

BOROUGH OF KETTERING

Committee	Full Planning Committee - 04/06/2019	Item No: 5.9
Report Originator	Amy Shepherdson Development Officer	Application No: KET/2019/0211
Wards Affected	Brambleside	
Location	36 Pennine Way, Kettering	
Proposal	Full Application: Single storey rear extension and increase boundary fence to 2m in height and 2no.rooflights to rear roof plane	
Applicant	Mr A Needham	

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 listed 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 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.
4. The construction of the extension hereby permitted shall not take place on site until the existing store, shown to be demolished on the approved plan, has been so demolished and all resultant materials permanently removed from the site.
REASON: To safeguard the amenity of the locality in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. The window on the south facing elevation shall be obscurely glazed to or equivalent to level 3 within the Pilkinton range of textured glass and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

Officers Report for KET/2019/0211

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

3.0 Information

Relevant Planning History

None

Site Visit

Officer's site inspection was carried out on 18/04/2019.

Site Description

The application site is a semi-detached bungalow within an established residential area in the north of Kettering within the designated town boundary.

The dwelling is the left hand of a pair of semi-detached bungalows and is constructed with an external finish of a ground level band of brown bricks with pebbledash render above and a brown concrete tiled roof.

The dwelling sits within a reasonably large rectangular plot with a separate flat roof garage/store to the left of the dwelling set back behind the rear building line, there is also an existing flat roof extension at the back of the property with a depth of approximately 4.3m.

The pair of bungalows sit within a row of matching pairs, some with altered external facing materials. Opposite the site (to the west) are detached and semi-detached bungalows some of which are matching and some of differing designs. This transitions to two storey houses as you travel north up the hill on Pennine Way. The boundary consists of close boarded fences of approximately 1.6m and to the east of the site (over the rear boundary) is the rear residential gardens of No.72 and No.74 Pennine Way.

Proposed Development

This application seeks planning permission to partially remove the existing rear extension and store and build a single storey rear extension. 2 new roof lights are also proposed within the rear plane of the roof and alteration to some of the boundaries to 2m timber fences.

During the application process the applicant has slightly revised the scheme by moving a section of wall (where the original extension was) away from the shared boundary with No.34.

Any Constraints Affecting the Site

Nene Valley NIA Boundary

4.0 Consultation and Customer Impact

Notification letters were sent out to neighbours in close proximity and a site notice was erected at the site; The following response was received.

Neighbours

34 Pennine Way – Objection – Concern raised in regard to the length of the extension and its height as well as concern that a side window may cause overlooking. Also raised concerns about tree roots being affected by the foundation digging.

5.0 Planning Policy

National Planning Policy Framework

Policy 2- Achieving sustainable development

Policy 4- Decision-making

Policy 12- Achieving well-designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1 Presumption in favour of Sustainable Development

Policy 2 Historic Environment

Policy 8 North Northamptonshire Place Shaping Principles

Policy 11 Network of Urban and Rural Areas

Saved Policies in the Local Plan for Kettering Borough

Policy 35 – Housing with Towns

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of the development
2. Design and impact on the character of the area
3. Residential amenity
4. Highways and parking
5. Nene Valley Nature Improvement Area
6. Comments on other points raised by the proposal

1. Principle of the development

The application site is in an established residential area in the north of Kettering within the designated town boundary. Policy 8 of the JCS is supportive of householder development provided the proposals do not result in adverse impact on character and appearance, residential amenity and the highway network. The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

2. Design and impact on the character of the area

Policy 8 of the adopted JCS (July 2016) seeks a high standard of design which respects and enhances the character and visual appearance of the surrounding area. Policy 12 of the National Planning Policy Framework (2019) also recognises that good design is a key aspect of sustainable

development, and supports development which establishes a strong sense of place and response to the local character, reflecting the identity of local surroundings and materials.

The proposed extension is located to the rear of the host property and is proposed of matching brown brick and white uPVC windows and door. The proposed extension is considerable in size extending an additional 8.8m from the existing building footprint. However, the proposed extension does not cover more than half the width of the site (being just under 5m wide within a plot which is 10.1m wide) and is set within a large garden. Further to this there are a number of ancillary structures set alongside boundaries within neighbouring sites, albeit most of these are not attached to the main dwelling. The application site itself has a detached store which is proposed to be removed to make way for this extension. The proposed extension does not sit any further west into the rear garden than the west wall of the existing store.

Additional to the extension there are two proposed roof lights within the rear roof plane of the existing property and new boundary treatment of 2m timber fence along the adjoining boundary of No.34 and driveway of No.38. Both of these elements appear to meet residential permitted development rights should they have been completed separately. Neither element is considered to detrimentally impact the local area.

The proposed extension will not be visible within the street scene and although the extension is considerable in size, bearing in mind the single storey nature and the presence of built form within the garden spaces already being part of the character of the area it is not considered to be harmful to the character or the area or the host dwelling.

Providing the existing store is removed (which is recommended as a condition) the proposal is not considered to be detrimental to the character and appearance of the area or the host property and is considered to be in accordance with Policy 8 of the JCS.

3. Residential amenity

The JCS in Policy 8 (e), consistent with Policy 12 of the NPPF, seeks development to protect the amenity of all future and surrounding users of land and buildings.

The applicant has submitted additional information to support their scheme. This information states the reasons for the extension being to support the applicant's daughter who is an existing resident and wheelchair user and her daughter who also resides in the property. The extension is to improve their access around the property which has some steps and changing floor levels. This supporting information is a material consideration but can only be afforded limited weight given the additional size of the proposed extension.

The proposed extension has a height of 3.2m to the top of the flat roof and is set 0.5m away from the shared boundary of No.34. The resident of No.34 has objected to the application based on its length and height.

It is acknowledged that the proposed rear extension will result in some impact on the neighbouring property of No. 34, in particular the conservatory which sits alongside the boundary. However a boundary treatment of 2m (which is also proposed) is allowed through permitted development (PD) rights. In addition to this PD allows for extensions with eaves height of 3m up to a shared boundary. Although this extension is considerably longer than that allowed for under PD it is important to consider. The additional 1.2m height of the extension (above the 2m fence) will be set 0.5m away from the boundary and the extension is proposed with a flat roof. The orientation of the properties also reduces the impact as No. 34 sits directly to the south of the application site which means the extension would have very limited impact on light reaching the conservatory or rear garden of No. 34.

Although it is acknowledged that the extension will be visible from the rear of No. 34 above the proposed fence along the boundary, when considering the orientation and the setting back from the boundary the impact is not considered to be overbearing or to a level that would justify the refusal of permission.

The objection received also raised concerns in regards to the proposed window in the south facing elevation. This proposed window serves a bathroom and is obscurely glazed. Considering section plans provided with a 2m boundary there is very limited view out of window even if it were to be clearly glazed, however in order to ensure there is no loss of privacy a condition will be added to ensure this window remains obscurely glazed and is not openable below 1.7m from floor level.

Given the angle of views out of roof lights they are not considered to impact on the amenity of neighbouring occupiers.

As such the proposal is considered to be in accordance with Policy 8(e) of the JCS.

4. Highways and parking

Policy 8(b) of the North Northamptonshire Joint Core Strategy requires new development to have a *satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards*, and not to have an adverse impact on the highway network nor *prejudice highway safety*.

A proposed section of fence will cut across the existing driveway next to the house, this will reduce the length of the existing driveway, the existing garage/store will also be removed. The remaining drive however will still be 14m long, this is considered to provide adequate tandem parking for a dwelling of this size.

As such the proposal is considered to be in accordance with 8(b) of the JCS.

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.

6. Comments on other points raised by proposal

The objection received also made comment to the potential impact of digging works on tree roots. The cutting back of tree roots is something permitted under civil law. Considering the location of the extension it is possible that some tree roots may be damaged in relation to the tree within the rear garden of No. 34 however this tree is not protected and there is no reason to believe the limited area effected will have a significant impact on the tree. Any future impact on private trees is something that would need to be pursued through private litigation.

Conclusion

The proposal is considered to satisfy national and local planning policy. As such it is my recommendation that planning permission should be granted subject to the recommended conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Amy Shepherdson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: