

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/08/2017	Item No: 5.3
Report Originator	Collette Panther Assistant Development Officer	Application No: KET/2017/0341
Wards Affected	Ise Lodge	
Location	8 Dunbar Court, Kettering	
Proposal	Full Application: Single storey rear extension to conservatory and replacement roof	
Applicant	Mr M Aldwinkle	

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

REASON: In the interests of visual amenity in accordance Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The development hereby permitted shall not be carried out other than in accordance with the amended plans detailed in the table below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The development shall be only for purposes incidental to the enjoyment of the dwellinghouse as such.

REASON: In the interests of the visual amenities of the area in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/0341

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

3.0 Information

Relevant Planning History

None

Site Visit

Officer's site inspection was carried out on 14/06/2017.

Site Description

The application site comprises a two-storey semi-detached dwelling set on a corner plot which is of red brick and concrete tile construction. The site is set on land slightly lower than the highway and boundary treatment is present to all sides. Off road parking provision includes a single garage and driveway along with a gravelled area to the front of the dwelling. Fenestration is white uPVC and existing additions include a conservatory to the rear and a pergola style outdoor structure as well as areas of decking.

The area is characterised by semi-detached properties with even spacing between which are set back from the highway with off road parking provision.

Proposed Development

This application seeks full planning permission for the erection of a single storey rear extension, to the following dimensions: 8.55m depth, 4.2m width, 2.2m to the eaves and 3.4m to the ridge of the roof.

Upon undertaking the officer's site visit it was noted that there are no planning records for the erection of the decking and covered area in the rear garden. However, upon assessment it is considered that these items of development both fall within the conditions and limitations specified in Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order (England) 2015.

Any Constraints Affecting the Site

Within Nene Valley NIA Boundary

Consultation and Customer Impact

Highways

No comment received 19/07/2017 with the following informative notes:

- the site has a garage to the rear with a small (3.3m approximately) area of drive to the front and no other off-street parking. In highways term neither the garage nor the 'drive' qualify as a parking space. A two bedroomed dwelling would be required to supply 2 parking spaces were it a new build or an increase in bedrooms application
- It has been brought to our attention that the owner has replaced the front lawn with gravel and is parking on it. This is to be discouraged as it

constitutes an unlawful crossing of the highway (footway), within 10m of the channel line of a junction, does not allow vehicles to present square to the highway to achieve visibility and promotes the travel of deleterious material (gravel) onto the highway where it creates a slip / trip hazard to pedestrians, cyclists and scooterists as well as potentially being flung by vehicle wheels into other highway users, vehicles, windows etc

- Parking on the street should be carried out in line with the Highway Code with due care and consideration to other highway users. Obstruction of the highway (including the footway) is a matter for the police and consideration should be given to the safe passage of emergency vehicles.

Environmental Health

No comments received 24/07/2017 (original scheme) and 08/08/2017 (amended scheme).

Neighbours

Comments received from 10, 15, 17 and 19 Dunbar Court between 19/06/2017-21/06/2017 raising issues of the same nature which include:

- the applicant is running a business from the site and does not
- exacerbation of existing parking issues, caused by vehicles associated with the alleged business parking on the road causing obstruction to other road users including pedestrians, by the proposed development
- exacerbation of existing noise issues, caused by social gatherings, that could be made worse by the proposed development
- concern that the intended use for the extension will be associated with the alleged business or for social gatherings, both of which may cause nuisance to neighbouring properties and increase in vehicle movements
- untidy land to the perimeter of the site including overgrown vegetation and rubbish
- why does the applicant, who is allegedly the sole occupier, want or need this extra space especially considering the existing conservatory has only been constructed for about 1 year?
- *The extension is not in keeping with the area, is too big and will prove an obstruction from my bedroom window (no. 15 Dunbar Court)*

Comments received from nos. 15 and 19 Dunbar Court on 20/07/2017 in response to the re-consultation which reiterates previous representations, detailed above.

5.0 Planning Policy

National Planning Policy Framework

Core Principles

Chapter 7: Requiring good design

Development Plan Policies

North Northamptonshire Joint Core Strategy 2016

Policy 1: Presumption in favour of Sustainable Development
Policy 8: North Northamptonshire Place Shaping Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The principle of development
2. Design and impact on the street scene
3. Impact on residential amenity
4. Highway safety
5. Other comments raised by the proposal

1. The principle of development

Policy 8 of the adopted NNJCS (July 2016) seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area. Paragraphs 56, 58 and 64 of the National Planning Policy Framework also recognise that good design is a key aspect of sustainable development, and supports development which establishes a strong sense of place and response to the local character, reflecting the identity of local surroundings and materials.

This application seeks the erection of a single storey rear extension to a residential property which is located in an established residential area to the east of Kettering. The site is located within Kettering town boundary, as required by Policy 35 of the Local Plan, therefore residential development is acceptable in principle.

Subject to detailed consideration being given to the impact of the extension, having an acceptable impact on the character and appearance of the area and residential amenity, in conjunction with ensuring its compliance with National & Local policies, detailed above, the principle of development is considered to be acceptable.

2. Design and impact on the street scene

Chapter 7 of the NPPF requires development to be of a good design, this is echoed by Policy 8(d)(i) of the JCS which requires new development to *respond to the site's immediate and wider context and local character*.

The originally submitted scheme was considered to have an unacceptable impact upon the character and appearance of the area due to its depth which was extensive, bulky and dominating. This issue was raised with the agent during the application process and as a result an amended scheme/plans submitted. Due to the reduced depth (2.5m) of the extension the amended scheme is considered to achieve an uplift in design and result in an acceptable impact upon the character and appearance of the area.

The proposed extension is located to the rear of the existing dwelling and will be partially visible from the public realm, mainly the northern and eastern sides. The extension is the maximum depth of that permitted under the larger home extension legislation (Class A(g), Part 1, Schedule 2 of the GPDO) and it will be largely screened by existing boundary treatment and the drop in land level from the highway. As a result, due to the reduced depth, height and visual appearance of the proposed extension from the public realm it is considered that no harm will be caused to the character and appearance of the area.

Provided the materials used are brick to match those on the existing dwellinghouse the proposal will not adversely affect the character and appearance of the existing dwellinghouse and due to its location will not adversely impact upon the character and appearance of surrounding development or the wider street scene.

Overall, and subject to a condition requiring materials to be matching brick to those on the existing dwelling, the proposal accords with Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy in that the new development responds to the site's immediate and wider context and local character.

3. Impact on residential amenity

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development *not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.*

The proposed extension will extend approximately 6m from the rear elevation of the attached neighbouring property, no. 6 Dunbar Court, and although the 60 degree guideline is broken it is considered that no adverse harm will be caused by means of loss of light or over bearing development due to the minimal projection and view of the extension above the proposed boundary treatment and by virtue of the roof type which slopes away from the boundary.

The proposed extension is single storey in height and is largely screened by boundary treatment. In addition to this, the site is set on land lower than the highway and neighbouring properties which lessens the visual impact. Furthermore, the location of the proposed development and separation distance to neighbouring properties is such that it is considered no harm will be caused to the amenities of surrounding properties by means of loss of light, loss of privacy or overbearing development.

With respect to objections received from neighbours, raising concerns as to the use of the extension for business purposes, the submitted plans state that the use will be a 'dining/family room' with a 'wc' and no evidence has been provided from either party to the contrary. However, in the interest of prudence and to protect the amenity of neighbouring properties from inappropriate use of the space a condition shall be attached to the permission which restricts the use of the space to that considered to be residential or ancillary to the host dwelling.

In addition to this, further to neighbour comments raising concern as to noise disturbance, Environmental Health have been consulted and have not raised objection to the proposal. As a result it is considered unreasonable to refuse this planning application on such grounds and any future noise disturbance issues should be dealt with through Environmental Health and the relevant legislation.

Due to the size and location of the extension the proposed development is considered to accord with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon amenity to neighbouring properties.

4. Highway safety

Policy 8(b) of the North Northamptonshire Joint Core Strategy requires new development to have a *satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards*, and not to have an adverse impact on the highway network nor *prejudice highway safety*.

The property currently benefits from off-road car parking spaces formed of a driveway and a single garage to the rear of the site and a loose stoned surfaced area to the front. The existing access and parking arrangements are to remain unchanged by the proposal, as such the proposal is considered to be acceptable in this respect.

5. Other comments raised by the proposal

Other issues raised by the proposed development which are not material planning considerations, and therefore have not been addressed in the discussion above, although may be addressed by highways comments in 3.0, include:

- the applicant is running a business from the site
- exacerbation of existing parking issues, caused by vehicles associated with the alleged business parking on the road causing obstruction to other road users including pedestrians, by the proposed development
- exacerbation of existing noise issues, caused by social gatherings, that could be made worse by the proposed development
- concern that the intended use for the extension will be associated with the alleged business or for social gatherings, both of which may cause nuisance to neighbouring properties and increase in vehicle movements
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- why does the applicant, who is allegedly the sole occupier, want or need this extra space especially considering the existing conservatory has only been constructed for about 1 year?
- *The extension is not in keeping with the area, is too big and will prove an obstruction from my bedroom window (no. 15 Dunbar Court)*

Conclusion

Subject to conditions requiring materials to match and restricting use of the extension to that for residential purposes, it is considered that the proposal accords with policies set out in the Development Plan and no other material planning considerations outweigh this, therefore the proposed development is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Collette Panther, Assistant Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: