



Planning Committee Report

Application Number:	WND/2022/0493
Location:	The Roserie, 26 Westhorpe, Sibbertoft, Northamptonshire, LE16 9UL
Development:	Construction of single storey kitchen extension, two storey entrance and single storey extensions. Conversion of outbuilding to habitable space. Two front dormers on the principal elevation.
Applicant:	Mr & Mrs P Abraham
Agent:	Mr Roy Hammond
Case Officer:	Mr Oliver Billing
Ward:	Brixworth Ward
Reason for Referral:	Called in by Cllr Cecile Irving-Swift, if the application is recommended for approval, on the basis that it is considered that the development is overbearing and overdevelopment.
Committee Date:	07 th June 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

Proposal

Construction of single storey kitchen extension, two storey entrance and single storey extensions. Conversion of outbuilding to habitable space. Two front dormers on the principal elevation.

Consultations

The following consultees have raised **objections** to the application:

- Sibbertoft Parish Council, Conservation officer (concerns raised), Landscape officer (concerns raised).

The following consultees have raised **no objections** to the application:

- Archaeology, Rights of Way, Anglian Water, Environment Agency, Naturespace.

The following consultees are **in support** of the application:

- Highways

11 letters of objection, 2 letters of concern and 1 letter of comments/questions have been received.

Conclusion

The application has been assessed against the relevant policies in the National Planning Policy Framework, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Design,
- Impact on the character of the surrounding area, and,
- Impact on neighbouring amenity.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions (as set out at the end of this report).

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a semi-detached part single and part two and a half storey dwelling located at the northern end of Westhorpe within the village of Sibbertoft. The application site also includes a one and a half storey outbuilding (partly attached to the neighbouring property, Roserie Cottage) and a detached single storey three bay garage. There is a hardstanding area immediately to the north of the dwelling which leads into a garden. This forms part of the domestic curtilage.
- 1.2 The property has a mix of redbrick and stone elevations with predominately dual-pitched slate tiled roofs and white framed windows and doors.
- 1.3 The application site is immediately surrounded by land to the east which is owned by Roserie Cottage, the property of Roserie Cottage to the south (to which the subject property is adjoined), a Public Right of Way to the west (DN1) which continues from the end of Westhorpe and over open fields to the north. There is also a small area of woodland with a pond to the north east. Number 23 Westhorpe is located to the west of the application site and on the opposite side of Westhorpe.
- 1.4 Westhorpe is residential in character comprising a mixture of two storey and single storey dwellings. The land to the east of Westhorpe comprises an open field which has a Public Right of Way (DN2) that crosses it and connects Westhorpe with St Helen's Church. The wider locality comprises the village of Sibbertoft and agricultural land.

2 CONSTRAINTS

- 2.1 None that fall within the application site.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for extensions to the main property, the conversion of the existing outbuilding to habitable space and the installation of two front dormers on the principal elevation. Initially, the application sought the replacement of the existing garage with a larger alternative, however, this has been removed from the proposal following concerns raised by officers.
- 3.2 A previous iteration of the development also included the relocation of the existing access and a larger side extension. The access has subsequently been removed following concerns raised by officers and the side extension reduced in size.
- 3.3 The application before the committee is described below and each of its component parts are numbered for reference. This is the amended application with the replacement garage removed.
- 3.4 All measurements have been scaled off the submitted drawings which illustrate the proposal.

(1) Single storey side extension

- 3.5 A single storey side extension is proposed on the northern elevation of the main house that measures circa 6.6 metres wide by 3.4 metres deep and 4.9 metres high (ridge height). This forms part of a kitchen and dining room. A bay window with patio doors is proposed adjacent to the side extension and measures circa 3.4 metres wide by 1.3 metres deep and 3.7 metres high.
- 3.6 These additions would be constructed using brick elevations under slate tiled roofs and would have aluminium windows and doors. Further material details are illustrated on drawing numbers 0037-310 Rev 06 and 0037-311 Rev 07. A conservation type roof light to serve the side extension is proposed on the east elevation. An example of this type of roof light has been submitted with the application.

(2) Part single and part two storey entrance extension

- 3.7 A part single and part two storey extension is proposed between the eastern elevation of the main house and the western elevation of the existing outbuilding. The existing single storey lean-to addition would be removed. This extension would provide a new entrance lobby, utility and WC on the ground floor and a dressing room and en-suite on the first floor.
- 3.8 The single storey element would be immediately adjacent to Roserie Cottage and measures circa 5 metres wide by 3.2 metres deep and 3 metres high. The two storey element measures circa 5.5 metres wide by 4.7 metres deep and 6.9 metres high.
- 3.9 The single storey element would have a flat roof with three obscure glazed roof lights, one of which would be an access roof light. New windows are proposed on the northern elevation of the extension with a new porch also proposed on this elevation.
- 3.10 These additions would be constructed using brick elevations under slate tiled roofs and would have aluminium windows and doors. Further material details are illustrated on drawing numbers 0037-310 Rev 06 and 0037-311 Rev 07.

(3) Conversion of outbuilding to habitable accommodation

- 3.11 The existing outbuilding located to the east of the main house is proposed to be converted to habitable accommodation to include a home cinema with kitchenette, bathroom and guest bedroom, all on the ground floor only. New windows/doors are proposed on the north, east and western elevations including two conservation roof lights on the west elevation and a roof light with a vertical element on the east elevation. Solar photovoltaic panels are also proposed on the east facing roof plane.
- 3.12 The new windows and door would have aluminium frames to match the other new openings on the extensions. Further material details are illustrated on drawing numbers 0037-310 Rev 06 and 0037-311 Rev 07.

(4) Installation of dormers on the principal elevation

- 3.13 Two new dormer windows are proposed on the principal elevation (west) that faces Westthorpe. These would serve habitable accommodation on the second floor that includes a bedroom, study and en-suite.
- 3.14 The dormers would have a lead flat roof design with lead clad cheeks and faces and white aluminium framed windows with obscure glazing. The dormers measure circa 1.66 metres wide by 1.62 metres high. The existing eaves of the main roof would be retained. Further details of the dormers are illustrated on drawing number 0037-500 Rev 02.

(5) First floor rear/side extension to create new stairs

- 3.15 A first floor extension is proposed at the rear/side (south elevation) of the main house and adjacent to the west elevation of Roserie Cottage. This would provide a new stairwell with access to the first floor and would have a ridge height of 6.01 metres.
- 3.16 This extension would be constructed with brick elevations under a slate tile roof and a painted timber fascia and soffit. A conservation roof light is proposed on the south facing roof plane to serve the stairwell. Further details are illustrated on drawings number 0037-210 Rev 01 and 0037-310 Rev 06.

(6) Other alterations

- 3.17 Two Juliet balconies are proposed on the principal elevation serving two bedrooms on the first floor. These would have no external platform and would not provide access to the flat roof of the bay windows below. They would have aluminium white powder-coated metal rails and would protrude from the face of the building by a maximum of 125mm. Further details are illustrated on drawing number 0037-501 Rev 02.
- 3.18 The existing windows (where retained) are to be replaced with predominately white powder coated aluminium framed alternatives. The existing stained glass windows on the ground floor west elevation would also be replaced with timber windows along with the front door. Further details of the fenestration changes are illustrated on drawing numbers 0037-310 Rev 06 and 0037-311 Rev 07.
- 3.19 Other alterations proposed include a new sliding access gate, various landscaping, a new parking courtyard and terrace and two solar hot water panels on the eastern roof elevation of the main house.

3.20 It is possible that if these individual elements were carried out in accordance with the requirements of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) they may not require planning permission. However, this application has been submitted as a whole and therefore has been assessed in its entirety including the various minor alterations.

4 RELEVANT PLANNING HISTORY

4.1 There is no planning history directly relevant to the proposal.

5 RELEVANT PLANNING POLICY AND GUIDANCE

5.1 Statutory Duty

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

5.2 Development Plan

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (December 2014) (WNJCS)

- SA – Presumption in Favour of Sustainable Development
- S1 – The Distribution of Development
- S10 – Sustainable Development Principles
- BN2 – Biodiversity
- BN5 – The Historic Environment and Landscape
- R1 – Spatial Strategy for the Rural Areas

Settlements and Countryside Local Plan (Part 2) For Daventry District (February 2020) (LPP2)

- SP1 – Daventry District Spatial Strategy
- RA3 – Other Villages
- ENV5 – Biodiversity
- ENV7 – Historic Environment
- ENV10 – Design

Note – Sibbertoft does not have a Neighbourhood Development Plan (NDP)

5.3 Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Daventry District Council Designing House Extensions Supplementary Planning Guidance (SPG)
- Northamptonshire Parking Standards (September 2016)
- Sibbertoft Village Design Statement
- BRE Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2nd Edition)

6 RESPONSE TO CONSULTATION

6.1 Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
Sibbertoft Parish Council	Objection	<p>Objection on the basis of the impact on neighbouring amenity, size of the replacement garage and design. Issues included:</p> <ul style="list-style-type: none"> • Loss of light, • Impact on privacy/security, • Restriction for maintenance for the neighbour, • Overlooking, • Design of dormers not in keeping, • Size and height of the garage would be overbearing. <p>Noted the removal of the garage, following re-consultation, but maintained other previous reasons for their objection.</p>
Archaeology	Comments	Confirmed a historic building recording condition would be appropriate.
Ecology	No comments received	Comments made on a previous iteration of the development confirming that the ecological report (dated June 2022) is satisfactory and recommended a condition for works to be carried out in accordance with this report. This is the same ecological report that has been submitted under this application.
Highways	Support	Recognised that the existing vehicular access is to be used.
Rights of Way	Comments	Outlined that if the works affect the nearby Right of Way the applicant may require a footpath closure.
Conservation officer	Comments	Identified the property as a non-designated heritage asset. Design concerns were raised, specifically with the single storey side extension and the dormers. Requested conditions to secure details of material samples and architectural features and for permitted development rights to be removed.
Landscape officer	Comments	Raised visual concerns with the size and scale of the replacement garage and that specialist foundations should be used for this building.
Anglian Water	No comments to make	N/A
Environment Agency	No comments to make	N/A
Naturespace	Comments	Satisfied with the ecological report. Requested a condition to secure the Reasonable Avoidance Measures (RAM's) detailed within the ecological report. Great crested newt informative also recommended.
Ramblers	No comments received	N/A
The British Horse Society	No comments received	N/A

Note – Besides Sibbertoft Parish Council no other statutory consultees provided comments on the amended application following a two week period of re-consultation.

7 RESPONSE TO PUBLICITY

7.1 Below is a summary of the third party and neighbour responses received at the time of writing this report. This includes responses received as part of the initial consultation and re-consultation.

7.2 Site notice expired 03/03/2023.

7.3 There have been 11 letters of objection, 2 letters of concern and 1 letter of comments/questions received raising the following issues.

- Impact on neighbouring amenity (overlooking/loss of privacy, loss of light, overbearing and loss of view),
- Security, access and maintenance concerns arising from the proposed flat roof over the entrance extension,
- Extension to the village boundary/precedent for future development outside of the village boundary,
- Overdevelopment of the site, primarily with regard to the garage and its scale and height,
- Impact on footpath views located to the east of the site,
- Design and appearance not in keeping with the surrounding area, street scene, subject property and policy. Does not respect the historic merit of the property,
- Use of the garage for commercial purposes/future change of use/sale of the property,
- Application errors/misleading information,
- Drawings do not show the accurate relationship between the application site and the neighbouring dwelling,
- Impact on the boundary hedgerow,
- Impact on the highway/bridleway including safety issues arising from increased traffic,
- Current works already undertaken at the property causing mess/disruption and concerns this may continue,
- The need for certain elements of the development has been queried,
- Permitted development fallback position for the side extension is not relevant,
- Previous concerns not adequately addressed/changes not sufficient,
- PD rights should be removed.

8 APPRAISAL

8.1 Concerns have been raised that the submitted application contains a number of errors with the application form, drawings and site plans. It is considered that the application form has been completed correctly and having visited both the application site and the neighbouring dwelling to the south (Roserie Cottage) the case officer is aware of the complex relationship between the two properties and the visibility of the site from the public realm/street scene.

8.2 The submitted drawings have an accurate scale and this has been checked by the case officer.

- 8.3 For the purposes of determining the application it is therefore considered the information submitted is sufficient. This has been assessed along with the case officers' own observations.

Principle of Development

- 8.4 The relevant policies are S1 and R1 of the WNJCS and SP1 and RA3 of the LLP2 Policies R1 and RA3 direct development within the confines of the village.
- 8.5 Sibbertoft does not have a defined village confines boundary within the LPP2 Policies and Inset Maps. This is also not defined by the Sibbertoft Village Design Statement. Therefore, Table 3 Criteria for Defining Village Confines of the LPP2 has been referenced and the curtilage of the application site meets criteria A and is therefore classified within the village confines. The proposed extensions are contained within the residential curtilage and do not comprise an extension to the built form into the open countryside.
- 8.6 The proposed development is for a series of domestic extensions and alterations associated with an existing residential dwelling within the village confines. Therefore the principle of development is considered acceptable subject to detail (as assessed in the following sections).
- 8.7 Concerns were raised with the future use of the initially proposed garage for commercial purposes or as a separate dwelling. The garage has been omitted from the amended proposal and therefore these concerns are no longer relevant.
- 8.8 The applicant has provided drawing number 0037-101 Rev 00 along with justification by the applicant's agent that a larger side extension could be constructed under Class A, Part 1, Schedule 2 of the GPDO. Little weight has been given to this fallback position as the enlarged extension would not be viable when accounting for the location of the current access which remains unchanged.

Design and materials

- 8.9 The relevant policies and material considerations are ENV10 of the LPP2, paragraph 130 of the NPPF, the Designing House Extension SPG, and the Building Guidelines in the Sibbertoft Village Design Statement. These all require that extensions and alterations be an appropriate size and scale, be suitably located, and be sympathetic to the existing dwelling in terms of design and materials.
- 8.10 Concerns have been raised with the design of the extensions. Their height would remain below the ridgeline of the main part of the dwelling as per the guidance of the SPG, whilst the increase in built form when compared to the existing house is not significant. The introduction of a flat roof is a departure from the roof design found elsewhere on the property, however, this would not be visible from the public realm and comprises a modest part of the development. It is deemed that the scale, massing and form of the extensions would remain subservient to the main part of the dwelling.
- 8.11 Concerns were also raised regarding the overdevelopment of the site. These primarily related to the scale of the proposed garage, which has now been omitted. As identified above the footprint of the extensions comprise a minimal increase when compared to the existing dwelling and outbuildings. The size of the outbuilding would also not be increased. The plot is sufficiently sized to accommodate the additions, and therefore the proposed development is not considered overdevelopment.

- 8.12 In terms of materials, a consistent palette has been proposed that matches the existing dwelling which accords with the SPG. Other sympathetic material features include brick eaves and verge details and a brick string course on the two-storey extension. A materials sample condition has been recommended.
- 8.13 Design concerns have also been raised with the proposed dormers. It is noted that these additions would break up the existing roof line, however, they are of modest size and scale, do not break the eaves line and would use materials that are sympathetic to the roof finish. They are therefore considered to be of an acceptable design that is not visually intrusive. At an elevated position, they would have a limited impact on the appearance of the street scene and the case officer is aware of other examples of front dormers within the locality, albeit these are pitched roof dormers. The conservation officer had requested that the width of the dormers be reduced, however, on balance and when considering that they are a modest addition it is considered that their proposed width is acceptable.
- 8.14 The new and replacement windows would have white powder coated aluminium frames which have a similar form and profile to the existing timber joinery and are considered a sympathetic replacement. A condition has been recommended to allow for joinery samples to be reviewed on-site prior to installation. The proposed roof lights would be a conservation type and a photographic example has been submitted with the application, the design of which is considered appropriate.
- 8.15 The addition of Juliet balconies on the principal elevation is not considered to be detrimental to the overall appearance of the dwelling and weight has been given to the evidence supplied, which demonstrates that the front first-floor windows historically had balconies above the bay windows.
- 8.16 The proposed solar panels on the main house and outbuilding are a minor addition and would not harm the appearance of the dwelling nor would they impact the character and appearance of the surrounding area.
- 8.17 A condition to remove permitted development rights for Classes A, AA, B, C, D and G of Part 1, Schedule 2 of the GPDO has been recommended. This is to ensure that any further development of the property can be considered by the Local Planning Authority.
- 8.18 Accounting for the above, the proposed development is considered to be compliant with policy in terms of design and appearance.

Impact on the character and appearance of the surrounding area

- 8.19 The relevant policies and material considerations are R1 of the WNJCS, RA3 and ENV10 of the LPP2, paragraph 130 of the NPPF and the Settlement Guidelines in the Sibbertoft Village Design Statement. These all require development to respect the character of the local area, the pattern of development, and should reinforce local distinctiveness.
- 8.20 Given the location of the property at the end of Westhorpe and as the majority of the extensions and alterations are contained within the site, the proposed development would have a limited visual impact on the street scene. When viewed looking north, the linear appearance of the property would be retained and only when approaching the entrance to the property would the side extension become visible whilst the two storey entrance extension would be screened by the main part of the house. As identified above, the inclusion of the dormers are considered to have a limited visual impact on the street scene.

- 8.21 On the approach from the bridleway and heading south towards Westhorpe, the existing boundary vegetation screens the property and would limit views of the proposal until the existing entrance is reached. When closed, the proposed sliding gates would also provide screening of the development.
- 8.22 Concerns have been raised about the impact the proposed development would have on the footpath views from the east, particularly with regard to the initially proposed garage. These views are identified within the Village Design Statement from St Helens Church across the fields to the rear of Welland Rise and Welford Road looking west. As the garage has been omitted, the impact of the proposal on this view is significantly reduced.
- 8.23 The case officer has walked across this footpath and it is considered that the remainder of the proposed development would sit within the context of the existing roof lines and built form and would not harm this view.
- 8.24 It is concluded that development would not harm the character and appearance of the locality nor would it detract from the local distinctiveness of the area.

Impact on neighbouring amenity

- 8.25 The relevant policies and material considerations are R1 of the WNJCS, RA3 and ENV10 of the LPP2, paragraph 130 of the NPPF and the Designing House Extensions SPG. These contain policies and guidance on protecting neighbouring amenity.
- 8.26 Objectors have raised several concerns that the proposed development would overlook the neighbouring dwelling and neighbouring private amenity space, would lead to a loss of light, would be overbearing and would lead to security, maintenance and access issues.
- 8.27 With regard to overlooking, this can be split across three elements of the proposal; the front dormers and Juliet balconies, the flat roof lights on the entrance extension and the new openings on the eastern elevation of the outbuilding.
- 8.28 In considering the impact of the front dormers on the property opposite (23 Westhorpe), the case officer has had regard to their site visit where they were allowed access to the front driveway of this property and their own separation measurements referenced using the Local Planning Authorities mapping software. Measurements and photos have been provided by both the applicant and neighbour to demonstrate the respective views and distances, however, the case officer has relied on their own evidence.
- 8.29 With regard to the separation distances, there are three instances that fail the minimum distance of 22 metres between the windows of habitable rooms as defined by the SPG. The rest of the sight lines between the first floor bedroom windows and dormers and the neighbour's windows are deemed to be above the minimum required distance.
- 8.30 It is considered that the replacement first floor doors for bedrooms 2 and 3 of the subject property could be changed under permitted development and therefore under planning regulation would not require a Juliet balcony. Therefore, providing the Juliet balconies in this instance adds a safety benefit. Moreover, the existing windows are approximately two thirds glazed and opening and when compared to the full height opening doors are not significantly different in terms of the amount of glazing. It is recognised that the existing crossed detailing design is less intrusive, however, the

Juliet balconies would also introduce an element of screening. The size of the first floor ensuite window remains unchanged and would be obscurely glazed.

- 8.31 The dormers are positioned in line with the new glazed doors and therefore the same distances apply. They would be obscurely glazed and have relatively modest sized windows thus limiting opportunities for overlooking. Given the distance between the location of the dormers and the property opposite they would not result in overbearing.
- 8.32 The lines of sight between the two properties are not direct and the windows/doors also look over the public realm.
- 8.33 Taking into account the above, it is considered that despite not all of the separation distances meeting the guidance of the SPG, the inclusion of the dormers and first floor doors/Juliet balconies would not result in harmful overlooking that would warrant sufficient grounds for refusal.
- 8.34 The application has been amended so that the flat roof lights on the entrance extension are obscurely glazed to prevent any loss of privacy into the neighbour's landing room window. Notwithstanding this, the oblique angles of this view would make any overlooking difficult. Concerns have been raised that access onto the flat roof could lead to a loss of privacy through the neighbouring window. It is reasonable to expect that someone accessing the flat roof would be doing so for maintenance or repair and not to overlook the neighbour. This would also be for a limited period of time and therefore the inclusion of these roof lights are not considered to harm neighbouring amenity. Moreover, someone could climb onto the existing pitched roof which is already in close proximity to the neighbouring window.
- 8.35 With regard to the new openings on the outbuilding, they are predominately located on the ground floor eastern elevation. This is partly screened by the existing boundary wall and therefore would offer limited views over the neighbouring amenity space. The proposed roof light with a vertical element on this elevation would serve a vaulted ceiling (as demonstrated by the lack of first floor accommodation within the outbuilding on drawing no.0037-111 Rev 6) and is circa 3 metres above the ground level. This would not result in any overlooking. Drawing no. 0037-100 Rev 05 shows that the boundary wall would be retained.
- 8.36 The majority of the other new openings would not face any neighbouring dwellings. The roof light proposed on the south elevation to serve the new stairwell would be approximately 2.4 metres above the stairwell and therefore above the established height of 1.7 metres to prevent overlooking. Moreover, with the omission of the garage, any overlooking that may have occurred from this building is removed.
- 8.37 Concerns have been raised that the two storey extension would lead to a loss of light to the neighbouring landing room window of Roserie Cottage. The case officer has visited the neighbouring property and views have been obtained from this window. The distance from this window to the proposed first floor wall is 3.045 metres as shown on drawing no. 0037-310 (Rev 06).
- 8.38 It is accepted that this part of the development would impact this window, however, it serves a non-habitable room and therefore less weight has been given to this when compared with a habitable room, such as a bedroom or living room. The Designing House Extension SPG is silent on providing guidance on the loss of light resulting from extensions that face neighbouring windows. Regard has been had to the BRE Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2nd Edition). This outlines that an angle drawn from the centre of the window affected to the height

of the new development should be less than 25 degrees. The case officer has measured an angle of 27 degrees for the proposed development and therefore considers this to be a minor infringement. Notwithstanding this, the BRE guidance is not adopted planning policy and therefore minimal weight has been given to this analysis in the overall planning balance.

- 8.39 Given that the window serves a non-habitable room and that the roof design of the first floor extension has a shallower pitch than the north facing roof plane, it is considered that on balance the possible reduction in loss of light and impact on amenity does not warrant sufficient grounds for refusal. Moreover, this part of the extension would read as a single storey element when viewed from the neighbouring window and is not considered to have an adverse overbearing impact.
- 8.40 The case officer has been made aware that the neighbouring property wishes to pursue a rights of light injunction for this part of the proposed development. This is not a planning matter and therefore no weight has been attributed to this in determining the planning impact of the application.
- 8.41 Maintenance, repair and security concerns have been raised with regard to access to the neighbouring property and the build-up of debris on the proposed flat roof that could impact amenity. How this area is maintained/managed in the future is not a planning matter, however, an access rooflight has been proposed and it is not unreasonable to expect the applicant to maintain this area to a sufficient standard. Any repair issues and access arrangements would be agreed upon between the occupiers of the two properties, and again provision has been made for access onto the flat roof for repairs. Any security issues are not considered to be a planning matter for a householder planning application.
- 8.42 Concerns have also been raised that the extension would result in the loss of a view. This is not a material planning consideration and therefore no weight has been attributed to it in the overall planning balance.

Ecology

- 8.43 The relevant policies and material considerations are BN2 of the WNJCS, ENV5 of the LPP2 and chapter 15 of the NPPF.
- 8.44 A Protected Species Survey has been undertaken by Phillip Irving and dated June 2022. This relates to a previous iteration of the development and includes a reference to the omitted garage, however, it is still relevant to the parts of the proposed development which are being determined. This concluded that no evidence of bats or badgers was found at the property, and a great crested newt license would not be required, however, a non-licensed scheme of Reasonable Avoidance Measures (RAMs) was recommended. Moreover, a check for nesting birds should be made prior to the commencement of the development and new nesting opportunities for birds could be considered.
- 8.45 The Council's ecological advisor provided comments on the previous iteration of the proposal, confirming that the survey was satisfactory and that a license is not required. They also recommended that the works are carried out in accordance with the details contained in section 6.4 of the survey.
- 8.46 Naturespace have also provided comments and have concluded they are happy with the survey. They have also recommended a condition that the works are carried out in accordance with section 6.4 of the aforementioned report along with an informative.

- 8.47 In order to capture all of the recommendations and measures within the Protected Species Survey, a condition has been recommended that covers all of the measures proposed under section 6 of this report and not just paragraph 6.4.
- 8.48 By providing a Protected Species Survey and implementing the development in accordance with the proposed measures, the development is considered to comply with the relevant biodiversity policy.

Impact on heritage

- 8.49 The relevant policies and material planning considerations are BN5 and R1 of the WNJCS, RA3 and ENV7 of the LPP2, chapter 16 of the NPPF and the building guidelines within the Sibbertoft Village Design Statement. These contain policies to protect designated and non-designated heritage assets.
- 8.50 The conservation officer has identified that the property has local architectural and historic merit and therefore should be considered as a non-designated heritage asset. They consider that a historic building recording condition is justified, which the Council's archaeologist is satisfied with.
- 8.51 Paragraph 203 of the NPPF outlines that *'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*.
- 8.52 As identified in paragraphs 8.9 to 8.1 above, the design and materials for the proposed development are considered acceptable and sympathetic to the existing dwelling. The conservation officer has outlined a number of design concerns but has not identified any harm to the non-designated heritage asset. The property is not listed or within a conservation area and therefore its significance is considered to be limited. Furthermore, as the overall design is considered appropriate, it is concluded that on balance any heritage harm would be de-minimis and does not warrant sufficient grounds for refusal.
- 8.53 Moreover, the recommended historic building recording condition ensures that any current historical features are recorded prior to the works commencing.

Other considerations

- 8.54 A Tree Survey Report produced by RGS Arboricultural Consultants dated November 2022 accompanies the application and this proposes a construction exclusion zone to protect the existing trees on site. The report concludes that *'subject to the provision of an effective construction exclusion barrier, the overall impact upon the existing trees will be zero.'*
- 8.55 Following the omission of the garage, the location of the trees identified within the report are sufficiently distanced from the proposed development. However, given the recommendations of this report and in order to preserve the visual amenity of the site, it is considered that imposing a condition to implement tree protection fencing would meet the necessary tests.
- 8.56 With regards to the existing boundary hedgerow along the western edge of the site, this would remain as existing as the current access would remain unchanged except for the installation of a new gate.

8.57 The Local Highways Authority (LHA) have confirmed they are supportive of the proposal. The enlarged property would have 5 bedrooms and in accordance with the Northamptonshire Parking Standards, the parking requirement would be 3 spaces for the dwelling plus a visitor space. The proposed site plan (drawing no. 0037-100 Rev 05) demonstrates parking space for 4 vehicles and having visited the site the case officer is satisfied that this can be accommodated.

8.58 An informative has been recommended to remind the applicant that the Council has non-planning powers for any issues arising from noise/neighbour nuisance resulting from the proposed development works. Any disruption from current works are not relevant to determining this application.

8.59 The Definitive Map Officer has raised no objections and as mentioned the existing access would be retained with no change to the highway or bridleway. An informative has been attached to remind the applicant that if any works affect the Right of Way, the applicant may require footpath closure.

9 FINANCIAL CONSIDERATIONS

9.1 Following the omission of the replacement garage, the development does not exceed 100sqm of new build residential floorspace and therefore is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

10.1 The extensions and alterations are considered to be relatively modest additions to the existing dwelling and are in keeping with the character and appearance of the property. They would have a limited impact on the appearance of the street scene and the surrounding built area and would be read as a part of the existing built form. The impact on neighbouring amenity has been fully considered and is not considered to give rise to any unacceptable harm that would justify refusal on planning grounds. Any harm to the significance of the non-design heritage asset would be de-minimis and the impact on ecology and landscape has been considered following the submission of the relevant surveys.

10.2 Any outstanding issues there may be can be controlled by suitably worded conditions. As such, it is considered that the proposal should be approved in line with the principle of sustainable development as it accords with the relevant policy and guidance.

11 RECOMMENDATION / CONDITIONS AND REASONS

12 It is recommended that the application be **APPROVED** subject to the conditions as set out below with delegated authority to the Assistant Director for Planning and Development to approve any amendments to those conditions as deemed necessary.

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION 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 Section 91 of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried in strictly in accordance with drawing numbers 0037-110 Rev 04 'Proposed GF Plan', 0037-112 Rev 03 'Proposed SF Plan', 0037-210 Rev 01 'Proposed Section', 0037-310 Rev 06 'Proposed Elevations', 0037-311 Rev 07 'Proposed Elevations', 0037-500 Rev 02 'Proposed Detailed Elevation Dormer Window' registered valid by the Local Planning Authority on the 03rd of February 2023 and amended drawing numbers 0037-100 Rev 05 'Proposed Site Plan', 0037-11 Rev 06 'Proposed FF Plan' and 0037-501 Rev 02 'Proposed Detailed Elevation Juliet Balcony' deposited with the Local Planning Authority on the 28th of March 2023.

Reason: To ensure that the development is carried out in accordance with the approved drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved drawings.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, the completion of each of which will trigger the phased discharging of the condition:

- (i) fieldwork in accordance with the agreed written scheme of investigation;
- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded for the purposes of Historic Building Recording and the results made available, in accordance with NPPF Paragraph 205.

4. The tree protection fencing referenced as the 'Construction Exclusion Shown' and as shown and detailed within the Tree Survey Report Pre-Development produced by RGS Arboricultural Consultants and dated November 2022 shall be implemented prior to the commencement of the development hereby permitted. The fencing shall be implemented in accordance with these details and shall remain in place until all

equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without the written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to ensure the protection of the existing trees on site

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

5. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the extensions hereby permitted shall be provided on site for inspection by the Local Planning Authority. Only the materials as approved in writing by the Local Planning Authority shall be used on the approved development.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality and the existing dwelling. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.

6. Prior to the commencement of work on all of the new and replacement windows, roof lights and doors, full details of all new external joinery are to be submitted to and approved in writing by the Local Planning Authority and implemented as approved.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed window, roof light and door materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality and the existing dwelling. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

7. The development hereby permitted shall be implemented strictly in accordance with the recommendations/measures stated in section 6 of the supporting document Protected Species Survey of The Roserie, Sibbertoft, Northamptonshire produced by Phillip Irving and dated June 2022.

Reason: To safeguard biodiversity as set out by the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, NPPF Chapter 15 (Paragraphs 174, 179, 185), Circular 06/2005, Policy BN2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) and Policy ENV5 of the Settlements and Countryside Local Plan (Part 2) For Daventry District.

8. The obscure glass shown on the submitted and approved plans shall be installed before the completed development is first brought into use and shall not be removed without the prior express consent in writing of the Local Planning Authority. (Replacement of the glass with glass of an identical type would not necessitate the Council being notified.)

Reason: To safeguard the amenities of neighbouring residents in accordance with Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) Policies RA3 and ENV10 of the Settlements and Countryside Local Plan (Part 2) For Daventry District.

9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed. (Replacement glass or hinges to those approved would not require the Local Planning Authority's express permission).

Reason: To safeguard the amenities of neighbouring residents in accordance with Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) Policies RA3 and ENV10 of the Settlements and Countryside Local Plan (Part 2) For Daventry District.

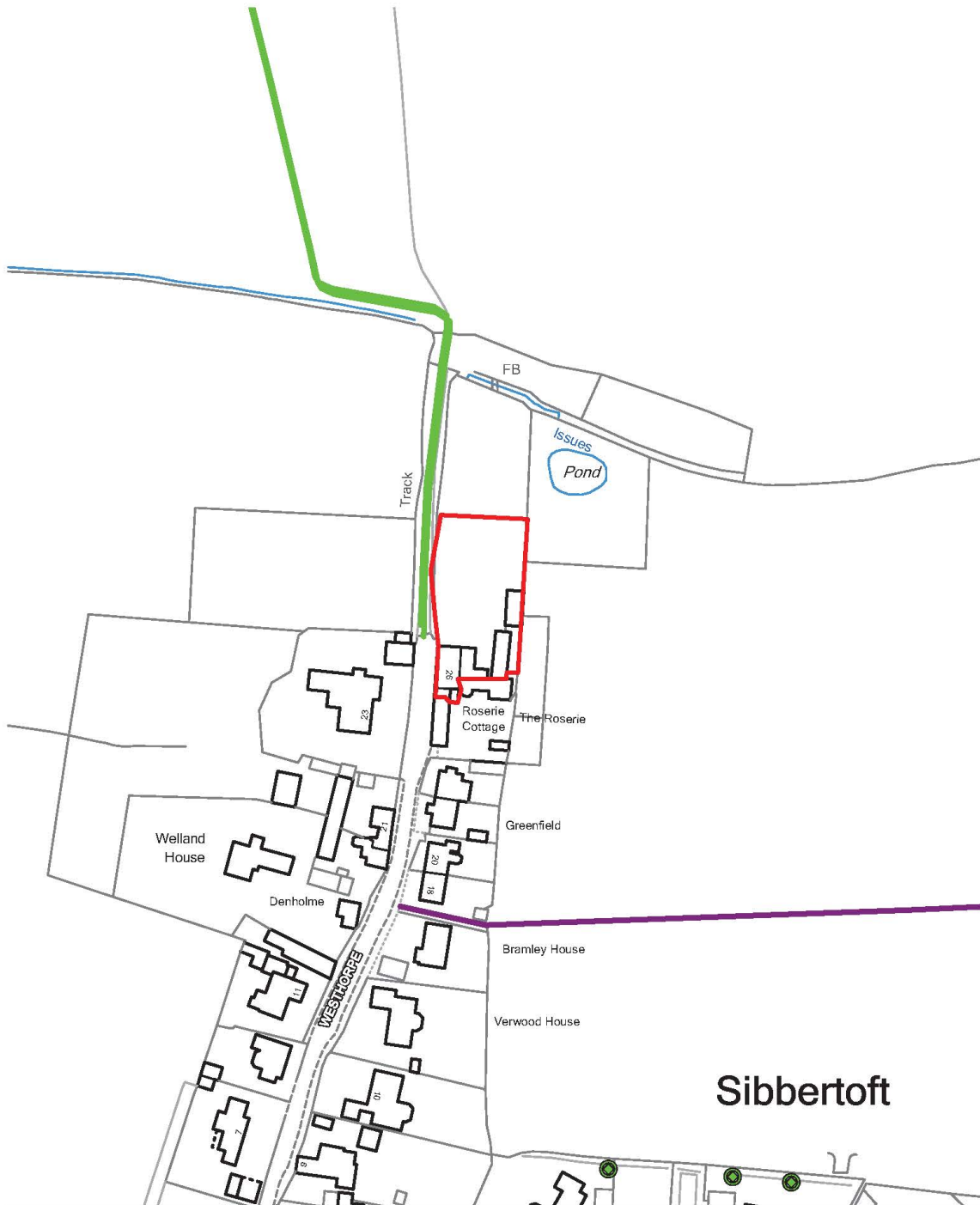
10. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which falls within Schedule 2, Part 1 Classes A, AA, B, C, D and G without the prior express consent of the Local Planning Authority.

Reason: In the interests of visual amenity of the area and to ensure any future development is visually compatible with the dwelling and surrounding built environment in accordance with Policy ENV10 of the Settlements and Countryside Local Plan (Part 2) For Daventry District.

INFORMATIVES

1. In granting this planning permission, the Local Planning Authority expects the construction of the development to be carried out in a courteous manner so as not to cause nuisance to others which includes not unnecessarily obstructing local roads and driveways/footpaths at any time and/or taking deliveries or working making an unacceptable level of noise at unsocial hours defined as other than between the 8.00am and 6.00pm on weekdays and 8.00am to 1.00pm on Saturdays and at no time on Sundays and Bank Holidays. You should be aware the Council has non planning powers to deal with neighbour nuisance should it prove expedient to do so.
2. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

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3. The applicant is reminded that if the works affect the nearby Right of Way they may require a footpath closure. Further advice can be sought from the Council's Definitive Map Team.



**Planning Department
Economic Growth and Regeneration
West Northamptonshire Council**

Daventry Area Office
The Forum, Moat Lane, Towcester
Northamptonshire, NN126AD

Email: plancare.ddc@westnorthants.gov.uk
Web: www.westnorthants.gov.uk