

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 12/12/2017</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Alan Chapman Development Officer</b>	<b>Application No: KET/2017/0838</b>
<b>Wards Affected</b>	<b>Rothwell</b>	
<b>Location</b>	<b>42 Gordon Street, Rothwell</b>	
<b>Proposal</b>	<b>Full Application: Outbuilding to rear (retrospective)</b>	
<b>Applicant</b>	<b>Mr J Holt</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. Within a period of 1 (one) month following the date of this consent the two external doors contained within the south-facing rear elevation of the outbuilding shall be treated to ensure they match the colour of the surrounding bare timber cladding. The external walls and doors of the building shall be maintained in an exposed and matching timber finish.  
REASON: In the interests of the visual amenities and character of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **Officers Report for KET/2017/0838**

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

### **3.0 Information**

#### **Relevant Planning History**

None

#### **Site Visit**

Officer's site inspection was carried out on 26/10/2017

#### **Site Description**

The application site is two-storey terraced dwellinghouse constructed in the Victorian era. It is in a linear row of terraces with their frontages onto Gordon Street. No.42 Gordon Street has a long rear garden that extends to Jubilee Street to the south, where the boundary treatment along Jubilee Street is a close boarded timber fence with gates approximately 1.8m in height. The plot on which 42 Gordon Street sits is orientated at an angle to Jubilee Street. Ground levels slope downwards from the rear of No.42 towards Jubilee Street.

The site is located in an established residential area of southern Rothwell where the dwellinghouses are predominately two storeys in height. It is noted that the neighbouring property (No. 40 Gordon Street) to the application site also has an outbuilding in its rear garden to similar dimensions as No.42.

#### **Proposed Development**

##### Background

This application was invited by the Local Planning Authority (LPA) following an enquiry from a member of the public questioning whether the structure required planning permission. The LPA investigations confirmed that the structure was not permitted development.

##### Proposed development

Retrospective planning permission is being sought to retain a detached single storey outbuilding located at the southern end of the rear garden in close proximity to Jubilee Street. The outbuilding measures 4.6m by 3.5m in plan form. Eaves height is 2.0m and final roof ridge height is 3.3m. Its internal walls are constructed in concrete blocks and the external walls are clad in un-painted timber shiplap. The roof is of hipped design and tiled with Marley Mosborough red concrete tiles. An external door is located on the northern elevation facing the rear wall of the host dwellinghouse. Two external timber doors are located in the southern elevation and face out towards Jubilee Street.

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

None

## **4.0 Consultation and Customer Impact**

### **Parish/Town Council**

Rothwell Town Council has no objection to this proposal.

### **Neighbours**

A single representation objecting to the proposal was received from No.31 Jubilee Street. The objector cites the following reasons:

- The building is an eyesore
- Attracts the wrong attention (potential hotspot for break-ins)
- Looks more like a shed – thus what's its use?
- Added security light shines into our home
- A lamppost is outside the building [on Jubilee Street] so security light seems unnecessary

## **5.0 Planning Policy**

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF), published in March 2012, sets out the Government's planning policies for England and how these are expected to be applied. At its heart is a presumption in favour of sustainable development. The NPPF confirms the statutory status of the Development Plan where section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise". The NPPF is a material consideration in planning decisions.

The NPPF sets out (at paragraph 17) a set of core land-use planning principles which should underpin both plan-making and decision-taking. These include the principle that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Section 7 Requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy 2011-2031 (adopted July 2016)**

Policy 1 Presumption in favour of Sustainable Development

Policy 8 North Northamptonshire Place Shaping Principles

Policy 11 Network of Urban and Rural Areas

#### **Saved Policies in the Local Plan for Kettering Borough**

Policy 35 – Housing with Towns

### **SPG/Ds**

Sustainable Design SPD (adopted February 2009)

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The main material planning considerations are as follows:

1. Principle of the development
2. Design, layout, scale and effect on character and appearance of the area
3. Impact on living conditions
4. Other

### 1. Principle of the development

The application site is in an established residential area within the settlement boundary of Rothwell. Policy 11 of the North Northamptonshire Joint Core Strategy is supportive of residential development that is located within the Urban Areas, where Rothwell is defined as a Market Town.

The principle of development for this proposal is established as it is within a defined built-up Urban Area.

### 2. Design, layout, scale and effect on character and appearance of the area

Paragraph 14 of the NPPF places at the heart of planning a presumption in favour of sustainable development, with good design forming a key element of this. This is further supported by Section 7 of the NPPF. Policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy (JCS) requires new development to respond to the site's immediate and wider context and local character.

The proposed scheme consists of retaining a timber clad and red concrete tiled roof outbuilding situated at the rear most end of the host property's garden. Its orientation and dimensions mean that glimpses of the roof, the upper part of the external walls and the small transom windows are possible from the public vantage points along Jubilee Way, although a substantial part of the building is screened by the close boarded boundary fence and gates.

It is considered that the quality and standard of construction has resulted in a building that is of superior design to that of the outbuilding example in the rear garden of the neighbouring property of 40 Gordon Street and of the more common examples of 'sheds' and lean-to style outbuildings that are to be found in the wider Rothwell area. Internally, the outbuilding is constructed in concrete block work, giving the building added security and longevity in its building life. An internal examination of the outbuilding made during the routine site visit confirmed that the building is in use as a workshop/general DIY space that is considered to be ancillary to the main residential use of 42 Gordon Street.

It is accepted that most 'garden sheds' would not have a concrete tiled roof or be constructed to such high standards, but the structure subject of this planning application is considered to be of high quality that would not be detrimental to the surrounding character and appearance of the area. However, the two external

doors facing Jubilee Way are thought to be harmful if they were to be left in the current finishing. To address this, it is considered that a planning condition be imposed requiring the doors to be finished in an exposed timber look that matches the bare timber cladding. In addition to this, the condition shall be worded to ensure that the whole building is left un-painted as it is as present.

For the above reasons and the proposal's external appearance, then it is opined that the character and appearance of the area would not be harmed.

### 3. Impact on living conditions

Paragraph 17 of the NPPF states that development must secure a good standard of amenity for all existing and future occupants of land and buildings. Policy 8 (e) of the JCS is clear that development must not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light, overbearing or overlooking.

Due to the building's location and massing, then it is considered it would not impact upon residential amenities by way of loss of light or being overbearing.

For the reasons given above then the proposal is considered to be in accord with JCS Policy 8 (e).

### 4. Other

Concerns were raised by 31 Jubilee Way that the outbuilding would invite potential break-ins. Considering that the building has lockable doors, has an external security light, is further lit by the nearby lamppost, is located behind a boundary fence to approximately 1.8m in height and that there is a relatively high degree of natural surveillance over the site from the properties along Jubilee Way, then it is considered that the risk of potential break-ins is limited, and the fear of break-ins is not considered to be a substantive reason to withhold planning permission.

The applicant visited the Council offices to read the objector's comments and noted the issue of the security light shining across the street towards the residential property. The applicant acted upon this and verbally assured the case officer that the light has been adjusted so as not to directly shine out across the street. Additionally, residential properties are permitted to install external security lights without the need to apply for planning permission.

### Conclusion

For the reasons given above the proposal is considered to be an acceptable form of development within the town that would not cause significant harm to the area's character and appearance, subject to conditions, or any significant impact upon residential amenities. In this regard, the proposal is considered to be consistent with policies in the development plan and the National Planning Policy Framework. The application is therefore recommended for approval subject to conditions.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

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

Ref:

Date:

Alan Chapman, Development Officer on 01536 534316

