

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 08/04/2014</b>	<b>Item No: 5.6</b>
<b>Report Originator</b>	<b>D Law Development Officer</b>	<b>Application No: KET/2014/0035</b>
<b>Wards Affected</b>	<b>William Knibb</b>	
<b>Location</b>	<b>20 Carrington Street, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Change of use from residential to rehabilitation centre</b>	
<b>Applicant</b>	<b>Mr I Barrett Crime Reduction Initiatives Ltd,</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 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 premises shall not be open to the public before 09:00 hours or remain open after 19:00 hours on Mondays to Fridays, nor before 09:00 hours or after 14:00 hours on Saturdays, nor open at any time on Sundays or any recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Prior to the commencement of the use hereby approved, a scheme for the storage and collection of refuse and clinical waste shall be submitted to and approved by the LPA. The approved scheme shall be implemented prior to first use and thereafter retained.

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

4. This permission shall be for the use as described in the application only, managed by Crime Reduction Initiatives Ltd and shall not enure for the benefit

of the land. The use hereby permitted shall be discontinued on the date when Crime Reduction Initiatives Ltd ceases to occupy the premises.

REASON: To protect the amenity of future residents in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy

5. Prior to the first commencement of the change of use hereby approved, a scheme for attenuating noise between the applicant property and 22 Carrington Street shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details, and shall be retained thereafter

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

## **Officers Report for KET/2014/0035**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

KET/1978/0790 – Change of use from warehouse to office use with car parking provision – 12/07/078

KET/1988/0026 – conversion of empty offices back to residential property – approved 18/02/88.

The last use is unverified but may have been a hostel run by the English Church Group. There is no planning history. The property was purchased by Kettering Borough Council in September 2013.

#### **Site Description**

Officer's site inspection was carried out on 25/03/2014

The application site is located immediately east of the established shopping area in Kettering Town Centre and within the Conservation Area. Surrounding development is a mixture of terraced residential properties, flats and commercial buildings, with the residential character prevailing as you travel east along Carrington Street away from the Town Centre.

The application site is a large semi-detached two-storey Victorian/Edwardian town house built in red brick with a grey concrete tile roof. There is a two-storey square gable fronted bay window on the south elevation facing the highway in Carrington Street. The property is accessed via a central door in the west elevation. All windows and doors are large and vertically emphasised and retain the original wooden sash windows. A hip-roofed square bay window has been added at ground floor level to the north of the front door.

The front bay windows abut the public highway in Carrington Street and there is a concreted area of amenity land to the west of the property. There is a 1 metre high red brick wall as a boundary treatment to Carrington street with large painted security gates. The northern boundary is formed from the back wall of a Victorian/Edwardian brick outbuilding and the top end of the western boundary is a 2 metre high brick wall which divides the two semi-detached properties. The area of amenity land to the north of the dwellinghouse is used to house the refuse collecting facilities for the property.

#### **Proposed Development**

Change of use from residential to rehabilitation centre. The proposal is for a substance misuse service clinic to serve the Kettering area. Internally this will include an administration rooms, counselling rooms, group rooms and clinical facilities. This facility will consolidate the

applicant's practises from separate locations to this centralised one.

Clients will attend by appointment only or specific drop in times. The proposed hours are 9am to 7pm on Mondays to Fridays and 9am to 2pm on Saturdays. It is proposed to be closed Sundays and bank holidays. The application does not propose any external changes.

### **Any constraints affecting the site**

Conservation Area

## **4.0 Consultation and Customer Impact**

### **Highway Authority**

No objection

### **Northamptonshire Police**

Northamptonshire Police has no formal objection to the Change of use application in principle and suggest that a number of recommendations which if implemented will reduce the likelihood of crime, disorder and anti-social behaviour occurring.

This is in the interest of the security and quality life of future occupants of the development in accordance with policy 13 of the North Northamptonshire core spatial strategy.

- External doors should comply with the Loss Prevention Certification Board (LPCB) security standard LPS1175 SR 2 or PAS 24 and doors manufactured in accordance with the standard should be installed.
- A warning facility or alarm for external doors should be fitted so that a signal on opening can be transmitted to the security or general office. These doors should also be signed to warn visitors of the alarm alert. Laminated glazing in doors is required to a minimum thickness of 6.4mm tested to P2A.
- All ground floor and other accessible or vulnerable windows should meet the requirements of PAS 24 (Windows of Enhanced Security). These same windows must also use laminated glazing P1A
- The building should have an intruder alarm system installed in compliance with Association of Chief Police Officers (ACPO) Security Alarm Policy. This ensures that the technical aspects of the alarm specification will result in a police response to a confirmed activation on site. I would also suggest an internal alarm that can be zoned. This will allow areas that are not being used to be shut down and protected. While allowing other areas to be used. The personal attack alarm should also be linked into a monitored alarm system.
- CCTV: The camera system should be capable of being enhanced during the hours of darkness with infra red lighting or similar. Images should be stored for a minimum of 31 days and be inline

- with the Home Office CCTV operational requirements manual.
- Access control that is capable of audio and visual should be used so that staff can vet visitors before allowing entry.
  - It would be beneficial for staff to have a 'safe area or room' should they need it.

### **Environmental Health**

No objection - recommend Refuse & Clinical Waste condition and smoking shelter /Kitchen and outside area informatives

### **Neighbours**

Third party objections received highlighting issues including:-

18 Carrington Street

- potential for increase in crime

petition signed by 12 nearby businesses stating;

- safety concerns
- residential area
- noise and disturbance
- detrimental change in environment of area

## **5.0 Planning Policy**

### **Primary Legislation**

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

### **National Planning Policy Framework**

1. Building a strong, competitive economy
  2. Ensuring the vitality of town centres
  4. Promoting sustainable transport
  7. Requiring good design
  12. Conserving and enhancing the historic environment
- Paragraph 7 – sustainable development  
Paragraph 9 – positive improvements in peoples quality of life  
Paragraph 17 – improving health and deliver sufficient community facilities and services to meet local needs

### **Development Plan Policies**

#### **North Northamptonshire Core Spatial Strategy**

Policy 8: Delivering Economic Prosperity

Policy 9. Distribution & Location of Development

Policy 13. General Sustainable Development Principles

#### **Local Plan**

58. Employment: Within Towns

#### **Kettering Town Centre Area Action Plan**

## 12. Heritage Conservation & Archaeology

### **6.0 Financial/Resource Implications**

None  
Section 106

### **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. The Principle of Development
2. Design, Character and Appearance
3. Residential Amenity
4. Impact on the Conservation Area
5. Parking and Highway Matters

#### 1. The Principle of Development

The proposal seeks use for a substance misuse rehabilitation centre on a site within the defined boundary of Kettering and within an area that is mixed use of residential and commercial in nature as per Local Plan policy 58.

The golden thread throughout the National Planning Policy Framework (NPPF policies 1 and 7) is a presumption in favour of sustainable development that accords with the Development Plan to deliver a strong, responsive and competitive economy in areas which favour sustainable transport modes. Outlined in paragraphs 7, 9 and 17 of the NPPF is how development should seek to contribute to sustainable development by supporting local services, positive improvements in people's quality of life, to improve health and to deliver community facilities that meet local needs.

The proposal for the provision of a community facility in a sustainable town centre location accomplishes these requirements. It is considered that the introduction of the proposed use in the area is compatible with the mixed use nature of the area and a town centre location is considered to be the most sustainable location for the proposed use.

The proposal for the change of use is established subject to the satisfaction of policies in the development plan, as discussed below.

#### 2. Design, Character and Appearance

Improvements in design and requirements for development to be in keeping with the character of the surrounding area are advocated in Policy 13 (h) of the CSS. The proposed development does not involve any exterior alterations to the building so the visual impact and appearance of the property will remain constant. An objection was received with regard to the impact of the proposal on a residential

street. There are however various building uses in the immediate locale including industrial, a public house and a chiropodist contributing to there being no overriding use at the western end of Carrington Street. In addition, as the proposed use is not dissimilar to the nearby town centre uses, the change of use to misuse rehabilitation centre would not lead to any discernible change to the character of the immediate or wider area. Therefore, no adverse impact would result upon the design, character or appearance of the buildings or the wider area in accordance with policy 13 (h) and policy 7 of the NPPF

### 3. Residential Amenity

The requirement for new development not to result in any unacceptable impacts on the amenities of neighbouring properties is prescribed in Policy 13(l) of the North Northamptonshire Core Spatial Strategy whereas Policy 13 (b) of the CSS seeks to design out anti-social behaviour, crime and reduce the fear of crime by applying the principles of 'Secured by design' Scheme.

Third party objections were received in response to the application which were predominantly focussed on;

- potential for increase in crime and safety concerns
- residential area/ detrimental change in environment of area
- noise and disturbance

As stated in 2) above, there is no overriding use in the vicinity that includes small businesses, industrial, residential and a public house. No evidence has been forthcoming that would substantiate these claims and that a change of use as proposed would increase any tendency for crime and anti-social behaviour in the area. Through consultation, the police authority raised no objection to the change of use proposed. They have suggested a number of measures which, if implemented, will reduce any likelihood of crime, disorder or anti-social behaviour. (concerning controlled access, CCTV etc...) These will be added to any permission as informative notes.

Clients will attend by appointment only or specific drop in times to avoid the propensity for congregation in the public highway.

With reference to concerns expressed over increased noise and disturbance, the location of the site is adjacent to the town centre and is close to late night A4, A4 and A5 uses. A3 use covers restaurants and cafes, A4 use covers pubs and bars and A5 covers take-aways. The proposed opening hours of 09.00 to 19.00 weekdays and 09.00 to 13.00 Saturday avoid any potential for anti social disturbance and potential for noise are not considered unacceptable when judged against Core Spatial Strategy Policy 13.

Carrington Street is a mixed use area including residential properties however the change of use to a misuse rehabilitation centre and the

opening hours proposed is not considered to have any additional impact when compared to the surrounding mix of uses and the adjacent town centre.

The impact of noise to the adjoining property along the party wall can be covered if required through a planning condition

The proposal is in accordance with policy 13 (b) and (l) of the North Northamptonshire Core Spatial Strategy which requires new development not to result in an unacceptable impact on the amenities of neighbouring properties and to design out anti-social behaviour, crime and reduce the fear of crime.

#### 4. Impact on the Conservation Area

As there aren't any proposals to alter the exterior of the existing building as part of the change of use, there will be no adverse visual impact caused by the proposal to the character and appearance of Kettering Conservation Area or on the character and appearance of the existing building in relation to surrounding development or the wider street scene.

It is therefore considered that the proposed use accords with policy 13(o) of the North Northamptonshire Core Spatial Strategy which requires new development to conserve the character of designated assets and their settings.

#### 5. Parking and Highway Matters

Policy 13 d) and n) of the CSS state that proposals should have a satisfactory means of access, provide for parking, and not have an adverse impact on highway safety. Carrington Street is adjacent to the town centre of Kettering which is considered to be a highly sustainable location close to both the bus interchange and nearby public car parks (Queen Street and London Road car park are within 300m of the site). Given this town centre location it is not considered necessary for on-site parking to be provided, this stance is supported by the principles contained within policy 13 (e) of the CSS and policy 4 of the NPPF. However the site benefits from 5 parking spaces that will be allocated to staff members in attendance on any given day and the proposed development is unlikely to generate additional traffic and so this proposed misuse rehabilitation centre use would not result in any change to the highway network. The Highway Authority has not raised any objection. The scheme is therefore considered compliant with policies 13 d), e) and n) of the North Northamptonshire Core Spatial Strategy.

### **Conclusion**

The proposed change of use to misuse rehabilitation centre will not adversely impact on the retail offer or amenity of this area of the town centre, is in accordance with the National Planning Policy Framework



and policies in the Development Plan and is recommended for approval.

**Background**

**Papers**

Title of Document:

Date:

Contact Officer:

D Law, Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date: