

BOROUGH OF KETTERING

Committee	Full Planning Committee - 31/07/2018	Item No: 5.13
Report Originator	Sean Bennett Senior Development Officer	Application No: KET/2018/0486
Wards Affected	St. Peters	
Location	24 Gipsy Lane, Kettering	
Proposal	Full Application: Two storey and single storey rear extension with first floor side and single storey front extensions	
Applicant	Mr S Montasser	

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 detailed below.

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 development hereby permitted shall not overhang or otherwise be built on neighbouring property.

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

4. 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 dwelling.

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

5. 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 side elevations or roof plane of the extensions.

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.

Officers Report for KET/2018/0486

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

3.0 Information

Relevant Planning History

KET/2017/0602 - Two and single storey extension to side and rear with single storey front extension – WITHDRAWN – 01/09/17

Site Visit

Officer's site inspection was carried out on 06/07/2018 and 17/07/2018

Site Description

The site comprises a semi-detached red-brick house under a brown tiled roof and chimney set-back from the road including planting and a hard-paved parking area to the front. There is variance in the surrounding house types although they predominately comprise detached houses and some bungalows with a fairly uniform highway set-back.

Pre-application

Following withdrawal of the 2017 planning application pre-application advice was sought on an amended scheme. The Case Officer advised that the proposal would likely receive a recommendation for approval subject some minor alterations. The application has been submitted in accordance with this pre-application advice.

Proposed Development

The application seeks full planning permission for two and single storey rear extensions, a side first floor extension with a single storey front element and a front porch

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Neighbours: At the time of writing this report one third party letter of **objection** has been received from the neighbour at 26 Gipsy Lane; their reasons for objection are summarised:

- Very little has changed from the withdrawn application
- The first floor extension would replace views where sky and trees can be seen with an expanse of brickwork and cause shadowing (loss of light and sunlight) into the garden and a lead to an overbearing impact
- Would lose the open feeling of being in a detached house to be replaced with a cramped feeling and result in overshadowing
- The angling of the houses toward each other adds to any impacts
- The same impacts would also be felt within the living room and bedroom where light would be restricted and would have an oppressive feel

- The proposal would also impact two windows in the side elevation
- The proposal is to boundary – guttering would overhang and there is concern that any proposed foundations would spread across the boundary
- The site plan is not accurate
- The previous application showed the rear extension up-to the boundary which is not the case here
- The proposal would affect the environment currently enjoyed

OFFICER COMMENTS: The publicity period for this application expires after this report was written; on the 29th July 2018. Any additional comments received shall be reported to the Planning Committee in the updates and any issues arising from those comments discussed at that time.

5.0 Planning Policy

National Planning Policy Framework

Core principles and Chapter 7 (Requiring good design)

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS):

Policy 8: Place shaping

Local Plan (LP):

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. The principle of the development
2. Impact on the character and appearance of the area
3. Impact on residential amenity
4. Impact on highway safety and convenience
5. Other issues

1. The principle of the development

As the site is located within the Town's designated boundaries as defined by Saved Policy 35 of the Local Plan and associated with the dwellings domestic use the proposal is acceptable in principle.

2. Impact on the character and appearance of the area

Policy 8 (d) of the JCS seeks development to respond to local character consistent with Chapter 7 of the NPPF.

The character of the area is derived from the set-back of the dwellings from the highway edge and their spacing's which together with the front and roadside planting give a pleasant treed spaciousness to the area.

The proposed rear extensions will not be apparent in the streetscape although follow the principles of good design with the side wall of the two storey rear extension set in from the existing side wall of the dwelling and so thereby breaks up the perceived cumulative mass of the resulting house.

The first floor side extension is proposed to be built up-to the boundary and thereby the gap with the adjacent property would be reduced. Such a prospect however is not considered to be harmful as a discernible separation would remain and the roof to the extension is subordinate and hipped which lessens its impacts. Moreover such an approach is consistent with that evident on the neighbouring property at 24 Gipsy Lane; that has a two storey side extension very close to the extent of their side boundary on the opposite side. The extensions are subservient to the host dwelling and thereby maintain the legibility of the original property. The external materials shall be conditioned to match the existing.

As such the proposal would not result in a significant change to the character and appearance of the area or the host property or otherwise be experienced in a way that is harmful to visual amenity. Thereby the proposal is consistent with Policy 8 (d) of the JCS and therefore is acceptable in this regard.

3. Impact on residential amenity

Policy 8 (e) of the JCS seeks development to secure a good standard of amenity for all existing and future occupants of land and buildings.

Due to the proximity of the proposals to surrounding dwellings the proposal would only have a notable impact to the neighbour to the north at 26 Gipsy Lane. The impacts of the proposal in this regard will therefore focus on those associated with 26 Gipsy Lane. The various elements of the proposal and their impacts will be discussed in turn:

With regard the two storey rear extension; as this extension is off a portion of the rear elevation furthest away from the shared boundary with 26 Gipsy Lane this element of the proposal would have no impacts to the neighbour. Whilst no windows are proposed in the upper floor side elevation a condition shall be attached preventing the creation of side upper floor side openings in the future in the interest of safeguarding neighbours privacy.

The porch and the front single storey extension have a modest profile with minimal front projection and as such will have no impact to 26 Gipsy Lane and its front/side windows.

The proposed rear single storey kitchen extension is set off the shared boundary with 26 Gipsy Lane and has a maximum gap of 1.759m closest to the neighbouring property and due to the shapes of the gardens tapers to a gap of 1.045m adjacent to the rear wall of the extension. This critically means that this extension and its method of construction would not have an impact to the boundary hedge within the garden of 26 Gipsy Lane – which has residential amenity value. The roof to the extension has a low-pitched slope. As such the single storey rear kitchen extension would not cause adverse overshadowing, overlooking or overbearing impacts to the neighbouring property.

Turning to the two storey side extension and its associated rear ground floor element. This part of the proposal is being built on the boundary and to same footprint as the existing single storey garage, utility room and WC. As such there is no reason to believe that it would affect the neighbours hedge (referred earlier) as the hedge moves off the boundary at this point. The guttering associated with the extension – referred in the objection – would not overhang 26 Gipsy Lane's property as the applicant has used a system which shows that the roof is set slightly in from the side wall plate of the extension. Nevertheless a condition shall be attached to ensure that neighbours land is not overhung by the proposal. The proposed rooflight window in the rear roof plain is at high level internally and is intended for light purposes only. As such no overlooking issues associated with this roof light.

26 Gipsy Lane has two side windows which would face the proposal; these serve a ground floor living room and an upper floor bedroom. In the case of the ground floor side window; this serves a living room which is the full depth of the property and thereby has triple aspect including a quad of full height windows in the rear elevation. The upper floor window serves a bedroom to the front of the property with a double aspect including a large front facing window. As 26 Gipsy Lane is set further forward on the plot than the development property and is orientated slightly away from it at the front the windows would not directly face the two storey extension proposed. Furthermore the side windows are currently affected by the existing property. For these reasons the proposal would not result in harm to the enjoyment of the affected rooms from impacts experienced to the side windows.

Moving on to impacts associated with the rear facing windows in 26 Gipsy Lane and the part of its garden closest to the dwelling. Due to the orientation of 26 Gipsy Lane the extension would be angled slightly toward the rear elevation of the affected neighbour. The projection of the extension is modest; being 2.2m further back from the rear wall of 26 Gipsy Lane and is approximately 2.5m from the centre of the affected living and bedroom room window. This arrangement would result in an oblique relationship between windows in the rear elevation of the neighbour and the extension. Given the obliqueness of this relationship the impacts to 26 Gipsy Lane as a result of loss of light and outlook (overbearing) is not considered to be detrimental with the extension only experienced in periphery views from the neighbours rear facing rooms. As such the impacts to these rooms and the small part of the garden affected are not considered to be detrimental to the quality of life of the neighbouring occupiers.

It is acknowledged that due to the orientation of the proposal that 26 Gipsy Lane may experience a slight change in shadowing. Such a change however would be experienced for a very limited part of the day and would not be enduring over the year (during the summer no loss of light would be experienced) and thereby is not of such significance to be considered detrimental and thereby would not sustain a reason for refusal on that basis. Whilst no windows are proposed in the side elevation a condition shall be attached preventing the creation of side upper floor side openings in the future in the interest of safeguarding neighbours privacy.

As such the proposal is considered to maintain good standard of amenity for all existing occupants of land and buildings and thereby ensures quality of life by not resulting in unacceptable impacts to neighbouring properties. That being the case the proposal accords with Policy 8 (e) of the JCS and therefore is considered to be acceptable in this respect.

4. Impact on highway safety and convenience

Policy 8(b) of the JCS seeks to ensure a satisfactory means of access and provision of parking. The front area would retain car parking for at least four vehicles, which is considered to be sufficient provision for the enlarged property. The garage opening is considered to be wide enough at 2.552m so as to be suitable for garaging a vehicle. As such and as there are no changes proposed to the existing access arrangements at the property the proposal would not result in an increased highway safety risk.

5. Other Issues

The objector questions the accuracy of the plans. The drawings together with the site visit are considered to be sufficient to enable a properly informed decision to be reached. The matters with regard the extent of foundations are for building regulations and not planning.

Conclusion

In light of the above the proposal is considered to secure a good quality design and a good standard of amenity for all existing occupants of land and buildings. As such and with no other material considerations that would justify coming to a different conclusion the proposal is considered to be in accordance with the Development Plan and consistent with the NPPF and therefore is recommended for approval subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Sean Bennett, Senior Development Officer on 01536 534316