

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 31/10/2019</b>	<b>Item No: 5.4</b>
<b>Report Originator</b>	<b>Ruth James Assistant Development Officer</b>	<b>Application No: KET/2019/0651</b>
<b>Wards Affected</b>	<b>Desborough St. Giles</b>	
<b>Location</b>	<b>17 Leys Avenue, Desborough</b>	
<b>Proposal</b>	<b>s.73A Retrospective Application: KET/2018/0829 - Amended scheme: First floor rear extension with attic room</b>	
<b>Applicant</b>	<b>Mr D Burley</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. development hereby permitted shall not be carried out other than in accordance with the amended approved plans and details listed in the table 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 window hereby approved on the first floor northwest side elevation of the extension, shall be glazed with obscured glass and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of future and adjoining occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

## **Officers Report for KET/2019/0651**

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

### **3.0 Information**

#### **Relevant Planning History**

KE/1975/1040 – Porch. Approved 03/11/1975.

KE/1977/0681 – Extensions to dwelling. Approved 01/08/1977

KET/2012/0651 – First floor side extension with canopy to porch. Insert 2 no. roof lights to front elevation. Approved 27/11/2012

KET/2018/0829 - First floor rear extension - Approved 25/01/2019

#### **Site Visit**

Officer's site inspection was carried out on 01/10/2019

#### **Site Description**

The site is located within the settlement boundary and an established residential estate, to the east of Leys Avenue. The surrounding properties predominantly consist of large, detached dwellings interspersed with bungalows. These properties are all stepped back within their plots but generally follow the same build line and vary considerably in terms of scale, design and the types of materials used. The neighbouring property to the north is a large, red brick property whilst the property to the south is a large, brown brick bungalow set on a slightly lower plot as Leys Avenue slopes gently downwards to the south.

The application site is comprised of a two storey, detached, gable ended property consisting of brown facing brick under brown interlocking concrete tiles. The dwellinghouse features a canopied roof which runs across the front elevation and connects in with an attached garage projecting from the front and southern side elevation of the dwellinghouse. The front amenity area has a block paved driveway leading to the garage with gravel over the remaining front area, which is open with no boundary treatments. There is space for 3no. vehicles to park clear of the highway.

To the rear, a single storey extension extends perpendicular from the northern end of the rear elevation. At the time of the officers site visit works had commenced on a first floor element above this. The rear garden is large (583m<sup>2</sup>) and level, laid to lawn with mature planting. 1.8 metre high fence panels surround the perimeter.

#### **Proposed Development**

The application seeks consent for a first floor rear extension above an existing rear single storey extension which was approved under KET/1977/0681.

This is a revised scheme to KET/2018/0829, that has been submitted following on from an enforcement complaint, as the scheme was not built out in accordance with the approved plans. The changes to the original scheme are material considerations and therefore required a new application to be made.

The originally submitted drawings with this new application did not show the additional attic bedroom in the extension roof, or the creation of an ensuite bathroom. Amended drawings were submitted and these were reconsulted on for 14 days.

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

Nene Valley NIA Boundary  
Plan History

## **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.

Initial consultation –

Comments received from the occupants of no. 20 Furlong Road:

- Objection: Overlooking from rear window

Comments received from the daughter of the occupant at no. 19 Leys Avenue:

- Objection: Overlooking from a large window in the southeast elevation of the extension.

14 day re-consultation – no comments received

## **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. Nene Valley Nature Improvement Area

### 1. Principle of development.

The application seeks the erection of a first floor rear extension.

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

This application is for retrospective consent and at the time of the officers site visit the extension was built to roof height albeit not fully finished. Its rear location means that there is no impact upon the street scene to the front.

The extension is constructed above an existing ground floor rear extension and measures 4 metres in width and projects from the rear elevation having a depth of 4 metres. The roof is gabled and matches the height of the existing roof of the main dwelling house. The brick being used is a reasonable match with the existing property, as are the roof tiles.

The design is considered to suitably reflect the host property and its form is not unduly large or bulky in visual terms. The width does not extend beyond the width of the existing ground floor extension, whilst the 4 metre length of the first floor extension has been stepped it in so that it does not extend beyond the rear build line of the neighbouring property, no. 15 Leys Avenue. The design of the extension is not considered to constitute an overdevelopment of the site and the removal of the flat roof element is considered to be a positive step.

Although the surrounding properties generally follow the same build line to the front, rear build lines vary along Leys Avenue. Given the variations in design and scale of the properties within the area, the development is not considered to be out of character

It is therefore considered the proposed scheme accords with Policy 8 of the North Northamptonshire Joint Core Strategy in that it does not impact adversely upon the character of the local area to any significant extent.

### 3. Residential Amenity

In addition to seeking development to respect the character of an area, Policy 8(e) 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 rear first floor extension is no. 15 Leys Avenue to the northwest of the site. This property was built as an infill development in the late 1990's and is located on the boundary with the host dwelling. As a result, the two properties enjoy a close relationship. To the ground floor of no. 15 there are 2 windows and a door. Each of the windows are secondary windows to a dining room and to a kitchen whilst to the first floor there are 2 no. small obscure glazed windows which serve ensuite bathrooms. In the previously submitted scheme under KET/2018/0829, the depth of the proposed extension was considered to create too big an impact in regard to overbearing and loss of light. The reduced scheme is more acceptable and given that the habitable rooms impacted at no. 15 have more than one window, the impacts are now considered to be at an acceptable level. The revised application includes the insertion of a small obscure glazed window, to serve an ensuite bathroom that will face towards this neighbour. A condition will be applied to secure this, in order to protect the amenity of the current and future occupiers.

To the southeast of the site is a neighbouring bungalow, no.19 Leys Avenue. The extension extends out beyond the build line of the rear elevation of this neighbouring property however, due to the location of the extension to the northwest side of the host dwelling, there is a separation distance between the southeast side elevation of the extension and the rear garden boundary with no.19 of over 10 metres.

An objection has been received from the daughter of the elderly occupier regarding overlooking impacts from a large window to the southeast elevation of the first floor elevation. The window that is being objected to, was on the original plans for KET/2018/0829. It is understood that when works commenced, the occupants of no. 19 Leys Avenue complained directly to the applicant who then moved the window to the rear northwest elevation of the first floor extension, resulting in a scheme that did not comply with the approved plans. This revised scheme is being built in accordance with submitted drawing KET/2019/0621/4A dated 02/10/2019 which clearly shows the windows located in the rear northeast facing elevation of the first floor extension. There is therefore no overlooking from the first floor extension towards no.19 Leys Avenue.

A second objection has been received from the occupiers of no. 20 Furlong Road to the northwest and rear of no.17 Leys Avenue. The objection is regarding overlooking impacts from the windows of the first floor rear extension that face northwest and overlook the rear garden of the application site and to a lesser extent the rear of no.20 Furlong Road.

Properties along Leys Avenue all benefit for very long gardens and the length of the rear garden for no. 17 Leys Avenue is 42.82 metres when measured from the end of the rear extension to the rear boundary. Beyond this boundary lies the rear gardens of 20 and 20A Furlong Road. The length of the garden at no. 20 Furlong Road, when measured from their rear elevation boundary up to the rear boundary with no. 17 Leys Avenue is 42.68 metres. This gives a total separation distance of 85.5 metres between the rear elevations of these properties. Whilst it is accepted that the rear of the property at 20 Furlong Road can be seen from the windows of the first floor extension, the view is a distant one and obscured in part by mature trees. It is considered that views into neighbouring windows from distances in excess of 70 metres are inclined to be very limited and therefore, any overlooking in this instance is extremely slight and not considered to adversely impact the amenity of the occupants of no. 20 Furlong Road, to a harmful extent.

It is therefore considered that the proposed development is in accordance with Policy 8(e) 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. 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 not have any adverse impact on existing wildlife or the improvement of the Nene Valley.

#### **Conclusion**

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

#### **Background Papers**

Title of Document:

Date: 09/10/19

Contact Officer:

Ruth James, Assistant Development Officer on 01536 534316

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

Ref:

Date: