

BOROUGH OF KETTERING

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| Committee | Full Planning Committee - 05/06/2018 | Item No: 5.7 |
| Report Originator | Collette Panther Assistant Development Officer | Application No: KET/2018/0210 |
| Wards Affected | Burton Latimer | |
| Location | Plot 21 Spring Gardens, Burton Latimer | |
| Proposal | Full Application: Substitution of house type to plot 21 | |
| Applicant | Ms S Feely Elm Park Homes Ltd | |

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 bathroom openings at first floor level on the front and rear elevations shall be glazed with obscured glass and thereafter shall be permanently retained 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.

3. 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 Classes A, B or C shall be made in the north-eastern elevation or north-western (rear) roof plane of the building hereby permitted.

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

4. Before the development hereby permitted is first occupied or used, space for the parking and manoeuvring of vehicles shall be provided within the site in accordance with the approved plans and shall thereafter be retained and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

5. The materials to be used in the construction of the detached garage 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.

6. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed 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.

7. 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 building, structure or other alteration permitted by Class A of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

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

Officers Report for KET/2018/0210

This application is reported for Committee decision for two reasons:

- there are unresolved, material objections to the proposal and
- ward member Cllr Ruth Groome has asked for it to be considered on the basis of neighbour amenity.

3.0 Information

Relevant Planning History

KET/1987/0962 – Approval of Reserved Matters: Residential development -
Approved 06/01/1988

KET/2000/0593 – Full: Erection of 4 dwellings (Amended scheme) – Approved
24/10/2000

KET/2008/0262 – Full: 4 No. dwellings at plots 9, 11, 19 and 21 Spring Gardens –
Approved 30/05/2008

Site Visit

Officer's site inspection was carried out on 08/05/2018.

Site Description

The application site is located to the north of Burton Latimer and was formally an open rectangular area of land which is sited within the town boundary and lies just outside the confines of the defined town centre. The site is accessed between two existing properties No. 7 and No. 9 Spring Gardens with a private gated drive leading into the site and comprises 4 no. large detached dwellings. Furthermore, since the previous application for Plot 19 (KET/2017/0946) was approved the development has become 'substantially complete'.

Proposed Development

This application seeks full planning permission for a substitution of house type to Plot 21, which lies to the north of the development site, to include 2 no. roof lights to the rear roof plane.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Cadent Gas

A summary of the comments received on 02/05/2018 request that Cadent Gas be informed of the decision made by the Local Planning Authority.

Neighbours

Comments were received from Nos. 35, 37, 39 and 41 Spring Gardens on 17/05/2018, these are summarised in this section and addressed in section 7.3:

- Loss of privacy
- Not in keeping with the houses already in Spring Gardens
- Permitted Development has previously been removed for windows and dormers to the rear roof slope.

5.0 Planning Policy

National Planning Policy Framework

Core Principles

Chapter 4: Promoting Sustainable Transport

Chapter 6: Delivering a Wide Choice of High Quality Homes

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

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 15: Well-Connected Towns, Villages and Neighbourhoods

Policy 28: Housing Requirements

Policy 29: Distribution of New Homes

Saved Policies in the Local Plan for Kettering Borough

Policy 35: Housing within Towns

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 character of the area
3. Impact on residential amenity
4. Parking and highway safety

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 appearance of the surrounding area and protects residential amenity by not resulting in *unacceptable impact caused by means of noise, vibration, smell, light or other pollution, loss of light or overlooking*. 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 responds to

the local character, reflecting the identity of local surroundings and materials.

This application seeks planning permission for substitution of house type to plot 21, to include 2 no roof lights in the rear roof plane, to a new residential property which is 'substantially complete' and is located within an established suburban area of Kettering. Furthermore, the site is located within Kettering town boundary, as required by Policy 35 of the Local Plan.

Subject to detailed consideration being given to the impact of the proposed development 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 residential development is considered to be acceptable.

2. Design and impact on the character of the area

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 proposal to install 2 no. roof lights to the rear roof plane of the host dwelling will serve a loft conversion and although they will be visible within the public realm it is considered that their size and design will complement the host dwelling, be of balanced design and break up the expanse of roof.

As a result, it is considered that the proposal will not adversely affect the character and appearance of the existing dwellinghouse nor will it cause adverse impact upon the character and appearance of surrounding development or the wider street scene.

As such, the proposal is considered to accord 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 by reason of noise, vibration smell light or other pollution, loss of light or overlooking*.

The 2 no. roof lights proposed to the rear roof plane will sit, at the lowest point, approximately 1.8m above the finished floor level of the resulting room. In addition, there are windows already located on the rear elevation of the application property which directly face properties to the north, between which there is a separation distance of at least 36m along with limited change in land level and the physical obstruction of the bungalow at No. 29. As a result, considering the height of the rooflights from the finished floor levels of the respective rooms and the height and angle at which a person would need to be stood to cause adverse harm to the privacy to neighbouring properties, it is considered that the proposed roof lights will not cause adverse harm to the amenities of any neighbouring property by means of loss of privacy.

Due to the location, size and resulting relationship of the proposed roof lights with neighbouring properties is considered that the proposed development accords 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. Parking and 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 was approved with off road parking consisting of a double integral garage and a double driveway. 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.

Conclusion

Subject to conditions requiring materials to match it is considered that the proposed development 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: