

BOROUGH OF KETTERING

Committee	Full Planning Committee - 17/01/2017	Item No: 5.4
Report Originator	Christina Riley Senior Development Officer	Application No: KET/2016/0704
Wards Affected	Desborough Loatland	
Location	3 Loatland Street (land adj), Desborough	
Proposal	Full Application: 1 no. detached dwelling	
Applicant	Mr S Parker	

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. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, 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: Details of materials are necessary prior to the commencement of development in the interests of the visual amenities of the area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. The landing window on the south-west elevation shall be non-opening and glazed with obscured glass and the bathroom window on the south-west elevation shall be glazed with obscured glass, and thereafter they shall be permanently retained in that form.

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

4. All materials obtained from demolition shall be permanently removed from the site within twenty eight days of demolition being commenced.

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

5. No development shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. 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 the amenity and protecting the privacy of the neighbouring property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2016/0704

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

3.0 Information

Relevant Planning History

KET/2011/0556 – Lawful Development Certificate. Garage. Approved
23/11/2011

KE/1993/0774 - 49 Braybrooke Road Desborough (land to rear), Outline for dwelling house or bungalow with car parking to be shared with no.49. It should be noted that this site was slightly larger than the current site, with a frontage of about 13m as opposed to 9.1m for the current application. Both applications and a similar maximum depth of 18m. Approved on appeal. 31.01.94.

Site Description

Officer's site inspection was carried out on 07/11/2016. The application is located on the sothern side of Loatland Street and is currently occupied by a single storey two building which houses two garages. There is an area of hard standing to the front of the building. Boundary treatment to the front of the site is a low wall and gated access. The site is served by a dropped kerb.

To the north-east of the site are the rear gardens to dwellings on Braybrooke Road and Harrington Road. To the front of the site are the front elevtions to two-storey terraced dwellings on Loatland Street. To the south-west is the side elevation of 3 Loatland Street, in this elevation is a first floor window and door to the ground floor. Dwellings on this part of Loatland Street are a mix of design and age, but are characterised by a small front 'garden' area between the house and pavement and on-street parking. Most are red brick and render, with a concrete tile roof.

Proposed Development

1 detached dwelling. The initial proposal was for a four bedroomed dwelling, with on –street parking. Bedrooms 2 and 4 did not meet the 'Nationally Described Space Standard' as required by Policy 30 of the North Northamptonshire Joint Core Strategy. The applicant was asked to revise the application and has now submitted a scheme for a two bedroomed detached dwelling, again with on-street parking.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Response to initial round of consultation

Town Council – Object due to overdevelopment of the site, providing inadequate amenity space and no off street parking.

Highway Authority – No objection, however the proposal displaces parking from garaging on site. The Local Authority should satisfy itself regarding parking and serving the site.

Neighbours – 3 letters from different addresses (45 and 49 Braybrooke Road and 10 Loatland Street) have been received objecting to the proposal on the following grounds:

- Building will overshadow rear gardens reducing and restricting light to a large proportion of back garden,
- Design means that the only view looking south will be a brick side wall which is extremely close to boundary fence;
- Loss of privacy to existing residents and those of proposed dwelling as rear windows are one to two metres from rear windows to objectors garden
- The proposal is a 4 bedroomed house which has no provision for parking, will intensify existing parking issues
- Parking in Loatland Street is over capacity, in the evening cars park on both sides of the street from the corner of Braybrooke Road, down and round Loatland Street
- Properties are terraces and do not have garages or driveways
- Often no passing spaces so cars reverse all the way down Loatland Street, concerned this proposal will lead to more vehicle reserving risking potential accidents, particularly with children
- Emergency vehicles will be restricted
- Loatland School is less than 300 yards away and causes more pressure on parking at school times
- Not much room for cars to pull out of proposed site due to vehicles being parked opposite, could be safety issues due to limited space for manoeuvring
- Property will block light from house (located on opposite side of the road), which is in the centre of a terrace and only has restricted light from the front and back of the property only.
- Overlooking of house opposite
- Impact on quality of life as currently overlook gardens and greenery, this will impact on view
- We were not consulted when garages were built and would have objected to this

The applicants were asked to amend the scheme as the bedroom sizes did not accord with the Governments 'Nationally Described Space Standards' and to provide a larger garden area. Amended plans were received and consulted upon. Responses to this round of consultation are shown below. Any additional responses will be reported in the update.

Response to second round of consultation.

Town Council – Original objection still applies.

Highway Authority - No objection, however the proposal displaces parking from garaging on site. The Local Authority should satisfy itself regarding parking and serving the site.

Neighbours – 1 letter has been received from 10 Loatland Street, repeating the same objections as before and adding the following:

- Property being built opposite will create a lot of noise, disturbance and mess
- There could be additional noise once it is occupied

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 29. Distribution of New Homes

Policy 30. Housing Mix and Tenure

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

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 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 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Desborough is a 'Market Town' and, therefore, should provide growth in homes to support regeneration and local services and at a scale appropriate to the character and infrastructure of the town, with the re-use of suitable previously development land to be encouraged.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of residential development 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 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

Although a detached dwelling, the design of the proposed dwelling mimics the terrace of neighbouring properties at No 3 – 7 Loatland Street, having a hipped roof and bay window to the ground and first floor on one side of the dwelling only. The roof over the porch is similar to the roof over the ground floor windows on No's 8 – 14, which are also bay windows. The proposed materials of render, brick and concrete tile also reflect the materials of neighbouring dwellings.

The building is set back from the road in line with its neighbour 3 Loatland Street, again reflecting the character of this part of the street.

In view of the above it is considered that the design and siting of the proposed dwelling responds well to the site's immediate and wider context and local character. The proposal is therefore, in accordance with policy 8 of the NNJCS.

3. Residential Amenity

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

The proposed dwelling is over 15m from properties on Braybrooke Road and as such it is considered that the potential for overshadowing of these properties is limited. There will be some overshadowing of rear gardens, but this is not considered sufficient to refuse the application.

The proposal is located to the east of, and over 14m from properties on the opposite side of Loatland Street and the separation distance would be approximately 3.4m between opposing side elevations. It may cause some limited loss of light to rooms in the front of these properties, but this relationship is similar to that between other properties on the street (No's 3- 7 and 8 -18 Loatland Street for example) and as a result, it is not considered that it would be reasonable to refuse the application on these grounds. The small size of the first floor window means that it currently provides only limited light and outlook for existing occupiers at No. 3.

The proposed development is situated to the north-east of No. 3 Loatland Street, and might cause some loss of light to the side elevation, which has a

small first floor window and side door, but again this will be no worse than the relationship between other properties on the street (14 – 16, 18 – 20 Loatland Street) and is therefore considered acceptable in this respect.

A secondary bedroom window is proposed in the north-east elevation overlooking the rear gardens of properties on Braybrooke Road. This window is considered unnecessary and the applicant has been asked to provide amended plans removing it. An update will be given to committee on this point. A secondary bathroom window and a window to the stairs are proposed in the south-west elevation overlooking 3 Loatland Street. A condition will be added to ensure that these windows are obscure glazed in perpetuity.

The windows in the rear elevation of the proposed dwelling will lead to some additional overlooking of the rear gardens and rear elevations of properties on Loatland Street, Braybrooke Road and Harrington Road. Windows in the front elevation will also provide additional overlooking of the front of dwellings on Loatland Street. These properties are all already overlooked by existing dwellings on these roads and it is not considered that one dwelling will add significantly to the overlooking already experienced. Any new close-proximity sensitive overlooking opportunities would be avoided.

Policy 30 of the JCS requires new development to meet National Space Standards as a minimum. The original plans did not meet the Nationally Described Space Standard as a number of the bedrooms were too small. The scheme has been amended to reduce the proposal from a 4 bedroomed, 6 person house to a 2 bedroomed 3 person house. The proposal now meets the requirements with an overall floor area of 82.2 square m (the standard requires 70 sq. m), Bedroom 1 has a floor area of 12.1 square m, *excluding* the bay window and a width of 3.24m (the standard requires 11.5 sq. m and 2.55m wide) and Bedroom 2 has a floor area of over 9.5 sq. m and is 3.89 m wide (the standard requires 7.5 sq. m and 2.15 m wide).

The proposal now accords with the Nationally Described Space Standard and Policy 30 of the NNJCS.

It is accepted that the rear garden space provided is small, however planning guidance stresses the need for a variety of housing types to give people choice. As the proposal will not (subject to conditions) lead to any other amenity issues the garden size on its own is not sufficient reason to refuse the application.

There has been an objection on the grounds of construction noise and disturbance. This should not be an issue on the site and can be covered under the various powers available to the Council if this is the case. There has also been an objection on the grounds of noise once the property has been occupied, but it not considered that the addition of one extra house on this street will add significantly to noise already experienced.

To conclude, it is considered that subject to conditions, the proposed scale, siting and design of the dwelling will minimise any potential amenity impact on

its neighbours and that no unacceptable harm to neighbouring amenity would result from the proposal.

4. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The applicant has confirmed that the two garages on site have been used for the storage of Jetski's and that the garages are redundant as the Jetski's are stored elsewhere. He also states that the garages have not been used for car parking during the past 5 years and therefore there will be no loss of parking as a result of this application. None of the objectors have referred to loss of parking on the site as a result of this proposal; therefore the applicants' assertion appears reasonable.

There are no parking spaces proposed in association with the dwelling, however it is located in a sustainable location and on-street parking is typical of this area. The site currently has an access to the garages and drop kerb to the front of part of it, which should prevent parking in this location. The access will be replaced as part of this application, which should allow for some additional parking space on the road, to off-set some of the additional need that could be generated as a result of this proposal.

It is not therefore considered that the addition of a two bedroomed dwelling will add significantly to the amount of vehicle movements already experienced in the area and is therefore considered to be acceptable.

Comments on other points raised by proposal

The right to a view is not a material consideration in the determination of this application.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The scheme is in keeping with the character of the area and is considered to have an acceptable impact on residential amenity or highway safety. The scheme therefore complies with Policies 4, 6 and 7 of the National Planning Policy and Policies 8, 11, 29 and 30 of the North Northamptonshire Joint Core Strategy.

Background Papers

Title of Document:

Date:

Contact Officer:

Christina Riley, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: