

BOROUGH OF KETTERING

Committee	Full Planning Committee - 11/03/2014	Item No: 5.2
Report Originator	Trevor Feary Development Officer	Application No: KET/2013/0787
Wards Affected	Queen Eleanor and Buccleuch	
Location	39 Stamford Road, Geddington	
Proposal	Outline Application: 1 no. dwelling	
Applicant	Mrs R Morgan	

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 REFUSED for the following reason(s):-

1. The proposal is contrary to the NPPF and to Policy 1 of the North Northamptonshire Spatial Strategy and saved Policies 7, RA3 and RA5 of the Local Plan for Kettering Borough in that the site lies outside the defined village limit of Geddington settlement. As such the submission represents unjustified development in the open countryside. If allowed the proposal would consolidate the isolated development along this frontage stretch of Stamford Road outside of Geddington to the detriment or harm of the rural character of the locality.

Officers Report for KET/2013/0787

This application is reported for Committee decision because the proposal would constitute a material departure from the Development Plan (including saved Local Plan). The proposal has received support from the Parish Council and neighbouring occupiers.

3.0 Information

Relevant Planning History

PRE/2010/0201 - DWELLING Advice given in January 2011 that site's lawful use appears to be agricultural land and not garden as claimed. Accordingly considered to be open countryside.

Site is outside the "village envelope".

PPS1, PPS3 AND PPS7 are all opposed to development in the open countryside unless meets one of the exceptions (which this does not)

Policies 7 and RA3 of the Local Plan do not support as in open countryside. Geddington is a "restricted infill village" RA5 refers to the same exceptions as above.

Policy 1 of Core Spatial Strategy indicates new development must take place within village boundaries. Referred also to Policies 9, 10, 13 and 14 of the Core Strategy.

Advised that a new access point did not seem to be a problem and that contamination due to the underlying geology will be an issue.

Unlikely that any future application for a Dwelling will be supported.

Site Description

Officer's site inspection was carried out on 27/01/2014.

The Application site lies beyond the defined village limits for Geddington near to a number of isolated properties. The site has a road frontage of approximately 18 metres and a rear width of approximately 23 metres, its depth varies between 26 metres and 30 metres.

The site is mainly laid to grass, with a few old orchard trees within the interior. The road boundary is demarked by a largely unkempt hedge which varies in height from approximately 4 metres to 6 metres. The hedge contains a few semi-mature trees. The southern boundary is a fence but inside this on the application side is an approximately 3 metres wide strip of plants/shrubs/semi-mature trees. The rear boundary (Western) is again a low fence, which separates the Application site from the agricultural land to the rear.

The eastern boundary (separating the proposed plot from the dwelling)

is formed by a 2 metre high hedge. There is a gap through this linking the 2 areas. Equally there is a second personal gate between the two.

Immediately to the South of the proposed plot are 3 existing dwellings forming a reasonably tight group. Beyond the Applicant's dwelling, which is a traditional 2 storey dwelling at 90 degrees to the highway, are a further 3 dwellings: again forming a relatively tight continuous group.

Proposed Development

Submission is an outline planning application for a "single detached dwelling"

No details are committed with all Matters being Reserved.

A Planning Justification Statement has been submitted in support of the proposal. Basically this states that the Application site has been garden land to the adjacent dwelling for a considerable number of years and that since it adjoins two areas indicated as an option for inclusion within a possible village envelope in the emerging "Sites Specific Proposals" there is no logic to the site's exclusion. Its development would represent in-filling and do little harm to the character and appearance of the settlement. This Justification Statement also refers to a planning permission for a new dwelling issued in 2005 allowed by Committee (against Officer advice that this group of dwellings did not form part of the settlement and proposal represented unjustified development in the countryside). The 2005 proposal is known as 39b Stamford Road and is approximately 55 metres north of the application site. It is the applicant's statement that this application "fully accords with the newly established principle of a presumption in favour of sustainable development as outlined in the NPPF."

3 individual letters from neighbours in support of the application have been forwarded with this Planning Justification Statement.

Any Constraints Affecting The Site

A Road
Nene Valley NIA Boundary
Outside settlement framework

4.0 Consultation and Customer Impact

Geddington Parish Council

This property is outside the village envelop but within the garden area of 39 Stamford Road. The Parish Council were in agreement with this application, without prejudice for any applications which may follow, but did raise concerns that there should be sufficient turning space for access and egress.

Highway Authority

No formal response received but did indicate at Pre-Application stage that had no objection to a new access being formed to the site – requires adequate on site turning and parking facilities.

Environment Health (KBC)

Requests full contamination Condition due to underlying geology.

NCC Archaeology

The site lies to the West of Stamford Road, during development on the Eastern side identified activity included probable iron working and pottery dating from the Iron Age and Saxon period. There is therefore potential for archaeological remains to be present on the application site. Please impose appropriate Condition.

Neighbours

Two further letters fully supporting the submission (from neighbours whose previous letter was included in the Applicant's Planning Justification Statement mentioned above) have been received as a result of the neighbour consultation exercise and the display of the Site Notice.

Planning Policy

National Planning Policy Framework

Para 14 The presumption in favour of sustainable development.
Para 17 Core Planning Principles.
Section 6 Delivering a wide choice of high quality homes
Section 7 Requiring a good design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 Strengthening the network of settlements
Policy 13 General Sustainable Development Principles

Local Plan

Policy 7 Protection of the open countryside
Policy RA3 Housing in restricted infill villages
Policy RA5 Housing in the open countryside

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

- Whether the proposal meets with the National Planning Policy Framework

- Whether development is acceptable in principle in the light of the current Local Plan, or the Sites Specific Document.
- Would the rural character of the site and its surroundings be unacceptably detrimentally affected?
- Could the proposal be considered acceptable in-filling
- Is the proposed plot of adequate dimensions to support a dwelling in character with its surroundings and not impact negatively on highway safety/neighbours reasonable amenity?

National Planning Policy Framework

The NPPF identifies three dimensions to “sustainable development” – an economic one, ensuring there is sufficient land of the right type available in the right places and at the right time to support growth and innovation; support strong, vibrant and healthy communities to provide supply of housing to meet the needs of present and future generations; and contribute to protecting and enhancing the natural (as well as built and historic) environment. Paragraph 14 of the NPPF states that development which accords with the development plan is to be approved.

However, the proposal does not satisfy any of the above criteria. Furthermore the Borough Council has demonstrated that its supply of housing land is in accordance with the NPPF and the relevant CSS/saved Local Plan Policies are up to date. In particular the site is not within the village boundary and no local need for housing has been demonstrated by this application.

North Northamptonshire Core Spatial Strategy

The Adopted Policies of the Core Spatial Strategy repeat and thereby strengthen the National Policies. Policy 1 does specifically state “development will take place on sites within village boundaries.

Saved policies from the Adopted Local Plan 1995 (assessed in 2012 as being compatible with the NPPF)

Within the adopted 1995 Local Plan this part of Stamford Road is shown as being some distance outside the Village Boundary as drawn for the settlement. This actual plot being some 200 metres north of the last property included in the Village Boundary. As such the proposal can only be considered as within the countryside and so contrary to National Policy together with Core Strategy Policy CS1 and saved adopted Local Plan Policies 7, RA3 and RA5, to protect the countryside.

However, the land opposite the plot is all shown to be inside the Village Boundary of the adopted Local Plan.

The adopted Local Plan 1995 remains the key policy document of the Development Plan and consequently remains a significant impediment to supporting the submission in principle.

Site Specific Proposals - March 2012

The Site Specific Proposals consultation document issued in March 2012 proposes including the group of 7 dwellings here lying either side of the proposed plot within the Village Boundary (as a group of 3 + a group of 4) but specifically excluding the Application Site. (There is an option that the land opposite the application site would be proposed for withdrawal from within the Village Boundary.)

The reason for proposing these 7 dwellings be placed within the Village Boundary has been stated as being because "This row of houses is visually detached from the settlement but is part of linear development which has developed along the A43. The use of these buildings is residential and this is a function related to the village rather than the open countryside." - As per Principle 2 (b) used in developing the proposed Village Boundaries. The proposed Boundary has been, however, drawn tightly around the existing dwellings excluding the Application Site - as it was considered this area was undeveloped and related more to the open countryside both in use and appearance. – as per principle 3 (d).

This Site Specific Proposals Document is at an early stage in its production and at the present time carries little "weight" in the consideration and deciding of planning applications. Should this policy position change in the future and greater weight allowed to be given to this document, then at that time there may be a policy base for supporting the proposal if this plot was also to be included in the proposed village boundary. But with little weight to be afforded to the LDD – any possible alteration to future proposed boundary delineation has little weight.

Other Material Considerations

The application site is fronted by a high hedge and contains a few semi-mature trees, and so the interior of the site is not particularly open to public view. This is, however, similar to the larger undeveloped frontages either side of this group of dwellings. and provides the general locality with a character rural in nature.

The information provided with the application indicates that the site is garden land to the adjacent dwelling and has been so for a considerable number of years; physically separated from the agricultural land to the rear. However, evidence gathered at the time of the production of the Sites Specific Consultation document confirmed the opposite – the site was physically divided from the dwelling and in agricultural use in conjunction with the field to the rear. In policy terms the site should be treated as "countryside".

Physically, the application site itself is of ample dimensions to accommodate a (2 storey) dwelling similar to those nearby and provide adequate access/vehicle manoeuvring with adequate private amenity

space. The existing hedges around the site could be retained as far as possible. The size of the proposed site should enable the reasonable amenities of neighbouring occupiers to be adequately protected. Although the existing number 39 faces into the application site it is sufficient distance from the mutual boundary as not to unacceptably impinge upon any future occupiers' amenity. However, these are secondary issues as the principal for allowing this has not been established.

The wishes of the Parish Council and neighbouring occupiers to allow a dwelling to 'complete the street scene' and to be in line with the 2005 planning permission (for No. 39b) do not constitute a planning reason to go against the policy outlined above.

Conclusion

For the reasons stated, this application is contrary to policy with the harm that would result.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Trevor Feary, Development Officer on 01536 534316