

BOROUGH OF KETTERING

Committee	Full Planning Committee - 08/11/2016	Item No: 5.4
Report Originator	Richard Marlow Senior Development Officer	Application No: KET/2016/0562
Wards Affected	Burton Latimer	
Location	Plot 9, Spring Gardens, Burton Latimer	
Proposal	Full Application: Substitution of house type to include installation of roof lights to front elevation and removal of mock chimney	
Applicant	Miss S Feely Elm Park Homes,	

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 shall be constructed of Hanson -Yorkshire Multi Buff bricks and Marley Eternit - Mendip interlocking Profiled tiles.

REASON: In the interests of the visual amenities of the area in accordance with policy 8 of the Joint Core Strategy for North Northamptonshire.

3. Boundary treatment shall be carried out in accordance with plan 014-054-001 - proposed site plan approved on 25/06 /2015 through AOC/0406/1401 in respect of Condition 3 of KET/2014/0406. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of visual amenity of the development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

4. The development must be carried out with the recommendations made in paragraph 10.1.1 of the Contaminated Land Phase 1 desktop study approved on 25th June 2015 through AOC/0406/1401 in respect of Condition 4 of KET/2014/0406.

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 shall be undertaken and where remediation is necessary a remediation scheme shall be prepared, 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 shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with policy 11 and paragraph 120 of the National Planning Policy Framework.

5. The opening at first floor level on the western elevation shall be glazed with obscured glass and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining properties and to prevent overlooking in accordance with policy 8 of the Joint Core Strategy for North Northamptonshire.

6. 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, and additions or alterations to the roof permitted by Schedule 2, Part 1 Classes A or B shall be made in the south east roof plane or north east elevation of the building at first floor.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

7. Before the development hereby permitted is first occupied or used, space for the parking and manoeuvring of vehicles shall be provided within the site in accordance with the approved plans SG/02A and approved through AOC/0406/1401 on 25 June 2014 in respect of KET/2014/0406. The parking and manoeuvring space shall thereafter be retained and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

8. Hard and paved surfacing shall be provided in accordance with plan 014-054-001 - proposed site plan received on 25/03/2015 in relation to condition 10 of KET/2014/0406. The approved surfacing shall be completed before the development hereby permitted is first occupied.

REASON: In the interests of visual amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2016/0562

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

3.0 Information

Relevant Planning History

KET/2015/0939 Substitution of house type to Plot 9. Approved 02/02/2016.

KET/2014/0406 Substitution of house type to plot 9. Approved 12/09/14.

KET/2008/0262 4 no. dwellings at plots 9, 11, 19 and 21 Spring Gardens.
Approved 30/05/2008

KE/00/0593 Erection of 4 No. dwellings (Amended Scheme). Approved
24/10/2000.

KE/87/0962 Residential Development. Approved 6 January 1988

Site Description

The site is an rectangular area of land aligned south-east/north-west and served by a fully made-up access between Nos. 7 and 9 Spring Gardens with a private drive leading into the site.

The site which lies with an established residential area is currently under construction for 4 detached dwellings comprising buff brick and stone header details.

Proposed Development

This application seeks planning permission to substitute the house type on Plot 9 to provide two additional roof lights to the front elevation and removal of the mock chimney.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Burton Latimer Town Council

Initial plans - Requested a second floor plan and confirmation if the roof height has been increased and, if so, by what measurement.

Additional plans – no comments received.

Environmental Health

No comments or objection.

Highways

No observations.

Neighbours

3 objections received from neighbours on the following grounds:

7 Spring Gardens

- Inclusion of additional windows placed at a higher level within the roof will only increase the opportunity for sight into neighbouring properties, reducing the privacy afforded by the original development.
- The amount of habitable space is already generous negating the need for an increase in the number of bedrooms and introduction of roof lights.

27 Spring Gardens

- Privacy will be directly and significantly invaded. The windows will impact our day to day living, enabling this property to look directly into both floors of our house including our master bedroom.

41 Spring Gardens

- Object as the intention has always to make these 3 storey properties.

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 Joint Core Strategy

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 15. Well-connected towns, villages and neighbourhoods

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 and Character
3. Residential Amenity
4. Other Matters

1. Principle of Development

The application site is located within the town boundary of Burton Latimer, as defined by Policy 35 of the Local Plan, in an established residential area. The principle of residential development on this land has been established through the previous approvals on the site.

2. Design and Character

Policy 7 of the National Planning Policy Framework (NPPF) requires good design while policy 8 of the JCS requires that development responds to the sites immediate and wider context and local character.

The proposed development would amend the house type approved through KET/2015/0939 with the insertion of two roof lights within the front, north west facing, roof plane and the removal of the mock chimney. The roof lights would provide light to the attic room which could be used as a bedroom, office and other habitable space.

The height and eaves of the scheme are unaltered from those previously approved for the site and the removal of the chimney is a minor alteration to the scheme which is not harmful to the overall design or wider area. Architectural flourishes in the form of stone headers are proposed to the fenestration and overall the elevations produce a coherent design response and a pleasing element of symmetry.

In summary and on balance the proposal accords in design and character terms with the requirements of Policy 7 of the NPPF and Policy 8 (d) of the JCS.

3. Residential Amenity

Policy 8 (e) of the JCS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The overall height at 8.5m and eaves of the scheme are unaltered from those previously approved for the site and accordingly no additional overbearing or loss of light issues result.

Two roof lights on the front roof slope would face northwest towards plot 21 which is being built by the same developer at a distance of 30 metres. The bottom of the windows is set 1.5 metres above floor level, providing limited views to adjacent properties.

An objection has been received from no. 27 Spring Gardens regarding privacy and the potential for the windows to look directly into both floors of our house including our master bedroom. The nearest roof light is set 43 metres away from the rear elevation of this property providing ample distance between habitable rooms to maintain appropriate amenity levels. Other relationships between the proposal and existing dwellings are appropriate with back to back and rear to flank relationships appropriately spaced.

Consistent with previous schemes one side facing window at first floor is proposed in the west elevation but this will serve an en-suite and therefore will be obscure glazed which can be secure by condition and pose no amenity impacts. . The Town Council have questioned if there is adequate protection to stop the owners fitting windows overlooking neighbours and consistent with previous schemes permitted development rights will be restricted by condition.

Subject to conditions the amenity of neighbouring residents will be safeguarded through this proposal and it is therefore considered to be in accordance with criterion e of Policy 8 of the JCS.

4. Other matters

A number of conditions have been approved and discharged for the plot to maintain neighbouring amenity, secure an appropriate form of development and to prevent unacceptable future risks to occupants through contamination. It is recommended that these conditions are attached to any approval granted.

Conclusion

The proposed development is considered to be in accordance with the provisions of policies of the development plan and with no other material considerations indicating against it, it is recommended that the application be approved subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: