

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/05/2012	Item No: 5.8
Report Originator	Mark Coleman Assistant Development Officer	Application No: KET/2012/0241
Wards Affected	Burton Latimer	
Location	7 Bridle Road, Burton Latimer	
Proposal	Full Application: First floor rear extension	
Applicant	Mr A Fearnley	

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 a S.106 OBLIGATION being entered into, and to the following conditions:-

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 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 2 of the East Midlands Regional Plan and 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 south elevation or roof plane of the development.

REASON: To protect the amenity and privacy of the occupiers of adjoining property and the future occupiers of the existing dwelling in accordance with policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The roof light window serving bedroom 3 on the south facing roof plane shall only be glazed with obscure glass (no less than privacy level 4 Pilkington Standard, or equivalent) and shall be permanently retained in that form thereafter.

REASON: To protect the privacy of the occupiers of no. 9 Bridle Road, Burton Latimer and the existing and future occupiers of 7 Bridle Road, Burton Latimer from overlooking, in accordance with Policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- The applicant is reminded of the provisions of the Party Wall etc Act 1996 which may require notification of the works hereby permitted to all affected neighbours. More detailed information regarding the provisions of 'The Act' should be obtained from an appropriately qualified professional with knowledge of party wall matters.

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Paragraphs 56 and 58 of the National Planning Policy Framework, Policies 2 and 11 of The East Midlands Regional Plan, Policies 1, 9, 13 of the North Northamptonshire Core Spatial Strategy. The proposal is also in accordance with adopted Supplementary Planning Document Sustainable Design. There are no material considerations that indicate against the proposal.

Officers Report

3.0 Information

Relevant Planning History

KET/2012/0244 – First Floor Rear Extension (Pending)

Site Description

Officer's site inspection was carried out on 24.04.12. The application site is located within the settlement boundary of Burton Latimer, within an existing residential area, and is accessed directly off from the one-way section of Bridle Road connecting with Station Road.

The site is occupied by a two storey semi-detached dwelling, constructed to a traditional ridge roof design. The dwelling is constructed from red concrete interlocking tiles to the roof, and rustic London brick (brown). Windows are constructed from white UPVC. The dwelling is set down from the front garden area, which provides raised off-road parking for two vehicles. A shallow mono-pitched side extension restricts access to the rear. To the rear is a single storey flat roofed extension and small conservatory, beyond which the garden extends approximately 50m in length. No. 5 Bridle Road adjoins the site to the north, and has a symmetrical layout (minus the conservatory and side extension). To the south is no. 9 Bridle Road which forms part of another pair of semi's, and is positioned further back from the highway; as a result, its flank wall sides on to the existing rear extension and conservatory. The flank wall incorporates a bathroom and landing window to first floor, and bedroom window to second floor.

Proposed Development

The proposal is for a first floor rear extension above the ground floor extension to provide an enlarged bedroom with en-suite. The proposed extension will mirror an extension currently under consideration at no. 5 Bridle Road (KET/2012/0244), and adopts a hipped roof design which intersects the existing roof of the main house.

Any Constraints Affecting The Site

None

4.0 Consultation and Customer Impact

Parish/Town Council

No objection

Neighbours

No comments received.

5.0 Planning Policy

National Planning Policy Framework

Para 56, 58, NPPF

Development Plan Policies

East Midlands Regional Plan

Policy 2: Promoting Better Design

Policy 11: Development in the Southern Sub-Area

North Northamptonshire Core Spatial Strategy

Policy 1: Strengthening The Network Of Settlement

Policy 9: Distribution and Location of Development

Policy 13: General Sustainable Development Principles

SPD

Sustainable Design

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Impact on neighbouring amenity
3. Impact on the character and appearance of the area (Visual Amenity)

1. Principle of development

The proposed development is to extend an existing dwelling within an existing settlement area, and is therefore supported in principle by CSS policies 1 and 9, and Policy 11 (EMRP). CSS Policy 13 seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area; and does not result in unacceptable impacts on neighbouring amenity through loss of light or overlooking. This is supported by national policy advice in para's 56, 58, 64 of the National Planning Policy Framework, and at a regional level by Policy 2 (EMRP). It is considered that the development broadly meets these policy objectives, subject to detailed considerations discussed below.

2. Impact on neighbouring amenity

The rear of the building to be enlarged faces east, and subject to the approval of pending planning application KET/2012/0244 and legal agreement as discussed below [*Comments on other points raised by the proposal*], the proposed development will not have a significantly adverse impact on the amenity of the adjoining property (no.5 Bridle Road) with respect of access to natural light or overbearing. However, in absence of the aforementioned, the proposal will have an unacceptable impact on access to natural light and overbearing which will significantly harm the occupiers of no. 5 Bridle Road.

The proposed rear extension adopts a hipped gable design which reduces the impact of loss of light and overbearing affecting no. 5 Bridle Road to an acceptable level. Due to the positioning and scale of the proposed development to the north of the flank wall of no. 9 Bridle Road, the proposal will also have an acceptable impact on no. 9 Bridle Road in terms of these material considerations.

Whilst the proposed first floor side window serving the enlarged bedroom 3 directly overlooks the flank wall of no 9 Bridle Road which sits approximately 7m away, it does not overlook habitable rooms at the first floor. Whilst there is scope for more direct overlooking between the 2nd floor bedroom at no 9 Bridle Road and the proposed side window of the enlarged bedroom, two-way views will be vertically oblique; as a result, it is considered that the impact of overlooking from the application site will be limited with respect of the side windows. Direct overlooking through the roof light is likely to be more significant, although this can be overcome by condition to secure obscure glazing. Subject to this and a condition removing pd rights for additional openings, and other matters already discussed, the proposal will have an acceptable impact on neighbouring amenity.

3. Impact on the character and appearance of the area (Visual Amenity)

The proposed development is confined to the rear elevation of the existing dwelling and can not be seen from the surrounding street network. As a result, there is no impact on the character of the street scene. As discussed below *[Comments on other points raised by the proposal]* the adjoining neighbour is seeking planning permission for a similar first floor extension (albeit with a different internal layout); together the two proposals will maintain the existing symmetry of two semi's, and will be subservient in scale to the existing dwellings. Subject to the note below and condition seeking materials to match those used in the construction of the existing dwelling, the proposal will have an acceptable impact on the character and appearance of the area and accords with the relevant parts of Para 56 and 58 of the NPPF, Policy 2 (EMRP) and criteria (l) of Policy 13 (CSS)

Comments on other points raised by proposal

A similar first floor rear extension is being proposed on the adjoining property (no 5 Bridle Road). The grant of permission for one scheme in the absence of the other will give rise to an unacceptable impact on the adjoining neighbour's amenity by virtue of having an overbearing and overshadowing impact which will result in an unacceptable loss of light affecting the existing rear bedrooms. This matter has been discussed with both applicants, who have agreed to enter into a legal agreement which would require both parties to fully implement both extensions within a specified period of time upon commencement of one of the planning permissions. This would be sufficient to overcome the potential harm, and enables the Local Planning Authority to discharge its duty to in accordance with Section 38 (6) of the Planning and Compensation Act 2004 Act.

As a result, committee members are recommended to consider both applications together in deciding whether or not to approve the planning applications. Should planning committee members be minded to approve both

applications, it is recommended that this be subject to both applicants entering into a legal agreement as outlined above.

Conclusion

The proposal is considered acceptable in principle and in terms of its impact on character and appearance and subject to approval of pending application KET/2012/0244, legal agreement to fully implement this permission and the aforementioned permission, and conditions discussed in this report it will also have an acceptable impact on neighbouring amenity, and be in accordance with the statutory duty of Section 38 (6) of the Planning and Compensation Act 2004 Act. On this basis, the proposed development is acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Mark Coleman, Assistant Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date:

SITE LOCATION PLAN

7 Bridle Road, Burton Latimer
Application No.: KET/2012/0241



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