

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/08/2017	Item No: 5.11
Report Originator	Alison Riches Development Officer	Application No: KET/2017/0480
Wards Affected	Brambleside	
Location	2 Carriage Drive, Kettering	
Proposal	Full Application: First floor side extension	
Applicant	Mr & Mrs A Smith	

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 development hereby permitted shall not be carried out other than in accordance with the amended plan number A00012/002C received by the Local Planning Authority on 26th July 2017.

REASON: In the interests of securing an appropriate form of development in the interests of the character and appearance of the area and the amenities of future and surrounding occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. 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.

4. The window at first floor level on the southeast elevation shall be glazed with obscured glass and any portion of the window that is within 1.8m of the floor of the room where the window is installed shall be non-openable. The window shall thereafter be maintained in that form.

REASON: To protect the privacy of the adjoining properties and to prevent overlooking, in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Class A shall be made in the southeast elevation of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/0480

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

3.0 Information

Relevant Planning History

KE/90/0210. Erection of garage and dining room. Approved 04/04/1990.

Site Visit

Officer's site inspection was carried out on 06/07/2017.

Site Description

The application site is located in an established residential area to the north of Kettering and is a semi-detached two-storey dwellinghouse built in the mid 1980s of red brick with a concrete pantile roof, set centrally in a small rectangular plot of land. The plot is close to the junction of Carriage Drive with Brambleside and abuts the rear gardens of Nos.51, 53 and 55 Brambleside to the southeast.

The dwellinghouse has a gable roofed canopy above the front door and dark brown brick soldier sills and lintels above and below the windows. All windows and doors are white PVCu. The front elevation of the property faces northwest onto Carriage Drive.

A single red brick garage with a hipped concrete pantile roof was added to the side (south) elevation following planning permission granted in 1990. The extension is in line with the front elevation of the dwellinghouse and extends into the rear garden past the rear elevation.

There is a small front garden with an adjacent driveway in front of the garage which is sufficient to park a vehicle clear of the highway. The front boundary treatment is low level and comprises shrubs and hedging generally less than 1 metre in height. To the southeast (side), the boundary treatment comprises 1.8 metre high wooden panel fencing, except where the southeast (side) elevation of the garage forms the rear boundary of No.53 Brambleside. A small obscure glazed fixed shut window is located on the southeast (side) elevation of the garage at the point where the boundaries of Nos.51 and 53 Brambleside meet the application site.

The remaining site boundaries comprise 1.8 metre high wooden panel fencing and mature planting.

Surrounding development forms part of the Brambleside estate which was built from the early 1970s onwards. The properties in Brambleside immediately to the southeast of the application site were built in the mid 1970s and comprise small terraces and semi-detached two-storey dwellinghouses built of buff brick with gable roofs, typical of the style of the time. The properties in Carriage Drive were built out following planning permission granted in the early 1980s and are for smaller semi-detached and detached two-storey dwellinghouses

with gable roofs, again typical of the style of the time.

Many of the surrounding properties have been extended or altered.

Proposed Development

The original proposal was for first floor extension to the southwest elevation above the existing attached single garage and dining room, and included a front gable.

Amendments were sought in relation to the design of the proposal due to concerns with the effect on the character and appearance of the dwellinghouse and surrounding development and the effect on the amenities of surrounding occupiers.

Amended plans were received removing the front gable and stepping the ridge height down from the main roof ridge. The proposed bathroom window was reduced in size and redesigned to provide a small top opening light. The amendments were consulted on for 14 days.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Initial Consultation 04/07/2017 – 21 days

Neighbours

8 letters of **objection** on behalf of the occupiers of No.51 Brambleside.

- The proposed works are going to affect natural sunlight and privacy, be an overdevelopment of the site, and be overbearing.
- Concerned the proposed building will block the light in the garden and damage the garden not only for growing things but also the enjoyment of it.
- There will be less sunlight and there will be much less enjoyment from it which will affect quality of life.
- The proposed building is less than 10 feet from the garden and will clearly affect the light getting into it.
- There will be a window overlooking the garden directly. The current window is more to the side of the garden rather than the middle which will reduce the current level of privacy.
- The proposal will take away views from the garden and patio.

49 Brambleside

- **Objection.**
- I live directly opposite and my concerns are that the planned works will stop the sun from coming into my garden which we enjoy and where we spend quality time, and it will harm the health of the garden.
- Concerned that the planned works will overlook my property allowing an unobstructed view into my garden.

Reconsultation 28/07/2017 - 14 days

Neighbours

4 letters of **objection** on behalf of the occupiers of No.51 Brambleside.

- The original concerns raised still stand.
- The garden will still be overlooked by the frosted bathroom window, which can no doubt be opened. This is a huge difference to where there is a window currently overlooking her garden. The new proposed window sits practically central to her garden.
- There will be a view from into the whole garden from the window, which could be left open from time to time, and which there hasn't been before.
- There will not be the same privacy currently afforded.
- As for the slight change to the gable, again there will be a huge wall blocking light. There will not be as much sunlight as usual which will affect the health of the occupants.
- The garden will no longer be relaxing as you will be looking at a brick wall.

The consultation period is due to finish on 11th August 2017, after the cut-off date for reports to be published in the Committee Agenda. Any new comments or objections not already made will be discussed in the Committee update.

5.0 Planning Policy

National Planning Policy Framework

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network or Urban and Rural Areas

Policy 29. Distribution of new homes

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. Character and Appearance
3. Residential Amenity
4. Parking and Highway Safety

1. The Principle of Development

The application site is in an established residential area to the north of Kettering.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Kettering is a 'Growth Town' and, therefore, should provide a focal point for development.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

2. Character and Appearance

Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

The proposed extension will be located above the existing hip roofed garage which was added to the southeast elevation of the dwellinghouse following planning permission granted in 1990. The proposed extension is sited immediately above the existing garage and due to the close location of the dwellinghouse in relation to the junction of Carriage Drive and Brambleside, will be visible in the public realm from both Carriage Drive and Brambleside.

The original proposal with a ridge height the same as the main roof ridge and a large gable across the whole of the front elevation was considered to be out of character with surrounding development and would have unbalanced the pair of semi-detached dwellinghouses. The revised proposal sets the ridge down below the main ridge and removes the front gable, which reduces the massing of the proposed extension, retains the semi-detached nature of the existing dwellinghouse and the attached property, and provides a proposal more in keeping with the design and proportions of the existing dwellinghouse.

Provided the materials match those on the existing dwellinghouse, which can be secured by condition, it is considered that the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy in that it responds to the site's immediate context and local character.

3. 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.

9 letters of objection have been received in response to the original proposal.

The responses are from, or on behalf of, neighbours from properties to the southeast of the site in Brambleside. No comments have been received from surrounding occupiers in Carriage Drive.

The amendments to the proposal for the set down of the ridge line, the removal of the front gable and the reduction in size and redesign of the proposed bathroom window are currently being consulted on and any new issues identified in any comments received will be discussed in the update to the Planning Committee.

The amenity objections raised by the neighbouring occupiers and discussed in this section relate to the material considerations of a loss of sunlight and daylight, overdevelopment, overbearing, and a loss of privacy and general amenity.

Loss of Sunlight and Daylight

Objections were received in relation to a loss of sunlight and daylight, concerned that the proposal will stop the sun from coming into the gardens of the properties at Nos.49 and 51 Brambleside to the southwest and southeast of the application site respectively.

The application site is located at the southeast end of Carriage Drive on its east side, close to the junction with Brambleside. No.49 Brambleside is located diagonally opposite the application site to its southwest, on the corner of Carriage Drive with Brambleside. Nos.51, 53 and 55 Brambleside are directly to the southeast of the application site and share their rear boundaries with it.

The proposed extension is sited directly above the existing single storey garage attached to the southeast (side) of the existing dwellinghouse, which is to the northeast of No.49 Brambleside and to the northwest of Nos 51, 53, and 55 Brambleside. In addition, No.49 is on the opposite side of the highway in Carriage Drive from the application site.

The separation distance and the siting of the proposal to the northeast or northwest of the gardens of these neighbouring properties means that the path of the sun, which travels from east to west via the south, will not be affected or blocked by the proposal and means that these neighbours will not experience a loss of daylight or sunlight to their gardens.

With respect to other surrounding occupiers in Carriage Drive to the north and west and Copperfield Close to the east, it is considered that the siting and orientation of the proposal and the separation distance to these neighbours means that there will be no loss of daylight or sunlight to the occupiers of these properties.

As such, it is considered the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy.

Overdevelopment and Overbearing

The proposed extension is located directly above the existing garage and dining room and will be attached to the southeast elevation of the dwellinghouse. The existing garage and dining room are an extension to the existing dwellinghouse which was granted planning permission in 1990.

The existing garage and dining room extension extends the depth of the dwellinghouse and approximately 1.3 metres past the rear elevation. The proposed first floor extension is located directly above and, as there is to be no increase in footprint, it is considered that the proposal will not lead to an overdevelopment of the site.

The proposal will abut the rear site boundaries of Nos. 51, 53 and 55 Brambleside to the southeast, each of which has a rear plot depth of approximately 8 metres, and it is considered that the separation distance between the application site and the neighbouring properties is such that the proposal will not be overbearing on the neighbouring occupiers. This is assisted by the slightly set down ridge height that is proposed in comparison to the existing two-storey built form that is already in place.

As such, it is considered the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy.

Loss of Privacy

Objections have been received from neighbours living to the south of the application site in Brambleside, in relation to a loss of privacy to their rear gardens as a result of the proposal.

The proposed extension has a bathroom window at first floor level in the southeast elevation facing the rear gardens of Nos. 51, 53 and 55 Brambleside. The edge of the proposed window is located 2.7 metres back from the front elevation and will be opposite the rear garden of No.51 Brambleside. The window has been reduced in size from the original submission and a small opening top light has been provided. The window will be obscure glazed, which can be secured and retained by condition, and the opening part is to be located 1.8 metres (5 feet 10 inches) above the finished floor level of the proposed bathroom. As such, it is considered that the small size of the opening part of the window and its height above the finished floor level of the proposed bathroom – 1.8 metres (5 feet 10 inches) – will mean that the future occupiers will not have views over the rear gardens of the adjacent properties, and in particular No.51. The details of the window can be secured by condition and can be retained in the form approved. A further condition will be added to prevent any further openings at first floor level.

With respect to the loss of privacy to the occupiers of No.49 Brambleside, which is located diagonally opposite the site and across the highway in Carriage Drive, it is considered that the separation distance between the proposed window at first floor level in the front elevation, which is in line with the adjacent bedroom window in the existing dwellinghouse, and the rear garden of No.49 is such that there will be no overlooking of the rear amenity space of this neighbour.

It is considered that the relationship of the proposal to other surrounding neighbours in Carriage Drive to the north and west and Copperfield Close to the east is such that there will be no loss of privacy to, or overlooking of, the occupiers of these properties.

As such, subject to conditions securing and retaining the siting, proportions and level of obscurity of the proposed bathroom window and preventing any other openings at first floor level in the southeast elevation, it is considered that the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy.

General Amenity

Objections have been received that the proposal will result in a general loss of amenity to surrounding occupiers by virtue of the loss of views from gardens and patios, a loss of quality time spent in the gardens and harm to the health of the gardens.

The right to a view is not a material planning consideration and as discussed above, due to the orientation in relation to the path of the sun, the proposal will not result in a loss of daylight or sunlight to the rear gardens therefore it is considered it will not lead to a general loss of amenity.

As such, the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy in that it is considered it will not result in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

4. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The current parking provision of a single garage with a driveway in front of it provides parking for 3 no. vehicles clear of the highway. The proposal will result in an additional 2 no. bedrooms at the site and it is considered that this will not lead to a significant increase in the requirement for parking at the site which could not be accommodated by the existing parking provision or on the unrestricted highway in Carriage Drive. As such, the proposal complies with Policy 8 of the North Northamptonshire Joint Core Strategy.

Conclusion

Subject to conditions requiring matching materials, retention of obscure glazing of the proposed bathroom window, retention of the location and proportions of the proposed bathroom window and no further openings at first floor level in the southeast elevation of the proposal, the proposal accords with policies in the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: