

BOROUGH OF KETTERING

Committee	Full Planning Committee - 11/09/2012	Item No: 5.2
Report Originator	D Law Development Officer	Application No: KET/2012/0412
Wards Affected	All Saints	
Location	42 Burghley Street, Kettering	
Proposal	s.73A Retrospective Application: Detached garage	
Applicant	Mr K Moss	

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 garage is to be completed using materials that match in type, colour and texture those on 42 Burghley Street, Kettering.

REASON: In the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

2. 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 eastern 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.

Notes (if any) :-

- NONE

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Paragraph 17 and Section 7 of the National Planning Policy Framework, Policy 2 of The East Midlands Regional Plan, Policy 13 of the North Northamptonshire Core Spatial Strategy and policy 35 of the Local Plan for Kettering Borough. There are no material considerations that indicate against the proposal.

Officers Report

3.0 Information

Relevant Planning History

ENFO/2012/00072 – erection of double garage

Site Description

Officer's site inspection was carried out on 06/08/2012

The property is a detached brick built bungalow at the eastern end of Burghley Street. The surrounding area is largely residential though the type, scale and design of the dwellings differ somewhat within the street scene. Abutting the eastern boundary are the rear gardens of properties addressed on Bath Road and to the south, those on Balfour Street. The partially constructed garage is located at the southern extent of the rear garden of number 42 Burghley Street. It has a hipped roof design, large swing garage door with an uPVC window and door in the western elevation. It will be constructed of brick and concrete tiles to match the main dwelling.

Proposed Development

This is a full application for a detached garage. The garage is partially constructed and, as the height of the garage is over 2.5 metres within 2 metres of the boundary of the dwelling house, does not benefit from permitted development. It is accessed by a drive to the east of the property. The application was invited as a result of an enforcement investigation.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Neighbours

One Objection received from Occupier – 266 Bath Road
– pitched roof of garage would restrict light and in addition the height is an eyesore.

5.0 Planning Policy

National Planning Policy Framework

Paragraph 17 - Core planning principles
Section 7 - Requiring good design

Development Plan Policies

East Midlands Regional Plan

Policy 2. Promoting Better Design

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the networks of settlements
Policy 9. Distribution and location of development

Policy 13. General Sustainable Development Principles

Local Plan

Policy 35

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Residential amenity
3. Design, character and appearance
4. Parking

1. Principle of development

Paragraphs 6-7 of the National Planning Policy Framework promote sustainable development and that planning should perform an economic, social and environmental role. Paragraph 9 states that in pursuing sustainable development, positive improvements in people's lives should be sought. Policy 13 of the North Northamptonshire Core Spatial Strategy is supportive of development subject to a number of general sustainable development criteria. In addition, policy 2 of the East Midlands Regional Plan and policy 13 of the North Northamptonshire Core Spatial Strategy (CSS) are supportive of extensions to residential properties provided there is no adverse impact on character and appearance and residential amenity. Policies 1 and 9 of the CSS, direct development towards the urban core and focus this on the growth town of Kettering. As Burghley Street is to be found within the town boundary as defined by Policy 35 of the Local Plan and in an existing residential area, the principle of development is acceptable

2. Residential amenity

Paragraph 17 of the National Planning Policy Framework states that planning should always seek a good standard of amenity for all existing and future occupiers of land and buildings. CSS policy 13 (l) states that development should not result in an unacceptable impact on the amenity of neighbouring properties, or the wider area, by reasons of noise, vibration, smell, light or other pollution, loss of light or overlooking. The proposal is for a garage within a private rear garden that will abut the rear boundary of properties on Bath Road. The eastern wall of the garage would stand close to the rear boundary of number 266 Bath Road at a distance of 13m away from this property's rear elevation. Owing to the ridge height of 3.5 metres, the garage will be visible to the occupants of the adjacent property however it is considered that sufficient separation exists (13m) to avoid an overbearing impact. The nearest habitable room of number 266 is the first floor bedroom of the rear elevation. This window is not impacted by the proposal.

The properties to the south are a distance of over 15 metres away and once

more, this is considered to be of a sufficient distance of separation to have any adverse impact. To avoid potential overlooking it will be conditioned that no windows are

allowed in this elevation. In addition, the orientation of the building is such that no additional overshadowing would result.

The proposal does not result in an unacceptable impact on the amenities of neighbouring properties by reason of light, loss of light or overlooking and is therefore in accordance with the requirements of policy 13(l) of the North Northamptonshire Core Spatial Strategy.

3. Design, character and appearance

The appearance of the proposal is of a conventional design and suitable given that the garage would be to the rear and not visible from the public realm. Many surrounding properties have structures in their rear amenity space and this is a replacement structure of a prefabricated flat roof garage of the same footprint. A condition will be applied to ensure that the materials used in completing the garage construction will match that of 42 Burghley Street, Kettering.

As such it is considered that the proposals accord with Paragraph 17 and Section 7 of the NPPF, Policy 2 of the EMRP and Policy 13 (h) of the CSS – all of which seek to ensure that development is appropriate in terms of its design and character.

4. Parking

The proposed garage replaces a garage of similar footprint and location. The garage is to be accessed from the existing residential access off Burghley Street. It is considered that there will be no highway impact over and above that which previously existed. No comments have been received from neighbours in relation to parking issues. The proposal is therefore considered to be in accordance with policy 13 (parts d and n) of the CSS.

Comments on other points raised by proposal - none

Conclusion

The proposed development accords with both national and local planning policy and there are no material planning matters that indicate against the scheme; as such, the application is recommended for approval subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

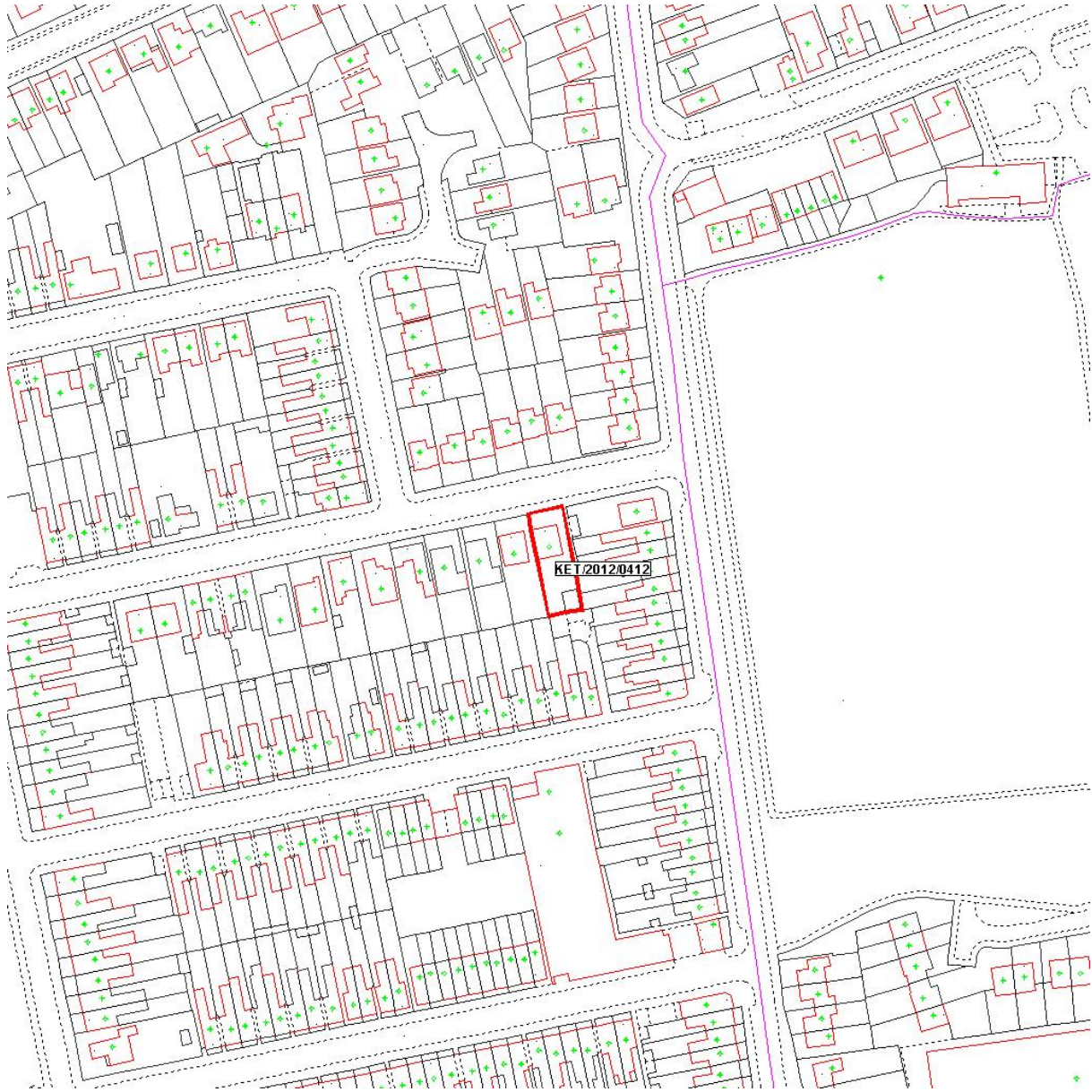
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Date:

D Law, Development Officer on 01536 534316

SITE LOCATION PLAN

42 Burghley Street, Kettering
Application No.: KET/2012/0412



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