

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 03/06/2014</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Richard Marlow Development Officer</b>	<b>Application No: KET/2014/0274</b>
<b>Wards Affected</b>	<b>St. Michaels and Wicksteed</b>	
<b>Location</b>	<b>5 -7 Station Road, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Erection of garage, repairs to front boundary wall and installation of railings and gates</b>	
<b>Applicant</b>	<b>Mr P Chambers</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 development hereby permitted shall not be carried out other than in accordance with the approved plans.

REASON: To protect the character and appearance of the Kettering Town Centre Conservation Area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and policy 12 of the Kettering Town Centre Area Action Plan.

3. Notwithstanding the approved plans, no development shall commence on the garage until full details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section drawing at a scale of no less than 1:150 which shows the eaves detailing to the provided to the front (northwest) facing elevation of the building. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the character and appearance of the Conservation Area and surrounding development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy, section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and sections 7 and 12 of the National Planning Policy Framework.

4. Notwithstanding the approved plans no development shall commence on site until details of the wall, railings and gate materials to be used, including types, colours and finishes, together with samples, have been 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.

REASON: In the interests of the character and appearance of the Conservation Area and surrounding development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy, section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and sections 7 and 12 of the National Planning Policy Framework.

5. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only.

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

## **Officers Report for KET/2014/0274**

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

### **3.0 Information**

#### **Relevant Planning History**

KB/69/0168. House to offices. Approved 14/04/1969.

KE/87/0463. Change of use to independent day preparatory school. Approved 29/07/1987.

KE/88/0183. Restaurant with living accommodation above. Approved 20/04/1988.

KE/91/0318. Change of use. Restaurant to office (with No.5) Approved 18/06/1991.

KET/2007/0459. Change of use from existing office accommodation to 4 no. flats with a new build block attached to the rear to provide 6 no. 2 bed flats. Approved 11/03/2008.

KET/2011/0165 Change of use from offices to 1 no. dwelling. Approved 18/05/2011.

#### **No.5 Station Road**

KE/80/0139. change of use from residential to Class II offices with associated storage and ancillary accommodation. Approved 29/02/1980.

#### **Site Description**

Officer's site inspection was carried out on 15/05/2014. The application site is a substantial two and a half storey residential property to the south of Station Road that is set within the Kettering Town Centre Conservation Area. The property was originally built as a symmetrical pair of semi-detached two and a half storey residential dwellings in 1879, comprising Nos.5 and 7 Station Road. Subsequently, the building was converted to a single property and the use changed from residential to a variety of commercial uses since 1969. An application in 2011 permitted the change of use from offices back to a single dwelling. The ground level at the site is approximately 1.2 metres above the land level in Station Road and there is a low retaining wall to the front of the property. There is some landscaping to the front of the property and to the side is a substantial gravelled driveway which would enable parking of numerous vehicles clear of the highway.

Neighbouring the site to the southwest is 'The Gables' a three storey development which has been extended over time to provide a number of residential flats. Surrounding development in the area comprises large Victorian and Edwardian town houses in large plots of land which over time have been converted from their original single residential use to either commercial (mostly office) uses, or converted to flats with extensive modern additions set behind the original buildings. There is other more modern infill office and residential (flats) development along Station Road as the road travels southwest towards Kettering Railway Station.

### **Proposed Development**

The application seeks permission for the erection of a detached garage and alterations to the front wall of the property that would include the installation of railings and gates. Proposals are expected to be amended to show the proposed gates set back from the highway boundary.

### **Any Constraints Affecting The Site**

Kettering Town Centre Conservation Area.

## **4.0 Consultation and Customer Impact**

### **Highway Authority**

Object to the proposal. The gates should be set back a minimum of 5.5m from the back of the footway to allow a car to enter or leave the property and come to a halt without blocking the carriageway or footway.

### **Neighbours**

Four comments received from four objectors on the following grounds:

- The building is large and of excessive length and unnecessary for a residential outbuilding
- Considerable loss of light to a number of properties within The Gables
- The height of eaves could easily be reduced to 2.1m
- Proposals are vague and lacking in detail
- The proposal will have an adverse effect on my right to light
- Not in keeping with Conservation Area and will look like a commercial sized building.
- A 2.3m gate is not essential for security and would look incongruous to the other buildings in Station Road.
- Noise from the garage will cause unnecessary disturbances.

The statutory consultation period closes on 20 May 2014 and any additional comments will be detailed within the Committee update.

## **5.0 Planning Policy**

### **Legislation**

S.72(2) – Planning (Listed Buildings and Conservation Areas) Act 1990

### **National Planning Policy Framework**

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Policy 12. Conserving and enhancing the historic environment.

### **Local:**

#### **Core Strategy Policy:**

1 Strengthening the network of settlements

9 Distribution & location of development

13 General sustainable development principles

Kettering Town Centre Area Action Plan  
Policy 12 – Heritage Conservation and Archaeology  
Policy 20 – The Station Quarter.

Local Plan  
Policy 35 Housing: Within Towns

Supplementary Planning Documents  
Kettering Urban Codes

## **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, Character and the Conservation Area
3. Conservation Area Impact
4. Residential Amenity
5. Highways
6. Other matters

### **1. Principle of Development**

The application site is within the town boundary of Kettering, as defined by Policy 35 of the Local Plan, in an established residential area and is set within the Kettering Conservation Area. The site falls within the Station Quarter established through Policy 2 and amplified through Policy 20 of the Kettering Town Centre Area Action Plan.

Paragraph 49 of the National Planning Policy Framework states that applications for housing should be considered in the context of the presumption in favour of sustainable development.

Policies 1 and 9 of the North Northamptonshire Core Spatial Strategy direct development to existing urban areas and policy 10 of the North Northamptonshire Core Spatial Strategy establishes that Kettering will provide a focal point for residential development.

Policy 13 of the North Northamptonshire Core Spatial Strategy is supportive of extensions and alterations to residential properties with their curtilage provided there are no adverse impacts on character and appearance, residential amenity or the highway network. The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

## 2. Design ,Character and the Conservation Area

Policy 13 (h) of the CSS requires development to be of a high standard of design, architecture and landscaping that respects and enhances the character of its surroundings.

The site lies within the Kettering Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, when considering planning applications within Conservation Areas, to pay special attention to the desirability of preserving or enhancing the character or appearance of that Conservation Area.

The application seeks to erect a large detached garage measuring 5.4m in width and 10.2m in depth towards the south east corner of the plot. The garage would be positioned to the rear of the plot in excess of 24 metres from the front of the plot where the vehicle access meets the highway at Station Road. Ground levels slope from south east to north west towards the highway resulting in the garage being positioned in an elevated position towards the rear of the plot. Station Rd falls from northeast to southwest towards the station resulting in the application site being set slightly higher than the neighbouring development at The Gables.

The garage is single storey in height with a 3.9m ridge and has been designed to reflect the roof detailing of the host building which comprises of exposed dark timber contrasting against white painted walls. The roof of the garage has been amended from the flat roof proposal submitted under the previous withdrawn application to produce a more appropriately design structure which is more in keeping with the quality of the site. When viewed within the plot the garage will be surrounded by significantly higher development and will be viewed as an ancillary building. Materials including wooden doors and brick walls are proposed and will ensure that the garage whilst substantial in size remains subservient to the host dwelling and its generous plot. Concrete tiles are indicated on the submitted plans which are not appropriate for the Conservation Area. However, the submission of appropriate materials together with samples can be secured through condition and will ensure that the Conservation Area is preserved or enhanced. The siting of the garage will result in its deep side elevations being screened from the street scene and when viewed at a distance from the public realm the structure will present a modest front elevation housing double wooden garage doors. It will therefore result in little or no impact on the character and appearance of the Conservation Area.

To the northeast of the plot the existing brick front wall, which rises in height from 1m – 1.6m due to the topography, would be raised by approximately 20cm to remove the step and enable the installation of metal railings which would take the total height to between 1.5m – 2.1m. Railings are found within the locale most noticeable opposite the application site at Northampton House and also at the neighbouring mobility centre at 3 Station Road and their introduction will in keeping with the wider Conservation Area and the architectural quality of the main building. The existing access drive would be enclosed by inward opening automated metal gates that would be hung from 2.3m brick piers topped by stone coping. The design is in keeping with the quality of the surrounding development and respects the character of the existing dwelling and the height of the piers will be commensurate with those of the neighbouring pedestrian access at The Gables provided visual

consistency within the street scene. The applicant has submitted a number of details which indicate the quality and design of railings and metalwork that would be used. The black painted galvanised metalwork is Victorian in style which is befitting of the architectural quality and detailing which is found within the wider street scene and the age of the host dwelling.

Given the location of the proposal within the heart of the Conservation Area it is considered essential to ensure that the precise detail of all materials and finishes used across this scheme are secured by condition prior to commencement of development. New materials will be required to include a suitable matching traditional red brick, timber detailing and a natural plain roof tile (not concrete). This will enable the Council to make sure that the resultant built form respects the character of the existing property and is of a quality which respects and enhances the Conservation Area.

In summary it is considered that the application preserves the character and appearance of the Conservation Area and accords with policy 7 and 12 of the NPPF and policy 13 (h) of the Core Spatial Strategy which require development to be of a high quality of design.

### 3. Residential Amenity

Policy 13 (l) of the CSS states that development should not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The proposed garage would be sited 2.5m from the boundary of the site with the neighbouring three storey flatted development, 'The Gables', to the south. The structure would have eaves at 2.3m and a ridge of 3.9m running from southeast to northwest. No fenestration is proposed in the side or rear elevation.

Objections have been received from residents of The Gables regarding loss of light, the size of the structure, overlooking and potential noise disturbance. The scale of the proposed garage when considered against the imposing mass of the dwellinghouse and in the context of the substantial plot measuring 35m x 38m, would not have an overbearing impact on neighbouring properties and is considered proportionate to the original dwelling.

The position of the garage has been moved further within the plot from that submitted under application kET/2013/0495 which was subsequently withdrawn. The scale and position of this proposal does not result in unacceptable impacts on neighbours by reason of overlooking, overbearing or loss of light. Given the position, height and pitched roof of the garage, which sits to the north east of the gables, there will no loss of light when assessed against the natural part of the sun. There is also no evidence that the development will generate noise levels beyond those that would be expected to be generated from the incidental enjoyment of land surrounding a dwellings house and no objection has been received from environmental health.

It is therefore considered that the proposal would not result in an unacceptable impact on the amenities of neighbours and as such is in accordance with criterion I of CSS Policy 13.

#### 4. Highways and Parking

Criterion (n) of CSS Policy 13 states that development should not have an adverse impact on the highway network and will not prejudice highway safety and criterion (d) provide a satisfactory means of access and provide for parking and manoeuvring in accordance with adopted standards.

The application site had land set aside to the rear (southeast) of the existing building for the parking of at least 10 vehicles clear of the highway which was used in connection with previous commercial operations at the site. Even with the erection of the garage, proposed through this application, there would remain ample off road parking on the site and sufficient land for vehicle manoeuvring in accordance with the Highway Authority's Standing Advice.

The Highways Authority have objected to the double gates which they consider should be set back a minimum of 5.5m from the back of the footway to allow a car to enter or leave the property and come to a halt without blocking the carriageway or footway. As drawn the proposal would be conflict with policy 13 (n) of the North Northamptonshire Core Spatial Strategy which states that proposals should not have an adverse impact on the highway network or prejudice highway safety. The applicant has been made aware of this outstanding issue and revised plans are expected to be submitted to address this issue. Full details will be included within the update report.

#### 5. Other Matters

Objections have highlighted concerns about the legal ownership of the brick boundary wall between the application site and The Gables development. This wall does not form part of this application and ownership issues are civil matters which are not at planning consideration.

### **Conclusion**

The proposed garage, railings, wall alterations and gates (subject to revised plans being received) are in accordance with the relevant policies of the Development Plan and there are no material considerations which indicate planning permission should not be granted. The principle of development is established, there would be no unacceptable detrimental impact on neighbouring residential amenity and the design is appropriate. Subject to revised plans, the application is recommended for approval, subject to conditions.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

#### **Previous Reports/Minutes**

Ref:

Date:

Richard Marlow, Development Officer on 01536 534316



