

BOROUGH OF KETTERING

Committee	Full Planning Committee - 10/03/2015	Item No: 5.8
Report Originator	Andrew Smith Senior Development Officer	Application No: KET/2015/0043
Wards Affected	Desborough St. Giles	
Location	31 Copelands Road, Desborough	
Proposal	Full Application: Annexe to existing dwelling with conservatory link	
Applicant	Mr J Von Bujtar	

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 hereby permitted shall not be carried out other than in accordance with the approved plans referenced as follows: KET/2015/0043/1; 1342.10.01; 1342.09.09.

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

3. The building hereby permitted shall not be occupied other than as part of the single residential use of the dwelling known as 31 Copelands Road.

REASON: The unit of accommodation is not of a satisfactory standard to be occupied separately from the main dwelling in the interests of amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. In accordance with approved plan 1342.09.09, the ridge height of the approved annexe shall be set no higher than 4.5m when measured from surrounding ground level.

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

5. The materials to be used in the construction of the external surfaces of

the development (with the exception of the non-brickwork elements of the conservatory) hereby permitted 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.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. In accordance with approved plan 1342.09.09, the means of vehicular access shall measure a minimum of 3.3m in width, shall be paved with a hard bound surface for the first 5m from the highway boundary (the maximum gradient of which shall not exceed 1 in 15) and shall be implemented prior to the first occupation of the development and be retained at all times thereafter.

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

8. In accordance with approved plan 1342.09.09, pedestrian visibility splays of 2.4m metres by 2.4m shall be provided to either side of the vehicular access at the junction of the vehicular access with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.

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

9. Prior to the commencement of development details of a positive means of drainage to ensure that surface water from the vehicular access does not discharge on to the highway shall be submitted to and approved in writing by the Local Planning Authority; development shall thereafter be implemented prior to the first use of the vehicular access and be maintained at all times thereafter.

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

10. In accordance with approved plan 1342.09.09, the high level window openings on the south elevation of the conservatory hereby approved shall be non-opening and glazed with obscured glass and thereafter shall be permanently retained in that form.

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

11. The window on the north elevation of the approved annexe, which serves a bathroom, shall be glazed with obscured glass and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of future occupiers and of the adjoining property and to prevent overlooking.

12. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- o human health,
- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- o adjoining land,
- o ground waters and surface waters,
- o ecological systems,
- o archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the

intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in compliance with the guidance contained within the National Planning Policy Framework (Chapter 11).

13. 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, B or C of Part 1 of Schedule 2 of the Order shall be constructed or made on the application site.

REASON: To guard against any potential overdevelopment of the site in compliance with Policy 13 of the North Northamptonshire Core Spatial

Strategy.

Officers Report for KET/2015/0043

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

3.0 Information

Relevant Planning History

KET/2014/0733 Standalone annexe to rear of no.31 (Refused)

KET/2007/1067 Amendment to existing approval KET/2002/0140, provision of dormers to north and south elevations (Approved subject to conditions)

KET/2002/0140 Amendment to existing approval, dormer to stairwell (Approved subject to conditions)

KET/2000/0239 Dormer bungalow with integral garage (Approved subject to conditions)

KET/1998/0303 Renewal of KET/1995/0261: outline for private dwelling with garage (Approved subject to conditions)

KET/1995/0261 Outline for private dwelling with garage (Approved subject to conditions)

Site Description

Officer's site inspection was carried out on 04/02/2015. The site contains a substantially built red brick dormer bungalow; this is set approximately 8m back from the Copelands Road frontage of the site. An existing vehicular accesspoint is in place from Copelands Road. A number of detached single garages (7no. in total) are spread across the site. 5no. of these garages (located to the rear of the site) are contained within the red-line application area and are in various states of disrepair. There is a strong hedgerow buffer in place to the rear boundary of the site, with Cedars Farm located beyond. Selected tree specimens (and other vegetation) are located across the rear part of the site.

Proposed Development

It is proposed that an annexe and conservatory link be constructed within the rear garden area of the existing premises. An access point and driveway would be constructed to the frontage of the site (an access point in this location has already been approved under KET/2000/0239, but has yet to be implemented). The annexe would be constructed with facing bricks and interlocking roof tiles to match the existing dwelling; it would provide two small bedrooms, a kitchen, a bathroom and a living area. It would provide a total of approximately 80 sq. m. of floor space set across a rectangular footprint set in 2.5m from the northern boundary of the site and 5.5m from the southern boundary.

The conservatory would be constructed to the immediate rear of the existing property on-site and would abut the southern boundary of the site. It would also be constructed with matching bricks at low level with glazed panels above; it would provide approximately 30 sq. m. of floor space. The 5no. garages located to the rear of the application site are proposed to be demolished to make way for the new development. The 2no. garages located closest to Copelands Road are situated outside of the red line application area and would be retained together with their associated dropped kerb access from Copelands Road.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Revised plans were received during the planning application process. A 10-day re-consultation period commenced on 24th February 2015 and is due to expire on 6th March 2015. Below is a list of the consultation responses received to date. Any further responses that are received shall be reported via the Committee Update.

Desborough Town Council: no objection as the proposed extension is all to the rear of the existing building, provided that the owners of No. 33 are not compromised visually.

Highway Authority: in respect to the initially submitted plans, the depicted access does not reflect what is currently in place or approved under the permission for the dormer bungalow (KET/2000/0239) and does not allow safe visibility of either pedestrians or other vehicles. The annexe should not become a separate dwelling in the future without a re-assessment of parking and access. No objection in respect to revised layout subject to the imposition of appropriately worded planning conditions to control the specification of the access.

Neighbours: notification letters were sent out to close proximity neighbours; 3no. responses were received (from 27, 29 & 33 Copelands Road) and can be summarised as follows:

- The annexe would be out of keeping with all existing properties in the road and would encourage further similar types of development
- The character of the area is depicted by large garden areas
- Neighbouring gardens would become less private and overlooked; obscured glazing should be used
- The height of the annexe is too high, the roof space would likely be changed into bedrooms in the future

- Roof lights to the annexe are unnecessary and would promote overlooking
- The conservatory link could be removed and two separate dwellings created
- Parking is in limited supply on Copelands Road and consideration should be applied to this
- The low-set chimney would result in smoke pollution to neighbouring gardens
- No storm drainage details have been provided

5.0 Planning Policy

National Planning Policy Framework

Section 7: Requiring good design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1: Strengthening the Network of Settlements

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. Principle of Development
2. Design and Layout
3. Residential Amenity
4. Access & Parking
5. Other Matters

1. Principle of Development

The principle of providing additional residential floorspace within the curtilage of a residential premise located within an existing residential area of Desborough is considered to be acceptable and in compliance with Policy 1 of the Core Spatial Strategy, which seeks to direct new development inside of existing settlement boundaries. Notwithstanding this, detailed design and layout based considerations will be required in this instance in order to ascertain whether the proposed form of development is acceptable in the context of the individual site circumstances. As a further note, a planning condition should be appended to any consent to ensure that the annexe is used for such

purposes, and not as a separate self-contained unit of accommodation.

2. Design and Layout

The most recent application at the site (KET/2014/0733) was refused planning permission. This was where permission was sought for the erection of a standalone annexe to the rear of the site. It was adjudged that the backland form of development proposed in that case was unsuitable in the context of the host character of the area, which is typified by detached and semi-detached properties that are served by generously scaled rear garden areas that are typically clear of built form.

In this instance a revised approach to providing annexe accommodation on the site has been put forward. The newly proposed annexe would be set forward within the site so as to be linked to the rear of the existing property on site (via a conservatory link). In keeping with the character of the immediate area, a rear garden area of some 21m in length would be retained to the rear of the proposed annexe. Furthermore, the scheme would bring about the removal of existing ad-hoc single garage structures that are currently in place within the rear area of the site.

The design of the annexe has undergone modification during the planning application process. The original plans raised concerns in respect to the bulk and scale of the proposed annexe – it was proposed to cover a sizeable footprint and be built at a height akin to that of the existing dormer bungalow on site; i.e. a proposed 5.5m ridge height was proposed with storage space provided within the roof space. In response to a request from officers, the proposed ridge height has been reduced by 1m. A storage area is continued to be proposed within the roof space, but at a reduced volume to reflect the dropped ridge height.

The annexe would cover a sizeable footprint area of some 80 sq. m and would be of 7m in width when viewed from the property's frontage. It is however felt that the setback position of the annexe (i.e. set 31m back from Copelands Road) would aid in softening the visual impact of the development. The annexe, which would repeat the dual-pitched roof and gable-fronted design of the existing dwelling, would appear secondary and subservient to the extant property.

The conservatory link that is proposed would be discreetly located to the rear of the existing property and designed to tie-in with the eaves heights of both the main dwelling and proposed annexe. It would constitute acceptable built form in this context. The scheme in overall terms would respect the character and appearance of its surroundings in compliance with Policy 13 (h) of the Core Spatial Strategy. In the interests of visual amenity, planning conditions should be attached to any consent to ensure that external facing materials are selected to match existing and to ensure that the ridge of the annexe does not exceed 4.5m in height (this would also offer assurances that additional

habitable floor space could not be provided within the property's roof space at a later date).

3. Residential Amenity

The proposals would stand alongside the large dormer bungalow (6.5m ridge height) that is already situated on site. It is felt that the single-storey stature of the proposed annexe (with a ridge height of 4.5m and eaves height of 2.7m) would allow the built extent of the proposals to avoid being either overbearing or overshadowing. The proposed works would be set to the rear of the site and away from neighbouring built form. The amenities of neighbouring occupiers would be appropriately safeguarded in this context.

The northern side boundary of the site is already landscaped to provide a softening visual buffer to the neighbouring plot to the north (No. 33). There is however demolition work proposed (i.e. garage removals) adjacent to this particular site boundary. In the interests of guarding against creating potentially sensitive overlooking opportunities, it is considered that any consent should be conditioned to secure a landscaping scheme to specify the existing soft landscaping to be retained and the additional planting to supplement this if required. The facing window that is proposed to the northern side elevation would serve a bathroom area and be obscure-glazed. A single small velux window opening would be positioned to the north-facing roof slope – this would be set 2m up from the eaves of the annexe and would not offer sensitive overlooking opportunities.

To the south side boundary of the site, a separation distance of 6m would be maintained between the boundary and the built extent of the annexe (not including the conservatory link) – overlooking of the neighbouring property's garden areas would not materialise from the newly proposed kitchen window that is proposed to the south-facing side elevation of the annexe.

The newly proposed conservatory would be positioned 1m away from the site's southern side boundary. The occupier at No.29 has highlighted a difference in ground levels that exists between the garden area of No.29 and the existing garden area of application site (difference of approximately 1m). The conservatory includes glazed openings and has raised concerns in respect to potential overlooking opportunities that could result. The high-level openings that are proposed to the southern side elevation of the conservatory would be obscure-glazed (as annotated upon the latest revised plan and to be conditioned).

It is considered that the proposed layout and composition of the proposed annexe and conservatory link are appropriate in the context of safeguarding the amenities of neighbouring residential occupiers in compliance with Policy 13 (l) of the Core Spatial Strategy.

4. Access & Parking

The most recent application at the site for a standalone annexe (KET/2014/0733) was refused partly on the grounds of an unsatisfactory means of access. That scheme involved vehicular access being provided to the rear of the site and incorporated a turning head. This new application proposes revised access arrangements whereby access and car parking would be provided solely to the frontage of the property.

The precise specification of the proposed access has been amended during the planning application process in the interests of meeting the specific requirements of the Local Highway Authority. Appropriately positioned vehicular and pedestrian visibility splays (to either side of a centrally positioned access point) are now depicted upon the proposed site layout. Confirmation has been provided by the Local Highway Authority that the latest revised access arrangements are acceptable, subject to conditions being applied to ensure an appropriate access surface / width, appropriate visibility splays and a positive means of drainage are provided.

It has been demonstrated that there is sufficient space to the frontage of the existing property on the site to accommodate up to 3no. parked cars. It is considered that this constitutes an acceptable level of car parking provision for what would remain a single dwellinghouse (with annexe). The scheme would promote highway safety in compliance with Policy 13 (d) and (n) of the Core Spatial Strategy.

5. Other Matters

It has been questioned via the consultation process how storm drainage disposal shall be dealt with. Full details of the drainage mechanisms to be installed as part of the proposed development would be assessed as part of the building control process. In any event, the works would be set at least 1m from the boundaries of the site and would not therefore be expected to result in any drainage impacts off-site. Furthermore, a planning condition should be applied to ensure that the site is appropriately assessed for potential contamination.

Conclusion

The proposed development would respect the character of its surroundings, safeguard residential amenity and would not prejudice highway safety in compliance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Previous Reports/Minutes

Ref:

Date:

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