

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 04/09/2014</b>	<b>Item No: 5.9</b>
<b>Report Originator</b>	<b>John Hill Development Officer</b>	<b>Application No: KET/2014/0455</b>
<b>Wards Affected</b>	<b>Welland</b>	
<b>Location</b>	<b>Corner Cottage, 10 Green Lane, Stoke Albany</b>	
<b>Proposal</b>	<b>Full Application: Partial demolition of outbuildings and conversion of remaining to single storey residential accommodation plus two storey side, link extension between converted outbuildings and dwelling. Roof lights to north elevation</b>	
<b>Applicant</b>	<b>Mr G Middleton Kirkham Middleton Architects</b>	

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and Section 12 of the National Planning Policy Framework.

3. Prior to the development hereby approved commencing detailed design specifications of the timber windows, door and conservation rooflights shall be submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fitted so as to be flush with the external. Thereafter only the approved details shall be implemented.

REASON: To protect the character and appearance of the dwelling having regard to its position within a conservation area in compliance with Policy 13 of the North Northamptonshire Core Spatial Strategy and Section 12 of the National Planning Policy Framework.

4. The windows on the north elevation shall be glazed with obscured glass prior to the first occupation of the extension hereby approved in accordance with details which shall have been first submitted to and approved in writing by the Local Planning Authority and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the north or west elevation or roof plane of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

6. Prior to the commencement of the development hereby approved a plan detailing the areas of the existing outbuildings to be retained and converted and that part of the extension to be new build shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved scheme shall be implemented.

REASON. To safeguard the character and appearance of the conservation area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and Section 12 of the National Planning Policy Framework.

## Officers Report for KET/2014/0455

### 3.0 Information

#### **Relevant Planning History**

KET/2007/0363 – Single storey extension and alterations to dwelling. Approved 20<sup>th</sup> June 2007

KET/2012/0034 -Single storey side extension and alterations – Approved 21<sup>st</sup> March 2012 (Extant)

KET2014/0144 – 1.5 storey side link extension between outbuildings and dwelling, alterations to include dormer window. Approved 12<sup>th</sup> May 2014.(Extant)

#### **Site Description**

The officer site inspection was carried out on the 30<sup>th</sup> July 2014.

The application site is a two storey stone dwelling with a slate roof and painted timber windows, previously converted from outbuildings to No.8 Green Lane.

Attached to the dwelling to the west, in an L-shaped form, is a single storey range of outbuildings which abut the side garage elevation of 12 Church Lane. These are also constructed in stone with a mixture of pantiles and corrugated metal sheeting over and in a relatively poor state of repair.

The property is fundamentally single aspect with its garden area sitting to the south of the dwellinghouse. To the north is a shared vehicle access serving nos. 6, 8 and 8a. There are three, small windows on the north elevation facing into this area, one at ground floor serving a cloakroom and two at first floor serving what may be a wc/bathroom all of which are obscure glazed.

Green Lane itself is a small cul de sac at the entrance to which is a mixed age of housing which is also evident in the neighbouring residential properties to the south and west which are accessed off D'Albini` Close.

The property is located within the Stoke Albany Conservation Area.

#### **Proposed Development**

The proposal is to convert both an element of the existing outbuildings and erect a 2 storey link extension to provide additional main habitable room accommodation; part two and part single storey, at the south western end of the property where currently exist a range of poorly maintained L shaped outbuildings. The extension generally follows the existing ground floor form of the outbuildings plus the link to the existing house.

The extension's external facing and roofing materials are not specified and would therefore be conditioned in the event a planning permission is granted. The proposed timber windows would have a contemporary feel to them and by far the majority of these face into the garden of 10. Three however are on the rear of the extension, one at first floor and two at ground floor which would look over the neighbouring property's land which at this point is a predominantly

grassed area. A number of rooflights are also to be provided in various roof planes of the extension.

### **Any Constraints Affecting the Site**

The site lies within the Stoke Albany Conservation Area.

## **4.0 Consultation and Customer Impact**

Stoke Albany Parish Council – Opposes the application. The proposal is for new development right on the edge of the property boundary, specifically to create an upper floor with extensive windows and introduce several boundary problems namely:

- creation of a right to light issue which did not previously exist, prejudicial to the neighbouring garden
- increased rain water run off on the eastern aspect which has no current or planned drainage
- a loss of privacy which neighbours have previously enjoyed
- risk that gardening activities in the neighbours garden such as strimming or mowing may inadvertently cause damage to the proposed full length window creating a restriction and obligation of care on the part of the neighbours which did not previously exist.

Neighbours - One letter of objection received from a neighbouring residential occupier covering the following matters:

- plan shows incorrect boundary
- full length window on the north side is inappropriate as it is directly on the boundary and is in danger of damage from mowing debris also it is intrusive. Questions cannot the window not be of normal proportions and obscure glazed.
- draws attention to an inconsistency on two elevational drawings.
- the roof guttering appears to drain onto the writers property. There are no soakaways adjacent to the extension on the writers side.

## **5.0 Planning Policy**

### **National Planning Policy Framework (NPPF)**

Section 7 Requiring good design

Section 11 Conserving and enhancing the historic environment

### **North Northamptonshire Core Spatial Strategy (NNCSS)**

Policy 13 General Sustainable Development Principles

### **Stoke Albany Conservation Appraisal**

## **6.0 Financial/Resource Implications**

None

## 7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Impact on the character and appearance of the Stoke Albany Conservation Area
3. Impact on amenity of neighbouring residential occupiers

### 1. Principle

There is no objection to the principle of the proposed development. Planning permission has been granted previously for two different forms of extension in this general location. The current proposal whilst similar in design to the latter permission is actually smaller physically.

### 2. Impact on the character and appearance of the Stoke Albany Conservation Area

S 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 lays down a general duty as respects conservation areas to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

The NPPF sets out in part in paragraph 131 that local planning authorities in determining planning applications should take account of the desirability of sustaining and enhancing the significance of a heritage asset.

Policy 13o of the NNCSS seeks to conserve and enhance the designated built environment assets and their setting.

The application site lies within the Stoke Albany Conservation Area, a heritage asset.

The starting point for considering this application is that it is in effect a revision to a recently approved and extant scheme (KET/2014/0144) for a similar but larger extension. Whilst each planning application has to be considered on its own merits this permission carries significant weight in support of this application as the two schemes are of a similar design but the current one is smaller in scale.

The proposed extension whilst in part is higher than the existing outbuildings remains subservient to the original house and ultimately ends in a single storey element that is compatible with the existing form of the outbuildings. In design terms whilst the application does not specify finished facing materials this can be conditioned as it would be in any event with the site being in a conservation area. The windows are proposed to be timber and again the final detail of both them and the roof lights will be conditioned for subsequent detailed approval. It is of note that the windows on the existing dwelling appear relatively recent dating to a building regulation approval in 2003.

In conclusion the proposed extension will at the very least preserve the existing character and appearance of this part of the Stoke Albany Conservation Area if not enhance it.

On design grounds, subject to a condition requiring the submission of external materials and window and rooflight details for subsequent approval, the proposal is considered compliant with Policy 13o of the NNCSS and Section 12 of the NPFF.

### 3. Impact on amenity of neighbouring residential occupiers

Firstly having regard to the aforementioned extant planning permission the current scheme is less in bulk, including partly lower in height, than the approved scheme. The impact of that scheme on neighbouring occupiers was considered acceptable, particularly in terms of not being overbearing, overshadowing or overlooking.

This application has however attracted an objection from the neighbouring residential landowner, which also forms part of the Parish Council's objection that relates to potential overlooking from a relatively large ground floor window serving a study which looks towards this property. Whilst this primarily will overlook a fairly large grassed area separating the two properties there will be a degree of invasion of privacy for the neighbour and should therefore be conditioned to be obscured glazed as should the two smaller windows on this elevation which serve a WC and wet room if planning permission is granted.

The neighbour and the Parish Council have raised a number of other objections which are not wholly material to the determination of the application and sit outside of the planning process. Although in response to two of the comments raised the red line that defines the application site has been amended to relate to the applicant's land ownership only it originally having included part of the neighbour's land and an elevation drawing has been corrected by the applicant.

Generally whilst the application site sits within a tight knit group of both converted and more recent properties the relationship is such that the proposed extension will not cause any loss of direct sunlight, be overbearing or cause any unacceptable degree of overlooking.

On residential amenity grounds, subject to a condition requiring certain windows to be obscure glazed and no new openings in certain elevations and roof planes, the proposed development is compliant with Policy 13l of the NNCSS.

### Conclusion

The proposed extension is considered compliant with the relevant national planning policy guidance and the relevant policy of the Development Plan. It is therefore recommended that planning permission is granted subject to conditions.

**Background Papers**

Title of Document:

Date:

Contact Officer:

John Hill Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date: