

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 14/02/2017</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Duncan Law Development Officer</b>	<b>Application No: KET/2016/0903</b>
<b>Wards Affected</b>	<b>St. Michaels and Wicksteed</b>	
<b>Location</b>	<b>30 Sussex Road, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Two storey side extension</b>	
<b>Applicant</b>	<b>Mr N Cupi</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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application.

REASON: In the interest of securing an appropriate form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. 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 policy 8 of the North Northamptonshire Joint Core Strategy.

4. The window at first floor level on the southern elevation shall be glazed with obscured glass and any portion of the window that is within 1.7m of the floor of the room where the window is installed shall be non-openable. The window shall thereafter be maintained 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

5. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include and specify the provision to be made for the following:

- i. Measures to control the emission of dust and dirt during construction;
- ii. Control of noise emanating from the site during the construction period;
- iii. Hours of construction work for the development
- iv. Materials storage and other storage arrangements, equipment and related temporary infrastructure within the site;
- v. The erection and maintenance of security hoardings on the shared boundary with 32 Sussex Road during construction

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

## **Officers Report for KET/2016/0903**

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

### **3.0 Information**

#### **Relevant Planning History**

None relevant

#### **Site Description**

Officer's site inspection was carried out on 23/12/2016

Located in a residential area to the south of Kettering town centre, the dwelling subject to application is a 2 storey former council stock post-war semi-detached house. Materials are red brick under a concrete tile roof with white Upvc windows and doors. To the side there is single storey flat roofed extension. The house is positioned in a consistent row of properties with similar properties to the north, east and south whilst to the west are new properties built in the mid to late naughties There is a small garden to the front and medium sized triangular stepped garden to the rear. Land levels fall from north east to south west.

#### **Proposed Development**

Two storey side extension

#### **Any Constraints Affecting the Site**

None

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

#### **Neighbours**

4 x objections received from neighbours as below:

##### 4 Shire Close

- Extension will overlook back garden, reducing light and increasing noise as extra rooms will used for lodgers not a family

##### 5 Shire Close

- Lack of privacy due to overlooking
- Noise issues as house currently a House in Multiple Occupation
- No parking at property
- Possible loss of light

##### 6 Shire Close

- Lack of privacy due to overlooking
- Additional noise

##### 32 Sussex Road

- Existing plans show some of our land as footpath
- Plans do not show our ground floor rear extension
- Plans show removal of fence in our ownership which we will not authorise without prior agreement
- Proposed first floor window on south side elevation needs to be fixed closed to prevent encroachment
- Overbearing
- Should be moved back by 1m and fence erected
- Reduce light onto patio and dining room

- Breaks 45 degree rule
- Loss of privacy
- Security and safety concerns during construction
- The size of extension is not in keeping with surrounding area

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Paragraph 17 - Core Principles

Policy 7 – Requiring Good Design

### **North Northamptonshire Joint core strategy 2011–2031**

Policy 1 – Presumption in favour of sustainable development

Policy 8 – North Northamptonshire place shaping principles

Policy 11 – The network of urban and rural areas

### **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, character and appearance
3. Residential amenity
4. Parking

### 1. Principle of development

Sussex Walk is within the defined Kettering town boundary in an established residential area, development on this site is subject to policies in the development plan that are supportive of residential development. The North Northamptonshire Joint Core Strategy (JCS) and the 1995 Local Plan for Kettering Borough are the present development plan documents. Policies 11 and 29 of the JCS focus development within the growth towns including Kettering. Policy 29 of the JCS directs development to existing settlements within the Borough to strengthen the existing network of settlements whereas policy 8 of the JCS seeks to protect the amenity of existing residents. The proposed development is supported by national and local policy in the form of the National Planning Policy Framework and the Development Plan.

### 2. Design, character and appearance

Design that is of high quality and that complements the character of its surroundings should be a principle of development, as prescribed through policy 7 of the National Planning Policy Framework and 8 d) and e) of the JCS

Proposed 2 storey side extensions should respect and reflect the form, scale and architectural style of the original building and area. This can be achieved through the extension being subordinate to the original house and in proportion both in its own right and in relation to the original building. The proposal is set back therefore not impinging forward of the consistent building line as the focus of development is on the side and rear of the host

property. Therefore the proposal will not have a detrimental effect on the street scene and appears as a natural extension to this row of properties.

The design of the extension can be quite confidently said to reflect the character of the house as it is architecturally balanced to the host property. By following the horizontal emphasis of the existing windows, the design, proportions and position of joinery details, windows and doors respect those of the original building. It is worth noting that the natural limit of the amount of extension this house can accommodate has been reached. The materials will be conditioned to match those on the existing building as stated in the planning application

The proposal is acceptable as there will be no harmful effect on the character and appearance of the property and the street scene in general thereby complying with policy 7 of the NPPF and Policy 8 of the North Northamptonshire joint Core Strategy which all require development to reflect the identity of local surroundings and to be visually attractive.

### 3. Residential amenity

Policy 8 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.

Objections were received from neighbouring properties that will be addressed in turn below

4, 5 and 6 Shire Close.

Located to the west of the application site, the properties on Shire Close are noted as occupying lower ground than the applicant property as the ground slopes by approximately 1m. Although the projecting rear gable element of the rear extension would diminish the separation distance between them, it would remain at between 18 and 24m and there are existing boundary treatments including mature vegetation that shield the views between properties to some degree, particularly numbers 5 and 6 Shire Close. The views resulting from the proposal will not result in any propensity for overlooking significantly different from those that presently occur from the existing second storey rear window.

The proposal is therefore not considered to adversely impact on the amenity of these neighbours sufficiently to warrant refusal

32 Sussex Close

Number 32 is located to the south east of no. 30 hence when judging the path of the sun in relation to the location of the extension the proposal, being located to the north west of this property, avoids any overshadowing to the rear of number 32. When utilising the 45 degree rule to judge the effect of the proposal on the outlook from, or daylight to, this neighbouring house, it can be seen that the proposal does impinge slightly and breaks this axis however as this is only to a small extent and at a distance of over 11m, it is not considered sufficient to warrant refusal.

This neighbour also objected to an opening window in this flank that served bedroom 4 which has been subsequently amended by the applicant to an obscure glazed top light window with no propensity for overlooking that will be secured through condition.

With regard to any overbearing impacts, as a general rule, two-storey extensions should not be positioned very close to the boundary adjacent to the garden of a neighbour's property. The proposal would increase the existing single storey wall to one over 4m high

along most of the common boundary between 30 and 32 Sussex Road. In most applications it is considered that in such circumstances the neighbouring property would lose outlook and would suffer from a sense of enclosure as a result of the over dominant scale and form of the proposed extension however due to the layout of the two properties, this boundary is one of 4 enjoyed by number 32 and is the shortest shared boundary. The patio and ground floor extension patio door that serves a dining room will feel the presence of the proposal but it is not considered that light levels or sunshine will be affected sufficiently to refuse the application.

Comments were received during the consultation process raising concerns about the current and potential future occupants of the property. The current application is only for extensions to the property. The planning use as C3(c) - Dwelling House allows for groups of people (up to six) living together as a single household. If there are more than 6 people then this will require a change of use application to C4 – House in Multiple Occupation.

In relation to the location and scale of the proposal, neighbouring properties and the orientation of the site when judging the fenestration which have been amended through the application process to overcome overlooking objections, the proposal is not considered to lead to any sufficient degree of additional overshadowing or overlooking to warrant refusal

#### 4. Parking

Although increasing the size of the dwelling, it remains as a single unit and the current situation of on street parking is considered suitable. The proposal complies with policy 8 b) ii) of the JCS.

#### **Conclusion**

The proposal complies with policies in the Development Plan and is recommended for approval.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Duncan Law, Development Officer on 01536 534316

#### **Previous Reports/Minutes**

Ref:

Date: