

BOROUGH OF KETTERING

Committee	Full Planning Committee - 20/01/2015	Item No: 5.9
Report Originator	Marie Down Development Officer	Application No: KET/2014/0827
Wards Affected	Slade	
Location	13 Long Breech, Mawsley	
Proposal	Full Application: Construction of additional detached garage and home offices	
Applicant	Mr J Den-Drijver	

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. The bricks to be used in the construction of the development hereby permitted shall match in type, colour and texture those on the existing dwelling. The cladding used in the construction of the remainder of the development shall be timber in a natural finish. The roof tiles, windows and doors of the development shall also match in type, colour and texture those on the existing dwelling.

REASON: In the interests of the visual amenities of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The development hereby permitted shall be only for purposes incidental to the enjoyment of the dwellinghouse.

REASON: In the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0827

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2004/1341 – Approval of Reserved Matters: 41 no. houses, roads, sewers and associated works – Approved

KET/2004/1083 – Approval of Reserved Matters: 42 no. houses, roads, sewers and associated works – Refused

KET/2004/0317 – Outline for residential development – Refused

KET/2004/0186 – Approval of Reserved Matters: Infrastructure: sewers serving remaining land at Mawsley, including foul pumping station – Approved

KE/2000/0594 – Variation of condition 1 on outline planning permission KE/1995/0016 to permit reserved matter applications to be made not later than 11 years beginning with the date of the outline permission – Approved

KE/1999/0415 – Application to vary conditions attached to outline consent for Mawsley new village – Approved

KE/1999/0216 – Application to vary conditions attached to outline consent for Mawsley new village (Condition 21 Highways) – Refused

KE/1995/0016 – Proposed new village – Approved

Site Description

Officer's site inspection was carried out on 12/12/2014. The application site is located within the village of Mawsley and comprises a two storey detached property and a single detached garage. Both the dwelling and the garage are constructed of red brick while the dwelling has red roof tiles and the garage black tiles. The application site is located off a bend in the road and as such does not front the road but rather faces south towards the side elevation and rear garden of No. 11 Long Breech. The garage is located to the east of the dwelling, adjoining the highway. The site is bounded to the north by open countryside and to the west by an area of open space. The driveway is enclosed by a 2 metre high brick wall and electronic timber gates and there is ample off street parking within the site. Boundary treatment with No. 11 Long Breech to the south consists of 1.8 metre high close boarded fencing.

Proposed Development

The proposal involves the erection of a detached garage and home office in the southern corner of the application site.

Any Constraints Affecting The Site
SSSI

Potential LWT (adj)

4.0 Consultation and Customer Impact

Parish Council

No comments received.

Neighbours

Three representations received, two of which are from one property.

9 Long Breech:

- Section 10 of the application form states the site cannot be seen from a public road, public footpath or public land. This is incorrect.
- The building will block evening sunlight from the upper and lower windows of No. 9 Long Breech.
- The building will obstruct views from the front of No. 9 which is positioned directly facing the application site with No. 11 in between. An extension to No. 5 Long Breech, to the rear of No. 9 already encloses views to the rear of the property.

11 Long Breech:

- Concerns regarding the design, height and appearance of the building and given the proximity to the boundary it will result in overshadowing to No. 11 Long Breech.
- The building will disrupt the roots of the existing tree which is a protected tree.
- The use of the building as an office has the potential for an increase in the number of deliveries to the site, impacting on traffic on Long Breech and leading to an increase in noise and disturbance.
- The building also has the potential to constitute an individual dwelling.

5.0 Planning Policy

National Planning Policy Framework

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 13 – General Sustainable Development Principles

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and Impact on Character
3. Impact on Neighbouring Amenity
4. Parking and Highway Safety
5. Impact on Trees
6. Other Issues

1. Principle of Development

Policy 1 of the North Northamptonshire Core Spatial Strategy (CSS) requires development in rural areas to be contained within settlement boundaries. Although there is no designated settlement boundary for Mawsley the application site is located within the village, surrounded by other residential development. The proposal to erect a detached garage and home office in the southern corner of the application site is therefore considered acceptable in principle subject to the satisfaction of the development plan criteria as discussed below.

2. Design and Impact on Character

Policy 7 of the National Planning Policy Framework (NPPF) requires good design while Policy 13 (h) of the CSS requires development to be of a high standard of design, architecture and landscaping and to respect and enhance the character of its surroundings. The proposal involves the erection of a detached outbuilding in the southern corner of the application site. The building will provide garage accommodation and office space at ground floor along with additional office space in the roof. The building will have a total height of approximately 5.9 metres, an eaves height of approximately 2.3 metres and will have a footprint of approximately 35m². The rear elevation of the building will be stepped due to the presence of a tree at the boundary and will be set back from the boundary with No. 11 Long Breech by 0.9 metres.

As outlined above the site is located off a bend in the road and as such the dwelling faces the side elevation and rear garden of No. 11 Long Breech. Views of the dwelling and the site from the street are largely obscured by the presence of a detached garage adjacent to the highway and a 2 metres high brick wall, pillars and an electronic timber gate. The proposed building, and in particular its roof, will nevertheless be visible from the street. However, the building is a typical garage

design and will be set back from the highway boundary by 17.5 metres at a minimum. The roof tiles will match that of the existing dwelling and the building will be constructed of red bricks to a height of approximately 1.3 metres with the remainder clad in a natural finish timber. This ensures the building has the appearance of an ancillary outbuilding and given the separation distance from the highway it will not be overly visible in the street scene. As such it is considered the proposal complies with Policy 7 of the NPPF and Policy 13 (h) of the CSS.

3. Impact on Neighbouring Amenity

Policy 13 (l) of the CSS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. As outlined above the proposed building will be situated in the southern corner of the application site, approximately 0.9 metres from the boundary with No. 11 Long Breech. The building will have a total height of 5.9 metres with an eaves height of 2.3 metres. No windows are proposed in the southern side elevation facing No. 11 and as such there will be no impact in terms of overlooking. Three no. roof lights are proposed in the rear elevation which will overlook an area of open space to the rear. A Juliet balcony is proposed at first floor in the north elevation which faces into the site and as such the proposal does not result in any overlooking concerns. As ancillary outbuildings do not have any permitted development rights it will not be necessary to apply a condition preventing the insertion of additional openings as any such works will require planning permission.

An objection has been received from the occupier of No. 11 Long Breech on the grounds that the building will result in overshadowing. However, the building will be situated to the north of No. 11 and given the orientation of the properties in relation to the path of the sun there will be no impact in terms of loss of light or overshadowing. An objection has also been received from the occupier of No. 9 Long Breech on the grounds that the building will block sunlight to its windows. The side elevation of No. 9 Long Breech fronts the highway such that its front elevation is north facing, towards the side of No. 11, and is located a distance of 26 metres from the application site. The proposed building is not directly in line with the windows of No. 9 and given its distance from the site and the path of the sun there will be no impact in terms of loss of light.

An objection has also been received on the grounds that the use of the building as a home office has the potential for an increase in the number of deliveries to the site leading to an increase in noise and disturbance. The applicant runs a maintenance business and has advised that no customers will be calling to the site and there will be no increase in deliveries to the site. The proposed garage space is intended to be used

for domestic purposes and not for any storage in relation to the applicants business. As such it is considered that the development will not impact on surrounding neighbouring amenity in terms of noise and disturbance and it is considered that the proposal complies with Policy 13 (l) of the CSS.

4. Parking and Highway Safety

Policy 13 (n) of the CSS requires development not to result in an adverse impact on the highway network or to prejudice highway safety. The site currently has ample off street parking and there will continue to be sufficient off street parking for a dwelling of this size following the construction of the proposed building. An objection has been received on the grounds that the use of the building as a home office has the potential for an increase in the number of deliveries to the site leading to an increase in traffic on Long Breech. As outlined above the applicant has confirmed that no customers will visit the site and there will be no increase in deliveries to the site as a result of the development. The garage space will be used for domestic storage purposes and not for storage in relation to the applicants business. As such it is considered that the level of traffic to the site will not significantly increase as a result of the development and as such the proposal complies with Policy 13 (n) of the CSS.

5. Impact on Trees

One objection has been received on the grounds that the proposed building will disrupt the roots of the existing tree, which is believed to be protected. The Council's records have been consulted and the site is not within a Conservation Area and the tree is not protected by a Tree Preservation Order. The existing fence to the rear of the property has been stepped around this tree and the rear elevation of the proposed building will also be stepped and as such it is considered that the development will not have a significant impact on the tree to warrant a refusal of planning permission in this instance.

6. Other Issues

Concern has been expressed about the potential to use the building as an individual dwelling. However, the applicant runs a maintenance business and the purpose of the building is to provide a home office for that business and as such it is unlikely that the building would be used as residential accommodation. To ensure the building can not be used as a separate dwelling a condition will be added to the permission restricting the use of the development for purposes incidental to the enjoyment of the dwellinghouse only.

One representation received raised concern that Section 10 of the application form had been answered incorrectly as the site is visible from a public road, public footpath or other public land. However, the purpose of this section of the application form is to enable the case officer to make arrangements for a site visit if the site is not publically accessible and the answer is not relevant to the determination of the

application.

The occupiers of No. 9 Long Breech have objected to the proposal on the grounds of loss of view. However, this is not a material planning consideration and can not be taken into account in the determination of this application. Nevertheless, the front elevation of No. 9 faces on to the side elevation of No. 11 Long Breech and as such views from these windows are already restricted by this arrangement. The proposed outbuilding will be situated at an angle from these windows at a distance of 26 metres and as such there will not be a significant impact in terms of loss of view.

Conclusion

The proposal complies with national policy and policies in the development plan. Issues relating to design, loss of light, impact on the highway and trees are material planning considerations and, in reaching a decision to approve the application, have been carefully weighed against all relevant policy considerations. The application is therefore recommended for approval, subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Marie Down, Development Officer on 01536 534316