

BOROUGH OF KETTERING

Committee	Full Planning Committee - 18/11/2014	Item No: 5.6
Report Originator	Marie Down Development Officer	Application No: KET/2014/0587
Wards Affected	St. Peters	
Location	108 Gipsy Lane, Kettering	
Proposal	Full Application: Two storey side extension	
Applicant	Mr & Mrs W Reid	

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 development shall be only for purposes incidental to the enjoyment of the dwellinghouse.

REASON: In the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those detailed on amended plan number 0.6B received by the Local Planning Authority on 30/10/2014. The cedar weatherboarding in a natural wood finish shall be used at first floor level only as indicated on amended plan number 0.6B. The bricks and roof tiles shall match in type, colour and texture those on the existing building.

REASON: In the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The development hereby permitted shall not be carried out other than in accordance with the amended plan numbers 0.5A and 0.6B received by the Local Planning Authority on 30/10/2014.

REASON: In the interest of securing an appropriate form of development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5. The window at first floor level in the rear elevation shall be glazed with obscured glass and any part of the window that is within 1.7m of the floor of the room where the window is installed shall be non openable. Thereafter the window shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

6. 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 at first floor level in the north western side elevation 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.

Officers Report for KET/2014/0587

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

3.0 Information

Relevant Planning History

KE/1984/0270 – Two storey extension – Approved

KE/1984/0043 – New porch and inglenook fireplace – Approved

Site Description

Officer's site inspection was carried out on 19/09/2014. The application site comprises a two storey detached dwelling set within a large plot which is located on the corner of Gipsy Lane and Windermere Road. The dwelling is constructed of buff brick with part of the first floor clad with decorative tiles. There is a flat roofed double garage attached to the north-western elevation of the property. The garage is located approximately 0.3 metres from the boundary shared with No. 110 Gipsy Lane. The area to the front of the dwelling is mostly paved with some planting at the front boundary with Gipsy Lane. The driveway is accessed off both Gipsy Lane and Windermere Road. The dwelling has a large rear garden which is enclosed to the east and south east by mature hedging. Boundary treatment with No. 110 Gipsy Lane consists of a 1.8 metre high brick wall which changes to 1.8 metre high close boarded fencing further back into the garden. Development in the surrounding area on Gipsy Lane generally consists of large dwellings set within large plots of land, although to the north of the site are a series of bungalows. To the west of the site is farmland which adjoins the A14 further west.

Proposed Development

The proposal involves a two storey side extension.

The original scheme submitted sought to demolish the existing double garage and erect a two storey side extension which would be situated 0.3 metres from the boundary with No. 110 Gipsy Lane.

Amended plans were sought to address officer concerns in relation to the impact of the extension on the character and appearance of the surrounding area. At ground floor the extension will continue to be situated 0.3 metres from the boundary with No. 110 but at first floor the width of the extension has been reduced to 5.1 metres, providing a set back of 2.1 metres from the boundary with No. 110 Gipsy Lane. Neighbours have been re-consulted on the amendments and an objection to the scheme is maintained.

Any Constraints Affecting The Site

B Road

4.0 Consultation and Customer Impact

Neighbours

One objection received to the original scheme on the following grounds:

- The extension will be discordant in the street scene due to its size and scale.
- The extension will result in a terracing effect with No. 110 Gipsy Lane, contrary to the open and spacious character of the area.
- The extension will have an overbearing, dominant and overshadowing effect on the amenity of No. 110 and will overshadow its rear conservatory.
- The proposed patio door style balconied opening at the frontage will result in overlooking.
- The extension has an independent access arrangement with its own front door and questionable access to the main house. A business is operated from the property and there are concerns that the proposal will in fact facilitate the escalation of this business which would not be suitable for a residential environment.

Following reconsultation on the amended scheme the following objection was received:

- The extension will overshadow the rear conservatory and rear garden of No. 110 Gipsy Lane.
- There is uncertainty over the use of the extension at first floor.

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
4. Other Issues

1. Principle of Development

The application site is located within the town boundary of Kettering as defined by Policy 35 of the Local Plan. Policies in the development plan support extensions and alterations to residential properties subject to the satisfaction of certain criteria. Policy 13 of the North Northamptonshire Core Spatial Strategy (CSS) supports such development provided there is no adverse impact on character and appearance or neighbouring amenity. The principle of development is acceptable subject to the satisfaction of the development plan criteria as discussed below.

2. Design and Impact on Character

Policy 7 of the National Planning Policy Framework (NPPF) states good design is indivisible from good planning and development should add to the overall quality of an area. It states development should be visually attractive and should respond to local character. Policy 13 (h) of the CSS requires development to be of a high standard of design and to respect and enhance the character of its surroundings.

The proposal involves the demolition of the existing double garage and the erection of a two storey side extension. It is proposed to retain garage space at ground floor level and provide bedroom accommodation at first floor. The existing garage is situated approximately 0.3 metres from the boundary with No. 110 Gypsy Lane, with No. 110 situated approximately 1 metre from this boundary. The garage is a double garage and has a width of 6.9 metres. This, combined with the fact that it is single storey with a flat roof, provides a sense of space between the application dwelling and No. 110.

The surrounding area, and in particular to the south of the application site, is characterised by large dwellings set within relatively large plots of land. There is a sense of space between buildings and although the garage of the application dwelling is only 0.3 metres from the boundary its width and the fact that it is single storey with a flat roof ensures this sense of spacing is retained. The original scheme involved the erection of a two storey side extension, 0.3 metres from the boundary with No. 110, infilling the gap between the dwellings. As such it was considered that the proposal failed to reinforce the local distinctive character of the area to the detriment of the visual amenity of the surrounding area.

The amended scheme still involves the demolition of the existing garage which is structurally unsound. At ground floor level the proposed extension will again be situated 0.3 metres from the boundary with No.

110 but at first floor level the width of the extension has been reduced from 6.9 metres to 5.1 metres, resulting in a set back of 2.1 metres from the boundary with No. 110. Given that No. 110 is situated 1 metre from the boundary it is considered that the current scheme satisfactorily addresses concerns in relation to the inappropriate infilling of the gap between the dwellings and the resultant impact on the sense of spaciousness between dwellings which is characteristic of the surrounding area.

The first floor element of the extension will be set back approximately 0.3 metres from the first floor of the existing dwelling and the height of the extension will be set down 0.4 metres from the height of the existing dwelling. A dormer style window is proposed at first floor level in the front elevation which is considered more appropriate than the Juliet balcony proposed under the original scheme. At the front elevation the garage will appear to have a roof but further back into the site this will change to a flat roof. At ground floor level the extension will be constructed of brickwork to match the existing dwelling, while at first floor level it is proposed to use Marley cedar weatherboarding in a natural wood finish. The existing decorative tiles will also be replaced with this weatherboarding. Windows, doors and roof tiles will match the existing and it is proposed to install two composite garage doors which are considered more appropriate than the single garage door, 4.7 metres in length, which was proposed under the original scheme. Taking all of the above into account it is considered that the scheme complies with Policy 7 of the NPPF and Policy 13 (h) of the CSS.

3. Impact on Neighbouring Amenity

Paragraph 17 of the NPPF requires development to provide a good standard of amenity for all existing and future occupants of land and buildings. Policy 13 (l) of the CSS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The proposal involves the demolition of the existing double garage attached to the north-western elevation of the dwelling and the erection of a two storey side extension. The main potential impact of the proposed development, therefore, will be to the neighbours to the north west, No. 110 Gypsy Lane. This neighbour has objected to the proposal on the grounds of overlooking, overbearing and loss of light.

The proposed extension will not impact on the amenity of the occupiers of No. 110 in terms of overlooking. No windows are proposed in the side elevation facing No. 110 and a condition will be added preventing the insertion of future windows at first floor level in this elevation. Two windows are proposed at first floor level in the rear elevation along with a roof light. One window is small in size and will serve a landing and the plans indicate that the second window will serve the en-suite bathroom and will be obscure glazed. A condition will be added to the permission requiring this window to be glazed with obscure glass and non-opening

to a height of 1.7 metres above floor level and permanently retained in that form. As such this window will not create any overlooking issues to the rear of No. 110.

Concern was expressed by the neighbours in relation to the original proposal to insert a Juliet balcony opening to the front elevation and the resultant overlooking to the front of No. 110. The amended scheme alters this opening to a dormer style window and as the window does not provide views over private amenity space this element of the proposal can not be considered to result in a significant adverse impact in terms of overlooking.

At ground floor level the proposed extension will be set back 0.3 metres from the boundary shared with No. 110 Gipsy Lane. This mirrors the set back distance of the existing garage. Following concerns expressed by the case officer in relation to character and appearance the first floor element of the proposal has been set back from the boundary with No. 110 by approximately 2.1 metres. No. 110 Gipsy Lane is situated 1 metre from the shared boundary. Given the separation distance of 3.1 metres between the dwellings and as the bulk of the extension will fall mostly in line with the two storey side elevation of No. 110 it is considered that the proposal will not have a significant overbearing impact on No. 110. Given the positioning of the existing dwelling and the relationship between the proposed extension and No. 110 it is considered that the proposal will not result in a loss of light to either habitable room windows or the rear conservatory of No. 110. Subject to the application of conditions outlined above it is considered that the scheme complies with Policy 13 (l) of the CSS.

4. Other Issues

The third party representation received raises concern that a business is being operated from the property and that the extension will be used as office accommodation for the business. It is argued that the provision of an independent access with its own front door along with the fact that the extension is not accessible from within the existing dwelling at first floor level indicates that there is potential for the extension to be used as an office.

However, the applicant has advised that their business is operated from commercial premises in Isham and not from the dwelling. The applicant has advised that the extension is intended to provide additional residential accommodation for an elderly relative should the need arise. Independent access has been provided in order to afford a degree of independence and the extension is not accessible from the first floor of the existing dwelling due to difficulties in reconfiguring the first floor layout to provide access to the extension. A condition will be added to the permission restricting the use of the development for purposes incidental to the enjoyment of the dwellinghouse. Officers will also be investigating this matter through an enforcement investigation.

Conclusion

The proposal complies with national policy and policies in the development plan. The amended scheme addresses previous concerns in relation to character and appearance. Issues relating to overbearing, overlooking and loss of light are material planning considerations and, in reaching a decision to approve the application, have been carefully weighed against all relevant policy considerations. The investigation into whether a business in being run from the property is ongoing and should it transpire that there has been a breach of planning control this will be dealt with under the local planning authority's enforcement powers. Therefore, the application is recommended for approval, subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Marie Down, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: