

BOROUGH OF KETTERING

Committee	Full Planning Committee - 07/05/2019	Item No: 5.6
Report Originator	Ruth James Assistant Development Officer	Application No: KET/2019/0202
Wards Affected	Desborough Loatland	
Location	5 Swift Close, Desborough	
Proposal	Full Application: Erection of flat-roofed garden shed	
Applicant	Ms K Taubman	

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 KET/2019/020/02 and KET/2019/020/3 received on 1st April 2019, including timber panel cladding on external elevations and its positioning on site.

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

Officers Report for KET/2019/0202

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

3.0 Information

Relevant Planning History

KET/2018/0217 - Change of use from amenity land to garden land and erection of boundary treatment. Approved 20/08/2018

KE/04/0364 – Erection of 130 no. dwellings with associated works. Approved 24/06/2004

KE/99/0754 – Outline: Proposed residential, leisure and `country park` development. Approved at appeal 16/10/2001

Site Visit

Officer's site inspection was carried out on 10/04/2019

Site Description

Swift Close is located to the north of Desborough within the settlement boundary. Swift Close and Yaffle Crescent form an arch shape that sweeps around the top of this part of The Grange Estate which is sometimes referred to as 'The Jelson's site'.

The application site is comprised of no. 5 Swift Close, a detached two-storey dwelling with a gable roof and gabled front projection. The walls are constructed from red brick and the roof is finished with grey tiles; there are solar panels on the front roof plane and the windows and the doors are white uPVC. There is a driveway along the southeast elevation providing off road parking and leading to garaging. The front amenity area is open with low level planting.

To the rear the garden is level and mainly laid to lawn with 1.8 metre high boundary fencing. Beyond the original rear garden boundary is an additional area of land that was formerly part of a transition strip between the properties and a local wildlife area known as The Plens; this is now within the ownership of no. 5 Swift Close and is laid to lawn with 1.8 metre high close board fencing enclosing this area to the northwest and southeast.

The surrounding properties all form part of the same development and are all built from the same palette of materials.

Proposed Development

The application seeks consent for the erection of a garden shed within the extended rear garden.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Desborough Town Council

No comments received

Neighbours Notifications were sent out to neighbouring occupiers and a site notice was erected. Responses from two addresses were received.

Comments received from the occupants of no. 7 Swift Close:

- Objection: visual appearance of the shed and its impact upon the view from this neighbours garden. The height of the shed and concerns that structures were not allowed on the additional garden land.

Comments received from the occupants of no. 3 Swift Close:

- Concerns that the shed has already been erected.

5.0 Planning Policy

National Planning Policy Framework

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

1. Principle of development.

The application seeks the erection of a garden 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 development 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 proposed scheme, 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.

The application seeks consent to erect a garden shed within the extended rear garden area. This part of the rear garden was acquired when the original developer Jelsons, placed a strip of land up for sale that was originally intended to act as a transition area between the houses and The Plens Nature Reserve. As a result and following the acquisition of the land by a number of different owners, the use of the land was changed from amenity to garden land under KET/2018/0217. The approved consent included a condition that removed a number of permitted development rights, including the erection of buildings incidental to the enjoyment of the dwelling house. Therefore an application for planning consent to erect a shed is required.

At the time of the officer's site visit, the shed had been constructed but work had halted and the shed was not completed. The finished shed will measure 2.5 metres in width by 3.6 metres in length. The roof will be flat and incorporate a gentle slope for surface water runoff being 2.4 metres in height at the highest end and 2.2 metres at the lowest end. The shed has a painted finish and the case officer was advised that it is intended to clad the external surfaces with fence panelling in order to alter its visual appearance, so as to provide a more 'wooden' visual aesthetic commensurate with garden sheds.

The shed is located behind an existing garage and on the boundary with the neighbour at no.7 Swift Close. It is noted that if permitted development rights had not been removed, then planning consent would not have been required as the size of the proposed shed is within the required limitations for permitted development, for a building located in this position. Even without the additional proposed cladding the shed is not considered to be out of keeping in design with what is acceptable for a residential garden. It is small in size and below 2.5 metres in height.

It is therefore considered that the proposals represent a suitable form of development within the curtilage of a residential dwelling, and the design of it is appropriate in its context. The proposal therefore accords with Policies 12 of the National Planning Policy Framework and 8(d)(i) of the North Northamptonshire Joint Core Strategy in that the new development responds

to the site's immediate and wider context and local character and is of good design.

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 closest neighbour to the shed is no. 7 Swift Close to the southeast of the application site. As stated at the time of the officer's site visit, the shed had been constructed but work had halted and the shed was not completed. The structure was raised up onto breeze blocks, pending the outcome of this application and the possibility of it needing to be moved into a different position within the garden.

The occupants of no.7 have objected to the proposed shed raising the following concerns:

1. The shed is 3 metres high
2. It looks like a porta cabin
3. It impacts upon the views of no.7 and is unsightly
4. No structures are allowed on the garden extensions under the change of use approval.

Point 1. The shed is currently raised up on breeze blocks, which gives it an artificial additional height. The dimensions stated within the plans are accurate and the removal of the breeze blocks will ensure the lowering of the overall height and therefore a reduced impact.

Point 2. Porta cabins are constructed with a steel outer wall, steel roof and galvanised steel floor frame. The walls are injected with foam insulation to give them a high thermal efficiency and they can be clad with a choice of finishes, most commonly laminate cladding in an off white colour. It is not considered that the shed corresponds with the appearance of a porta cabin.

Point 3. The loss of private view over the land is not a material planning consideration and therefore cannot be taken into account.

Point 4. The change of use of the land was granted under KET/2018/0217. Condition 2 of this consent states:

"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 building, structure or other alteration permitted by Class A to F of Part 1 of Schedule 2 of the Order, Class A and B of Part 2 of Schedule 2 of the Order and Class A and B of Part 4 of Schedule 2 shall be erected, constructed or made on the application site."

This is a standard condition wording for the removal of permitted development rights and means that if the land owner wishes to undertake any of the developments within the limitations of the classes stated, they will need to apply for planning permission for said development. The erection of buildings incidental to the enjoyment of a dwelling house falls under Class E of Part 1 of Schedule 2 of the order which is quoted within this condition. The applicants had begun work prior to realising that planning consent was required. Work has now halted pending the outcome of this application.

Further comments have been received from the occupants of no. 3 Swift Close; they are concerned that the shed has already been started. This application has been submitted to regularise the erection of the shed.

As stated in section 2 of this report the sheds size complies with the limitations set out under permitted development rights being of single storey height, under 2.5 metres and not overly large. It is well within the dimensions of garden sheds that are available to purchase for use within residential gardens. The single window faces towards the rear and away from neighbouring properties and it is therefore considered that the development would not have a detrimental impact upon residential amenity.

For the reasons stated the proposed development is considered to be 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.

This report considers the detail of the application in accordance with the submitted plans which show the shed being positioned in the location shown on drawing KET/2019/0202/2 received on 01/04/2019. In the interests of prudence a condition will be applied to any consent given to ensure that the positioning of the shed will be in accordance with the submitted plans.

Conclusion

The application is considered to be in accordance with the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date: 03/05/19

Contact Officer:

Ruth James, Assistant Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: