December 2021	
Checked	Principal Planning Manager	Jeff Upton

Scheme of Delegation

This application is brought to committee because the decision falls outside of the council's scheme of delegation as the application has received 6 neighbour objections.

1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the conditions listed at the end of the report

2. The Application Proposal and Background

2.1 The application seeks planning permission for an extension of an existing garage to contain a residential annexe for a family member. The amended annexe would measure 2.7 metres in height to ridge (2.3 metres if the height is taken from the existing ground level), 6.9 metres in depth and 5.6 metres in width. The annexe will contain a living room, bedroom and bathroom. A window will serve the bedroom overlooking into the rear garden of the host dwelling, as well an obscure glazed window serving the bathroom. Double glazed doors serving the living room area and a single window serves the bedroom. Facing brickwork will match the existing dwelling.

2.2 The scheme has been amended during the application process by reducing the depth from 9.2 metres to 6.9 metres and the height reduced from 3.6 metres to 2.7 metres.

3. Site Description and Surroundings

3.1 The application site lies in the village of Mears Ashby outside of the designated Mears Ashby Conservation Area. The street scene is predominantly residential consisting of semi-detached and detached dwellings set slightly back from the highway upon a sloping topography from east to west. The site contains a semi-detached dwelling, the eastern end of a pair, which are set within close proximity to the highway with a detached garage along its eastern boundary.

3.2 The host Edwardian property is constructed of red brick under a pantile roof with a blank façade with a single storey lean to element along its eastern flank. The rear of the property is defined by a high red brick wall shared with No's 1 and 3 North Street, 35 Wellingborough Road and 4 Nursery Court.

4. Relevant Planning History

WP/1991/0224	Refused	03.07.1991
	Detached double garage for private vehicles	
BW/1989/0358	Refused	29.06.1989
	Detached double garage for private motor vehicles	

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

5.1 **Mears Ashby Parish Council** - objects to the planning application under the following grounds:

-The proposed plan amounts to over development of the site that will result in:

- Increased traffic accessing site and thereby increased risk to other road users on dangerous bend in road. There is also the matter of (in)adequate parking on site for the potential increased occupancy.
- Significant loss of light and views to neighbouring properties due to its height and extent of proposed development.
- Established Trees, have been omitted from plan, being felled;
- the Planning Authority has failed to properly consult the parish council, who have only now been made aware, by residents, of subsequently submitted amended plans.

5.2 Neighbours/Responses to publicity

6 x Neighbouring objections received from 4 separate properties. The main issues raised are:

- Loss of view from new annexe along shared boundary, including loss of trees to accommodate it.
- Highways concerns regarding locality of proposal to bend in the road generating additional traffic to and from site which would lead to conflict.

5.3 Local highway Authority (LHA)- No objection is raised to the application on highway safety or capacity grounds.

To ensure that the building remains as an annex to the existing use of the application site, approval should be conditional upon the proposal remaining ancillary to the main use of the application site in perpetuity for the sole use of the applicant to avoid the sub-division and disposal of the site for other purposes.

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)

The Town and Country Planning (General Permitted Development) (England) Order (2015) (As amended)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 2 (historic environment)
- 8 (North Northamptonshire place shaping principles)
- 11 (the network of urban and rural areas)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policy

SS1 (villages)

6.5 Other Relevant Documents:

7. Evaluation

The proposal raises the following main issues:

- Principle of development and material considerations;
- Design, layout and the effect on the character and appearance of the surrounding area;
- Living conditions of the neighbouring occupiers;
- Effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- Conditions

7.1 Principle of Development and material considerations - Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that "If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise."

7.3 Policy 1 of the North Northamptonshire Joint Core Strategy (JCS) is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.4 The application site is located within the village boundary of Mears Ashby as defined by policy SS1 of the Plan for the Borough of Wellingborough (PBW).

7.5 Policy 11 (2) (b) of JCS permits small scale infill development on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure and services.

7.6 There would be no objection in principle to the development of the application site for residential extension purposes as it would constitute a small-scale residential development within the village boundary which would be subject to policy 11 (2) (b) of the JCS. Small scale development includes residential extensions. The acceptability of the proposed development would be dependent on compliance with the more detailed policies and material planning considerations as set out below:

7.7 Design, layout and the effect on the character and appearance of the surrounding area

7.8 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.9 The government at paragraph 130 (a) – (d) of the revised NPPF attach great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the life time of a development; are

visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.10 The National Design Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

7.11 As noted above, neighbour representations were received in response to the original application proposals relating to the proposed height and overall scale of the annexe. The proposed development has been amended since then and the amended proposals show the annex reduced from 9.2 metres to 6.9 metres in length and from 3.6 metres to 2.7 metres in roof height. As a result, the proposed development is considered acceptable in terms of scale as it would not over dominate the rear of the dwelling and is appropriately designed. The design of the annexe would not detract from the established urban pattern of the village in line with guidance under the Urban Pattern Guideline 1 and Landscape Guideline 1 of the Adopted Mears Ashby Design Statement as it respects the form and pattern of surrounding buildings without appearing incongruous to the host dwelling and does not affect wider views to the north of the village.

7.12 Annexe developments should be subordinate in scale to the existing dwelling and it is considered that this is clearly the case here. The annexe is designed so that it can function as an integrated part of the main dwelling whilst allowing for a degree of independence, vehicle access and a shared garden area. It could be argued that the annexe could function independently. However, several characteristics of the design suggests that there will be a degree of integration into the host dwelling as there are no doors opening directly onto the car parking area. There is sufficient shared garden space within the plot to serve the requirements of a family dwelling and annexe with no boundary demarcation or sub-division of garden areas. The annexe will also further dependent on the host dwelling for kitchen facilities. The appropriate future use as an annex will be controlled by the imposition of an appropriate planning condition.

7.13 It is considered that the proposals would not be harmful to the appearance or character of the existing dwelling house and is acceptable in design terms. As the host property is a large semi-detached property, the submitted amended design, size and position and location of the scheme within the plot, the proposal would cause no demonstrable harm to the character and appearance of the building, the street scene or the locality in accordance with JCS policy 8 (d) (i) and (ii) , the Mears Ashby Design Guide and the relevant provisions of the NPPF.

7.14 Living conditions of the neighbouring occupiers

7.15 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.16 At paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.17 Neighbour representations have been received regarding the proposed residential annexe having an overbearing impact along the shared north eastern boundaries. Following amendment, the height and length of the proposed annexe have been reduced significantly. The proposed amended height of the annexe would now exceed the height of the boundary wall between the application site and neighbouring properties by approximately 20 centimetres. There are no overlooking windows proposed in the annexe and its positioning and height beyond the boundary wall, to the west of the closest neighbouring gardens means that there would be no significant loss of light being blocked by the proposed annexe. Furthermore, the neighbouring properties of No's 1 and 3 North Street are separated by a minimum of 6 metres from this shared rear boundary wall. Having taken relevant matters into account, it is considered that the amended proposal would not result in any significant privacy, overshadowing or overbearing impacts.

7.18 Overall, the proposal is in conformity with policy 8 (e) (i) of the JCS and the provisions of the NPPF with regards to impact on neighbouring amenity.

7.19 Highway safety

7.20 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

7.21 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

7.22 The existing off-street parking provision for this three-bedroom dwelling is three parking spaces, excluding the detached garage. This standard would not change with the addition of the proposed annexe.

7.23 Concerns have been raised by neighbours and the Mears Ashby Parish Council regarding the proximity of the new annexe to the highway at the point where there is a bend in the highway, which is considered a blind corner. This concern is noted however parking provision on site is considered acceptable with the existing garage retained and minimum off-street parking provision for three vehicles. NNC Highway engineer has also raised no objections subject to a condition ensuring the annexe remains ancillary to the host dwelling.

7.24 Overall, the parking provision on-site would meet local parking standards and is considered compliant with policy 8 (b) (ii) of the Joint Core Strategy.

7.25 Conditions

The revised NPPF at paragraph 56 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG re-iterates this advice. It is considered that the proposed conditions meet the tests set out in the NPPF and the provisions of the PPG.

8. Other Matters

8.1 Trees - it is acknowledged that two existing garden trees will be removed during the construction process to make way for the new annexe. These trees are an apple and cherry tree as indicated on submitted plans and are not significant specimens and are not covered by a Tree Protection Order or any Conservation Area status. The removal of these trees would not result in any loss to the character of the area as they are to the rear of the site, not clearly visible from the street scene and therefore of no material public amenity value.

8.2 Neighbour comments in relation to non-material planning matters - An objection has been raised regarding the proximity of the toilet within the annexe to the boundary wall of the neighbouring dwelling. This is not considered a material consideration as the façade of the annexe facing the boundary wall is secure with no signs of venting. The appropriate functioning of the W.C facility would be covered under Building Regulations.

8.3 Parish Council comments in relation to non-material planning matters
Mears Ashby Parish Council have advised that the planning authority has failed to properly consult the parish council about the application and have only now been made aware, by residents, of subsequently submitted amended plans. The Parish Council was formally consulted of the application on 24 August 2021. A consultation response from the Parish Council was forthcoming and the comments have been taken into account within the body of the report. The Parish Council were also formally consulted on the amended plans.

8.4 Equality – the scheme provides incidental accommodation for a family member to be used in association with the main dwelling house.

8.5 Health Impact Assessment – Paragraph 92 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities. The proposed development would meet this aim.

9. CONCLUSION/PLANNING BALANCE

The proposed development, on balance, complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions.

10. RECOMMENDATION

Approve subject to conditions

11. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following plans/details:

Proposed Plans and Elevations W65 – 2E - Received 06.12.21

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

3. The external surfaces of the development hereby permitted shall be constructed only of materials of a type and colour which match those of the existing building except where indicated otherwise on the approved drawings.

Reason: To ensure that the new work harmonises with the existing building and to ensure the development does not detract from the appearance of the locality in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

4. The works to the existing garage to facilitate a residential annexe hereby permitted shall not be occupied, leased or rented at any time as a separate dwelling and only used for residential purposes ancillary with the dwelling known as 5 North Street, Mears Ashby, NN6 0DW

Reason: The site is not adequate to support a separate dwelling due to its scale and surrounding character; and therefore, this development is only acceptable as ancillary accommodation in accordance with policy 8 (d) (i) and 8 (e) (i) of the North Northamptonshire Joint Core Strategy 2011 - 2031.

12. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.

2. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken. To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site boundary during construction should be carried out only between the following hours: 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.