

BOROUGH OF KETTERING

Committee	Full Planning Committee - 07/05/2013	Item No: 5.9
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2013/0244
Wards Affected	Brambleside	
Location	1 Cotswold Avenue, Kettering	
Proposal	Full Application: First floor side and rear extension	
Applicant	Mr H S Bhandal	

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 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 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 at first floor level in the east and west elevations 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.

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Policy 7 of the National Planning Policy Framework, Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 35 of the Local Plan for Kettering Borough. The issues relating to overlooking, overbearing and loss of light are material planning considerations and, in reaching the decision to approve the proposal, have been carefully weighed against all relevant policy considerations.

Officers Report

3.0 Information

Relevant Planning History

KET/2005/0637 – Single storey side extension – Approved 31/08/2005

KE/1992/0573 – Erection of extensions – Refused 03/11/1992

Site Description

Officer's site inspection was carried out on 22/04/2013. The application site is located on Cotswold Avenue, a residential area to the north of Kettering. Cotswold Avenue and the surrounding area is largely characterised by pairs of semi-detached dwellings with some detached dormer style dwellings to the east of the application site.

The property to which this application relates is a two storey semi-detached dwelling constructed of red brick with render at first floor level on the front elevation. The dwelling has a concrete tile roof and windows and doors are white uPVC. The dwelling has a single storey flat roof side extension which is set back from the front elevation by 0.5 metres. The rear gardens of Nos. 2 and 4 Pennine Way adjoin the western side boundary of the application site. Boundary treatment consists of a 1.8 metre high close boarded fence and there is a difference in levels between the application site and these adjoining properties with the application site on higher ground. The dwelling has previously been extended to the rear and consists of a single storey flat roof extension. The rear garden is an irregular shape and is bounded on all sides by a 1.8 metre high close boarded fence.

Proposed Development

The proposal involves a first floor side and first floor rear extension. Elements of the existing side and rear extensions will remain single storey and a roof will be added to them.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Neighbours

4 Pennine Way:

- **Objection.**
- The proposed extension will block light to the objector's garden and home. It will be an eyesore and will make it feel enclosed.
- The existing side door already impacts on privacy as it looks into rear windows of the dwelling and the garden.

6 Pennine Way:

- **Objection.**
- The extension will provide the applicant with direct view into the objector's garden from building that will be approximately 1.2 metres from the objector's property.

9 Mendip Close:

- **Objection.**
- The proposal will bring the dwelling closer to the objector's property and will result in a loss of privacy. It will be overlooked and overshadowed by the increased bulk of the proposed extension.
- The proposed extension will reduce the amount of sun to the objector's garden and home.

5.0 Planning Policy

National Planning Policy Framework

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 13 – General Sustainable Development Principles

Local Plan

Policy 35 – Housing: Within Towns

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 Impact on Character
3. Impact on Residential Amenity

1. Principle of Development

The application site is located within the town boundary of Kettering as defined by Policy 35 of the Local Plan. Policies in the development plan support extensions to residential properties subject to the satisfaction of certain criteria. Policy 13 of the North Northamptonshire Core Spatial Strategy supports extensions provided there is no adverse impact on design and character and residential amenity. Therefore, the principle of development is established subject to the satisfaction of the relevant development plan criteria.

2. Design and Impact on Character

The proposal involves a first floor side and first floor rear extension. The side extension will be set back 0.5 metres from the front elevation in line with the existing single storey extension on which it will be built. It will be set down approximately 0.4 metres from the ridge height of the existing dwelling. This ensures the proposed extension will appear subservient to the original dwelling and reduces its impact on the street scene. The fenestration style and proportions and roof have been

designed to reflect the character and appearance of the existing dwelling presenting an appropriate visual relationship in the street scene. The ridge height of the proposed first floor rear extension will be set down from the ridge height of the existing dwelling and as such will not be visible from the street scene. Given that materials will match that of the existing dwelling it is considered that the proposal complies with Policy 7 of the National Planning Policy Framework which requires good design and Policy 13 (h) of the North Northamptonshire Core Spatial which requires development to respect the character of its surroundings.

3. Impact on Residential Amenity

The main potential impact of the proposed development will be to the dwellings to the east and west, No. 3 Cotswold Avenue and Nos. 2 and 4 Pennine Way respectively. There will be no impact on the dwellings to the south which are separated from the application site by the highway. An objection has been received from the one of the neighbouring dwellings on Mendip Close which adjoins the rear boundary of the application site to the north. The objection has been made on the grounds of overlooking and overshadowing. A separation distance of approximately 25 metres will be maintained between the rear building line of the application site and the dwellings on Mendip Close which is considered to be sufficient distance for there will be no impact in terms overlooking or loss of privacy. Given the orientation of the dwellings in relation to the path of the sun and the separation distance between the dwellings it is also considered there will be no impact in terms of overshadowing or loss of light.

The proposed first floor rear extension will be set back from the shared boundary with No. 3 Cotswold Avenue to the east. A 45 degree test indicates that the proposal will not impact upon light levels to the habitable rooms of No. 3 at first floor level. The test indicates that the proposal will have a marginal impact upon light levels to the ground floor habitable rooms. However, given the orientation of the dwellings in relation to the path of the sun and that the roof of the proposed extension slopes away from No. 3 it is considered that the impact will not be significantly adverse impact to warrant a refusal of planning permission in this instance. No windows are proposed in the side elevation facing No. 3 and therefore there will be no impact in terms of overlooking. A condition will be added to the permission nevertheless removing permitted development rights to prevent the insertion of future openings at first floor level in this elevation which would result in overlooking.

An application for a two storey side extension, similar in design to that currently proposed, was refused planning permission in 1992 on the grounds of overbearing to the rear gardens of Nos. 2 and 4 Pennine Way. An objection has been received to this application from the neighbours at No. 4 Pennine Way. The objection has been made on the grounds that the proposed extension will block light to the objector's garden and home, that it will be overbearing and that the privacy of dwelling is already impact upon by the existing door in the side elevation. Under the previous application the extension was located approximately 0.2 metres from the shared boundary, while under the current scheme it is located 1 metre away. Nos. 2 and 4 Pennine Way have reasonably sized gardens, approximately 12 metres deep from the rear elevations of the dwellings. Therefore, it is considered that the proposal will not have an adverse impact on the living conditions of the occupants of these neighbouring dwellings. No new windows are proposed in the west elevation facing

the rear gardens of these dwellings and therefore there will be no impact in terms of overlooking. Nevertheless, a condition will be added to prevent the insertion of future openings at first floor level in this elevation.

Under the 1992 application a bedroom window was proposed at first floor level in the rear elevation of the extension. In refusing permission it was argued that the because of the angled relationship of the garden boundary to No. 6 Pennine Way this window would overlook the rear garden of that property. An objection has also been receive from the neighbours at No. 6 on the grounds of overlooking to the garden. However, under the present scheme this window will serve as a bathroom window and will be glazed with obscure glass and therefore there will be no impact in terms of overlooking. Regardless, it is considered that there would be no impact on the living conditions of the occupants of this dwelling.

Therefore, it is considered that the proposal complies with Policy 13 (l) of the North Northamptonshire Core Spatial Strategy which requires development not to have an adverse impact on the amenity of neighbouring dwellings.

Conclusion

The proposal conforms to policies in the development plan and raises no adverse impacts in terms of design and character. The proposal will not adversely impact on the amenity of neighbouring properties in terms of overlooking, overbearing or loss of light. The scheme is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Marie Down, Assistant Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: