

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 06/11/2012</b>	<b>Item No: 4.2</b>
<b>Report Originator</b>	<b>Mark Philpott Assistant Development Officer</b>	<b>Application No: KET/2012/0548</b>
<b>Wards Affected</b>	<b>Rothwell</b>	
<b>Location</b>	<b>36 Cecil Street, Rothwell</b>	
<b>Proposal</b>	<b>s.73A Retrospective Application: Dormer to rear and 2 no. roof windows to front</b>	
<b>Applicant</b>	<b>Mrs C Farrag</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 REFUSED for the following reason(s):-

1. The second floor extension incorporates full height doors and a Juliet balcony on the rear elevation which is likely to result in a loss of privacy, overlooking and overbearing of no. 38 Cecil Street, detrimental to the levels of amenity which the occupiers of the property might reasonably expect to enjoy. The development is therefore contrary to paragraph 17 of the National Planning Policy Framework and policy 13 part (h) of the North Northamptonshire Core Spatial Strategy.
2. The design and materials of the second floor extension result in a discordant appearance in the streetscene when viewed from The Avenue. The development is therefore contrary to paragraph 17 of the National Planning Policy Framework and policy 13 part (l) of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- NONE

### **Justification for Granting Planning Permission**

Not applicable

## **Officers Report**

### **3.0 Information**

#### **Relevant Planning History**

None relevant

#### **Site Description**

Officer's site inspection was carried out on 21.09.2012.

Prior to the completion of the unauthorised development seeking retrospective planning permission, the site consisted of a two storey dwellinghouse.

The dwellinghouse is a red brick, detached property featuring a pitched, brown/grey, concrete tiled roof, approximately 7.5m in ridge height, and white UPVC window and door frames. The dwellinghouse features a monopitched roofed, two storey protrusion to the rear, approximately 7.2m in ridge height, which then drops to single storey height. The dwelling also features a UPVC conservatory and garden to the rear.

The site is located to the south side of Cecil Street, next to a footpath running directly to the west of the site, which connects Cecil Street to The Avenue. The north of the site is located at the Cecil Street and Spencer Street highway junction. Rear of the property is located to the north of The Avenue which runs perpendicular to Cecil Street, with the effect that the development appears to be situated at the end of The Avenue.

The surrounding properties in Cecil Street consist of a mixture of two storey detached and semi-detached properties. Whilst the adjacent neighbours feature similarly rendered elevations, they otherwise differ in scale and design. The properties within The Avenue also differ in scale and design; however, the majority feature red brick elevations.

#### **Proposed Development**

The application seeks retrospective planning permission for a second floor extension to the rear of the property and the insertion of lights within the front roof plane.

The extension is located at roof level, but rather than being set back from the eaves of the roof, as would typically be expected of dormer windows, the proposed rear elevation is sheer with the remainder of the rear elevation of the original dwellinghouse. This has resulted in the dwellinghouse becoming a three storey property.

The extension features a flat roof; a brown, tile clad rear elevation, and brickwork cheeks. Whilst the application and plans state that the brickwork matches the existing dwellinghouse, the bricks are a noticeably lighter red colour. The extension also features a Juliet balcony, with two white UPVC inward opening full height doors and a separate small window.

The insertion of rooflights in the front roof plane would benefit from planning permission granted by Article 3, Schedule 2, Part 1, Class C the General Permitted Development Order, if they had been inserted as a separate building operation. The rooflights are therefore acceptable and the impacts arising from the rooflights are not considered within this report.

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

None

#### **4.0 Consultation and Customer Impact**

##### **Rothwell Town Council**

Object – Both the roof lights to the front and dormer window to the rear are not in keeping with the original building or area as a whole.

##### **Neighbours**

One objection – The rear elevation is approximately 4 feet (1.2 metres) in front of the rear elevation of 38 Cecil Street. Due to the height of the extension and the Juliet balcony, the development results in excessive overlooking and loss of privacy of the garden and patio. Request the balcony double doors are replaced with a window or skylight.

#### **5.0 Planning Policy**

##### **National Planning Policy Framework**

Core planning principles

7. Requiring good design

##### **Development Plan Policies**

##### **East Midlands Regional Plan**

2. Promoting better design

##### **North Northamptonshire Core Spatial Strategy**

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. Character and appearance
3. Residential amenity

## 1. Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan, unless material planning considerations indicate otherwise.

National and local policies are generally supportive of extensions to dwellinghouses in established residential areas, provided that the development results in a '*high quality of design and a good standard of amenity*', as conformed paragraph 17 of the National Planning Policy Framework (NPPF). This is echoed by the North Northamptonshire Core Spatial Strategy (CSS) Policy 13 parts (h) and (l), which require that development respects and enhances the character of its surroundings and that development does not result in unacceptable impacts on neighbouring amenity.

The site is located within the settlement boundary of Rothwell, as defined by the Local Plan for Kettering Borough. The principle of development is therefore acceptable, subject to the following planning considerations.

## 2. Character and appearance

The second floor extension is located to the rear of the dwellinghouse; however, as a result of its location at the upper end of The Avenue, the extension is very prominent within the public realm, to the extent that it is apparent from the junction of The Avenue with Rushton Road, approximately 150m to the south of the site. Its prominence is amplified due to the footpath directly to the west, which increases pedestrian movement around the site. Resultantly, significant weight may be given to any effect of the development on the character of the area.

The second floor extension is incongruous in the context of surrounding properties. No other dwellings within The Avenue feature second floor extensions or Juliet balconies fronting the highway. This is increasingly noticeable as The Avenue slopes downward to the south. This has the effect that the extension is the highest and most apparent feature within the street scene. However, it should be borne in mind that a slightly more limited extension, which would not have had dissimilar impacts, could have been built as permitted development.

The rear elevation of the extension is clad in tiles of a recessive brown colour which helps to mitigate its prominence within the roof plane. The white UPVC window and door frames within the rear elevation draw focus to the extension, however, a Permitted Development extension could have included white UPVC frames as they match other windows on the building.

The eastern cheek of the extension is less visible from the streetscene in comparison to the rear elevation, however, the cheek features light red coloured brickwork in contrast with the dark red brickwork used for the existing dwelling. Whilst the brickwork is only visible from a limited number of properties, it is so sufficiently out of character with the existing building and

surrounding properties that it is considered unacceptable.

As a result of its scale, design and materials, the extension is considered to be out of character with the existing building and contributes negatively to the surrounding area and is therefore contrary to paragraph 17 of the NPPF and policy 13 part (h) of the CSS.

### 3. Residential amenity

The extension is located to the rear of the dwellinghouse and as such, properties to the north will be unaffected by the development. 34 Cecil Street and those properties to the west of The Avenue highway will also be unaffected in terms of amenity as the extension will be largely obscured by the existing first floor southern projection.

22 The Avenue, to the south-east, is likely to experience a sense of overbearing as a result of the location and height of the extension, but as the neighbour is approximately 28m away and oriented away from the development, the impacts in terms of residential amenity to no. 22 are considered to be acceptable.

The development would, however, have a significant detrimental impact upon the amenity of no. 38 Cecil Street. As stated in section 4.0 above, an objection has been raised based on grounds of the impact to amenity. The extension is located approximately 5m from the boundary of the curtilage of no. 38. Whilst the development is unlikely to cause unacceptable overshadowing as both properties are orientated to the south, the Juliet balcony allows for users to lean out of the extension and thereby provides for wider viewing angles than if the opening featured a window. The Juliet balcony would allow for overlooking of the entire back garden, and for views into a habitable room to the rear of no. 38, which faces the development. The loss of privacy is therefore significant. The Juliet balcony would also result in a sense of overbearing when the balcony and garden are in use, as a result of the height of the second floor extension.

The extension results in unacceptable detrimental impacts to residential amenity and the proposal is therefore contrary to NPPF paragraph 17 and CSS policy 13 part (I).

### **Conclusion**

The second floor extension results in unacceptable impacts to neighbouring residential amenity by virtue of a significant loss of privacy, overlooking and sense of overbearing. It is an incongruous form of development which detracts from the existing dwellinghouse and its surroundings. The extension is therefore contrary to policies within the Development Plan. The application is recommended for refusal.

#### **Background Papers**

Title of Document:

#### **Previous Reports/Minutes**

Ref:

Date:

Contact Officer:

Date:

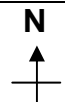
Mark Philpott, Assistant Development Officer on 01536  
534316

# SITE LOCATION PLAN

36 Cecil Street, Rothwell  
Application No.: KET/2012/0548



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