

BOROUGH OF KETTERING

Committee	Full Planning Committee - 30/03/2010	Item No: 5.6
Report Originator	Alex Jelley Assistant Development Officer	Application No: KET/2010/0013
Wards Affected	Rothwell	
Location	27 Leys Avenue, Rothwell	
Proposal	Full Application: Two storey side extension	
Applicant	Mr D Fernley	

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. No development 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: In the interests of the visual amenities of the area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the North elevation or roof plane of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The window on the North elevation shall be non-opening and glazed with obscured glass in accordance with a sample panel which shall have been submitted to and approved in writing by the Local Planning Authority 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 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- NONE

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Planning Policy Statement 1 and Policy 13 of the North Northamptonshire Core Spatial Strategy. There are no material considerations that indicate against the proposal.

Officers Report

3.0 Information

Relevant Planning History

KET/2009/0575 – two storey side extension and single garage to front of no. 27 Leys Avenue, Rothwell – Refused 17th November 2009

Site Description

The application site is a semi-detached dwelling at the North end of Leys Avenue in Rothwell constructed of yellow facing bricks and brown concrete roof tiles. The dwelling is a rough cross shape, with two storey protrusions to the front (East) and rear (West). The Site is a somewhat unorthodox shape, being roughly triangular. This leads to the dwelling having a rather narrow rear amenity space. There is an area of hardstanding to the front of the dwelling, adjoining Leys Avenue at a turning head. Currently there is parking space for two or three cars.

The surrounding area is largely residential in nature, with a great deal of variety in terms of housing type, scale and design. The street scene is defined by dwellings that are set back from the highway.

Proposed Development

This application seeks permission for a two storey side extension at No. 27 Leys Avenue, Rothwell. For further detail, please refer to Section 7.0 of this report.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Desborough Town Council

No objection.

Neighbours

Two letters of objection were received from neighbours. These included reference to the following concerns:

- the boundary wall between the site and no. 29 Leys Avenue
- loss of light at No. 29 Leys Avenue
- insubordination of the design in relation to the original dwelling
- issues relating to parking at Leys Avenue. This application does not seek to alter the existing situation with regards to parking, and as such the concerns relating to parking should not form a reason for refusal (unlike the previous application, which sought to alter the existing parking situation)

5.0 Planning Policy

National Policies

North Northamptonshire Core Spatial Strategy

Policy 13. General Sustainable Development Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and Character
3. Residential Amenity

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise. Policy 13 of the North Northamptonshire Core Spatial Strategy provides for extensions to residential properties subject to specific criteria being satisfied. In particular; extensions should be suitable in terms of type, scale, design and positioning; they should respect the character of the existing building and surrounding area; and they should not detrimentally impact upon the amenity of existing or future occupiers of adjoining properties. National policy in PPS1 promotes the sustainable use of existing land and buildings, highlighting the important role matters relating to design, character and amenity play in achieving this.

2. Design and Character

The proposals involve a two storey side extension to the North of the existing building. The extensions would be of a somewhat irregular shape, due to the shape of the wider application site, which is roughly triangular. It would follow the roof pitch of the main building, though dropped down some 0.20 metres, to ensure that it remain subordinate to the original dwelling. The extension would finish with a gable end facing towards the North, which would have a single obscure glazed window (to a staircase) at 2nd floor level. The extension would be rendered, along with most of the existing dwelling, though the details of this rendered finish are not included within the application at any stage, other than by suggesting that they would be 'agreed' at a later date. It is considered that a condition can secure this information is suitable prior to development commencing. The design of the proposal makes best use of the site's irregular shape, and is intended to follow the design ethos of the original dwelling. It is considered to be an acceptable addition to the street scene from a design and character perspective. The application therefore meets the requirements of policy 13 of the North Northamptonshire Core Spatial Strategy in that regard.

3. Residential Amenity

One of the concerns raised by neighbours was that the development would result in a loss of privacy. Residential; amenity is a key issue when considering applications for extensions to dwellings, and as such this concern was considered with all due attention. The North elevation of the proposed two storey side extension would be 2 metres from the site boundary, and 3 metres from the South elevation of No. 29 Leys Avenue, which is a bungalow. Though close in proximity, this elevation would have only one small, and obscure glazed window at 2nd floor level. The obscure glazed nature of this window, as well as whether it can be opened, will need to be controlled via condition. Furthermore, a condition removing Permitted Development Rights for openings on the North elevation would ensure that no future concerns arise.

In relation to concerns about loss of light, particularly at No. 29 Leys Avenue, having assessed the site during a site visit, and made measurements on the submitted plans, it is considered that no loss of light sufficient to reasonably refuse the application will occur. Though the proposals lie to the South of No. 29 Leys Avenue, they will, for the most part, occupy a space within the shadow cast by the existing dwelling at no. 27 Leys Avenue. This, coupled with the fact that No. 29 Leys Avenue would continue to receive sunlight in the afternoon and evening when the sun is to the Southwest, effectively ensure that no concerns exist with relation to loss of light.

It is considered that there would not be a detrimental impact on the amenity of the occupiers of no. 29 Leys Avenue, or any other adjoining property, by virtue of loss of privacy or loss of light. As such, the application meets the requirements of policy 13 of the North Northamptonshire Core Spatial Strategy in so far as it relates to matters of residential amenity.

Conclusion

The application is in accordance with the Development Plan and there are no material planning considerations that would indicate against approval. The application is suitable in terms of design and character, and there would be no detrimental impact on the amenity of existing or future occupiers of adjoining properties.

Background Papers

Title of Document:

Date:

Contact Officer:

Alex Jelley, Assistant Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

SITE LOCATION PLAN

27 Leys Avenue, Rothwell
Application No.: KET/2010/0013



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