

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 18/12/2018</b>	<b>Item No: 5.7</b>
<b>Report Originator</b>	<b>Sean Bennett Senior Development Officer</b>	<b>Application No: KET/2018/0802</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>45 Wellingborough Road, Broughton</b>	
<b>Proposal</b>	<b>Full Application: Two storey rear extension with garage/workshop in rear garden</b>	
<b>Applicant</b>	<b>Mr C Nichols</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. 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. No development above foundations shall commence on site until details of the types and colours of all external facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. 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 or additions permitted by Schedule 2, Part 1 Classes A, B, C or Class E shall be made in the upper floor side elevations and roof of the extensions or within the roof of the garage/workshop hereby permitted.

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.

5. The garage hereby permitted shall be permanently kept available for the parking of vehicles.

REASON: To retain planning control of the use in the interests of residential and visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. The development shall be only for purposes incidental to the enjoyment of the dwellinghouse as such.

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

## **Officers Report for KET/2018/0802**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/2018/0304 - Two and single storey rear extensions and self-contained annex in rear garden – withdrawn – 05/06/2018 to allow amendments to the proposal

#### **Site Visit**

Officer's site inspection was carried out on 23/10/2018 and 14/11/2018

#### **Site Description**

The site comprises a semi-detached rendered house under a red pantile roof and red-brick chimneys with a front/rear facing gable element set back from the highway edge with a 36m long rear garden.

#### **Proposed Development**

The application seeks full planning permission for a single and two storey rear extension and a garage/workshop with storage space in the pitched roof.

#### **Pre-application**

Pre-application was given with regard to the withdrawn proposal where a reduction in the rear projection of the two storey extension was advised together with its setting-in off the side wall of the existing property. In addition the rear garage/workshop building with a room above was originally intended to be a two storey building and that was recommended to be significantly down-scaled and its internal habitable facilities greatly reduced.

The application has been submitted broadly in accordance with the pre-application advice.

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

C Road

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

**Broughton Parish Council:** No comments received at the time of writing this report

**KBC – Environmental Protection:** *'no comments'* stated in their response

**Neighbours:** Two third party letters of objection received from the detached neighbour at 47 Wellingborough Road to the south east and at 5 Glebe Avenue to the north-east. The grounds of their objection relate to loss of privacy, loss of light and nuisance caused through use of the garage which would be difficult to access by the fire service.

## **5.0 Planning Policy**

### **National Planning Policy Framework (NPPF):**

2. Achieving sustainable development
12. Achieving well-designed places

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy (JCS):**

8. Place shaping
11. Network of urban and rural areas

#### **Broughton Neighbourhood Plan (NP):**

3. Development design

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

RA3. Rural Area: Restricted Infill Villages

## **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

### **1. The principle of the development**

As the application relates to ancillary domestic development within the confines of a Restricted Infill Village as defined by Local Plan policy RA3 the proposal is consistent with Joint Core Strategy (JCS) Policy 11 which seeks to guide development to existing settlements in the interest of a sustainable pattern of growth and protection of the rural area. As such the principle of the proposals is considered to be acceptable.

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

Policy 8 (d) of the JCS and 3 (a) of the Broughton Neighbourhood Plan consistent with Chapter 12 of the NPPF seeks development to respond to an areas local character and wider context. Saved Policy RA3 (ii) of the Local Plan is also concerned with the impact of such development on its surroundings.

The proposed garage/workshop building is located toward the end of the garden and thereby is not conspicuous within the streetscape. Whilst the proposal is approximately 5m high to ridge, its scale is consistent with an ancillary outbuilding and would not look out of place in the rear area or otherwise have excessive proportions that would significantly impact on the openness of the locality.

The side wall to the rear two storey extensions would be visible in the streetscape in the gap between the host property and its detached neighbour at 47 Wellingborough Road. Due to its rear location, however, it would not be a prominent feature and would be read as a subordinate addition, in terms of set-back and height, and thereby would appear consistent in its context. The provision of the proposed red-brick external wall may not however be sympathetic in light of the rendered nature of host property and thereby a condition shall be attached to ensure that external materials are agreed.

As such and subject to the imposition of the material condition discussed the proposal is considered to respect the character and appearance of the area and therefore the proposal is acceptable in this regard.

### 3. Impact on residential amenity

The JCS in Policy 8 (e) and policy 3 (c) (e) of the Neighbourhood Plan, consistent with Chapter 12 of the NPPF seeks development to respect residential amenity.

Looking at the implications of the proposed rear extensions first; the two storey rear extension has a staggered form with its rear projection on the boundary with the attached neighbour at 43 Wellingborough Road limited to 2.7m. This provision together with the single storey element being set off the shared boundary and the proximity (3.5m) of the more extensive two storey element from that boundary and no upper floor side windows proposed means that the development would not have an adverse impact to the attached neighbour. It is accepted that the closest ground floor window in the rear elevation of 43 Wellingborough Road will experience an impact to its light, particularly at the start of the day; however this impact is not considered to be unacceptable and thereby would not sustain a reason for refusal. In addition the rooflights are located within the plane of the roof and thereby would not cause any overlooking issues due to their internal heights in a vaulted ceiling. A condition shall be attached preventing the provision of any upper floor openings in the side elevation.

The objecting detached neighbour at 47 Wellingborough Road house would be located approximately 9m from the side wall of the proposed rear extension. This separation distance together with the oblique relationship with any rear facing windows and its northerly orientation, avoiding the sun's path, means that the proposal would not harm the residential amenities of that neighbour. The overlooking from a side facing bedroom window is an existing situation and any other windows proposed in the upper floor side elevation serve non-habitable bathrooms and thereby shall be obscured in nature and the insertion of additional openings in the upper floor side elevation shall be prevented by condition.

Turning to the impacts arising from the proposed garage/ workshop building; due to the proximity, orientation and relationship of the proposed extensions to neighbouring dwellings the proposal would not result in an adverse impact to neighbours as a result of loss of light, privacy or outlook. In particular whilst the roof of the building would be visible from surrounding garden land; as it is set off any shared boundaries it would not appear as an overbearing prospect from neighbouring garden land. In addition the proposal is located at least 12m from the

rear elevation of surrounding houses with an oblique relationship to those closest at 12 Hutchinson Avenue and an objector at 5 Glebe Avenue which would be 14m from the proposal at the closest point. There are no openings proposed in the roof of the proposal and thereby no overlooking implications. The possibility of future openings in the roof shall be prevented by a safeguarding condition. As such there are not considered to be any direct impacts arising from the physical prospect of the garage/workshop building that would harm neighbours amenity.

In addition whilst the proposal would change the type of domestic use of the rear part of the garden from a place of outside residential enjoyment to a car/workshop use the use remains ancillary domestic with no reason to believe that the proposal would give rise to excessive levels of disturbance that would cause a nuisance to neighbours. In any event this area could be used for car parking at any time.

Moreover, to safeguard the amenities of the residents of the host property and to prevent an undesirable habitable or other type of use arising conditions shall be attached to ensure that the building is ancillary and retains its use as a place available for the parking of a vehicle.

Thereby and subject to the imposition of the safeguarding conditions mentioned above the proposal would not have an adverse impact to the residential amenities of neighbours 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 highway access arrangements at the site are unaltered and the width of the driveway proposed to serve the garage (2.35m) is practical to allow for its safe use. As such and given that the site would have provision for 4/5 vehicles the proposal would not cause harm to highway safety.

In addition and as raised by an objector as a concern; because the proposed garage/workshop is located no more than 45m from the highway boundary and thereby within the threshold to allow fire equipment to access the site, the development is not precluded due to emergency service accessibility not be possible.

### **Conclusion**

In light of the above 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 the NPPF and therefore is recommended for approval subject to the imposition of the conditions laid-out.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

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

Ref:

Date:

Sean Bennett, Senior Development Officer on 01536 534316