

BOROUGH OF KETTERING

Committee	Full Planning Committee - 09/02/2016	Item No: 5.3
Report Originator	Alison Riches Development Officer	Application No: KET/2015/0983
Wards Affected	Desborough St. Giles	
Location	86 Federation Avenue, Desborough	
Proposal	Full Application: Single storey side extension, detached single garage and radio antenna to rear	
Applicant	Mr Roberts	

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 location and construction of the aerial mast hereby approved shall not be carried out other than in accordance with the approved plans and details shown on site layout plan KET/2015/0983/2, received on 15th December 2015, the Design and Access Statement KET/2015/0983/3 and the structural details shown on KET/2015/0983/4, both received on 21st December 2015.

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 aerial mast hereby approved shall have a galvanised finish, and thereafter be maintained in that form.

REASON: In the interests of the character and appearance of the surrounding area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The aerial mast hereby approved shall be at its fully extended height on no more than 30 days in any calendar year. On all other days (i.e. at least 335 days in any calendar year), it shall be retracted so its height does not exceed 8.5 metres when measured from ground level. For the purpose of this condition, the word 'day' includes the hours of darkness.

REASON: In the interests of the visual amenity of the surrounding area and the amenities of surrounding occupiers in accordance 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 single storey side extension and the garage hereby approved 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.

Officers Report for KET/2015/0983

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 07/01/2016.

The application site lies on the southeast side of Federation Avenue to the southwest of Desborough, and is a detached two-storey cream render and red brick dwellinghouse with a terracotta tile hipped roof built in the 1920s/1930s. There is a double height bay window on the front elevation under a hipped gable roof. All windows and doors are white PVCu. There is a small single storey mono-pitched roof extension attached to the southwest (side) elevation, a two-storey flat roofed extension with a lantern roof and a single storey ridge roofed extension to the rear of the property, all of which were added under permitted development.

There is a small block paved front garden bounded to the front and northwest side by a low brick wall, which joins up with the single storey side extension at No.88 Federation Avenue, the brick wall then continues down that boundary and then becomes a 1.8 metre high wooden panel fence.

There is a wide vehicular access onto Federation Avenue and a driveway runs beside the northeast elevation of the dwellinghouse into the rear garden, finishing at an exiting gravelled area.

There is a raised terrace behind the rear extensions as the ground level gently slopes downwards immediately behind the dwellinghouse. The existing single storey side extension is at a lower level than the rear extensions.

There is a shed at the bottom of the rear garden.

Surrounding development is a variety of detached and semi-detached two-storey dwellinghouses in a range of styles and ages from the 1920s to the 1980s/1990s.

Proposed Development

The proposal is for a single storey extension with a mono-pitched roof to the southwest (side) elevation, a single storey detached single garage and workshop with a dual pitched roof located in the rear garden, and a telescopic radio antenna to be located at the bottom of the rear garden.

Any Constraints Affecting The Site

Within the Nene Valley Nature Improvement Area (NIA) Boundary

4.0 Consultation and Customer Impact

Desborough Town Council

- Objection.
- Concern that wind noise through the structure could prove an irritation to neighbours.
- Neighbours should accept the visual intrusion.
- 'Approved to BS5750' gives the impression that the product is approved – this is a quality standard only – superseded by ISO9001.
- Not convinced that just because local authorities, national companies and UK utility companies endorse the radio antenna use, that it is acceptable in a residential location.
- Concern that the extension is right on the boundary line, also the garage.
- Believe the garden level where the garage is proposed is about 2 feet (0.6 metres) higher than original so making siting of the garage at the rear a potential intrusion into neighbours privacy, coupled with the large shed and antenna could be an over development.

Environmental Health

- No complaints have been received regarding noise issues for the same mast equipment at the applicant's previous address.
- If the Town Council has objected on the grounds of wind noise through the antenna a noise report could be requested.

Neighbours

The following objections were received, of which the material planning considerations are summarised below.

No.88 Federation Avenue

- Objection.
- Overshadowing, consequent loss of light, impact of the proposal on the design and function of my property.
- Access to my property is to the side where the proposed side extension will be built. The front door is halfway down the side of my property as is my only kitchen window.
- I will lose a significant proportion of ambient daylight to the hallway, central corridor and kitchen window due to the raised height of the side extension.

No.86 Federation Avenue

- Objection.
- Design and positioning of the proposed garage/workshop and radio mast will have a significant effect on the outlook of the surrounding properties, specifically that of No.84.
- At present there are no other permanent structures of this size and type visible in the avenue – refer to location and block plans.
- There would be a significant increase in noise and air pollution by having vehicles entering a residential garden on a regular basis from the highway, especially for No.84 as we are closest to the property where the new building will be located.

- The rear garden of No.86 currently sits 21 inches (54 centimetres) higher than us. This will significantly increase the overall height at which the planned garage/workshop will sit and will inevitably impact on the visual outlook of all the properties but especially No.84.
- Concerned if the workshop has a commercial use that the level of noise could be controlled.
- It would seem the radio mast would in fact have some impact on the immediate resident's audio and visual equipment.
- Conifers shown at the rear of No.84 are in the rear of the garden backing on to No.84 and not as shown on the submitted plans. Due to shorter garden, the positioning and size of the proposed structures will have a detrimental effect on our views and others surrounding No.86.

Comments and concerns received from both neighbours relating to the potential damage and loss of services during building works, appropriateness of the footings, boundary wall issues, foundations undermining the boundary fence, ongoing fence maintenance, unstable ground conditions, and location of the boundary between No.84 and 86, are not material planning considerations. All issues relating to works in proximity to site boundaries are civil matters and are covered by the Party Wall etc. Act, which will be brought to the applicant's attention by way of an informative.

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
5. Nene Valley Nature Improvement Area (NIA)

1. The Principle of Development

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

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 and alterations 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.

Each of the three parts of the proposal will be dealt with separately:

Single Storey Side (southwest) Extension

The proposed single storey will replace the existing small single storey side extension at the site. The proposed side extension will extend to the boundary line with No.88 Federation Avenue, will extend from the front elevation to the rear elevation of the original dwellinghouse, which does not include two-storey rear extension, and will be increased in eaves and maximum height from the existing extension. The proposal will have a mono-pitched roof and will be visible in the public realm in Federation Avenue.

The applicants also propose to reinstate a chimney to the living room which will be extend out the top of the roof of the proposed extension and will finish approximately 1.5 metres above the eaves height of the existing dwellinghouse.

No window openings are proposed in any of the elevations of the proposal, but a glazed door is proposed in the rear (southeast) elevation and 2 no. roof lights in the roof plane.

The proposal has been designed to reflect the style of the existing extension and provided the materials used match those on the existing building, the proposal will not adversely impact on the character and appearance of the existing dwellinghouse, surrounding development or the wider street scene, which is in accordance with policy 13(h) of the North Northamptonshire Core Spatial Strategy.

Detached Single Garage

The proposed detached single garage will be located towards the bottom of the rear garden at the end of the existing driveway. It will only be visible in glimpsed views from Federation Avenue, and then only when standing directly in front of the existing driveway.

The proposed garage has a ridged roof and a single garage door in the front elevation, and is of a height and proportions typical of garage design. Provided the materials match those on the existing dwellinghouse, the proposal will not look out of character with the existing dwellinghouse, surrounding development or the wider street scene, which is in accordance with policy 13(h) of the North Northamptonshire Core Spatial Strategy.

Radio Antenna

The proposed radio antenna is a free standing mast which is a slim-line silver galvanised triangular lattice construction supported within a 1.92 metre high metal base plate post, bolted onto a 1.68 metre square by 1.4 metre deep concrete block which is sunk into the ground, so the base plate post is at ground level. The mast has a fully extended height of 17.5 metres and a fully retracted height of 8.23 metres, and it can be tilted over within the base plate post for maintenance.

The mast is to be located in the rear garden, close to the southeast boundary of the application site, near to a group of conifer trees which are approximately 7 metres in height.

Although an aerial mast is not a structure commonly seen in residential properties, its slim-line triangular lattice construction which measures 33 centimetres in section, and its galvanised silver colour which greys overtime, means that it will not be prominent in views from the public realm in Federation Avenue or in Pioneer Avenue to the southeast. The base plate post is unlikely to be visible from the street scene as it is to be located behind the proposed garage.

Conditions are to be added requiring the mast to be constructed and erected in accordance with the submitted plans and details, and to secure the galvanised silver colour, which is most reflective of the general sky colour, and prevent it from being painted, therefore ensuring that its prominence within the street scene is not increased.

As such, subject to the imposition of a condition it is considered the proposed aerial mast will not adversely impact on the visual amenity of the application site, surrounding development or the wider street scene which is in accordance with policy 13(h) of the North Northamptonshire Core Spatial Strategy.

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.

Each of the three parts of the proposal will be dealt with separately:

Single Storey Side (southwest) Extension

The proposed single storey will replace the existing small single storey side extension at the site. Due to its location within the site in relation to surrounding neighbours, this part of the proposal is unlikely to impact on the amenities of neighbours to the northwest across the highway in Federation Avenue due to the separation distance, to the northeast at No.84 Federation Avenue as the existing

dwellinghouse shields the proposal from this neighbour, and to the southeast in Pioneer Avenue due to the separation distance.

The proposed extension will be built up to the boundary of the application site with No.88 Federation Avenue to the southwest and an objection has been received from this neighbour stating that due to the increased height of the proposal, there will be overshadowing and a loss of daylight to their hallway and kitchen which has windows facing the proposed development.

Class A of Part 1, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO), grants planning permission for single storey side extensions within 2 metres of the boundary of the curtilage a dwellinghouse provided they are less than half the width of the original dwellinghouse, have an eaves height of no more than 3 metres, a maximum height of no more than 4 metres, and are constructed of materials similar in appearance to those used on the existing dwellinghouse.

The proposed extension has an eaves height of 2.5 metres and a maximum height of 3.6 metres, is less than half the width of the original dwellinghouse, and the applicant proposes to use render and tiles to match those on the existing dwellinghouse.

This part of the proposal therefore constitutes development permitted by the GPDO and could therefore be built out without reference to this planning application, and although the concerns of the neighbours at No.88 are noted, the amenity impacts for single storey side extensions of the dimensions submitted have been assessed to be acceptable and it is not possible to refuse planning permission for this element of the proposal.

The proposed chimney also falls within the limitations of Class G of Part 1, Schedule 2, Article 3 of the GPDO in that it does not exceed the highest part of the roof by 1 metre or more and is therefore permitted development.

Detached Single Garage

The proposed detached single garage will be located towards the bottom of the rear garden at the end of the existing driveway and has a ridged roof and a single garage door in the front elevation.

Due to its location within the site in relation to surrounding neighbours, this part of the proposal is unlikely to impact on the amenities of neighbours to the northwest across the highway in Federation Avenue, to the southwest at No.88 Federation Avenue, and to the southeast in Pioneer Avenue due to the separation distance.

The proposed garage will abut the boundary with No.84 Federation Avenue the adjacent neighbour to the northeast of the application site, and an objection has been received from this neighbour concerned that this part of the proposal would lead a significant increase in noise and air pollution due to vehicles regularly entering the garden from the highway, the difference of 0.54 metres in level between their property and the application site, meaning the proposed garage would sit at higher land level and lead to a loss of visual outlook and privacy, and the potential

commercial use of the workshop and whether the level of noise could be controlled, The proposed garage will be 6 metres long with a 1.8 metre long workshop at the end of it, 3 metres wide, 2.5 metres to the eaves and have a maximum height of 3.6 metres.

The proposed garage will be sited at the end of an existing driveway in close proximity to a gravelled area which is the size and shape of a garage base. The existing driveway is currently used to park the applicants vehicles clear of the highway and it is considered that the proposed garage will not lead to any more traffic movements within the site than is already experienced under the current arrangements.

With respect to the height of the proposed garage and the difference in land levels between the application site and the neighbour at No.84, under permitted development granted by Class E of Part 1, Schedule 2, Article 3 of the GPDO, an incidental building with an eaves and maximum height of 2.5 metres can be built within the curtilage of a dwellinghouse where that building is within 2 metres of the boundary of the site. The proposed garage is adjacent to the boundary with No.84 Federation Avenue with an eaves height of 2.5 metres, which is within the limitations of Class E, meaning that if the proposed garage were flat roofed it could be built without reference to this planning application, or to the difference in ground levels.

Although the proposed garage has a ridged roof with a maximum height of 3.6 metres, the front elevation of the proposed garage is in excess of 19 metres from the rear extension of No.84 and will be partially obscured from views by the garage and outbuilding this neighbour has in close proximity to the application site boundary extending down their garden, in addition to which there is currently a large well established tree in the adjacent garden where the proposed garage will be sited, obscuring views of it and preventing any overlooking.

The proposed workshop at the end of the garage measures 1.8 metres by 3 metres, and is therefore small scale. The intended use of the workshop is unknown but is being considered within this application as an ancillary use to the enjoyment of the dwellinghouse together with the proposed garage.

A commercial use for this outbuilding would require a change of use application and any noise issues over and above that which would reasonably be expected from an ancillary use to a dwellinghouse are controlled through Environmental Health legislation.

As such, it is considered the proposed garage and workshop will not lead to an unacceptable impact on the amenities of neighbouring properties in accordance with policy 13(l) of the North Northamptonshire Core Spatial Strategy.

Radio Antenna

The proposed radio antenna is a free standing mast which is a slim-line silver galvanised triangular lattice construction supported within a 1.92 metre high metal base plate post, bolted onto a 1.68 metre square by 1.4 metre deep concrete block which is sunk into the ground, so the base plate post is at ground level. The mast has a fully extended height of 17.5 metres and a fully retracted height of 8.23

metres, and it can be tilted over horizontally within the base plate post for maintenance.

The mast is to be located in the rear garden, close to the southeast boundary of the application site, near to a group of conifer trees which are approximately 7 metres in height.

The aerial mast is a slim-line triangular lattice construction which measures 33 centimetres in section at its base and 18.4 centimetres in section at its top, and its galvanised silver colour which greys overtime, which means that it will not be prominent in views from the public realm in Federation Avenue or in Pioneer Avenue to the southeast. A condition is to be added to retain the galvanised finish to prevent it being painted in the future and becoming more visually intrusive.

The base plate post is unlikely to be visible from the street scene as it has a maximum height of 1.92 metres and will be located behind the proposed garage.

Desborough Town Council has objected on the grounds that wind noise through the structure could prove an irritation to neighbours, and that the mast would have some impact on the immediate resident's audio and visual equipment.

Environmental Health has commented that no complaints have been received regarding noise issues for the same mast equipment at the applicant's previous address and that if the Town Council has objected on the grounds of wind noise through the antenna a noise report could be requested by condition.

The aerial's open lattice structure, its section size ranging from 33m to 18.4 cm, its location at the bottom of the application site rear garden close to a row of conifer trees, 30 metres from the dwellinghouses in Federation Avenue and 30 metres from the dwellinghouses in Pioneer Avenue to the southeast, and the fact that there will be no support guy ropes means that any wind noise is likely to be negligible. It is therefore considered that the request of a noise report through condition is onerous and unnecessary given the distances to neighbouring properties and that any neighbour nuisance issues raised as a result of wind noise can be dealt with outside of the planning regime through Environmental Health legislation.

With respect to the interference of surrounding resident's audio and visual equipment, it is a requirement of legislation under the Wireless and Telegraphy Acts that all mast operators hold a Department of Trade and Industry operating licence which is issued by the Radiocommunications Agency. The operators are required under the licence to be technically qualified to address interference issues in neighbouring properties or face their licence being suspended. As this issue is dealt with by other legislation, it does not fall to be considered within this planning application. An informative will be added to remind the applicants of their duties under the Wireless Telegraphy Acts.

The applicants have provided information that full extension of the aerial is realistically to be required on no more than 30 days a year, and it is considered that this should address any amenity issues which may arise. A condition will be applied to secure this.

As such, it is considered that subject to a condition requiring the mast to be retracted when not in use, there will be no issues of amenity for the surrounding residents, which 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 includes the construction of a garage towards the rear of the back garden at the application site. The current parking arrangements at the site are for vehicles to park on the block paved front garden and the existing driveway, and these areas will not be impacted by any of the three parts of the proposal. In addition, there are no parking restrictions on Federation Avenue.

As such, the addition of a garage will increase the parking provision at the site, and will not 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. Nene Valley Nature Improvement Area (NIA)

The application site is within the NIA boundary, however, as the application site is in an established residential area and the proposed extension, outbuilding and antenna take up a small proportion of the rear garden, it is not considered the small scale of the development proposed will not have any adverse impact on existing wildlife or the improvement of the Nene Valley.

Conclusion

Subject to the imposition of relevant conditions, the proposals accord with policies in the Development Plan and are recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: