

BOROUGH OF KETTERING

Committee	Full Planning Committee - 01/07/2014	Item No: 5.9
Report Originator	Richard Marlow Development Officer	Application No: KET/2014/0298
Wards Affected	All Saints	
Location	Brooklyn House, 28 Kingsley Avenue, Kettering	
Proposal	s.73A Retrospective Application: Change of use from dwelling house to mixed residential and bed and breakfast	
Applicant	Mrs A Driver	

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 not be carried out other than in accordance with the approved plans shown on drawing numbers 517 2, 517 3 and 362 17 providing a maximum of 3 no bedrooms for bed and breakfast use, received 15 May 2014 by the Local Planning Authority.

REASON: To protect the amenity of neighbouring properties and to prevent an intensification of use in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Approved screening measures shall be installed along the balcony (between points A - B on plan) by not later than 15 July 2014. The screening shall thereafter be permanently retained in this form.

REASON: In the interests of the privacy of the occupiers of adjoining residential properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0298

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

3.0 Information

Relevant Planning History

KET/1999/0144 Alterations to rear of dwelling and dormer windows in loft space. Approved 26/04/1999.

KET/2002/0435 Single storey side/rear extension, garage and conservatory. Approved 04/07/2002.

Site Description

Officer's site inspection was carried out on 11/06/2014.

The application site is a red brick semi detached property located to the south of Kingsley Avenue, a pleasant tree lined street to the north of Kettering town centre . The property has been extended to the rear and features front and rear dormers which provide bedroom accommodation at roof level. To the east of the property a private tandem drive provides parking for up to 2 vehicles clear of the highway.

Development

This application is retrospective and seeks a change of use from dwelling house to mixed residential and bed and breakfast. Through the change of use 3 of the 4 bedrooms at the property would be used for bed and breakfast accommodation.

Any Constraints Affecting The Site

Nene Valley NIA Boundary

4.0 Consultation and Customer Impact

Highway Authority

Following the submission of a parking beat survey to assess provision in street, the Highway Authority have no objection to the proposal.

Environmental Health

No objection.

Neighbours

8 objections received from 7 third parties on the following grounds:

- Will add more pressure to already over populated car parking issues in Kingsley Avenue
- If approved the extremely difficult parking situation could become significantly worse.
- The road is reduced to a single lane at evenings and weekends with very few opportunities for vehicles to pass and access for emergency

vehicles difficult.

- There will be an increased amount of vehicles parking on an already congested street.
- It cannot be assumed that guests will use public transport.
- The parking needs of residence should be favoured over non residents.
- The arrival and departure time of guests will be when residents most require parking.
- The use of a neighbouring drive cannot be a long term parking arrangement.
- Increase in parking will lead to more danger for people trying to cross the road. Many of the guests use vans which block 2 spaces.

5.0 Planning Policy

National Planning Policy Framework

Paragraph 7 – Sustainable Development

Paragraph 17 – Core Planning Principles

Policy 4 – Promoting sustainable transport

Policy 7 - Requiring good design

North Northamptonshire Core Spatial Strategy

1 – Strengthening the Network of Settlements

3 – Connecting the urban core

8 – Delivering Economic Prosperity

9 – Distribution and Location of Development

13 – General Sustainable Development Principles

Local Plan

35 – Housing within towns

58 – Employment with 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. Residential Amenity
3. Highways and Parking

1. Principle of Development

Policies 3 and 9 of the North Northamptonshire Core Spatial Strategy provide for growth being focused within the growth town of Kettering. The application site is within the town boundary of Kettering, as defined by Policy 35 of the Local Plan, in an established residential area. Policies 1 and 9 of the Core Spatial Strategy direct development to existing urban areas. The National Planning Policy Framework through paragraphs 6 and 7 details that the

purpose of the planning system is to contribute to the achievement of sustainable development which has economic, social and environmental dimensions. The proposal would provide for a mixed residential and bed and breakfast use through the change of use of a former dwelling house.

Kingsley Avenue is a predominately residential street and Policy 13 of the North Northamptonshire Core Spatial Strategy provides for the form of development proposed, subject to specific criteria being satisfied. The proposed change of use must not be harmful to the character of the existing building or surrounding area; the design of any external works associated with the change of use must be suitable; the proposed use should not detrimentally impact upon the amenity of existing or future occupiers of adjoining properties; the resultant development should form an appropriate relationship with the surrounding highway network and not prejudice the Highway safety. These issues are discussed below.

2. Residential Amenity

Policy 13(l) of the Core Spatial Strategy requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The change of use would result in 3 of the 4 bedrooms within the property being made available for bed and breakfast use. The small numbers of rooms used and the low key nature of the bed and breakfast use will not cause an unacceptable loss of amenity in respect of noise and vibration to occupiers of neighbouring residential properties and no objection has been received from Environmental Health. Issues of noise between the residential and bed and breakfast use are currently being explored and additional conditions provided within the committee update if required.

No extension or alterations to the property are proposed and therefore no loss of light will result. In addition no comments or objections have been made to the proposal by third parties on those grounds.

Having visited the site it is evident that to the rear of the property on the eastern side there is a rear first floor balcony serving one of the bedrooms that is used by guests of the bed and breakfast. This balcony whilst hidden from the street scene provides uninterrupted views into the private amenity space of the neighbouring property to the east at no. 30 Kingsley Avenue. It is considered that the change of use to bed and breakfast at the property will increase the propensity for guests to congregate on the balcony providing overlooking and a lack of privacy to the neighbour. The property has recently change ownership and there is no evidence as to when this alteration to the property, which would require permission, was made. It is however reasonable in planning terms to seek to protect the amenity of no. 30 through this application and as such a condition requiring screening to installed on the balcony is recommended. This will ensure that an appropriate screening treatment is agreed in writing with the Local Planning Authority and install and retained in that form thereafter.

Subject to the above condition the proposal is in accordance with Core Spatial

Strategy Policy 13 criterion (l) which states that development must not result in an unacceptable impact on the amenities of neighbouring properties or the wider area.

3. Highways and Parking

Policy 13(d) and (n) of the North Northamptonshire CSS requires that developments have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards and do not have an adverse impact on the highway network.

To the east of the property there are tandem parking spaces for two vehicles clear of highway. The applicant has also included reference to an agreement with the neighbouring property at no.26 to park vehicles on their drive. This parking provision however lies outside of the application site red line and therefore cannot be given weight in the determination of this application.

A number of residents have objected to the application on highways grounds and in particular concerns about existing and future parking capacity within the street. As part of the application process the Highway Authority requested that a parking beat survey be undertaken overnight during the midweek to inform their consultation response and assess parking capacity. The submitted survey indicates that spaces are available within the street for parking throughout the evening, night and early morning with levels fluctuating. As a result the Highway Authority has raised no objection to the proposal.

The size and quality of residential properties at the western end of Kingsley Avenue coupled with the lack of properties which private drives leads to pressure on parking provision which is evident by the number and nature of the comments received. In assessing this application a judgement has to be made as to whether all other things being equal the change of use results in adverse impact to the highway network or parking which is not in line with adopted standards. It is manifest that at present there are no National or Local policy requirements for minimum or maximum parking spaces. There is no evidence that the change of use would of itself result in a significant increase in parking within the street that would prejudice highway safety. Indeed parking generated from such a use may be commensurate with those generate from established large families with adult children at home and for which no planning application is required. The site is also located in close proximity to the town centre, in an accessible urban location where alternative modes of transport to the car would be on offer.

In summary there is no evidence that the proposal will adversely impact the highway network or prejudice highway safety and parking. The proposal accords with the requirements of criteria d and n of policy 13 of the North Northamptonshire Core Spatial Strategy.

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 it is recommended that planning permission should be granted.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: