

BOROUGH OF KETTERING

Committee	Full Planning Committee - 14/11/2017	Item No: 5.5
Report Originator	Louisa Johnson Development Officer	Application No: KET/2017/0680
Wards Affected	Barton	
Location	106 and 108 Gotch Road (land to rear), Barton Seagrave	
Proposal	Full Application: 1 no. dwelling	
Applicant	A Gorton	

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 shown on drawing number(s) Location Plan, Block Plan, Site Plan 353-00 D and Elevations & Floor Plans 353-01 D received by the Local Planning Authority on 22/08/17.

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

3. 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 permitted by Schedule 2, Part 1 Classes A or C shall be made in the north, east and south elevations at first floor or roof planes of the building.

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.

4. 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 building, structure or other

alteration permitted by Classes A, B, C and E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

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.

5. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, 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.

6. 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 amenities and privacy of the neighbouring property in the interests of amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall demonstrate provision for the parking of two vehicles clear of the highway and include the installation of a positive means of drainage to ensure that surface water does not discharge onto the public highway.

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

Officers Report for KET/2017/0680

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

3.0 Information

Relevant Planning History

KET/2017/0184 – 1 no. dwelling – Withdrawn 10/05/17

Site Visit

Officer's site inspection was carried out on 4 October and 2 November 2017.

Site Description

This application site forms part of the rear gardens of 106 and 108 Gotch Road, no. 108 is a corner plot and as a result the site fronts onto Newton Road.

Proposed Development

The application is for the erection of a two storey detached dwelling.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Neighbours

Two letters of objection have been received and the following issues have been raised:

- The proposed dwelling would overlook 98, 100, 102, 104, 106 and 108 Gotch Road and would result in a loss of privacy.
- The proposal would be overdevelopment of existing rear gardens.
- The development would result in loss of light and amenity to surrounding properties.
- The infill would result in deterioration in the quality of life for existing residents.

Barton Seagrave Parish Council

Objection on the grounds that:

- The proposal does not show off road parking for two vehicles.
- Backland development is against Government Policy.
- Development is built right on the boundary therefore no provisions are made for maintenance without trespass on neighbour's property.
- The proposal would set a precedent.

5.0 Planning Policy

National Planning Policy Framework

Policy 7: Requiring Good Design

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 22: Delivering Economic Prosperity

Policy 28: Housing Requirements

Policy 29: Distribution of New Homes

Policy 30: Housing Mix and Tenure

Saved Local Plan Policies

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. Impact on the character and appearance of the area
3. Amenity of future occupiers
4. Residential amenity
5. Access and Parking

1. Principle of Development

The site forms part of the rear gardens of 106 and 108 Gotch Road, and fronts onto Newton Road.

The site is garden land, which does not fall within the brown-field land definition in the NPPF. Paragraph 53 of the 'Framework' states that LPAs should consider setting policies which resist *inappropriate development of residential gardens...where development would cause harm to the local area.*

The National Planning Policy Framework sets out the principles for sustainable development which seek to ensure that places to live are created in locations which make the best and most efficient use of land, adopt high quality design standards respecting and enhancing the character of their surroundings, do not result in unacceptable impact on the amenities of neighbouring properties or the wider area and do not adversely impact on highway safety or the highway network.

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.

Paragraphs 56, 58 and 64 of the National Planning Policy Framework also recognise that good design is a key aspect of sustainable development, and supports development which establishes a strong sense of place and responds to the local character, reflecting the identity of local surroundings and materials.

Saved policy 35 of the Local Plan states that 'Planning permission will normally be granted for proposals for residential development within the towns, defined by the Town Inset boundaries shown on the Proposals Map, where the proposal is compatible with other policies and proposals in this Plan.' The site is located within the settlement boundary.

Policy 8 of the NNJCS seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area.

Policy 29 of the NNJCS states that 'New housing will be accommodated in line with the Spatial Strategy with a strong focus at the Growth Towns as the most sustainable locations for development, followed by the Market Towns. The re-use of suitable previously developed land and buildings in the Growth Towns and the Market Towns will be encouraged.'

Policy 30 of the NNJCS states that ‘the mix of house types within a development should reflect: The need to accommodate smaller households with an emphasis on the provision of small and medium sized dwellings (1-3 bedrooms) including, where appropriate, dwellings designed for older people.’

The site is located within the settlement boundary, in an established residential area where generally the principle of residential development is considered acceptable.

An objection has been received from the Parish Council on the grounds that the site is ‘back land development which is against Government Policy’. The site is an infill plot which fronts onto the highway and is technically not ‘back land’ development although it is garden land. In any case, while Government policy states that back land sites are not a priority for development, it does not preclude back land sites from being considered on their merits should they come forward.

A further objection from the Parish Council is on the grounds that the proposal would create a precedent for similar development. However, all sites are considered on their own merits, and would need to be appropriate developments in their own right to be granted planning permission. Therefore it is considered that setting a precedent would not be a material planning matter.

The principle of residential development is therefore considered acceptable as the site is within the town boundary and forms a side garden the development of which would be in keeping with the pattern of development in accordance with the relevant policies of the NNJCS.

2. Impact on the character and appearance of the area

The site is located on Newton Road Barton Seagrave in a predominately residential area.

The proposed dwelling would measure approximately 5m wide by 7.1m deep and 7.5m in height with a pitched roof.

The proposed dwelling would fit in with the existing building line, and would be in keeping with the scale of the other houses within the street. Whilst the proposed plot is smaller than plots in the surrounding area, it is considered that it would not be harmful to the character of the area.

Therefore it is considered that the proposal would not have a detrimental impact on character or appearance of the area and accords with the relevant parts of Policy 7 (NPPF) and Policy 8 (NNJCS).

3. Amenity of future occupiers

Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of future occupiers, by reason of noise, vibration, pollution, loss of light or overlooking.

The proposed dwelling provides a total floorspace of approximately 71sqm with two double bedrooms; therefore the proposed dwelling complies with the requirements of the Technical Housing Standards – nationally described space standards, March 2015.

The proposal would provide a rear amenity space of approximately 62sqm with an additional side garden, whilst this is smaller than surrounding gardens it is a reasonably sized garden and is only slightly smaller than the footprint of the proposed dwelling. Therefore it is considered that it would be sufficient for a house of this size and would not be detrimental to the pattern of development.

The proposal would be acceptable in terms of the amenity of future occupiers and in accordance with policy 8 e(i) of the NNJCS.

4. Residential amenity

Policy 8 (e) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

We have received an objection on the grounds that the proposal would overlook 98, 100, 102, 104, 106 and 108 Gotch Road and would result in a loss of privacy to these properties. The impact on each of these properties is assessed below.

The site shares a side boundary with 11 Newton Road, the proposed dwelling would be located on the boundary with no. 11 and 2m from the side elevation of no. 11 at the closest point. No.11 has a car port / covered area to the side elevation and windows to the ground, first and second floor. The ground floor windows are secondary windows to the porch and kitchen, with the latter being partly obscured by the existing carport. There would be some loss of light to one of the three windows serving the kitchen/ breakfast room. At first floor the side elevation serves a hallway and to the second storey the side window provides light to the loft space and due to its height will not be significantly impacted by the proposal. No objection has been received by no. 11. Overall the scheme would not cause unacceptable detriment to the amenity of this neighbouring property in accordance with policy 8(e).

The site shares a side boundary with 106 and 108 Gotch Road and the proposed dwelling would be approximately 3.3m from the boundary with these properties. There would be a separation distance of approximately 14.7m side to rear with these properties and the proposed dwelling would not have any windows in the side elevation facing no.s 106 and 108. It is considered that this separation distance would be sufficient, subject to a condition preventing the erection of any extensions or outbuildings and the insertion of any openings in the side elevation, to ensure that there is no detrimental impact on no.s 106 and 108.

The site shares a rear boundary with the rear garden of 104 Gotch Road; the proposed dwelling would be approximately 6.8m from the rear boundary with no. 104 and would contain two windows in the first floor rear elevation. The proposed dwelling would overlook the end of the rear garden of no. 104. However it is considered that the separation distance is sufficient to mitigate the impact on 104 Gotch Rd, subject to a condition preventing the insertion of further openings at first floor or the erection of extensions or outbuildings.

The proposed dwelling would be 14.8m from the boundary with no. 102, 23.8m from the boundary with no. 100 and 31.8m from the boundary with no. 98. Given these separation distances it is considered that the proposal would not have a detrimental impact on no.s 98, 100 and 102 Gotch Road, subject to a condition preventing the erection of extensions and outbuildings.

There will be no unacceptable impact on the amenity of neighbouring residents, subject to appropriate conditions, through this proposal and it is therefore considered that the development is in accordance with policy 8 of the NNJCS.

5. Access and Parking

Policies 8(b) of the NNJCS requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not have an adverse impact on the highway network nor prejudice highway safety.

Concerns have been raised about the plans which they consider do not show off road parking for two vehicles. The submitted block plan shows the proposed vehicular access to the site and demonstrates a depth of 6m from the highway boundary to the front elevation of the building, consistent with existing properties to the north on Newton Road. Subject to a condition which secures details of hard surfacing on site for two vehicles, and ensures water does not discharge onto the highway, the application is considered acceptable in highway terms.

Conclusion

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area and on residential amenity. Subject to conditions the proposed development is acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: