

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 16/12/2014</b>	<b>Item No: 5.3</b>
<b>Report Originator</b>	<b>Louise Holland Development Team Leader</b>	<b>Application No: KET/2014/0666</b>
<b>Wards Affected</b>	<b>Barton</b>	
<b>Location</b>	<b>1 Hogarth Drive, Kettering</b>	
<b>Proposal</b>	<b>Full Application: 1 no. triple garage with new access to Hogarth Drive, existing driveway replaced with pedestrian access and new wall and fencing to match existing</b>	
<b>Applicant</b>	<b>Mr S Groome</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 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 materials to be used in the construction of the external surfaces of the garage hereby permitted shall match, in type, colour and texture those on the existing dwelling.

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

3. The vehicular access and parking and turning facilities shall not be provided other than in accordance with the approved plans SG-P2-03B and SG-P2-04C, and shall thereafter be set aside and retained for those purposes.

REASON: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Prior to first use of the new access hereby permitted, vehicular visibility splays of 2.0m, from the carriageway edge along the centre of the vehicular access, by a distance of 43m, to the right and clear to the junction to the left measured from the centre of the vehicular access, along the carriageway edge shall be provided in accordance with the approved plans. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility

over 0.9m in height above carriageway level.

REASON: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Prior to first use of the new access hereby permitted, pedestrian visibility splays of at least 2m x 2m shall be provided on each side of the vehicular access in accordance with the approved plans. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access/footway level.

REASON: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. No development shall take place on site until details of a positive means of drainage, to ensure that surface water from the vehicle access does not discharge on to the highway, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the access hereby permitted is first used.

REASON: To ensure that the roads are constructed to a satisfactory standard in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

7. Prior to the first use of the new access hereby permitted, the existing access shall be removed and the new boundary treatment erected in accordance with the approved plans.

REASON: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. Any replacement gates provided at the point of access to the site shall be hung so as to open inwards into the site only.

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

## **Officers Report for KET/2014/0666**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/1986/0811 Extension to kitchen and utility room. Approved.

KE/00/330 Demolish existing building (23 and 25) Erection of 19 dwellings. Approved.

KE/2001/0560 Amendment to house type elevations of KE/00/330. Approved.

KET/2013/0615 1 no. garage to the front with new parking and access. Refused.

#### **Site Description**

Officer's site inspection was carried out on 25/11/2014.

The site is occupied by a large detached brick built dwelling (No. 1) which fronts onto Warkton Lane but is part of the development of Hogarth Drive. The dwelling is currently served by an existing vehicular access towards the rear of the property. An existing garage is located within the rear curtilage of No. 1, adjacent to its boundary with No. 2 Hogarth Drive. No. 2 is positioned to the north west of the site, adjacent to the property's rear boundary. The side boundary to No. 1 is a combination of brick with fencing above and brick pillars. There are also existing timber gates to facilitate vehicular access.

To the north east (side) of the application site lies a footpath and beyond this an area of green verge and then carriageway.

Existing planting and tree cover lies within the front garden and along the boundary with Warkton Lane which visually complements the area and is characteristic of Warkton Lane.

#### **Proposed Development**

The current application KET/2014/0666 proposes a new vehicular access off Hogarth Drive which will replace the existing access located towards the rear of the property. The access will measure 4 metres wide at its entrance to No.1 and will have black iron electric sliding gates (maximum of 2.1 metres in height). New boundary treatment, which includes a pedestrian gate, is proposed along the side boundary which will match the design and appearance of the existing. The new boundary will enclose the area of current driveway which will no longer be needed when the existing access is replaced. Trees within the site are proposed for retention however a gap in the existing hedgerow along the side boundary will need to be made to facilitate the access. A

section of hedgerow will be planted around the new access to integrate this with the existing boundary hedge.

A triple garage is also proposed within the front garden of No. 1 which measures 10 metres in length by 5 metres in depth. The highest part of the garage will measure 4.075 metres (to the ridge) whilst the height to the eaves is 2.4 metres. The garage will be sited so that the gable end of the garage faces towards Warkton Lane and the garage doors face toward the new access to Hogarth Drive. It will be sited approximately 4.6 metres from the front boundary with Warkton Lane and will be offset from the boundary with No. 21 Warkton Lane.

This application is a resubmission following a previous refusal. The proposal is substantially changed in that the previous application KET/2013/0615 proposed a new access off Warkton Lane.

### **Any Constraints Affecting the Site** C Road

## **4.0 Consultation and Customer Impact**

### **Highway Authority**

No objection subject to conditions and informatives.

### **Neighbours**

Two letters of objection received. The grounds of objection are summarised as follows:

- Too close to the junction with Warkton Lane and increased potential for accidents.
- Concern about pulling into Hogarth Drive from Warkton Lane given the obscured views created by trees and hedges.
- Hazardous pulling into/out of Hogarth Drive because of a restricted view. The situation would be made worse with a driveway closer to the junction.
- Is the 2.4m visibility splay sufficient to see pedestrians and vehicles?
- Concern about the height of the fence/wall; a high fence will reduce light and obscure the existing view.
- Ownership of the verge is questioned, it is understood by one objector that this may be land shared by all the houses and was not to be developed.

## **5.0 Planning Policy**

**National Planning Policy Framework**  
Policy 7. Requiring Good Design

### **Development Plan Policies**

**North Northamptonshire Core Spatial Strategy**

## Policy 13. General Sustainable Development Principles

### **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. Planning History – KET/2013/0615
2. Highway Safety
3. Design and Impact on Streetscene and Character
4. Residential Amenity
5. Other Comments Raised

#### 1. Planning History – KET/2013/0615

A new access was previously proposed off Warkton Lane. That application received an objection from the Highways Authority and was subsequently refused. The current application now proposes an access off Hogarth Drive. This amended scheme has been discussed with the Highways Authority prior to submission and has overcome the previous concerns and objections.

The garage is to be sited in the same position and is to be of the same dimensions as proposed under KET/2013/0615. Officers previously considered that this element of the proposal was acceptable in terms of residential amenity and design.

#### 2. Highway Safety

Policy 13 (d) of the Core Spatial Strategy (CSS) requires that developments have a satisfactory means of access and provide for parking, servicing and manoeuvring. In addition Policy 13 (n) of the CSS requires that developments will not have an adverse impact on the highway network and will not prejudice highway safety.

Subject to conditions to the Highways Authority raise no objection to the scheme. The required visibility splays are to be accommodated and will be secured by condition. The development will result in an acceptable access arrangement and will not prejudice highway safety. The proposed access works are considered to be in accordance with Development Plan policy.

#### 3. Design and Impact on Streetscene and Character

Policy 13(h) of the CSS require that developments be of a high standard of design, architecture and landscaping and enhance the character of its surroundings. Policy 7 of the National Planning Policy Framework

(NPPF) supports this requirement for good quality design.

The proposed garage will be positioned within the front garden however this type of feature is not uncommon along Warkton Lane. The proposed building will also be well screened and any views of the garage will be extremely limited given the extensive landscaping along the boundaries. Subject to a condition requiring materials to match the existing dwelling the proposal is considered to be acceptable in design terms. It is considered that it will have no adverse impact on the streetscene or the character of the area.

The new boundary treatment will match the design and appearance of the existing which currently runs along the side boundary. The boundary will move further out as it is designed to enclose the existing driveway and access which will no longer be used. The design and positioning of the new boundary treatment is considered to be acceptable and in accordance with policies regarding design quality. The proposed gates are also considered to be in keeping with the character of the area and will not have an adverse impact on the streetscene.

#### 4. Residential Amenity

Policy 13(l) of the CSS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

Given the siting and scale of the proposed garage the only dwelling which could be affected in respect of amenity impacts is No. 21 Warkton Lane. The proposed garage is single storey and will measure 10 metres (length) x 5 metres (depth) x 4.075 metres (maximum height). The garage will be positioned in the front curtilage adjacent to the boundary with No. 21 Warkton Lane (to the south west of the site). The submitted plans indicate that the garage will be positioned approximately 1 metre from existing landscaping between the site and No. 21 Warkton Lane and approximately 2.3 metres from the boundary itself. The new garage will be sited so that the gable end of the garage faces towards Warkton Lane and the garage doors face toward the new access and Hogarth Drive. The garage will therefore have its rear elevation running along the boundary with No. 21 Warkton Lane.

Given the separation distance between the proposed garage and No. 21 (approximately 6 metres), the single storey nature of the building the existing boundary treatment and landscaping between the properties it is considered that there will be no detrimental overbearing or overshadowing impact. No overlooking will result given the scale and nature of the proposal. No openings are proposed in the rear elevation. It is not considered necessary to restrict the insertion of future openings via condition in light of the separation distance and existing boundary treatment.

The existing access will be removed and new boundary treatment erected to match the existing. Given its positioning relative to neighbouring properties, these elements of the proposal will not have any impact on residential amenity. The new access is not considered to give rise to any detrimental residential amenity impacts.

#### 5. Other Comments Raised

The ownership issue raised by a neighbour is not a material planning consideration and would be a legal matter to be resolved between neighbours.

#### Conclusion

It is considered that this proposal overcomes the concerns and objections to a previous scheme submitted under reference KET/2013/0615. The current application is considered to accord with Development Plan Policy and there are no material planning considerations that indicate against it.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Louise Holland, Development Team Leader on 01536  
534316

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

Ref:

Date: