

BOROUGH OF KETTERING

Committee	Full Planning Committee - 16/10/2018	Item No: 5.3
Report Originator	Ruth James Assistant Development Officer	Application No: KET/2018/0629
Wards Affected	Brambleside	
Location	72 Pennine Way, Kettering	
Proposal	Full Application: Two storey rear and single storey front extensions with detached shed	
Applicant	Mr J Lenaghan	

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 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 with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2018/0629

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

3.0 Information

Relevant Planning History

KET/2017/0933. Two storey rear and single storey front extensions with detached garage. Refused 09/01/2018

An appeal lodged in February 2018 was dismissed on 01/06/2018. The Key reason for this was the proposed two storey rear extension would have a materially harmful effect on the living conditions of occupiers of 70 Pennine Way with respect to outlook and light due to its depth, which would project far enough beyond the rear elevation of the main dwelling to obscure outlook from the landing window belonging to 70 Pennine Way. This conflicted with Policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

The appeal decision is a material consideration in determining this planning application.

Site Visit

Officer's site inspection was carried out on 23/08/2018

Site Description

Pennine Way is located to the north of Kettering within an established residential area and the settlement boundary. The road runs for a distance of over 700 metres and provides a variety of housing types.

The application site is comprised of no. 72 Pennine Way, which is at the end of a row of 6 no. detached style properties. Other dwellings within the immediate vicinity are mainly two-storey, and of a semi-detached type. No. 72 along with the properties to the north have a staggered building line along the road which bends around to the west, whilst the properties to the south follow a uniform build line.

No. 72 is a detached two-storey property constructed of buff brick to the top of the ground floor windows with white uPVC shiplap cladding above. The gable roof is finished with concrete pantiles and the windows and doors are white uPVC. The front garden is laid to lawn and there is a driveway which runs down the south side of the property with off road parking for up to two vehicles.

To the rear the garden is level and enclosed on all sides by 1.8 metre high fence panels. There is a tarmac hard standing and the rest of the garden is laid to lawn.

Proposed Development

The application which seeks consent for a porch to the front, a detached shed to the rear and a rear extension comprised of two storey and single storey elements. This will provide increased living space to the ground floor with downstairs shower and toilet and an enlarged bedroom to the first floor.

In the refused scheme, the proposed two storey rear extension would have extended out from the rear elevation by 5.5 metres. This trajectory took the rear extension beyond the side first floor window of no.70 Pennine Way and up to the ground floor side entrance to the kitchen. The proposed rear extension for this revised scheme would give a rear trajectory of 4.3 metres at the first floor level, a reduction of 1.1 metres and would no longer extend past the neighbours side first floor window.

In the originally submitted revised scheme, the shed had an 'up and over' door to the front, north side elevation, which was considered to be more commensurate with a garage than a shed. Amendments were sought and a drawing was submitted amending this element to a wide access with two side hinged doors more in keeping with a shed whilst providing an access wide enough to accommodate the storage of a mobility scooter, should the need arise in the future. The amended design was consulted on for 14 days.

Any Constraints Affecting the Site

Within the Nene Valley Nature Improvement Area (NIA) Boundary

4.0 Consultation and Customer Impact

Neighbours

Comments received from the occupants of no. 70 Pennine Way:

- Initial consultation – Objection: concerns in relation to overshadowing and overbearing impacts as well as overhanging guttering.
- 14 day reconsultation – Objection upheld

5.0 Planning Policy

National Planning Policy Framework

Policy 5. Delivering a sufficient supply of homes (wide choice)

Policy 12. Achieving well-designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Character and Design
3. Residential Amenity
4. Other Matters
5. Nene Valley Nature Improvement Area

1. Principle of Development

The application seeks consent for a front porch, a two-storey rear extension and a detached shed.

The site is located within the designated town boundary; the scheme would therefore strengthen the network of settlements within the borough in compliance with Policy 11 of the North Northamptonshire Joint Core Strategy.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character, appearance and residential amenity.

Subject to detailed consideration being given to the impact of the proposals, having an acceptable impact on the character and appearance of the area and residential amenity, and ensuring it complies with national and local policies detailed above, the principle of development is considered acceptable.

2. Character and Design

Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

There are three elements to the proposed development; a front porch; a detached shed; a two storey and single storey rear extension.

The front porch would measure 1.5 metres by 2.5 metres with an overall height of 3.5 metres. No. 72 is at the end of a row of 6 no. detached style properties along this section of Pennine Way and none of these have a porch to the front. Notwithstanding this the proposed porch would fall just outside of the limitations of permitted development as specified by schedule 2 part 1 and class D of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Class D permits porches with an area of 3 square metres and a maximum height of 3 metres. The proposal would exceed the permitted area by 0.75 square metres and the height by 0.5 metres. There are other front porches within the street scene at no's 105 and 107 Pennine Way and opposite at no. 111. Furthermore the application is to allow for the needs of a disabled resident, therefore considering this and given the permitted development regime, which would allow for a slightly smaller porch, the proposed porch is considered to be acceptable and accords with Policy 8 (e) (vi) of the North Northamptonshire Joint Core Strategy in regard to the provision of flexible design.

The shed would be 4 metres in length, 3 metres in width and have a maximum height to the roof ridge of 3.3 metres, with eaves height of 2.1 metres. The shed would be located within the rear garden and set back from the main dwelling. The design would be simple and commensurate with a residential garden shed and is not considered to be out of character with the local area.

The proposed rear extension would extend out from the rear of the main dwelling by 6.6 metres at ground floor level and 4.3 metres at the first floor level. It would cover the full rear elevation with a width of 5.8 metres. This would be significant in size and in order to assess its suitability in terms of the proposed design its mass, height, proportions and scale have been fully considered. The rear location of the proposed extension ensures that there would be no visual impact upon the street scene and its design is in keeping with the host dwelling with proposed materials matching with the existing, which can be secured by condition.

The proposal is not considered to impact adversely upon the character of the local area to any significant extent and is therefore in accordance with Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy.

3. Residential Amenity

In addition to seeking development to respect the character of an area, Policy 8(e) (i) of the North Northamptonshire Joint Core Strategy seeks to ensure that development prevents harm to the residential amenities of neighbouring properties, such as by reason of overbearing, loss of light or overlooking.

The proposed porch extension to the front of the application site would be a small enlargement, extending out from the front elevation by 1.5 metres with the orientation of the door remaining the same facing east towards the street. It therefore is not considered to cause adverse residential amenity impacts to the front.

The proposed detached shed would be to the rear of the site in the garden on the boundary with the southern neighbour at no. 74 Pennine Way and it would be visible from this neighbour's garden. However the eaves height would measure 2.1 metres and the dual pitched roof would slope away from the boundary helping to lessen potential amenity impacts. The 1.8 metre high boundary fence would also help in keeping potential amenity impacts to an acceptable level.

The host dwelling is sited on the northern boundary of the application site and its footprint is set forward from the neighbouring property to the north at no. 70 Pennine Way. The proposed rear extension would be built on this northern boundary and the occupants of no. 70 Pennine Way have objected to the proposed scheme raising concerns in regard to the following:

- Increasing the footprint of the property by 100%
- Overbearing and overshadowing impacts
- Overlooking from the first floor rear windows

Increasing the footprint of the property by 100%:

At ground floor level although the footprint is significant in size it does not increase the footprint of the main dwelling by 100%. The current ground floor foot print is 44.66m² and the proposed ground floor extension takes this to 82.36m². Current policy does not prohibit larger extensions and each application is assessed on its own merits. The previous appeal decision was dismissed due to concern regarding overshadowing and overbearing impacts of the first floor element upon the landing window in the side elevation of no. 70 Pennine Way. It is therefore considered that refusal of planning permission on the grounds of the footprint size could not be sustained at appeal.

Overshadowing and overbearing impacts:

The existing boundary treatments with no. 70 Pennine Way are comprised of 1.8 metre high fencing placed on a concrete plinth which takes the height to approximately 2 metres. The eaves height of the single storey element would be 2.3 metres, which would sit above the fencing by 30 cms. The monopitched roof over the single storey element would rise to an overall height of 3.4 metres. There is a ground floor kitchen door to the side elevation of no. 70, however this sits behind the existing fence and provides secondary light to the kitchen which also has a western facing window providing the main source of daylight to this neighbour's kitchen.

The two-storey element of the extension would extend out from the rear of the main dwelling by 4.3 metres. No.70 has a landing window that overlooks the rear garden of no.72 and the two-storey section of the rear extension would not extend past this window, maintaining its outlook. There are no other windows or doors in the side elevation of no. 70 and the orientation of the site means that no. 70 already experiences an existing degree of overshadowing from no. 72 and the existing boundary treatments. Taking this into consideration along with the dimensions of the extension it is considered that any increase to overshadowing upon this neighbouring property would be kept to an acceptable level by the setting back of the two-storey element of the rear extension.

For the same reasons and given that no windows at no. 70 would face directly onto the side brick wall of the two-story element of the extension, it is considered that the rear extension would not create an overly oppressive or overbearing impact, given that the landing window would maintain a good outlook and still receive a significant amount of sun for much of the day.

Therefore it is considered that through the reduction of the of the two-storey element of the rear extension by over a metre, this proposal satisfactorily overcomes the inspectors reason for dismissing the aforementioned appeal.

Overlooking from the first floor rear windows:

The first floor rear windows of the extension, would face west down the application sites rear garden. The occupants at no. 70 have raised concerns in regard to overlooking from these windows into their landing window. The line of sight into the landing window from the rear extension would be very sharply angled, given that the rear build line of the second floor of the extension would end just before this window. This would help ensure that any potential overlooking from the rear windows would be very limited. In addition the window at no. 70 serves a landing which is a passing

place and not a habitable room.

It is therefore considered that the proposed development is in accordance with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon the amenities of neighbouring properties.

4. Other Matters

The application is a revised design for a previous scheme that was submitted and refused under KET/2017/0933. The alterations are required to future proof the home to meet current and future needs of a disabled occupant. As such the scheme would provide level access along with downstairs facilities and sleeping accommodation when the need arises and therefore accords with Policy 5 (paragraph 61) of the National Planning Policy Framework, in that it provides for the housing needs of different groups of people including those with disabilities.

5. Nene Valley Nature Improvement Area

The application site is within the NIA boundary, however, the application site is in an established residential area and the proposed scheme is small and on an already developed site. It is considered the small scale of the development proposed will have no any adverse impact on existing wildlife or the improvement of the Nene Valley.

Conclusion

Subject to conditions relating to materials it is considered that the proposal complies with policies within the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date: 28/09/18

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Ruth James, Assistant Development Officer on 01536 534316