

BOROUGH OF KETTERING

Committee	Full Planning Committee - 11/02/2014	Item No: 5.2
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2013/0672
Wards Affected	All Saints	
Location	2A Mitchell Street, Kettering	
Proposal	s.73A Retrospective Application: Erection of an inglenook fireplace and chimney to side extension	
Applicant	Mr D Bradley	

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

Officers Report for KET/2013/0672

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

3.0 Information

Members will recall that this application was presented as Item 5.12 to November's Planning Committee. Representations had been received from five neighbouring properties raising a number of concerns including that the chimney is not effective in dispersing smoke and fumes which are emitted to neighbouring gardens. Members will recall that the application was deferred for decision until the nuisance complaint to Environmental Health had been satisfactorily resolved. The Officers Report is below for information.

Following this an additional representation was received from one neighbour who had previously commented on the application, again raising concerns about the emission of smoke into neighbouring gardens and visual overbearing impact on properties to the rear. Concerns in relation to overbearing are discussed in Section 7 of the Officers Report.

Environmental Health has advised that the odour nuisance complaint against the application site has now been closed as there is no evidence of a statutory nuisance being caused to nearby residents by the use of a woodburner at the premises. Furthermore, we have seen a HETAS certificate that confirms that the wood burner has been fitted correctly and will operate safely. A Building Control completion certificate has been issued confirming that the construction of the new chimney complies with the relevant building regulations. The application is, therefore, recommended for approval.

Officers Report from November 2013

Relevant Planning History

KE/1993/0484 – Side extension forming snooker room, porch and lean-to roof – Approved 13/09/1993

KE/1988/1480 – Demolition of existing house and erection of 2 no. detached houses – Approved 26/08/1989

KE/1987/1186 – Outline application: Demolition of dwelling and construction of 3 detached dwellings – Approved 20/01/1988

KE/1984/0174 – Outline application: Erection of a single dwelling – Approved 26/03/1984

Site Description

Officer's site inspection was carried out on 31/10/2013. The application

site is located off Mitchell Street, in an established residential area to the north of Kettering. The original dwelling at No. 2 Mitchell Street was demolished and the plot subdivided following the grant of KE/1988/1480 which permitted the erection of 2 no. detached dwellings. The application dwelling is located on the eastern plot. The site comprises a two storey detached dwelling constructed of red brick with white uPVC windows and doors. The dwelling benefits from a single storey side extension which was granted planning permission in 1993. A further single storey extension was recently erected to accommodate an inglenook fireplace and chimney. The extension is constructed of red brick of similar appearance to the original brickwork and is located approximately 1 metre from the boundary shared with properties on Browning Avenue which back onto the site. The boundary treatment consists of a 1.8 metre high close boarded fence. The total height of the chimney from ground level is 5.5 metres.

Proposed Development

The application is a retrospective application for the erection of inglenook fireplace and chimney to side extension.

The consultation period does not end until 15/11/2013. Should any further comments be received they will be included in the Committee update.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Environmental Health

Further details on the type of stove used have been requested from the applicant. Environmental Health will be re-consulted with this information and their comments will be included in the Committee Update.

Neighbours

Representations received from five neighbouring properties on Browning Avenue. Observations and objections made on the following grounds:

- The chimney is an eyesore and is out of scale with its surroundings (1).
- The chimney is not effective in dispersing smoke and fumes which are emitted to the gardens of properties on Browning Avenue (5).
- Dispersal of smoke and fumes has health implications (2).
- The chimney should be raised to work properly (1).
- The problem may be remedied by altering the design of the chimney cap as the existing cap channels smoke downwards (1).

5.0 Planning Policy

National Planning Policy Framework
Paragraph 17 – Core Planning Principles
Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy
Policy 13 – General Sustainable Development Principles

Local Plan
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. Principle of Development
2. Design and Impact on Character
3. Impact on Neighbouring Amenity

1. Principle of Development

The application site is located in an established residential area within the town boundary of Kettering as defined by Policy 35 of the Local Plan. Policies in the development plan support extensions to residential properties subject to the satisfaction of certain criteria. Policy 13 of the North Northamptonshire Core Spatial Strategy supports extensions provided there is no adverse impact in terms of design and character and neighbouring amenity. The principle of development is therefore established subject to the satisfaction of the development plan criteria as discussed below.

2. Design and Impact on Character

The application site is located off Mitchell Street and the dwelling is not visible from the street. As such the extension and chimney do no impact on the public realm. The chimney is visible from the rear of properties on Browning Avenue but given that that bricks are of similar appearance to the brickwork of the original dwelling it is considered the development does not have an adverse impact on character and appearance. The proposal therefore complies with Policy 7 of the National Planning Policy Framework which requires good design and Policy 13 (h) of the North Northamptonshire Core Spatial Strategy which requires development to be of a high standard of design and to respect and enhance the character of its surroundings.

3. Impact on Neighbouring Amenity

Policy 13 (l) of the North Northamptonshire Core Spatial Strategy requires development not to result in an adverse impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. Given the existing boundary treatment of a 1.8 metre high close boarded fence and the separation distance of approximately 13 metres between the extension to the rear building line of Nos. 15 and 17 Browning Avenue there will be no adverse impact on neighbouring amenity in terms of loss of light or overbearing. The extension does not involve the insertion of any openings and as such there will be no impact in terms of overlooking. A number of concerns have been raised by neighbours on Browning Avenue on the grounds that the chimney emits smoke and fumes to their properties which are on lower ground than the application site. The applicant was asked to provide further information on the type of stove used and advised that the stove is a multi-fuel type Stovax, Regency model and that smokeless coal and kiln dried wood is burned. Environmental Health have been re-consulted with the additional details and their comments will be provided in the Committee update.

Conclusion

The development complies with national policy and the development plan in that it raises no adverse impacts in respect of character and appearance. The issue in relation to smoke and fumes and impact on neighbouring properties will have to be resolved with Environmental Health and this will be reported in the Committee update. However, as this is a separate matter from planning considerations the development is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Marie Down, Assistant Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: