

BOROUGH OF KETTERING

Committee	Full Planning Committee - 14/01/2020	Item No: 5.3
Report Originator	Sean Bennett Senior Development Officer	Application No: KET/2019/0664
Wards Affected	Pipers Hill	
Location	Ground Floor Flat and First Floor Flat, 43 Naseby Road, Kettering	
Proposal	Full Application: Rear extension to ground floor flat, loft conversion to habitable accommodation with rear dormer and 2 no. rooflights to front to first floor flat, change front porch to canopy and sub-divide rear garden	
Applicant	Mr W Ordynowski	

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. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The walls, roof and windows of the proposals, hereby permitted, shall match, in type, colour and texture, those on the existing dwelling.

REASON: In the interests of visual amenity in accordance policy 8 of the North Northamptonshire Joint Core Strategy.

5. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

6. The windows in the upper floor side elevation shall be inserted with obscure glaze and shall remain in that form thereafter.

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.

Officers Report for KET/2019/0664

This application is reported for Committee decision because there is an unresolved, material objection to the proposal

3.0 Information

Relevant Planning History

KET/2018/0514 – one dwelling to rear – REFUSED – 03/09/2018

Site Visit

Officer's site inspection was carried out on 20/11/2019 and 18/12/2019

Site Description

The site consists of a rendered semi-detached property that has been subdivided into two flats with a 35m long rear garden and front parking.

The street consists of semi-detached houses and short row of terraces with a consistent highway set-back fronting the gently curving and rising (up to the east) Naseby Road. House types are similar in appearance to the site property dating from the 1940-50's and are either rendered or dark red-brick and some with a front flat-roof dormer type window feature breaking the eaves and the occasional front projecting gable.

Proposed Development

The application seeks full planning permission for a single storey rear extension associated with the existing ground floor flat and a rear flat-roof dormer to serve the existing first floor flat that would be extended into the proposed and existing roof-space, together with two front rooflights.

Further, it is proposed to replace the existing flat-roof front porch with an open-sided dual-pitched roof canopy. The door serving the upper floor flat is via the door in the front elevation and the door serving the ground floor flat is in the side. The garden is also proposed to be subdivided with the ground floor flat being allocated approximately 12.5m length of the rear garden closest to the building and the rear part of the garden (approx. 12.5m long) serving the upstairs flat and accessed via a side walkway.

In response to Officer comments and the third-party objection the following amendments were made to the original submission:

- A reduction in the length of the rear single storey extension by 1m
- Removal of rooflights from the proposed rear extension
- The size of the rear dormer has been reduced

The application is considered based on these amendments.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

KBC – Environmental Protection – No objection subject to the imposition of an unexpected contamination and restriction to working hours condition

Neighbours: One third party objection received from the attached neighbour at 45 Naseby Road; there grounds for objection are summarised:

- The proposals would be incongruous with the areas character and would be out of keeping
- Would be akin to a 'business venture' rather than a householder and would set a precedent
- Impact on local government services, drainage and sewerage
- Poor safety arrangements in the event of a fire
- Create damp problems due to the location of the ground floor bathroom not having an external wall with poor ventilation arrangements
- Cause highway congestion
- The privet hedge on the shared boundary gives privacy and absorbs pollution

5.0 Planning Policy

National Planning Policy Framework (NPPF):

12. Achieving well-designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS):

8. Place shaping

Saved Policies in the Local Plan (LP) for Kettering Borough:

Policy 35. Housing: Within Towns

6.0 Financial/Resource Implications

None

7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

8.0 Planning Considerations

Procedural matters

The sub-division of the property from one dwelling to two flats occurred approximately five years ago without planning permission. The Council became aware of this situation soon after and investigated the matter. The decision, at the time, was taken to not to pursue enforcement action as it was not considered to be expedient to do so. As such and through the passage of time, with over four years passing since the Council was aware of the subdivision, the use of the property for two flats has deemed planning permission. The application is considered on this basis.

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

The site is located within the Town's designated boundaries, associated with an established domestic use and thereby complies with saved Policy 35 of the Local Plan and therefore is acceptable in principle.

2. Impact on the character and appearance of the area

Policy 8 (d) of the JCS, consistent with chapter 12 of the NPPF, seeks development to respond to local character and wider context.

The open frontages, consistent set-back of houses and sweeping nature of Naseby Road together with uniform density and some architectural detailing to the houses creates a pleasant and well defined sub-urban character that development should look to respond to.

The bulky elements of the proposal are to the rear area and therefore are unobtrusive in the streetscape. The changes to the front are relatively minor consisting the replacement of an uninteresting porch with a lightweight canopy, two rooflights, insertion of a window to the gable elevation and part of the render being bricked. These external alterations are not considered to result in a notable change

to the character and appearance of the host property and the area as experienced from the street and are sympathetic.

The single storey 4.8m long by 4.2m wide rear extension is subservient, finished in matching materials and is a common addition on the back of dwellings. The materials shall be conditioned to match the existing.

The rear dormer will result in more of an upper emphasis to the dwelling, which is not sympathetic. However, given its rear location and a reduction in its size through a secured amendment means that the impact of the dormer within the area is limited to viewpoints experienced from private land. Moreover, the subdivision of the garden, would not be an altogether alien feature where such long gardens exist.

Whilst the dormer and the ground floor extension enable the provision of two larger flats these additions would also be common additions to a dwellinghouse and therefore would not overemphasise the property's differing residential type from its neighbours.

Consequently, the proposal would sit relatively comfortably in its context and would not cause harm to the character and appearance of the property or the area. The application thereby is consistent with Policy 8 (d) of the JCS and the part of the NPPF that concerns itself with visual amenity impacts and therefore is acceptable in this regard.

3. Impact on residential amenity

Policy 8 (e) of the JCS, consistent with paragraph 127 (f) of the NPPF, seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

The addition of the front rooflights and change to the porch would have no impacts to neighbours and the imposition of a condition requiring the upper side windows to be obscured would prevent any overlooking of 41 Naseby Road to the north-west.

The provision of the dormer and the relationship of its rear facing windows to adjacent property is consistent with existing relationships experienced between rear facing upper floor windows and surrounding garden land and a common domestic arrangement. The location of the dormer also means that it would not have any overshadowing impacts.

The ground floor extension is 1.3m off the shared boundary with 45 Naseby Road which limits the impact of the proposal to its closest rear facing ground floor window. This window also appears to be a secondary window that serves the affected rear ground floor room in 45 Naseby Road which further reduces impact. In addition, the orientation of the extension, to the north-west of 45 Naseby Road, and therefore would not be in the arc of the sun, means that it would not have overshadowing impacts. Whilst the extension would have a degree of impact to the outlook experienced through the rear facing ground windows in 45 Naseby Road, its position off the boundary together with its low profile and rendered facing side elevation limits any significant impacts in that regard.

Moving on to impact associated with occupier's amenity; the proposed arrangements, particularly those with respect to subdivision of the garden would provide better private outside space provision for both flats than the existing situation allows. Whilst the smaller bedroom for the ground floor flat would experience some loss of light as a result of the extension it is an associated impact which is limited by the proposed rendering of the extension and access to shared light from the lobby.

The bathroom serving the ground floor flat may not have natural ventilation however this arrangement is not unusual with ventilation able to be provided mechanically. In any event this arrangement is created as a result of internal changes which would not be considered development and thereby not subject to planning control. In addition, as the development would be subject to building regulations there is no reason to suppose that the development would cause any adverse implications to safety in the event of a fire or would compromise access to utilities.

The two resulting enlarged flats are slightly under the requirements prescribed in National Space Standards (between 2sqm (flat 2) and 10sqm (flat 1)). However, as this is consistent with existing occupation arrangements this is acceptable. Both flats have easy access to outside space for outside enjoyment and for refuse and cycle storage.

Conditions requiring the control of construction hours shall be attached as recommended by the Council's Environmental Protection department together with the safeguarding unexpected contamination condition, which they also recommend.

The proposal would not cause significant impacts to neighbours' residential amenity and would provide a good standard of habitable accommodation for its users. The application is consistent with Policy 8 (e) of the JCS and paragraph 127 (f) of the NPPF and therefore acceptable in this respect.

4. Impact on highway safety and convenience

Policy 8 (b) of the JCS, consistent with chapter 9 of the NPPF, seeks to ensure a satisfactory means of access and parking.

The site provides two car parking spaces in a sustainable location with access within an area that does not appear to experience high levels of on-street parking pressure. This arrangement is not notably different from the existing situation. As such the proposal would maintain current levels of highway safety and therefore is acceptable on this matter.

Conclusion

Considering the above and with no other material considerations that would justify coming to a different conclusion the proposal is in accordance with the Development Plan and the NPPF and therefore is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Sean Bennett, Senior Development Officer on 01536 534316

