

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 19/01/2016</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Alison Riches Development Officer</b>	<b>Application No: KET/2015/0913</b>
<b>Wards Affected</b>	<b>Desborough St. Giles</b>	
<b>Location</b>	<b>109 Dunkirk Avenue, Desborough</b>	
<b>Proposal</b>	<b>Full Application: Two storey side and rear extension</b>	
<b>Applicant</b>	<b>Mrs D Ozdogan-Walker</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 development 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.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Class A shall be made at first floor level in the northeast elevation of the building.

REASON: To protect the amenity and privacy of the occupiers of adjacent properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2015/0913**

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

### **3.0 Information**

#### **Relevant Planning History**

None.

#### **Site Description**

Officer's site inspection was carried out on 08/12/2015.

The application site is located in an established residential area in the centre of Desborough to the southeast of Desborough town centre.

The application site is a detached two-storey red brick dwellinghouse with buff soldier brick detailing to the cills and lintels of the doors and windows. The roof is a brown concrete tile hipped roof, and there is a single storey element attached to the side (southwest) elevation. In front of the single storey element is an electricity substation, and in front of that there is a detached single hip roofed garage. The electricity substation does not form part of the application site but takes up space within the site between the single storey element and the detached garage.

The dwellinghouse has a bay window at ground floor level on the front elevation and a canopy above the front door. All windows and doors are white PVCu.

The application site is one of a pair of detached dwellinghouses built in the early 2000s using the bottom of four gardens at Nos.30-36 (evens only) Princes Avenue to the east of the application site. The application site is adjacent to the Dunkirk Avenue Recreation Ground and there is a footpath adjacent to the side (southwest) boundary which runs north to south along the edge of the Dunkirk Avenue Recreation Ground and joins Dunkirk Avenue to Lower King Street.

Surrounding development comprises a variety of predominantly two-storey detached and semi-detached dwellinghouses with some single storey infill development. The properties range in style from Victorian/Edwardian to development from the 2000s.

#### **Proposed Development**

The proposal is for a single storey rear extension and a two-storey extension to the southwest elevation which incorporates the existing single storey element.

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

None

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

##### **Desborough Town Council**

- No objection.
- Concerned over loss of amenity garden space and the master bedroom window facing the park is probably inappropriate.

##### **Neighbours**

111 Dunkirk Avenue.

- Objection.
- Have a north facing rear garden which means the house and garden have limited light.
- No.109 is built approximately 1 metre higher; therefore the single storey extension will protrude above our fence as it slopes away from just beneath their bedroom windows, reducing our light further.
- Second storey extension will reduce the light from the back of our house as the sun moves west in the afternoon.
- Our garden already spends most of the year in shade and any degradation to this will cause it to be even more damp and cold than now.
- Looked at the 45° principle and also the right to light principle and believe that our quality of light will be compromised.

#### **5.0 Planning Policy**

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

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

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

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

Policy 1. Strengthening the Network of Settlements

Policy 9. Distribution & Location of Development

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

#### **6.0 Financial/Resource Implications**

None

#### **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. The Principle of Development
2. Character and Appearance
3. Residential Amenity
4. Parking and Highway Safety

#### 1. The Principle of Development

The application site is in an established residential area in the centre of Desborough.

Paragraph 49 of the National Planning Policy Framework states that applications for housing should be considered in the context of the presumption in favour of sustainable development.

Policies 1, 9 and 10 of the North Northamptonshire Core Spatial Strategy direct development to existing urban areas and indicate that Desborough as a smaller town is a secondary focal point for smaller scale development.

Policy 13 of the North Northamptonshire Core Spatial Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

#### 2. Character and Appearance

Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires new development to reflect, respect and enhance the character of its surroundings.

The two-storey part of the proposal is located on the side (southwest) elevation of the dwellinghouse closest to the Dunkirk Avenue Recreation Ground and will be partially visible from the footpath adjacent to the Recreation Ground. The single storey part of the proposal is at the northeast end of the rear elevation, closest to the adjacent neighbour at No.111 Dunkirk Avenue and will be shielded from views in the public realm by the two-storey part of the proposal.

The proposals have been designed to be reflective of the style, height, proportions, window spacing and design, and materials used in the existing dwellinghouse. As such, provided the materials match those used on the existing building, which can be secured by condition, the proposals will reflect the character and appearance of the existing dwellinghouse and will not adversely impact on the character and appearance of surrounding development or the wider street scene. As such, the proposal accords with policy 13(h) of the North Northamptonshire Core Spatial Strategy in that the new development respects the character of its surroundings.

#### 3. Residential Amenity

Policy 13(l) of the North Northamptonshire Core Spatial Strategy requires new development not to result in an unacceptable impact on the amenities of

neighbouring properties.

The proposed extensions are to the (side) southwest and (rear) northwest elevations of the dwellinghouse and, as the application site is located to the northeast of Dunkirk Avenue Recreation Ground, there are no neighbours to the southwest which will be affected by the proposal.

To the south of the application site the nearest neighbours are across the highway in Dunkirk Avenue and will not be affected by the proposals due to the separation distance and the fact that they are partially shielded by the existing structures and buildings on site.

To the northeast, No.26 Princes Avenue abuts the boundary with the application site, and has a rear garden length in excess of 55 metres. The two-storey element of the proposal is located at the southwest end of the rear elevation and has first floor windows in the northwest and southeast elevations which serve a bedroom. The southeast elevation window cannot overlook the rear garden of No.26 due to its orientation, and the northwest elevation window will have some views over the very bottom of the rear garden, which due to its length means there will be no more overlooking than is already experienced from the existing first floor rear elevation windows of the application site and No.111 Dunkirk Avenue to the east which is nearer to Princes Avenue. The northeast wall of the proposal is blank and to ensure there will be no overlooking, a condition will be added preventing further openings at first floor level in this elevation.

To the northeast, No.111 Dunkirk Avenue is adjacent to the application site. An objection has been received from this neighbour regarding the limited light in their north facing rear garden, reduction in light due to the higher ground level at the application site, loss of light from the two-storey extension and a general right to light.

The existing circumstances mean that the gardens for both the application site and No.111 are northwest facing and as such will have a reduction of some sunlight and daylight to their rear amenity space caused by the siting of existing dwellinghouses in relation to the path of the sun. The two-storey extension is located at the southwest end of the rear elevation, at the other end of the dwellinghouse to the neighbours at No.111 Dunkirk Avenue, and as such will not lead to a loss of daylight or sunlight over and above that already experienced by the presence of the existing dwellinghouses on site.

With respect to the single storey element of the proposal, this will be closest to the neighbour at No.111 and it extends from the rear elevation by 3 metres with an eaves height of 2.5 metres and a maximum height of 3.6 metres. Under permitted development rights this element of the proposal can be built without planning permission under Class A, Part 1, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) which allows single storey rear extensions for detached dwellinghouses to extend 4 metres from the rear elevation of the original dwellinghouse with an eaves height of 3 metres, within 2 metres of the

site boundary, and a maximum height of 4 metres. It is accepted there is a difference in ground level between Nos.109 and 111 but, this would not prevent this element of the proposal being built out under permitted development rights as the heights are measured from the ground level of the application site.

As such, the proposed single storey element of the proposal would not have an adverse impact on the amenities of the neighbour at No.111 by virtue of the fact that it is permitted development.

With respect to a right to light, when the 45° rule is applied to the proposal, no parts of it break this rule in relation to the neighbours at No.111 Dunkirk Avenue, due to the separation distance between the two properties and the fact that the nearest part of the proposal is single storey and does not obscure any of the rear windows at No.111.

In addition to the neighbour objection, Desborough Town Council did not object but raised concerns that the proposal would lead to a loss of amenity garden space and the master bedroom window facing the park was probably inappropriate. Although the rear garden will be reduced in length the GPDO allows for rear extensions of at least 4 metres in length which would reduce the garden by a further metre and be outside of the planning control, so it is considered there will be no adverse impacts on amenity over and above that which would occur as a result of the permitted development.

With respect to the window overlooking the Recreation Ground, it is considered that as this will lead to no overlooking of residential properties, and as such will lead to no loss of amenity for surrounding occupiers or the occupiers of the application site. This window will in fact provide additional surveillance for the adjacent recreation ground, which is a positive measure for planning out crime.

As such, subject to a condition preventing further openings at first floor level in the northeast elevation of the proposal, it is considered there are no adverse impacts on the amenities of surrounding neighbours caused by the proposal. This is in accordance with policy 13(l) of the North Northamptonshire Core Spatial Strategy.

#### 4. Parking and Highway Safety

Policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety.

The proposal is located to the rear of the garage and does not impact on the existing parking provision at the site, therefore there is no adverse impact on the highway network or highway safety in accordance with policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy.

## **Conclusion**

Subject to conditions requiring materials to match and no further openings at first floor level in the northeast elevation, the proposal complies with policies in the Development Plan and is recommended for approval

### **Background Papers**

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date: