

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 30/10/2018</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Richard Marlow Senior Development Officer</b>	<b>Application No: KET/2018/0638</b>
<b>Wards Affected</b>	<b>St. Peters</b>	
<b>Location</b>	<b>4 Winterburn Court, Haweswater Road, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Garage conversion to habitable space and erection of single storey garage with part pitched roof to side</b>	
<b>Applicant</b>	<b>Mr &amp; Mrs Thompson</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 REFUSED for the following reason(s):-

1. The proposed new garage would not be keeping with the character of the area or subservient to the host dwelling. Therefore it is considered that the proposals would be detrimental to the character of the area and the host dwelling contrary to the relevant parts of Policy 12 (NPPF) and Policy 8 (NNJCS).

## **Officers Report for KET/2018/0638**

This application is reported for Committee decision because a ward member has asked for it to be considered.

### **3.0 Information**

#### **Relevant Planning History**

KET/1998/0058 – Outline for proposed 4 no. housing plots with separate garages. New vehicular access from Gipsy Lane – Approved  
Condition 3 of this permission requires the garage to be retained for parking

KET/1998/0420 – Erection of 4 no. detached houses and garages – Approved

KET/1999/0096 – Extension to rear & alterations to fenestration, extension to garage with room over – Approved

KET/2017/0376 – Garage conversion into two floor habitable space and single storey garage with pitched roof to the side – Refused 21/07/2017

APP/L2820/D/17/3182491 – Appeal against refusal of KET/2017/0376 – Dismissed 27/02/2018

KET/2018/0230 – Garage conversion to habitable space and erection of new single garage – Approved 21/05/2018

#### **Site Visit**

Officer's site inspection was carried out on 14 September 2018.

#### **Site Description**

The application site is a detached dwelling with a detached garage located in a development of four houses off Gipsy Lane, the side boundary of the site is shared with Gipsy Lane.

#### **Proposed Development**

The application is for the conversion of the existing garage into an annexe with a lounge / dining / kitchen area and bathroom on the ground floor and a bedroom on the first floor; and the erection of a new garage attached to the existing garage.

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

The site is accessed off a B Road

#### **4.0 Consultation and Customer Impact**

##### **Neighbours**

3 letters of support from neighbouring properties stating that the proposed pitched roof will be more in keeping with the character of the Court.

#### **5.0 Planning Policy**

##### **National Planning Policy Framework**

Policy 12: Achieving well-designed places

##### **Development Plan Policies**

##### **North Northamptonshire Joint Core Strategy**

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

#### **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. Residential amenity

##### **1. Principle of Development**

The application seeks the conversion of an existing garage to habitable accommodation and the erection of a new garage.

Policy 8 of the adopted NNJCS (July 2016) seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area. 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.

It is proposed to convert the existing garage into residential accommodation with a lounge / dining / kitchen area and bathroom on the ground floor and a bedroom on the first floor. The applicant states that the residential accommodation would provide additional living space for the family, and would remain ancillary to the main residential use. They go on to state that the annex is to provide living space for their son enabling a degree of separation and privacy to be enjoyed by all parts of the family.

The applicants have confirmed that the accommodation would be for their son, as he cannot afford to purchase his own home. The applicants' have confirmed that they would be willing to accept a condition requiring the accommodation to remain ancillary to the main residential use.

The building would have all the facilities necessary for the accommodation to operate as a separate dwelling including a kitchen, bathroom and bedroom.

The previous application KET/2017/0376 was refused on the grounds that the proposed habitable accommodation could form a separate dwelling and would produce a form of development not in keeping with surrounding development or subservient to the existing dwelling. The applicant appealed this decision and the appeal was dismissed on the grounds of the size and appearance of the proposed new garage. However, the Inspector considered that the proposed conversion to habitable accommodation 'could be occupied as an annex ancillary to the host dwelling' and that a condition securing this would be adequate.

As such the principle of the proposed conversion and new garage is considered to be acceptable subject to a condition requiring it to remain ancillary, in accordance with the relevant policies of the NNJCS.

## 2. Impact on the character and appearance of the area

The site is located on Winterburn Court, in a predominately residential area.

The proposal involves converting the existing garage and erecting a new garage attached to the existing. The proposal would involve changing the existing garage door into a window, an existing door and window on the side elevation into double doors and two roof lights in roof.

The proposal includes the erection of a new garage measuring approximately 4.2m wide and 10m deep, the proposed garage would have two roof elements. The proposal involves a pitched roof approximately 5.45m in height which spans the first 7m of the garage depth, dropping down into a flat roof of approximately 2.9m in height for the final 3m of the garage.

The proposal seeks to overcome concerns raised on the original scheme (KET/2017/0376) which had a pitched roof of approximately 5.8m in height spanning the full 10m depth of the extension. The original scheme was refused on the grounds that the proposal would not be subservient to the existing dwelling and so would be harmful to the character of the area and host dwelling.

When determining the appeal (APP/L2820/D/17/3182491) on this decision the Inspector considered that 'In combination with the existing garage the resulting building would be sizeable, which would not appear subservient to the host dwelling or relate positively in terms of form and design with other nearby garages. Furthermore the proposal despite the existing hedge would present a near 10m wide large brick elevation with little articulation, in a prominent position (opposite a junction) close to Gipsy Lane, which would appear strident and erode the spacious character of the area.'

The approved scheme KET/2018/0230 has a flat roof and a much lower profile and was considered to be an acceptable compromise which improved on the original scheme but still achieved the space the applicant requires.

It is acknowledged that the current scheme does reduce the depth covered by the pitched roof by 3m from 10m to 7m deep and drops the height by 0.35m from 5.8m to 5.45m. However, it is considered that this does not overcome the concerns previously raised on application KET/2017/0376 and upheld by the Inspector on the subsequent appeal APP/L2820/D/17/3182491.

As such it is considered that the proposed garage with a pitched roof would not appear to be subservient or ancillary to the main residential dwelling at the site. Therefore it is considered that the proposal would be out of keeping with the pattern of development and the character of the surrounding area contrary to the relevant parts of Policy 7 (NPPF) and Policy 8 (NNJCS).

### 3. 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.

The site shares a rear boundary with 5 Langsett Close, the proposed new garage would be close to the boundary with no. 5. However, the existing garage at no. 5 already sits on the boundary with the site and this would largely screen the proposed garage. As such it is considered that the proposal would not have a detrimental impact on 5 Langsett Close.

The site shares a side boundary with 3 Winterburn Court, the proposed converted residential accommodation and new garage would be on the other side of the site at least 18m away. Given this separation distance it is considered that the proposal would not have a detrimental impact on 3 Winterburn Court.

The site is opposite 1 Winterburn Court, the proposals would be approximately 16m from the front boundary of no.1. Given this separation distance it is considered that the proposal would not have a detrimental impact on 1 Winterburn Court.

There will be no unacceptable impact on the amenity of neighbouring residents through this proposal and it is therefore considered that the development is in accordance with policy 8(e) of the NNJCS.

### **Conclusion**

The proposal is considered to be acceptable in principle, however in terms of its impact on the character and appearance of the surrounding area it is considered that the development would be unacceptable. The application is recommended for refusal.

### **Background Papers**

Title of Document:

Date:

Contact Officer:

Richard Marlow, Senior Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date: