

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 22/05/2012</b>	<b>Item No: 5.9</b>
<b>Report Originator</b>	<b>Mark Coleman Assistant Development Officer</b>	<b>Application No: KET/2012/0244</b>
<b>Wards Affected</b>	<b>Burton Latimer</b>	
<b>Location</b>	<b>5 Bridle Road, Burton Latimer</b>	
<b>Proposal</b>	<b>Full Application: First floor rear extension</b>	
<b>Applicant</b>	<b>Mr R Frankcam</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 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 first floor north elevation or roof plane of the development hereby approved.

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

4. The window serving bedroom 2 on the first floor north elevation shall only be glazed with obscure glass (no less than privacy level 4 Pilkington Standard, or equivalent) and shall have a restricted opening not exceeding 100mm and shall be permanently retained in that form thereafter.

REASON: To protect the privacy of the occupiers of no. 3 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 Paragraph/Section 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/2012/0241 Proposed first floor rear bedroom / en-suite extension (Pending)

#### **Site Description**

Officer's site inspection was carried out on 24<sup>th</sup> April 2012. 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 off-road parking. A side access separates no. 3 and 5 Bridle Road and leads to a small semi-detached single storey outbuilding located to the rear of the two properties. A single storey flat roofed dining room extension is attached to the rear of the existing dwelling, beyond which is a long east facing rear garden (approx 50m). No 7. Bridle Road adjoins the site to the south, and has a symmetrical layout with the addition of a conservatory south of the dining room extension. To the north is no. 3 Bridle Road which forms part of another pair of semi's. The rear building line of no. 3 and no.5 are in line within one another. To the rear of no. 3 is a mono-pitched conservatory, which is visible through the gap between the dwellings and the semi-detached out building.

#### **Proposed Development**

The proposal is for a first floor rear extension above the existing dining room to provide an additional bedroom, and reconfigure an existing bedroom. The proposed extension will mirror an extension currently under consideration at no. 7 Bridle Road (KET/2012/0241), 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/2012/0241 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.7 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. 7 Bridle Road.

The proposed rear extension adopts a hipped gable design which together with the existing separation distance between no. 3 and no.5 reduces the impact of loss of light and overbearing to an acceptable level.

However, the proposed first floor side window serving the proposed bedroom 2 directly overlooks into the rear conservatory of no. 3 Bridle Road. Whilst no objections from the occupiers of no. 3 Bridle Road have been received, it is considered that this will have an unacceptable impact on neighbouring amenity without further control. This matter has been discussed with the applicant, who has agreed to install obscure glazed windows with opening restrictors in order to secure the privacy of the adjacent neighbouring property, whilst still complying with the relevant building regulations. This is considered to be an acceptable solution which can be secured by condition. 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 7 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/2012/0241, 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

5 Bridle Road, Burton Latimer  
Application No.: KET/2012/0244



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