

BOROUGH OF KETTERING

Committee	Full Planning Committee - 08/04/2014	Item No: 5.7
Report Originator	Alan Davies Development Officer	Application No: KET/2014/0083
Wards Affected	Desborough St. Giles	
Location	24-28 Queen Street, Desborough	
Proposal	Full Application: Two storey rear extensions, raise ridge height, 6 no. rooflights to front elevation and 3 no photovoltaic panels to rear roof slopes	
Applicant	Mr P Harvey	

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 and roofing materials to be used, together with samples, 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 visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. 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 Classes A or C shall be made in the rear (southwest) or side (southeast and northwest) elevations or roof plane of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining property 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 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 ensure that each of the dwellings that form the application site are not overdeveloped under permitted development legislation contrary to the aims and objectives of Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. No development shall take place on site until full details of the proposed solar panels, including details of how the panels will be attached to the roof and the distance they will project from the roof plane 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 ensuring the solar panels do not have a detrimental impact upon the appearance of the buildings in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. This permission enures for the whole development only and does not provide for the separate construction of each of the rear extensions individually.

REASON: For the purpose of clarity.

Officers Report for KET/2014/0083

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

3.0 Information

Relevant Planning History

None relevant.

Site Description

Officer's site inspection was carried out on 11/03/2014.

The application site lies within the town of Desborough and on the southwest side of Queen Street, a residential area predominantly containing terraced dwellings. The dominant character of the area is of two storey red brick Victorian terraced dwellings, although there are some examples of modern infill, such as the three dwellings to the immediate southeast of the site which are set back from the highway by some distance in order to provide off-street car parking. The majority of car parking on Queen Street is on the highway due to the historic layout of the street.

The application site consists of three terraced dwellings which are set back from the footway by approximately 1 metre. Each dwelling has a long narrow rear garden and all three are dilapidated and have not been habitable for many years. As a result the fenestration is missing, roof tiles are missing and there are large cracks in the rear elevation as a result of ground movement. The dwellings are not currently in a state for human habitation, but the majority of the structure, with the exception of the rear elevation, appears to be sound and there are no obvious signs of movement elsewhere.

Proposed Development

It is proposed to remove the rear wall of the three dwellings and build a two storey extension to the existing dwellings that will extend 5m into the rear garden from the existing rear elevation. The ridge height will also be raised by 0.5m and the rear slope of the existing roof will be removed and replaced with a new roof with a less-steep pitch, resulting in an asymmetric roof. This larger rear roof plan will allow for the installation of 3 large solar panels. To the rear there will be 3 patio doors for each of the dwellings and at first floor there will be 4 windows. Each of the end terraces will have their corners 'chamfered', with a 2.5m by 2.5m triangle removed from the first floor of the extension in order to maintain the levels of natural light received by windows on neighbouring dwellings. The proposed extension will involve matching materials to the existing dwelling.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Town Council

Awaiting response.

Neighbours

The immediate neighbour to the northwest has objected to the proposal, raising two material planning considerations. Firstly, they object to the loss of light to their rear windows as a result of the extension. Secondly, they have raised the issue of parking. A second objection also relating to parking has been received.

5.0 Planning Policy

National Planning Policy Framework

Policy 13. General Sustainable Development Principles

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Residential amenity
3. Design, character and appearance
4. Parking

1. Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine applications in accordance with the Development Plan, if regard is had to said Plan, unless material planning considerations indicate otherwise. In this particular case the application is effectively three rear extensions to three existing dwellings and therefore it is Policy 13 of the North Northamptonshire Core Spatial Strategy that is the relevant policy of the Development Plan. This aims to protect the amenity of neighbouring residents, ensure design is appropriate and that development does not

adversely affect the local highway network. It is considered that this proposal satisfies the requirements of Policy 13 and this is demonstrated in the subsequent three sections of this report.

In addition to the Development Plan national planning guidance is contained within Sections 6 and 7 of the National Planning Policy Framework concerning design and providing a mixture of housing. Again, it is considered that this proposal follows the guidance contained within those sections of the National Planning Policy Framework. The 'Core Principles' of the Framework also require development to be sustainable. In this case the re-use of existing housing in a market town is sustainable. The Sustainability Statement also demonstrates the sustainable nature of the proposed development including the installation of three solar panels on the rear roof slope of the dwellings.

An oft overlooked tenet of sustainability is the re-use of materials or buildings in order to provide new development. Whilst the site contains three separate dwellings they have all been empty for years and have resulted in properties that were unfit for habitation. As a result this proposal will enable the dwellings to be re-used which will not only be sustainable as it will minimise the need for new materials, which would be required if new dwellings were to be built on the site, but will also improve the character and appearance of the area as what has become an eyesore will be regenerated for residential use once again. The proposal is therefore considered to comply with the Development Plan and national planning guidance, which is demonstrated in further detail below.

2. Residential amenity

Policy 13 of the North Northamptonshire Core Spatial Strategy aims to protect the amenity of existing and future residents, not only of neighbouring dwellings, but also of the application dwellings. The applicant wishes to enlarge each of the existing dwellings to the rear by constructing three two storey extensions that will project 5m from the existing rear elevation and include alterations to the existing roof structure. Structural works are required to ensure there is no further movement to the properties. As a result of the proposed alterations the three dwellings will be of a sufficient size internally to enable modern bathrooms to be installed, without resulting in the loss of private amenity space from the rear gardens.

In order to minimise the impact the rear extensions will have on the two neighbouring dwellings either side of the application site the corners of the extension have been 'chamfered' at first floor level. In terms of the impact upon no. 30, the nearest dwelling to the southeast, this will ensure the affected ground floor kitchen window does not lose direct sunlight in the late afternoon/evening when it currently receives it. The affected window on this property is a secondary window and the main patio doors on the rear elevation will remain unaffected by this proposal. In addition, the 'fall-back' position has to be considered.

Under the General Permitted Development Order 1995 (as amended) the applicant could build a single storey extension on the boundary with an eaves height of 2.5m or erect a fence of 2m without requiring planning permission. These would both affect the amount of light the affected kitchen window would receive. As a result it is considered that the 'chamfered' corner close to the side window of no. 30 Queen Street is sufficient to minimise the loss of light to this window and thus whilst it is considered that some daylight will be lost to this window it is not a sufficient amount to justify refusal of this application.

An objection to the proposal has been submitted by the occupants of no. 22 Queen Street. This relates to loss of light to their rear windows. In all this dwelling has four rear windows, three at ground floor and one at first floor. The 'chamfered' corner of the proposal, which results in a triangle measuring 2.5m by 2.5m being removed from the first floor of the proposal, will ensure that the first floor rear window does not lose an unacceptable amount of daylight – the proposed extension will neither cross an imaginary line at a 45 degree angle with this window – either in the horizontal or vertical. The amount of light received to this window is therefore unlikely to change.

At ground floor level the situation is slightly different. One of the windows affected is an obscure glazed toilet window, a room which is not considered to be a habitable room and thus any loss of light to that particular window is not a justifiable reason to refuse this application. The other two affected windows on no. 22 are to the kitchen and dining room. The kitchen window would be less affected due to the 'chamfered' corner of the proposed extension if it were not for an ad-hoc extension to the rear of no. 22. This has a polycarbonate roof and blinds which, during two site visits by the case officer, were fully closed, thereby blocking all natural light to the affected windows identified by the objector. Even if the blinds were not drawn the polycarbonate roof of this ad-hoc extension to no. 22 does not appear to assist the outlook of the neighbour's extension or kitchen windows. Due to the 'chamfered' corner of the first floor of the proposal it is not considered that this proposal will result in the worsening of the existing situation.

The 'fall-back position' of the General Permitted Development Order 1995 (as amended) has to be considered. This allows for a single storey extension along this boundary up to an eaves height of 2.5m with a ridge height of 4m. This would have the same impact upon no. 22 as the current proposal in terms of loss of light. Therefore it is considered that the proposal accords with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of residential amenity and, in particular, the loss of light for nos. 22 and 30 Queen Street. However, recognising the significant additions being proposed a condition shall be imposed requiring any further rear extensions to be subject to planning control.

3. Design, character and appearance

The proposed extension will result in a development that is largely hidden from view from the public realm by virtue of it being a rear extension. The 'chamfered' corners are a design solution to the potential impact upon the neighbouring dwellings and whilst not traditional on a Victorian terraced dwelling they will not be visible from the public realm. The other 'uncharacteristic' design feature is the asymmetric roof. Again, this will largely be hidden from view due to it being hidden behind the dwellings to the northwest. It will be visible from the southeast in Queen Street, although it will only be a small section in between no. 30 and 28. This small section is not considered to have such an adverse impact upon the character and appearance of the dwellings or the wider area so as to warrant refusal of the proposal. It is however considered prudent to impose conditions requiring materials to be submitted and for other permitted development rights relating to further openings to be removed to ensure that the proposal accords with Policy 13 of the North Northamptonshire Core Spatial Strategy and Section 7 of the National Planning Policy Framework.

4. Parking

The one objection to this proposal raises concerns about parking as a result of this development. At present the three dwellings already benefit from extant permission to be used as dwellings. The occupants would, as in common with most residents of Queen Street, need to park on the highway. This proposal will not alter this existing situation whatsoever and thus there will be no detrimental impact upon local highway safety as a result of this proposal. It is therefore considered that the proposal accords with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of highway safety.

Conclusion

The proposal is considered to accord with the Development Plan. It also follows national planning guidance on design and sustainability. The design of the proposal has been sufficiently altered in order to ensure there is no loss to residential amenity as a result of this proposal and the design is considered to be appropriate within its context. It is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: