

## BOROUGH OF KETTERING

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| <b>Committee</b>         | <b>Full Planning Committee - 25/08/2015</b>                     | <b>Item No: 5.6</b>                      |
| <b>Report Originator</b> | <b>Christina Riley<br/>Senior Development Officer</b>           | <b>Application No:<br/>KET/2015/0481</b> |
| <b>Wards Affected</b>    | <b>Desborough St. Giles</b>                                     |  |
| <b>Location</b>          | <b>152 Pioneer Avenue, Desborough</b>                           |  |
| <b>Proposal</b>          | <b>Full Application: Access ramp and balcony to mobile home</b> |  |
| <b>Applicant</b>         | <b>Mr &amp; Mrs R King</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 development hereby permitted shall not be carried out other than in accordance with the approved plans referenced as follows: 2077.14/HA/L; 2077.14/HA/B; 2077.14/HA/PL; 2077.14/HA/PL.1; 2077.14/HA/EL.2; 2077.14/HA/EL.1; 2077.14/HA/EL; 2077.14/HA/EL.3.

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 decking level of the balcony hereby approved shall be installed and retained at all times thereafter at a level no higher than 735mm above surrounding ground level in accordance with approved plan 2077.14/HA/EL (Elevations A-B).

REASON: In the interests of safeguarding the amenities of neighbouring residential occupiers in compliance with Policy 13 (l) of the Core Spatial Strategy.

4. No development shall commence on site until full details (including a material sample) of the 'privacy panel' hereby approved (as shown on approved plan 2077.14/HA/EL.3) 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; the 'privacy panel' shall be installed prior to the first use of the balcony hereby approved.

REASON: Details of the privacy panel are necessary prior to the commencement of development in the interests of the visual amenities of the area and safeguarding the residential amenities of neighbouring occupiers in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2015/0481**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/2014/0431 Siting of a mobile home in rear garden and its use to provide additional residential accommodation for members of the household of the principal dwelling (Certificate of Lawfulness issued 14<sup>th</sup> July 2014)

#### **Site Description**

Officer's site inspection was carried out on 21/07/2015.

The site contains a two-storey dwelling with linked garage that faces Pioneer Avenue to the north west. To the rear of the dwelling, the site is afforded a long rear garden area of some 50m in length, which is bound by close boarded fencing of approximately 1.8m in height to both sides. The ground level falls significantly from the original dwelling to the bottom of the garden, beyond which is situated agricultural fields. The neighbouring properties exhibit similarly sloped rear garden areas.

A mobile home is sited within the rear garden and forms a standalone annexe to the property. It is sited approximately 8m away from the main dwelling and covers a rectangular footprint of 12m x 3m. It is located upon brick plinths of varying heights that take account of the sloped topography of the site. The rear south-east elevation of the mobile home is afforded rear-facing glazed double doors (the bottom of which are sited approximately 800mm above ground level), whilst the home's south-west side elevation is where the main access and 3no. window openings are positioned.

#### **Proposed Development**

It is proposed that an access ramp and a raised balcony be constructed to serve the existing mobile home. The access ramp would provide a level threshold to the home's main access on its south west elevation (it would overcome a 540mm difference in levels) and would be constructed with a concrete slab surface and surrounding timber balustrades of 900mm in height.

The balcony is proposed to the immediate rear of the mobile home and would serve the glazed double doors that are already in existence; it would also be constructed in timber with a platform height of 735mm (when measured from ground level) at the proposed platform's south-eastern end. 1.1m balustrading would run the perimeter of the balcony, which itself would cover a rectangular footprint of 2.4m x 3.51m. A proposed 'privacy panel' measuring 2.4m in length and 2.19m in height would be sited to the north-eastern side of the balcony (where it would abut the grounds of No.150 Pioneer Avenue).

#### **Any Constraints Affecting The Site**

None

#### **4.0 Consultation and Customer Impact**

**Desborough Town Council:** No objection, only concern is the privacy of neighbours from the proposed decking area.

**Neighbours:** Notification letters were sent out to close proximity neighbours. 1no. response was received and can be summarised as follows:

*150 Pioneer Avenue:* Objection because it is felt that privacy would be grossly affected. Over  $\frac{3}{4}$  of the garden area of No.150 would be overlooked from a very high platform. The proposed privacy panel would not give any extra privacy, it should continue along the front of the decking for a further 2 metres. A further panel should be erected to the other side of the decking so as to protect the amenity of occupiers at No.154. The decking would be better located next to the proposed access ramp to the mobile home's entrance (south west elevation).

#### **5.0 Planning Policy**

##### **National Planning Policy Framework**

Policy 6: Delivering a wide choice of high quality homes

##### **Development Plan Policies**

##### **North Northamptonshire Core Spatial Strategy**

Policy 1: Strengthening the Network of Settlements

Policy 9: Distribution & Location of Development

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 & Visual Appearance
3. Residential Amenity

##### **1. Principle of Development**

The proposed scheme would provide a ramp and balcony to directly serve an existing residential annexe within an established residential area within the town boundary of Desborough. The development would therefore strengthen the network of settlements within the Borough in compliance with Policy 1 of

the Core Spatial Strategy. The principle of development is therefore considered to be acceptable.

## 2. Design & Visual Appearance

The visual impact of the proposed works is considered to be acceptable. The structures that would be constructed would be sited at ground floor level and would be set entirely beneath the eaves level of the existing mobile home. The proposed timber construction of both the ramp and the balcony would also help the works to assimilate and blend with the mobile home, which is of timber construction to its elevations. Also, the works would be discreetly located to the immediate rear and side of what constitutes a rear outbuilding. The work would not, therefore, be readily visible from public vantage points. It is considered that a physical sample of the proposed 'privacy panel' should be secured via condition so as to ensure that it is constructed using a material of suitably high-standard in the interests of visual amenity. The scheme is compliant with Policy 13 (h) of the Core Spatial Strategy.

## 3. Residential Amenity

Policy 13 (l) of the Core Spatial Strategy requires that development does not result in an unacceptable impact upon the amenities of neighbouring properties including by way of overlooking. The proposed balcony would provide a raised platform area to the immediate rear of the existing mobile home and therefore holds the potential to create views that would not have previously been available from within the external rear garden area of the property. As specified upon the submitted plan, the proposed platform would be set a maximum of 735mm above ground level, would extend 2.4m in length back from the rear elevation of the mobile home and would measure 3.51m in width (mirroring the width of the mobile home). The north-eastern side of the balcony would be afforded a 'privacy panel' of 2.19m in height (measured from decking level) in the interests of guarding against potential overlooking.

An objection to the scheme has been submitted by the neighbouring occupier at 150 Pioneer Avenue, which bounds the application site along its north eastern boundary. The objector considers that the balcony would create overlooking opportunities that would be to the detriment of their privacy and amenity. They also feel that the proposed 'privacy panel' should be made fit-for-purpose by being extended to cover part of the balcony's south-eastern side, and also along the opposing south-western side (to protect against the potential overlooking of No. 154).

It is considered that the proposed design of the balcony (including its associated 'privacy panel' is acceptable in the context of safeguarding the amenities of neighbouring residential occupiers. It should be noted that the balcony would be sited to the rear of an existing outbuilding that is set approximately halfway down the residential plot. The balcony would not therefore have a direct relationship with neighbouring built form fronting Pioneer Avenue.

The balcony would be set at a relatively low level in comparison to the surrounding ground level (i.e. a maximum of 735mm above). It would attach to

the mobile home at the base of its rear elevation (i.e. approximately 20cm below the bottom of the existing glazed double doors) and could not therefore realistically be sited at a lower height in this location.

In light of the existing close boarded fence boundary treatment (of approximately 1.8m in height) that is in place to the perimeter of the application site, it is not considered that the rear garden area of No.154 Pioneer Avenue would be unduly overlooked. The balcony would be sited some 6m away from the south-western boundary of the application site. The moderate proposed platform level would not afford sensitive views in this context.

The situation to the north-east of the site (where it bounds the objector's premise of No.150 Pioneer Avenue) is more sensitive given that the proposed balcony area would immediately abut the boundary fence. Hence the need for the applicant to include a 'privacy panel' in their proposals to sit along the full 2.4m length of the north-eastern side of the balcony. Contrary to the comments of the objector, it is considered that a 'privacy panel' (if constructed of a suitably robust material) would provide appropriate mitigation so as to safeguard the amenity of neighbouring occupiers.

The 'privacy panel' would extend to 2.18m in height above decking level and would alleviate direct sideways viewing opportunities from the balcony area to the grounds of No.150. Notwithstanding this, it is acknowledged that views of selected parts of the most remote rear portion of the garden of No.150 would still be available from a standing position on the balcony, even with the proposed 'privacy panel' and existing boundary treatment in place. However, this situation, given the remote nature of the viewable garden areas in question, would not be considered to unduly impact upon the amenities of the neighbouring occupiers at No.150 and is not considered to merit a reason for the refusal of the application. It is considered that it would be unreasonable to request that the 'privacy panel' be extended to run part of the south-eastern end of the balcony as this would be to the detriment of the future enjoyment of the balcony as an open amenity area and would not be justified in light of the site circumstances.

If the proposed balcony was to provide direct overlooking of habitable areas the associated considerations would likely have led to a different conclusion in terms of the scheme's impact upon surrounding residential amenity. But, given the remote nature of proposed balcony's siting to the rear of an existing outbuilding and facing the open countryside, it is felt that the scheme demonstrates compliance with Policy 13 (l) of the Core Spatial Strategy whereby the amenity of surrounding occupiers would be appropriately safeguarded. This is subject to planning conditions being applied to ensure that the 'privacy panel' is constructed of a suitably robust material and to ensure that the decking is restricted to a maximum height of 735mm above surrounding ground level (as indicated upon the submitted plans).

## **Conclusion**

The proposed development would respect the character and appearance of its

surroundings and would safeguard surrounding residential amenity 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:

Contact Officer:

Andrew Smith, Senior Development Officer on 01536  
534316

**Previous Reports/Minutes**

Ref:

Date: