

BOROUGH OF KETTERING

Committee	Full Planning Committee - 19/01/2016	Item No: 5.7
Report Originator	Alison Riches Development Officer	Application No: KET/2015/0968
Wards Affected	Desborough St. Giles	
Location	20 and 24 Ise View Road (land between), Desborough	
Proposal	Full Application: Demolition of garage and lean-to. Construction of dwelling, garage and garden room	
Applicant	Mr K Miller	

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. 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 parts 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:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- 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 (or any model procedures revoking and replacing those model procedures with or without modification)'.

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.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'(or any model procedures revoking and replacing those model procedures with or without modification.

REASON: Contamination measures are required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used in the construction of the dwellinghouse hereby permitted, together with samples, 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.

REASON: Material samples are required prior to the commencement of development in the interests of the visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The materials to be used in the construction of the external surfaces of garden room hereby permitted shall be Olive Green box profile sheet steel.

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

5. The dwellinghouse hereby approved shall not be first occupied until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme indicating the positions, design, materials and type of screen walls and fences to be erected. The scheme shall be fully implemented in accordance with the approved details.

REASON: In the interests of the privacy of the occupiers of adjoining residential properties in the interests of amenity 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 E shall be made in the northwest or southeast elevations of the dwellinghouse, garden room and garage hereby permitted.

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

7. The windows at ground floor level on the northwest elevation 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 accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

8. The development hereby approved shall be carried out in accordance with the sustainable construction and energy efficiency techniques detailed in the Sustainability and Energy Conservation section of the Design and Access Statement KET/2015/0968/1, received by the Local Planning Authority on 27th November 2015.

REASON: In the interests of energy efficiency and sustainable construction in accordance with policy 14 of the North Northamptonshire Core Spatial Strategy.

9. The development hereby permitted shall not be first occupied until the two vehicle parking spaces have been constructed, surfaced and marked out in accordance with the approved details, and that area shall thereafter be reserved for the parking, loading and unloading of vehicles.

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

Officers Report for KET/2015/0968

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

3.0 Information

Relevant Planning History

KET/2014/0678. Demolition of garage and lean-to. Construction of dwelling and garage. Approved 16/12/2014.

KET/2010/0555. 1 no. chalet bungalow with garage. Approved 11/10/2010.

KET/2006/1032. Two storey dwelling and garage. Refused 24/01/2007.

KET/2005/0332. Three bedroom detached dwelling and detached garage (Revised by plans received 15/06/2005). Approved 19/07/2005.

Site Description

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

The application site is located in an established residential area on the east side of Ise View Road, in the centre of Desborough to the northeast of the town centre.

The site is a long narrow plot currently occupied by a pair of single garages, sited between Nos.20 and 24 Ise View Road, which are both detached single storey dwellinghouses set in plots which are the same length but approximately double the width of the application site. The dwellinghouses at Nos.20 and 24 Ise View Road are set back almost centrally within their plots which are further back than the existing garages at the application site. No.24 has a double garage set forward of the dwellinghouse almost in line with the existing garages at the application site.

There is no front boundary treatment and the remaining boundaries comprise a 1 metre high wooden panel fence, rising to a 1.8 metre high wooden panel fence, corrugated plastic, the side elevation of the garage and 1 metre high chicken wire along the northwest boundary with No.24, and a 1.8 metre high wooden panel fence broken up by the rear elevation of the garage and the side elevation of the dwellinghouse along the southeast boundary at No.20. The rear boundary comprises a hedge in excess of 1.8 metres in height.

Surrounding properties in Ise View Road comprise piecemeal development consisting of single and two-storey detached dwellinghouses all with similar plot lengths to the application site but with varying plot widths. There is a mixture of housing styles and types, most are set back from the highway with a recognised building line, and several have detached garages forward of their associated dwellinghouse. The single and two-storey dwellinghouses are located next to each other and there is no overriding character to the dwellinghouses. The street has an open and spacious character despite some of the dwellinghouses being close to each other, due to the narrowness of their plots.

Proposed Development

The proposal is for the demolition of the two existing garages on site and the construction of a detached two-storey gable-roofed dwellinghouse with gable-roofed single storey rear projection and a gable-roofed porch to the front leading to a single storey flat roofed extension to the southeast elevation. A single storey gable-roofed garage is also proposed which will sit in front of the proposed dwellinghouse in approximately the location of the existing garages on site which are due to be demolished. There will be an area of hardstanding in front of the proposed garage and to its northwest. A single storey gable-roofed garden room is proposed across the bottom end of the rear garden and will extend close to the rear and both side boundaries.

The proposal is an amended scheme to that approved under reference KET/2014/0678. The differences are:

- The single storey element to the rear is wider than that already approved and the openings in the southeast elevation altered.
- The single storey element on the northwest elevation has been moved to the southeast elevation and a front porch has been added. As a result the proposed dwellinghouse is sited nearer to the northwest boundary with No.24 Ise View Road and further from No.20 Ise View Road.
- Openings in the (side) northwest, and front (southwest) and rear (northeast) elevations have been altered.
- A single storey garden room has been added to the current proposal.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Desborough Town Council

- No objection.
- While squeezed into a single plot looking tight, similar homes have been constructed within the area.

Highway Authority

- Plan to be provided showing pedestrian and vehicular visibility splays, access width and garage size.

An additional plan was provided by the applicants and the Highway Authority provided the following comments on the details provided:

- No objection.
- Access is substandard but as previously been accepted by the HA, and the application is substantially the same as previously approved, unable to sustain an objection on highway grounds.
- Request conditions regarding acquiring the correct licences for highway works.

Environmental Health

- No objection.
- Subject to conditions relating to contaminated land.

Neighbours

24 Ise View Road

- Objection.
- The scale of house is wholly out of keeping with the natural building line in this part of Ise View Road.
- The size of the dwellinghouse dramatically reduces the amount of light which is beyond that which is acceptable.
- The access corridor adjacent to No.24 is far too narrow for service/maintenance/building access.
- Request conditions limiting the opening of the Velux window on the side facing No.24, 2m fence to be built between application site and No.24, and conditions regarding the siting of the boundary fence, house to be moved 900mm from the boundary with No.24, and building line height to be lowered in line with adjacent bungalows.
- The height of the proposed building is beyond the prevailing natural building height of Nos.20 and 24, leading to a severe loss of amenity to No.24 given the proposed building is on the south side.
- The new dwelling totally dominates the living area and street scene in this particular part of Ise View Road and sticks out quite awkwardly.

Comments relating to building regulations and ownership rights are not material planning considerations and do not fall to be considered under this application.

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

Policy 14: Energy Efficiency and Sustainable Construction

Supplementary Planning Documents

Sustainable Development SPD

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
5. Contaminated Land
6. Sustainable Construction and Energy Efficiency

1. The Principle of Development

The application site is in an established residential area to the northeast of Kettering.

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.

The principle of this proposal is further strengthened by planning permission KET/2010/0555 on 11/10/2010 and KET/2014/0678 on 16/12/2004, which granted permission for a similar size and style dwelling on the same site.

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 proposal is a two-storey gable roofed dwellinghouse in a long narrow plot of land. Surrounding properties in Ise View Road comprise piecemeal development consisting of single and two-storey detached dwellinghouses all with similar plot lengths to the application site but with varying plot widths. There is a mixture of housing styles and types, most are set back from the highway with a recognised building line, and several have detached garages forward of their associated dwellinghouse. As the road has developed over time, the single and two-storey dwellinghouses have been located next to each other with no overriding character to the dwellinghouses. The street has an open and spacious character despite some of the dwellinghouses being close to each other, due to the narrowness of their plots.

Planning permission has already been granted under reference KET/2014/0678 for a dwellinghouse and garage in these locations. This proposal has the same overall width, length, eaves and maximum height as the dwellinghouse already approved but for this proposal, the following amendments have been made:

- The single storey element to the rear is wider than that already approved and the openings in the southeast elevation altered.
- The single storey element attached to the northwest elevation has been moved to the southeast elevation and a front porch has been added. As a result the proposed dwellinghouse is sited nearer to the northwest boundary with No.24 Ise View Road and further from No.20 Ise View Road.
- Openings in the (side) northwest, and front (southwest) and rear (northeast) elevations have been altered.
- A single storey garden room has been added to the current proposal.

The application site is located between two single storey gable roofed dwellinghouses – No.24 to the northwest which has the ridge running from front to back, and No.20 to the southeast which has the ridge running from side to side. Both of these plots are approximately double the width of the application site, but have the same length. No.24 has a car port and garage in close proximity to the application site and the blank flank elevation of No.20 abuts the boundary with the application site. No.20 has had a single storey front elevation and porch and a large single detached hip roofed garage built forward of the front elevation. The front elevation of the proposed dwellinghouse is roughly in line with the front elevation the adjacent neighbour to the southeast at No.20 Ise View Road, and the car port of the adjacent neighbour to the northwest at No.24 Ise View Road. A single detached garage is proposed forward of the front elevation and is sited adjacent to the garage at No.20.

Although objections have been received regarding the character and appearance of the proposal, stating it is wholly out of keeping with the natural building line, and that it would total dominate the living area and street scene, the current proposal is almost identical to that approved under KET/2014/0678 which was judged to be acceptable in terms of its character and appearance in the relation to surrounding development and the wider street scene.

The alterations to the current proposal to move the single storey side element from the northwest to the southeast elevation, the addition of a front porch and alteration to the fenestration on the front elevation do not significantly alter the character and appearance of the proposal in relation to its surrounding neighbours and the wider street scene and therefore, subject to it being constructed of suitable materials, which can be requested by condition, the proposal is considered to be acceptable.

The proposal also includes the construction of a garden room across the bottom of the garden which will be constructed of olive green box profile steel sheet and will have a pitched roof. The building will be 2.259 metres to the eaves and 3.3 metres to the ridge, half of it is to be used for garden storage and half as a garden room and craft room. As this structure will be located at the bottom of the garden, it will not be visible in the public realm and is considered not to adversely impact on the character and appearance of surrounding development or the wider street scene. The

materials will be secured by condition

As such, subject to the imposition of materials conditions, the proposal accords with policy 13(h) of the North Northamptonshire Core Spatial Strategy in that it 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 dwellinghouse is two-storey and is located between two bungalows. Planning permission has already been granted under reference KET/2014/0678 for a two-storey dwellinghouse and garage in this location. This proposal has the same overall width, length, eaves and maximum height as the dwellinghouse already approved but for this proposal, the following amendments have been made:

- The single storey element to the rear is wider than that already approved and the openings in the southeast elevation altered.
- The single storey element attached to the northwest elevation has been moved to the southeast elevation and a front porch has been added. As a result the proposed dwellinghouse is sited nearer to the northwest boundary with No.24 Ise View Road and further from No.20 Ise View Road.
- Openings in the (side) northwest, and front (southwest) and rear (northeast) elevations have been altered.
- A single storey garden room has been added to the current proposal.

Objections have been received stating that the size of the dwellinghouse will reduce light beyond that which is acceptable and the height is beyond the prevailing natural building height of Nos.20 and 24, losing amenity to No.24 as the proposed building is on the south side.

The revised proposal still has the same front and rear building lines as the scheme approved by KET/2014/0678, but the two-storey element of the proposed dwellinghouse is moving closer to No.24 to the northwest of the application site by 0.6 metres to be sited 0.4 metres from the boundary with this neighbour. To the southeast, the two-storey element of the proposal is moving away from No.20 by 1.4 metres with the single storey element now abutting the boundary with this neighbour. It is considered that moving the dwellinghouse 0.6 metres closer to No.24 will not lead to any adverse amenity impacts on this neighbour over and above those which would be experienced by the already approved proposal.

The neighbour to the northwest at No.24 has a driveway with a car port enclosed by opaque corrugated plastic sheets adjacent to the application site in the location of the proposed dwellinghouse. Behind the car port is a single flat roofed garage. The front elevation of the proposed dwellinghouse is set back from the front elevation of No.24 and is in line with the start of the car port.

No.24 has windows in its side (southeast) elevation facing the application site which are separated from the application site by a driveway. As the proposed

dwellinghouse is set back behind these windows, and the car port is open, it means they will still continue to receive a significant amount of natural daylight, and will therefore not be adversely impacted by the proposal.

At ground floor level in the northwest elevation, facing No.24, the proposal has two high level openings constructed of glass blocks to provide light to a bathroom and a living area. As these will be high level, and fixed shut, it is considered that they will not lead to a loss of amenity to the occupiers of No.24. No other openings are proposed in this elevation. To ensure there is no loss of privacy to the neighbours at No.24, a condition will be added to prevent any further openings in the northwest elevation.

In addition to the main dwellinghouse, there is a single storey element at the rear of the two-storey element and this will be located behind the garage at No.24. A roof light is proposed in both the northwest and southeast roof planes of the single storey element but due to their height from ground level will not lead to any overlooking of the rear amenity space of No.24.

To the southeast, the proposal will have a single storey element abutting the boundary with No.20. This element is the same length as the existing dwellinghouse at No.20 which has a blank flank wall abutting the boundary. As such, there will be no adverse amenity impacts caused by this part of the proposal.

The two-storey element of the proposed dwellinghouse will be 1.4 metres from the boundary with No.20 and contains two high level opening constructed of glass blocks which serve a bathroom and a bedroom, and a high level egress window to be used as an emergency exit for a bedroom and is required to satisfy Building Regulations. The egress window serves a bedroom and will be located close to the ridge of the bungalow at No.20, looking out over its roof. As such, as this window is the only source of light to the bedroom and because of its location, it is considered unnecessary to require it to be obscure glazed. A condition will be added however to prevent any further openings at first floor level in the southeast elevation. These proposed openings have been considered acceptable under the approval granted by KET/2014/0678.

The single storey rear element of the proposal is located away from the boundary from No.20 behind the side elevation of the proposed dwellinghouse and as such it is considered it will not have an adverse impact on the amenities of these neighbours in terms of loss of light or privacy.

The proposed garden room at the bottom of the rear garden is single storey and due to the length of the rear garden it is not considered will lead to any loss of amenity to the neighbours either side at Nos.20 and 24. In addition, the proposed garden room only exceeds the conditions and limitations of Class E of Part1, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 by virtue of the maximum height of 3.3 metres and therefore this structure could be built out with the same openings facing up the garden with a maximum roof height of 2.5 metres and would be outside of planning control. To address and potential issues of overlooking or loss of privacy, a condition requiring the submission of boundary treatment for the northwest and southeast boundaries

can be added to the decision notice.

It is therefore considered that due to the scale, mass and design of the proposal it would not have an adverse impact upon the living conditions of occupiers of neighbouring properties. The proposal therefore accords with Policy 13 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 visibility splay proposed would be sub-standard because the fence between the application site and the dwelling to the southeast exceeds 0.6 metres in height for the initial 2.4m from the highway boundary. However the previous two planning permissions on this site under reference KET/2014/0678 and KET/2010/0555 were approved as the Highway Authority considered for KET/2010/0555 that due to the characteristics of existing accesses in the vicinity and the fact that the road ends in a cul-de-sac, that the proposal should not be refused on highway safety grounds. As the Highway Authority accepted the arrangements for KET/2010/0555, it is not able to sustain an objection for subsequent applications.

The Highway Authority has recommended that two parking spaces be provided for the dwelling, which is the case. An informative will be included to ensure that the applicant seeks the correct licence from the Highway Authority to carry out work in the highway.

As such the proposed development will not to have an adverse impact on the highway network nor prejudice highway safety in accordance with Policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy.

5. Contaminated Land

Due to the underlying geology present throughout Northamptonshire, levels of naturally occurring arsenic, vanadium and chromium found throughout the borough frequently exceed the levels at which the risk from arsenic, vanadium and chromium to human health is considered acceptable for residential land use. To prevent any unacceptable risk to human health to future occupiers of the site, further investigation on site will be necessary to assess the extent of contamination which will then inform a remediation scheme.

This further investigation/remediation scheme can be satisfactorily secured by condition in the interests of human health, property and the wider environment in accordance with paragraphs 109 and 121 of the NPPF which requires development to enhance the local environment by remediating and mitigating contaminated land ensuring it complies with Part IIA of the Environmental Protection Act 1990.

6. Sustainable Construction and Energy Efficiency

Policy 14(b) of the North Northamptonshire Core Spatial Strategy states that development should meet the highest viable standards of resource and energy

efficiency and reduction in carbon emissions. All developments should incorporate techniques of sustainable construction and energy efficiency, provide for waste reduction/recycling and water efficiency and be in accordance with the requirements of the North Northamptonshire Sustainable Design SPD.

It is considered that the material submitted with the proposal adequately demonstrates that the development is sustainable in respect of location, design, construction, materials, waste management and energy and water efficiency. Accordance with these details can be secured by a condition requiring development to be carried out in accordance with the approved plans.

Conclusion

Subject to the imposition of conditions relating to materials, contaminated land, boundary treatments, sustainable development and the restriction of openings, the proposal accords 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: