



# Planning Committee Report

**Committee Date:** 5<sup>th</sup> December 2022  
**Application Number:** WNN/2022/1115  
**Location:** 39 Berkeley Close, Northampton, NN1 5BJ  
**Development:** Ground and first floor side extension

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**Applicant:** Mrs Bibi Halam Hababi  
**Agent:** Barry Waine Planning  
**Case Officer:** Kanchan Sharma

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**Ward:** Delapre and Rushmere Unitary Ward

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**Referred by:** Councillor J Davenport  
**Reason for Referral:** No reason provide or material planning justification

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## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

**RECOMMENDATION:** REFUSE PERMISSION.

### Proposal

The current application seeks planning permission for ground and first floor side extension.

### Consultations

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

- Cllr Julie Davenport

1 letter of objection has been received.

### Conclusion

The application has been assessed against the relevant policies in the NPPF, 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:

- Principle of Development
- Impact on the character of the area
- Neighbouring amenity

The report looks into the key planning issues in detail, and Officers conclude that the

proposal is unacceptable for the following reasons.

1. Due to the scale and siting of the proposed extension it would form an incongruous and cramped form of development, detrimental to visual amenity and the character of the area. The proposal would be contrary to the advice contained in the NPPF, Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H18 of the Northampton Local Plan and Policies 1, 2 and 3 of the emerging Local Plan Part II.

**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 consists of a detached dwelling that has undergone alterations and extensions in the past. This application property is located within an existing residential area.
- 1.2 Dwellings in the immediate vicinity, although of different designs, are typically of a small scale and are separated by a uniform distance. This separation distance contributes to creating a more open character and positively contributes to the quality of visual amenity.

### **2 CONSTRAINTS**

- 2.1 None Relevant.

### **3 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 The proposed development seeks planning permission for a ground and first floor side elevation.
- 3.2 The current application is resubmission of previously refused application, which was of same footprint with a variation of gable ended roof on the side extension. However, the current application is same as originally refused application in 2009.

### **4 RELEVANT PLANNING HISTORY**

- 4.1 The following planning history is considered relevant to the current proposal:

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
WNN/2022/0357	Ground and first floor side extension	Refused
N/2009/0289	Proposed first floor extension above existing garage	Refused
N/1990/0021	Demolition of existing garage and erection of two storey extension.	Approved
N/2002/0649	Extension to form garage.	Approved
N/1990/0886	Conservatory	Approved

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## 5 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

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

### Development Plan

- 5.2 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy – Local Plan (Part 1) (LLP1)

- Policy SA – Presumption in Favour of Sustainable Development
- Policy S10 – Sustainable Development Principles

#### Northampton Local Plan 1997 (Saved Policies)

- Policy E20 – Design
- Policy H18 – Extensions

### Material Considerations

- 5.3 Below is a list of the relevant Material Planning Considerations

#### National Planning Policy Framework (NPPF)

The 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 sections are of particular relevance to this application:

- Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

#### Northampton Local Plan Part 2 (2011 – 2029) (Emerging)

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material

consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1: Presumption in favour of sustainable development (Significant weight)
- Policy 2: Placemaking and Design (Moderate weight)
- Policy 4: Amenity and layout (Moderate weight)

Northampton Central Area Action Plan (CAAP) (2013) - Policies

Neighbourhood Development Plans - Policies

Residential Extensions and Alterations Design Guide SPD

Northampton Parking Standards Supplementary Planning Document

Northamptonshire Parking Standards

## **6 RESPONSE TO CONSULTATION**

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

<b>Consultee Name</b>	<b>Position</b>	<b>Comment</b>
Cllr Davenport		Supports the application and called-in the application for determination by committee.

## **7 RESPONSE TO PUBLICITY**

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 There has been one objection raising the following comments:

- The property has undergone lots of extensions in the past and recently carried out extension within the permitted development.
- Proposal would be over development of the site and would be out of character.

## **8 APPRAISAL**

Impact on character and appearance of the area

8.1 The proposed first floor side extension would be widely visible in the streetscene. Whilst it is proposed in matching materials, the cumulative mass and scale of the extension in addition to the extensions approved and built in the past on the application site.

8.2 The application property is located within an existing residential area. Dwellings in the immediate vicinity, although of different designs, are typically of a small scale and are separated by a uniform distance. This separation distance contributes to creating a more open character and positively contributes to the quality of visual amenity.

- 8.3 By reason of the large extension, combined with the existing two storey extension approved in 1990 would lead to a significant detrimental impact on the visual amenity of the locality by reason of the scale of the proposed extension. Furthermore, the cumulative impact of the proposed extension combined with the existing extension would erode the character of the area as the original breaks in the street's built form would have been removed. The dwelling's location near the head of a cul-de-sac gives the proposed extension a greater degree of prominence. The overall bulk and scale of the dwelling would be out of keeping in the area. Overall, the proposals would not respect the character of the area.
- 8.4 Moreover, the application site has a planning history and similar proposal, which was smaller than the proposal and was refused on the basis of its impact on the streetscene. Since then, development plans have changed as NPPF has been adopted that was updated in July 2021, JCS has been adopted and Northampton Residential Design Guide for alterations and extension was adopted in 2011. The merging local plan part II also emphasises on the good design. It is evident that the all the new plans adopted since the original refusal emphasises on good design.
- 8.5 Therefore, the current proposal is not acceptable and fail to comply with the aims and objectives of the Policy S10 of the Joint Core Strategy, Saved Policies E20 and H18 of the Northampton Local Plan, the Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice given within the National Planning Policy Framework and policy 2 and 4 of the Northampton Local Plan Part 2.

#### Impact on residential amenity

- 8.6 The proposed side extension would sit adjacent to the blank elevation of the neighbouring property, no.38 . As such, it is considered the proposal would not have an unacceptable impact on the residential amenity of no.38. There are no residential properties directly to the rear of the site.
- 8.7 The proposal would not have any adverse impact on the amenity of neighbouring properties to the sides or to the rear and front.
- 8.8 Overall, the proposed extension would have an acceptable impact on the residential amenity of all neighbouring properties.

#### Highway's safety

- 8.9 Two on-plot parking spaces to the front to be retained. No parking restriction in the local area so as such, no highways safety concern.

### **FINANCIAL CONSIDERATIONS**

- 8.10 The development is not CIL liable.

## **9 PLANNING BALANCE AND CONCLUSION**

- 9.1 It is considered that the proposal would result in an unacceptable detrimental impact on the character of the area.
- 9.2 Due to its siting, scale, massing and design the proposed extension to the existing building, it is considered unacceptable and out of character with the surrounding area.

9.3 The appearance of an already extended property would not be compatible with the appearance of the host building in terms of its design, massing and external materials. The proposals therefore fail to comply with the aims and objectives of the Policy S10 of the Joint Core Strategy, Saved Policies E20 and H18 of the Northampton Local Plan, the Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice given within the National Planning Policy Framework and policy 2 and 4 of the Northampton Local Plan Part 2.

## **10 RECOMMENDATION/REASONS FOR REFUSAL**

10.1 The application is recommended for refusal for the following reasons:

1. Due to the scale and siting of the proposed extension it would form an incongruous and cramped form of development, detrimental to visual amenity and the character of the area. The proposal would be contrary to the advice contained in the NPPF, Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H18 of the Northampton Local Plan and Policies 1, 2 and 3 of the emerging Local Plan Part II.



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