

**PLANNING COMMITTEE:** 4<sup>th</sup> June 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0425

**LOCATION:** 18 Tanfield Lane

**DESCRIPTION:** Variation of Condition 2 of Planning Permission N/2018/0743 (Two storey side and rear extensions) to reflect true position of existing ground floor window in relation to first floor dormers and addition of 3no new rooflights (2no to front and 1no to rear elevation) Retrospective

**WARD:** Rushmills Ward

**APPLICANT:** Mr Ifty Choudary  
**AGENT:** RJA Designs

**REFERRED BY:** Head of Planning  
**REASON:** The applicant is related to a Council member

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1 RECOMMENDATION**

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

The proposed amendments are considered minor in nature in comparison to the previously approved development and would have no undue additional impact on the street scene, the appearance of the dwelling as extended or the amenities of adjoining residential occupiers. The proposed development would be in accordance with saved Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, the Council's Residential Extensions and Alterations Design Guide, and the aims and objectives of the National Planning Policy Framework

### **2 THE PROPOSAL**

#### **2.1** The proposal is for amendments to the previously approved development, comprising the installation of two rooflights to the front elevation and one rooflight to the rear of the house as extended. Also included are minor alterations to the design of the extension, at ground floor level.

### **3 SITE DESCRIPTION**

- 3.1 The site consists of a detached dwelling situated in a cul-de-sac consisting of similar properties.

#### **4 PLANNING HISTORY**

- 4.1 N/2018/0610 - Two storey side and rear extension and detached triple garage to front garden – Withdrawn 11/05/18
- 4.2 N/2018/0743 - Two storey side and rear extensions – Approved 04/07/18
- 4.3 N/2018/1280 - Engineering operations to raise front garden levels to accommodate additional off road parking and sitting area Approved - 21/11/18
- 4.4 N/2019/0208 - Non Material Amendment to Planning Permission N/2018/0743 (Two storey side and rear extensions) to reflect the true position of the ground floor window in relation to first floor dormers and addition of 3no rooflights (2no at front and 1no to rear elevation) – Withdrawn 12/04/19

#### **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), 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:

Section 12 – Achieving Well-Designed Spaces

##### **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. Policy of particular relevance is:

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 – New Development (Design)

Policy H18 – Residential Extensions

##### **5.5 Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

Residential Extensions and Alterations Design Guide SPD

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 Representations received from one neighbouring occupier, making the following points in summary:

- Windows should be obscure glazed to prevent overlooking, including the first floor bathroom window.
- Shrubs were originally planted to help obscure the view, these should be reinstated.

## **7 APPRAISAL**

7.1 As an application for a minor material amendment, the issues to consider are whether the proposal as amended would have a greater impact than the previously approved scheme.

7.2 The principal element of the amendments is the inclusion of rooflights to the front and rear roofslopes of the house as extended. These would serve a storage area in the roofspace.

7.3 In terms of the street scene impact, these rooflights are visible from public viewpoints in the streets to the front and rear, however they are limited in scale and not unduly prominent. It is considered, therefore, that the impact on the street scene would be minimal. It can be noted also that the rooflights could have been installed at a later date, once the extension was completed, without the need for planning permission.

7.4 Also included in the amendments are minor adjustments to the front and rear elevations, to reflect the extension as built and also the true position of the previously existing ground floor windows. These changes are minor in scale in respect of the front elevation and whilst the window is offset in position in relation to the dormers, this is not particularly noticeable due to the location at the end of the cul-de-sac and is in any event a pre-existing situation. To the rear the changes relate to an enlarged rear door, which is not visible from the street.

7.5 In respect of the impact on adjoining occupiers, the rooflight to the rear would face towards the neighbours to the rear at 21 Tanfield Lane, at a distance of over 25m. This would prevent any significant overlooking of this neighbour, however the rooflight nevertheless provides a direct line of sight to this property, and to prevent the inhibiting impact which would result, it is considered appropriate that the rooflight is obscure glazed and a condition to this effect is proposed.

7.6 As part of the original approval a first floor window in the extension was included. This was shown as serving a bathroom and was therefore assumed to be obscure glazed. The window has now been fitted as clear glazed. This has been confirmed as an error and it has been confirmed that the window will be obscure glazed. For the sake of clarity, this is shown on the plans and the obscure glazing of this window also will be required by condition to be installed.

## **8 CONCLUSION**

8.1 The amendments to the scheme as originally approved are considered minor in nature and will not affect the street scene or the amenities of adjoining occupiers, subject to the additional conditions proposed.

## **9 CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: IC11 (received on 20th May 2018), IC5/R1 (where not superseded by IC11) and I.C.6.

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

2. The side and rear elevation first floor bathroom windows and the rear facing rooflight 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 within two months of the date of this permission and thereafter retained in that form at all times.

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

## **10 BACKGROUND PAPERS**

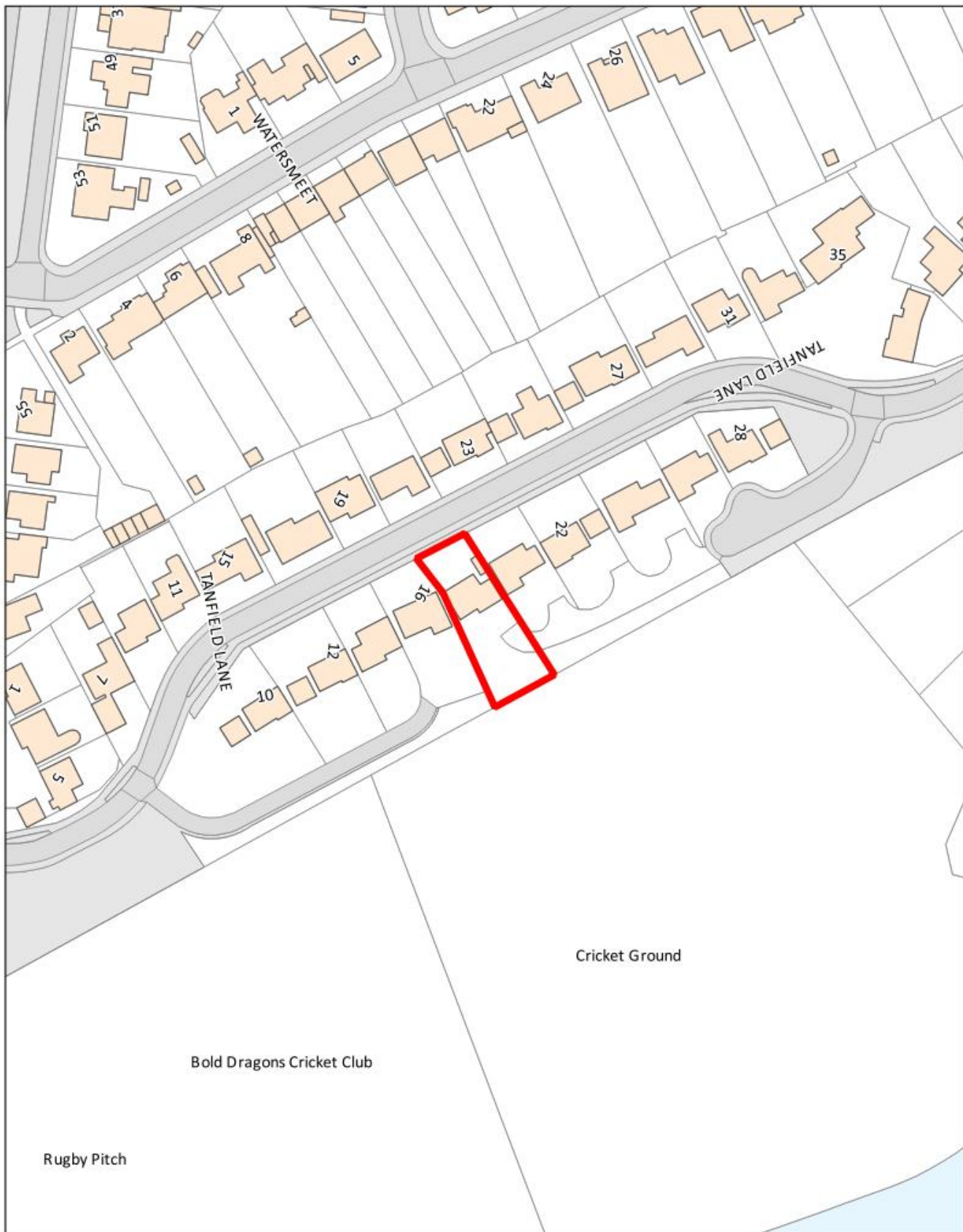
10.1 Application file N/2019/0425.

## **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.



Title: **18 Tanfield Lane**

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Date: 17-05-2019

Scale: 1:1,250

Drawn by: -----