

BOROUGH OF KETTERING

Committee	Full Planning Committee - 11/03/2014	Item No: 5.9
Report Originator	Alison Riches Development Officer	Application No: KET/2014/0065
Wards Affected	St. Michaels and Wicksteed	
Location	5 The Drive, Kettering	
Proposal	Full Application: Extensions to provide two storey house and front boundary wall	
Applicant	Mr B Donaghue	

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. No development shall commence on site until details of the types and colours of all external facing, roofing, window and boundary wall materials and finishes to be used, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the character and appearance of the area and on the Conservation Area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The 2 No. first floor windows at the north end of the front (west) elevation shall be obscure glazed. Prior to the commencement of development, details of the obscurity level of the glazing and the means of opening of these 2 no. windows are to be submitted to and approved in writing by the Local Planning Authority. The windows shall be inserted as approved and shall thereafter be retained in that form.

REASON: In the interests of the amenities of future occupiers and the occupiers of the adjacent property at No. 3 The Drive in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (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 at first floor level in the north and south elevations of the building.
REASON: To protect the amenity and privacy of the occupiers of adjacent properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0065

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

3.0 Information

Relevant Planning History

KET/2013/0332. One and two storey front extensions. Single storey rear extension. Withdrawn 02/07/2013.

Site Description

Officer's site inspection was carried out on 07/02/2014.

The application site is located in an established residential area in the centre of Kettering abutting the town centre as defined by the Kettering Town Centre Area Action Plan, and the Conservation Area.

The application site is a single storey hip-roofed detached dwellinghouse with an integral garage built in the mid 1950s of brown-multi bricks with a brown tile roof. All windows and doors have been replaced with brown PVCU and rounded brown PVCu bay window was added to the front elevation in the late 1990s.

The dwellinghouse is set back from each of its adjacent neighbours in a relatively large plot of land. The front garden is bounded to the front (west) and south by 1.8 metre high close-boarded fencing and to the north by a red brick boundary wall approximately 1.5 metres in height. The wall increases in height to approximately 2 metres just past the end of the patio behind the dwellinghouse. The rear garden is bounded on all sides by 1.8 metre high wooden close-boarded fencing.

Surrounding development has been built on a piecemeal basis and is either detached or semi-detached and ranges in age and style from Victorian/Edwardian onwards.

Proposed Development

The proposal is for a two-storey front extension, a first floor extension above the existing bungalow, a single storey rear extension and replacement of the front boundary fence with a front boundary wall and railings.

Amended plans were received reducing the depth of the front bay window.

Following objections, further amended plans were received obscuring the two front first floor bedroom windows at the north end of the west elevation, and inserting a window at first floor in the north end of the east elevation.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Neighbours

No. 3 The Drive

- Objection.
- The nearest of the two proposed first floor bedroom windows is only 4 metres from a bedroom window in the south elevation of our property. There will be direct visibility between the two bedrooms.
- There may be opportunity to revise the window arrangement that may be mutually beneficial. Current arrangement will have a serious impact on our privacy.
- Although the window concerned to our property considered to be in the public domain, the angle of view would be from ground level with any view into the room being of the rear or even the ceiling. The proposal offers clear views into the main area of the bedroom from an elevated position.
- Current setting is of openness between substantial mature dwellings. The current position and design of No.5 does not currently affect this, but by extending vertically on the existing wall lines will have an impression of being virtually attached to our property.
- With the very close reflection of the vernacular, the proposed could be seen as an extension of our own property.
- The proposals appear to dominate No.7 The Drive.
- The elevations show an attempt to provide more traditional detailing; however the proposal is adjacent to a conservation area with many well designed and detailed properties. How will the Council ensure these are maintained rather than a pastiche being built, as brick detailing, rendering, stop ends, tile creases, chimney and the like are important.

No. 4 The Drive

- Objection.
- The proposed three bedroom and landing windows will look directly into two of our bedrooms and our bathroom. We have retained the original sash windows and even with obscure glass to the bathroom there will now be direct visibility into the rooms concerned.
- The first floor windows will overlook our courtyard garden which is currently very private.
- Two storey extensions will have a detrimental effect to the daylight we currently enjoy.
- The existing bungalows at Nos.5 and 7 The Drive were constructed on what was the original gated access to Southlands and any proposal will seriously affect the setting of the properties within The Drive and especially dominate No.7 which will now appear to be 'squashed in'.
- The issue of parking in The Drive is well documented and the proposals reduce the available parking that the property currently uses.

No.7 The Drive

- Objection.
- Overshadowing, overlook and loss of privacy to my property.
- The proposal adds a double height extension and single extension right next to our bedroom patio doors which will be to the detriment of our enjoyment to our own environment, including loss of light and loss of privacy.
- The design, height, position and appearance of the rear and south elevation with the close proximity to our bungalow will affect our enjoyment of our property.
- The plan is overdevelopment of the plot size.
- Did not object to the original plan (KET/2013/0332) as the main development was to the front building line and the only development at the rear was to be a glass orangery which would not have affected our light and outlook as much as this plan.
- Should not have to accept my property should be overshadowed, and that I should be confronted by a brick wall. This could make for a colder, damper bedroom and the appearance will have a great effect to me.
- With only approximately 4 feet between the properties, building works would be intrusive.

5.0 **Planning Policy**

Legislation

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

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 Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements

Policy 9. Distribution & Location of Development

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Local Plan

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

1. The Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this regard the proposed development is strongly supported by the aims and objectives of the Development Plan policies listed in the report, and there are no material considerations which would outweigh the Development Plan subject to the imposition of the recommended planning conditions.

The application site is in an established residential area to the centre of Kettering. Policy 13 of the North Northamptonshire Core Spatial 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 13(h) of the North Northamptonshire Core Spatial Strategy requires new development to reflect, respect and enhance the character of its surroundings.

Due to its proximity to the Conservation Area, and the Council's duty under section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve or enhance the character and appearance of Conservation Areas, the proposed development has been designed to respect the character and appearance of the neighbouring surrounding development in terms of the proposed materials, roof and window style, while at the same time reflecting the proportions of the existing single storey dwellinghouse on site.

There is no issue with the character and appearance of the rear elevation of the proposal as it is not visible in the public realm or in the Conservation Area.

Objections have been received from adjacent neighbours to the north and south and the opposite neighbour to the west of the application site regarding the character and appearance of the proposal in relation to their properties and within the street scene.

One objection was that the proposal would result in a lack of openness in the street scene due to the proximity of the application site to its adjacent neighbours. The dwellinghouses at Nos.3, 5 and 7 The Drive are in close proximity to each other but the existing dwellinghouse at the application site is set back from both adjacent neighbours - No.3 by approximately 7 metres and No.7 by approximately 4.5 metres

– and has a considerably lower roof height than either the bungalow at No.7 and the two-storey dwellinghouse at No.3, and is set nearer in its plot to No.7 The Drive. All three properties have hipped roofs. As such, given the difference in heights, the application site currently appears subservient when viewed in the street scene.

Part of the proposal will extend forward the existing front building line at the south end of the plot by 2.5 metres but it will still be approximately 2 metres behind the front elevation of No.7. It is considered that the design of the first floor including a hipped roof, and its location above the existing ground floor set back within the plot, will integrate the resultant building in the street scene, preventing it from creating a terracing effect, or being read as an extension or addition to neighbouring properties, and therefore not adversely impacting on the relationship of each dwellinghouse with each other or encroaching on the openness in the wider street scene.

The proposed front boundary wall with railings above to replace the existing wooden panel fence will have a better relationship with the existing dwellinghouse and surrounding development, and be more in keeping with the character of the area. Details of the materials to be used will be secured by condition.

As the application site is close to the Conservation Area, which includes the properties opposite the application site at Nos.2, 4 and 8 The Drive, and to the south or No.7 at Nos. 13, 15 and 17 The Drive, consideration is to be given to the appearance of the proposal, ensuring it will not have a detrimental impact on the character and appearance of the Conservation Area in accordance with the requirements of Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. A condition will be added requiring material details and finishes to be submitted.

As such, subject to the imposition of required conditions, the proposal will accord with policy 13(h) of the North Northamptonshire Core Spatial Strategy.

3. Residential Amenity

Policy 13(l) of the North Northamptonshire Core Spatial Strategy requires new development not to result in an unacceptable impact on the amenities of neighbouring properties.

Objections have been received from the neighbours to the north and south (both sides) and to the west (opposite) of the application site regarding amenity issues in relation to each of their dwellinghouses. The issues relating to each neighbour will therefore be dealt with separately.

No.3 The Drive (North)

An objection was received in relation to two of the proposed first floor windows in the front elevation at the north end of the proposal which will serve a bedroom and which is in close proximity to a secondary bedroom window in the south elevation of this property. Following a site visit and viewing from the bedroom window of this neighbour, it was considered that this part of the proposal would give rise to a level of overlooking between the two properties over and above an acceptable level of amenity to both sets of occupiers. To overcome this issue, amended plans were

requested to obscure glaze both windows, and add a window in the rear elevation. Conditions will be added to secure the obscurity level of the glazing and to request and secure opening details for the front windows to prevent any overlooking between the two neighbours' bedroom windows. A window added to the north end of the rear elevation will not give rise to any further overlooking across the rear gardens of each property over and above than already experienced by the applicants from the first floor rear windows at No.3.

No.4 The Drive (West)

An objection was received regarding the proposed three bedroom and landing windows at first floor in the front elevation looking directly into two bedrooms and a bathroom in the side (west) elevation of this property.

No.4 The Drive addresses a corner on The Drive and is orientated such that its side (west) elevation faces the application site across the highway, a distance of approximately 20 metres between the front elevation of the application site and the side elevation of this property. The bathroom windows in this neighbouring property are obscure glazed which prevents intervisibility with the proposed first floor elevation, and the remaining bedroom windows will be the same distance across the highway as bedroom to bedroom distances in other neighbouring opposing properties, that it is considered that there will be no overlooking or loss of privacy caused to these neighbours over and above that which exists between surrounding neighbours.

A condition is to be added to obscure glaze two of the proposed front windows at the north end of the proposal to overcome issues with No.3 but this will also serve to lessen any intervisibility impacts with the neighbour at No.4.

An objection was raised regarding overlooking of the courtyard garden of this property. No.4 is a corner plot with its front (north) elevation and side (west) elevation facing the public realm. The proposed first floor extension is approximately 20 metres away across the highway and is further from the courtyard garden than the first floor of No.8 The Drive, the neighbour to the immediate south of No.4, the first floor windows of which overlook directly the courtyard garden of No.4. As such, the proposal will give rise to no loss of privacy in the courtyard garden over and above that already experienced due to the existing arrangement of dwellinghouses.

A further objection was raised that the two-storey extensions would have a detrimental effect to the daylight this neighbour currently enjoyed. As the proposed extensions are to the east of No.4 and approximately 20 metres away across a highway, there will be no loss of daylight or sunlight as the proposals are too far away, and in the wrong orientation to adversely impact on the path of the sun to prevent daylight and sunlight reaching this property.

No.7 The Drive (South)

An objection was received relating to overshadowing, overlooking, loss of light and loss of privacy to this property in relation to the two- and single storey extensions being next to the bedroom patio doors, due to the proximity of the two properties to each other.

The proposed two-storey element is above the existing footprint of the existing bungalow on site and is located to the north of this neighbouring property, therefore the path of the sun – east to west via the south - in relation to the proposal means that there will be no overshadowing of No.7. A window in the rear elevation of the two-storey element is set in from the side (south) elevation and as the two-storey element is 2 metres beyond the rear elevation of No.7, any overlooking by the occupiers of the application site will be towards the rear part of the rear garden of No.4 and not towards the amenity space next to the rear elevation of No.4, therefore giving rise to no amenity issues over and above the accepted mutual overlooking experienced by neighbours close to each other.

With respect to the proposed single storey rear extension, attached to the rear of the existing dwellinghouse, Class A of Part 1, Schedule 2, Article 3 of the Town and Country (General Permitted Development) Order 1995, as amended (the GPDO), permits single storey rear extensions for detached dwellinghouses of up to 4 metres in length with an eaves height of up to 3 metres (within 2 metres of the boundary), and a maximum height of 4 metres without the need to apply for planning permission. The permitted length was extended to 8 metres by Statutory Instrument 2013/1101 until 30th May 2016.

As such, the proposed single storey rear extension at 1.2 metres in length, eaves height 2.5 metres, maximum height 3.6 metres falls within the parameters of the GPDO, and would not require an application for planning permission. It is therefore considered that no unacceptable neighbour amenity issues arise from this part of the proposal.

Conclusion

Subject to the imposition of conditions requiring obscure glazing and opening details in two front bedroom windows, it is considered the proposal gives rise to no adverse amenity issues in relation to the surrounding neighbours and accords with policy 13(l) of the North Northamptonshire Core Spatial Strategy.

4. Parking and Highway Safety

Policy 13(d) and (n) of the North Northamptonshire Core Spatial 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.

An objection has been received stating that the proposals would reduce the available parking at the application site giving rise to additional parking issues in The Drive.

The proposed extensions include a two-storey front extension which extends 2.5 metres in front of the existing front extension. No changes are to be made to the existing access arrangements. At ground floor level the proposal will provide a single integral garage to replace the existing integral single garage.

Although the front elevation of the proposal will be 2.5 metres further into the front garden than the existing garage there is still 5.5 metres of driveway in front of the proposed garage clear of the highway, and with the removal of a small perpendicular fence adjacent to the vehicular access gates, will provide space within the front garden for the parking of further vehicles clear of the highway.

In addition, there is on-street parking in The Drive, further on-street parking in Headlands to the west, and the town centre, train and bus stations are all within 500 metres of the application site, and it is considered that the proposal will not give rise to an increase in demand for parking at the site which could not be accommodated by the proposed parking arrangements, or absorbed by the on-street parking provided in The Drive and Headlands. It is also considered that as the site is within walking distance of the town centre and its facilities, and the modal shift is towards public means of transport and away from private vehicles, there is no requirement to provide additional parking at the site.

As such, the existing parking provision at the site is not affected by the proposal and would not cause an unacceptable impact on the highway network or prejudice highway safety in accordance with policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that this planning application must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this regard the proposed development is strongly supported by the aims and objectives of the Development Plan policies listed in the report, and there are no material considerations which would outweigh the Development Plan subject to the imposition of the recommended planning conditions regarding materials, obscure glazing and window opening details.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: