

BOROUGH OF KETTERING

Committee	Full Planning Committee - 16/01/2018	Item No: 5.4
Report Originator	Alan Chapman Development Officer	Application No: KET/2017/1000
Wards Affected	All Saints	
Location	276 Bath Road, Kettering	
Proposal	Full Application: Two storey rear extension	
Applicant	Mr & Mrs J Bradbury	

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 numbers 03, 04 and 05 received by the Local Planning Authority on 7 December 2017.

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 window on the northern elevation hereby approved to serve an en-suite shower-room, at first floor level, shall be glazed with obscured glass and thereafter 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. Notwithstanding the hereby approved drawings, the upper floor window on the southern elevation shall be non opening and glazed with obscured glass and thereafter shall be permanently retained in that form.

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

5. 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.

Officers Report for KET/2017/1000

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

3.0 Information

Relevant Planning History

KET/1994/0586 Refused 14-03-95 Residential development

KET/1995/0327 Approved with conditions 10-06-96 Residential development.

Site Visit

Officer's site inspection was carried out on 03/01/2018

Site Description

The application property is an end linked detached two-storey property, circa of 1990s construction, built under grey concrete tiles with red brick external walls. It has a pitched roof with side gable ends. The property is linked to the neighbouring property by a single storey side element which was formerly a garage but was converted into a habitable room. The property enjoys a single storey conservatory to its rear. The site is a corner plot with Burghley Street to the side and Bath Road to the front.

It is located in an established residential area where there are a variety of one and two-storey residential properties of differing periods of construction and designs. The properties immediately to the north (side) and west (rear) of the site are of very similar designs and period of construction, whereas those to the south and further to the west are of an older era. Noticeably, those properties to the south, beyond the single storey dwelling on the corner of Burghley Street and Bath Road, are two-storey terraces with two-storey rear outriggers.

Proposed Development

Planning permission is being sought for the erection of a two-storey rear extension across the two-storey rear wall of the property. The proposed extension would not extend across the rear wall of the single storey northern side element of the property. The proposal would entail the removal of the existing conservatory and would include the insertion of a new window at first floor level in the existing southern (side) elevation which faces out onto Burghley Street, and a new window (obscure glazing) at first floor level in the existing northern (side) elevation to serve an en-suite bathroom.

The proposed extension would not extend beyond the rear wall of the conservatory, but would extend beyond the conservatory's side walls. However, the proposed side walls would be stepped in from the main building's side walls by approximately 100mm. The proposed roof would be pitched with a gable end, and its final ridge height set approximately 1m below that of the host building. No first floor side windows are proposed, but two first floor windows (to serve bedrooms) are proposed in the rear wall.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Neighbours

A single representation objecting to the proposal was received from No.276a Bath Road. The objector cites the following reasons:

- Loss of light to garden and ground floor living room
- Increases the need for artificial lighting and heating to affected living room

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

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

1. Principle of the development

The application site is in an established residential area within the settlement boundary of Kettering. Policy 11 of the North Northamptonshire Joint Core Strategy is supportive of residential development that is located within the Urban Areas, where Kettering is defined as a Growth 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 a two-storey rear extension with a rear facing gable end. Whilst the proposed extension is not characteristic of the 1990s development which the application site is part, two-storey rear (outrigger) extensions are characteristic of the row of terraced properties just due south of the site along Bath Road. No.276 is located such that its main two-storey bulk projects beyond the front building line of the properties along Burghley Street to the west of the site. Consequently, views down Burghley Street towards the rears of No.276 and No. 274 Bath Road are punctuated by a two-storey pitched elevation and a single storey gable ended elevation. The introduction of a two-storey gable ended elevation at No.276 is considered not to harm the character and appearance of the area as it would mirror No.274 and would create a more balanced punctuated street scene view.

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.

As reported above the adjoining neighbour (No. 276a) considers that the proposal would result in unacceptable levels of day/sunlight being lost to their garden and ground floor living room, causing them to increase their consumption of artificial light

and heat to compensate for that lost by the reduced inundation from the sun. The rears of Nos. 276 and 276a face directly west, and the proposed extension is located due south of No. 276a.

It is readily accepted that as the proposed extension is due south of the affected neighbour then there will be some reduction in direct sunlight being received, at certain times of the day and year, in their rear garden and living room. Also, there would be an increase in the shading effect upon 276a by 276.

However, given that the proposed extension is set back from the shared boundary of the two properties by at least 3m, and the side facing roof slopes away from the objector's property, it is considered that the amount of day/sunlight lost would not be sufficiently great to cause demonstrable harm to their amenities.

There are considered to be no discernible impacts upon current levels of privacy enjoyed by the residents of No. 276a or No. 45 Burghley Street as the proposed first floor side (northern) window is to be obscurely glazed (this is to be assured by condition), and first floor rear (western) windows are orientated at such an acute angle to the front elevation windows of No. 45 that direct and obtrusive lines of sight would be largely constrained. A new first floor window is proposed in the southern side wall of the property and would face directly, across a public highway, towards the glazed door and window of the single storey residential property of No. 274 Bath Road. This proposed window would serve the stairs and landing area of the application property. The landing area is separated from the side wall by the staircase. To ensure no privacy or overlooking issues arise for No. 274 then this proposed window shall be conditioned to ensure that it is obscurely glazed and non-opening. The applicant was verbally informed of this measure and confirmed their agreement to it.

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

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

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:

Alan Chapman, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: