

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.1
Report Originator	Trevor Feary Development Officer	Application No: KET/2013/0545
Wards Affected	Slade	
Location	44 High Street, Broughton	
Proposal	Full Application: Erection of a two bedroom, two storey dwelling with on site parking and private rear garden space	
Applicant	Mr P Purewal	

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 authority be delegated to the Development Manager to grant Planning Permission upon receipt of satisfactory amended drawings and subject to the following conditions:-

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. 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) apart from that hereby approved no building, structure or other alteration permitted by Classes A, B, C, D, or E of Part 1 of Schedule 2 of the Order shall be erected/constructed on the application site.

REASON: In the interests of the appearance of the street scene and to ensure that sufficient amenity (garden) land is retained with the dwelling in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall commence on site until 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 materials shall include natural slate for the roof. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Development shall not be commenced on the site until the following details at a scale not smaller than 1:10 have been submitted to and agreed in writing by the Local

Planning Authority:

- Joinery details for external doors and windows, including sections through the joinery glazing bars
- window openings recessed in the elevations
- eaves detailing
- verge detailing

REASON: To ensure these details are satisfactory in recognition of the character of the locality, in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and Section 7 of the National Planning Policy Framework.

5. The development hereby permitted shall not be occupied or the use commence, whichever is the sooner, until the approved vehicle parking space has been constructed in accordance with the approved details, and that space shall thereafter be reserved for the parking of vehicles.

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

6. Pedestrian visibility splays of 2.4 metres by 2.4 metres as measured from and along respectively the back edge of the public footway shall be provided on both sides of the access driveway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.45 metres in height above footway level.

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

7. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to C have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,

- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2013/0545

3.0 Information

Relevant Planning History

KET/2012/0468 Erect 2 shop units with 2 number 2 bedroom flats over withdrawn

Relevant Opposite

KET/2007/0918 - Conversion of outbuilding to annex. Granted 28/11/2007

Site Description

Officer's site inspection was carried out on 18th October 2013.

Particular note was taken of the site's location, shape, and relatively small size since these are the factors which are crucial in assessing suitability for development.

At the time of the Officer's site visit the majority of the Application Site was largely unkempt being grassed over and partly overgrown. A small part at the Southern end is tarmac to form part of the parking area for the adjacent shop. The grassed area appears not to be being put to any use (although "Google" does show cars parked here in the past). Within the rear set back piece are the remains of a former building whose saved wall forms the boundary treatment at about 2 metres height. Rest of rear boundary is mostly corrugated sheeting of a similar height.

The main part of the tarmac area outside the Application Site and adjoining the shop adjacent was occupied by 3 parked cars (which will have to reverse onto the highway). No buildings are visible to the rear – indeed, none are shown on the Ordnance Survey. Opposite and running parallel to the rear of the footway is gable side to a stone built 2 storey dwelling fronting High Street and its single storey stone built outbuilding.

To the North, beyond a small raised (former) garden, lies a 2 storey stone built house. The gable wall of this dwelling is actually quite high from the Application Site – due no doubt to the rising ground levels. There are 2 small (one up, one down) windows within this gable end; being in that part of the gable angled away from the Application Site.

The public highway outside the Application Site appears to be "standard" width whilst the Junction nearby is obviously quite busy. Car parking facilities for dwellings going up Cransley Hill away from the Application Site seems to be quite commonplace as on street.

Proposed Development

Proposal is to use a site described simply within the Planning Application as "commercial" for the erection of a 2 storey dwelling. A small private garden area is indicated, as is one on site car parking space.

Any Constraints Affecting the Site

Conservation Area

4.0 Consultation and Neighbour responses for amended drawings received 21/03/2014 and 04/08/2014`

Parish/Town Council

Objects on the following grounds:

- Lack of off-street parking contemplated will exacerbate street parking pressures in heavily congested area where road safety is already compromised given the concentration of conflicting uses on a busy junction and where the recently permitted development at Cransley Hill will only worsen matters further.
- The proposal includes inadequate amenity space
- The proposal will have an unacceptable relationship to neighbouring property; impacting on amenity and the development itself is likely to have insufficient light to the rear given the rising ground behind.
- The physical constraints of the site indicate against any additional residential units in this location.

Highway Authority

Advised “no objections” - on the basis that the proposed dwelling’s car space is one of the existing shop car spaces and in both cases vehicles would have to either reverse on or off the site; such that there will be no change to highway safety.

KBC Environmental Health

No objections to the Application, requests contamination Condition be imposed.

Neighbours

letters of representation from three households received objecting:

- Architectural plan for the style of property is not in keeping with the style of the village.
- This is a very busy and sometimes dangerous location, being a corner position and land presently used by adjoining shop’s customers. This will lead to additional cars parking on the road. Junction is regularly blocked by illegally parked vehicles.
- The restricted area left for parking for the shop is ridiculous. This is already a busy corner with limited parking for the 3 shops parking demands at this point.
- Entry and exit to the proposed parking spaces will not only be impractical but dangerous as new dwelling will obscure drivers’ views of approaching traffic.
- There is a high traffic flow past the site, especially with school run. Manoeuvring here will be detrimental to highway safety.
- Will directly overlook main living room, main bedroom, main bathroom, and second bathroom of dwelling opposite from 10 feet away (3 metres): a significant breach of privacy.
- will directly overlook entire garden of dwelling opposite from 10 to 15 feet away (3 to 4.5 metres) : a significant breach of privacy
- loss of natural light to dwelling opposite would result in problems such as “sick building syndrome”
- Concerned further development in the area will create further rise in water

- table and so cause damage to existing property.
- likely to cause flooding.(already use sub-surface pumps to prevent flooding due to abundance of natural wells in the area)
 - Creation of foundations has significant risk of destabilising basement of dwelling opposite which is used permanently on a 24 hour basis.
 - creation of foundations may affect the structural integrity of the end gable wall of 1 Cransley Hill adjacent
 - If they level site as indicated it will damage neighbour's fence and with no retaining wall will cause neighbour's land to subside.
 - no provision is made for the culvert which runs under the site
 - The proposed building would significantly jeopardise vehicular access to dwelling opposite meaning unable to park in own back yard.

5.0 Planning Policy

National Planning Policy Framework

Para 17 Core Planning Principles

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 12 Conserving and Enhancing the Historic Environment.

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 Strengthening the network of settlements

Policy 9 Distribution and Location of Development (brownfield sites)

Policy 10 Distribution of housing

Policy 13 General Sustainable Development Principles

Local Plan (Saved Policies)

RA3 Housing in Restricted Infill Villages

Broughton Conservation Area (2014)

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Appearance of development
3. Impact on Conservation Area/street scene
4. Highway safety
5. Impact on neighbours amenity
6. Other issues raised by Parish Council and Objectors

1. Principle of Development

National Planning Policy is embodied within the National Planning Policy Framework and paragraphs 14 and 17 of that document state that there should be a presumption in favour of sustainable development.

Policy 1 of the North Northamptonshire Core Spatial Strategy directs development to existing urban areas. Policy 35 of the Local Plan directs development into designated settlement boundaries.

The Application Site lies to the centre of the built up part of the settlement and well within the boundary of the village as denoted within the Local Plan. The site is not allocated/designated for any particular purpose within the Local Plan; nor the Local Development Document. (Options Paper March 2012)

In view of the above, the principle of development for a dwelling on this site is dependent on its scale, form, and appearance.

2. Appearance of Development

Para 17 of the National Planning Policy Framework requires the Local Planning Authority to seek to secure a high quality of design in new development; whilst Section 7 of that document gives greater detail stating that good design is a key aspect of sustainable development.

Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires that developments be of a high standard of design, architecture and landscaping and respect and enhance the character of its surroundings

When viewed from the junction of High Street/Cransley Hill the Application Site presently visually lacks any real purpose and appears very much a “gap” in what is otherwise a tightly developed street scene. As such it is currently detrimental to this street scene and accordingly would benefit from development of some nature upon it to enhance the locality. Especially since the recently approved Conservation Area document for the settlement indicates that the view up Cransley Hill at this point is a “Key View” for the village.

Initially the Applicant sought a 4 bedroom dwelling which consisted of 2 full stories together with a third storey served by dormers in the roof. Such a style of dwelling the Applicant considered fitted in with the style of other dwellings in the vicinity and with the falling ground levels was actually below the height of number 1 Cransley Hill (noted as a quality building in the Conservation Area Appraisal) which it will immediately abut. Indeed, your Officers were prepared to recognise there may be some merit in the Applicant’s arguments why such a style of dwelling could be appropriate here and discussions to try to improve the appearance of the proposed property were undertaken.

Unfortunately once the amended drawings were deposited they did confirm Officers initial opinion that the proposed dwelling was of the wrong design for the plot and was too large, both in height and accommodation incorporated, to fit satisfactorily upon the available plot.

As a result of further discussions with the Applicant further amended drawings were submitted for a two-bedroom dwelling of a more traditional 2 storey “cottage” design (created largely by the omission of the “dormered” storey). These drawings were further adjusted after discussions with Officers. The style of dwelling now being sought is much more suited to the plot and is more compatible with the appearance of 1, Cransley Hill adjacent.

However, whilst it is considered these latest drawings do display the principles of an acceptable traditional dwelling, in size and appearance, the presentation within these drawings is somewhat basic and does not really do justice to the Applicant’s intention (and do contain a few inaccuracies). It is considered, therefore, that completely accurate drawings are submitted before any formal Planning Permission is granted for this visually important site. Once these drawings are received it is anticipated that a Planning Permission with Conditions to satisfy the detail necessary, e.g. window and door joinery etc., could be issued.

3. Impact on Conservation Area/street scene

The filling of part of the gap in the street scene at this visually important junction with a dwelling of the nature of that now proposed, subject to the plans indicated and details Conditioned, will improve the appearance of both the street scene and the Conservation Area at this point.

The appearance of the proposed dwelling Would harmonise in its setting and enhance the Conservation Area.

4. Highway Safety

Policy 13 (d) of the North Northamptonshire Core Spatial Strategy requires new development to have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards. Policy 13(n) requires development not to have an adverse impact on the highway network or to prejudice highway safety.

As well as the discussions regarding the bulk/style of dwelling proposed, discussions have also taken place with your Officers and the Local Highway Authority as to parking requirements for the dwelling – the original proposal for a 4 bedroom dwelling proposed that no on-site parking be provided. Since such action would mean no vehicles reversing either onto or off the site the Local Highway Authority considered this would be a satisfactory arrangement – the Applicant having conducted a parking survey recorded via a CCTV camera which indicated on road parking was available within the times required by the Local Highway Authority.

However, having no on site parking facility does seem unrealistic for a village situation and especially the consequential forcing of a vehicle to park on the highway so close to a busy junction. In the opinion of your Officers the provision of one on site parking space is satisfactory. The Local Highway Authority has now accepted that the space being provided is within an area presently used by customers to the existing shop and so in highway terms the manoeuvring of vehicles on/off the carriageway has not changed and the arrangement is satisfactory.

The proposed dwelling is to be set back 1.2 metres from the rear of the footway and this, together with the width of the footway, enables a standard visibility splay of at least 2.4 metres by 43 metres to be created.

The submitted drawings show that 4 off road parking spaces are retained with the adjacent shop for use by staff/customers and this is considered to be acceptable.

5. Impact on neighbours amenity

Policy 13(I) of the North Northamptonshire Core Spatial Strategy requires that development will not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking. Paragraph 17 of the NPPF (Core Planning Principles) states planning should 'always seek to secure ... a good standard of amenity for all existing and future occupiers of land and buildings.'

There are 3 residential neighbours who surround the site; 1 to the rear (mainly its garden), 1 to the Northern side, and 1 opposite.

Whilst the neighbour to the rear (44 High Street) has raised various objections none of these relate to overlooking/domination/overshadowing issues; which is perhaps to be expected in view of the location of the neighbours dwelling (some distance away actually fronting High Street).

Again the neighbour adjacent (1 Cransley Hill) has raised various issues but none relate to overlooking/domination/overshadowing issues. The proposed dwelling has been designed so as not to conflict with this neighbour's gable end window and no overlooking can occur into the neighbours private areas.

The occupier opposite (46 High Street) has raised a number of objections relating privacy matters. The Objectors dwelling mainly fronts onto High Street but also has a return (main) elevation onto Cransley Hill, with a single storey outbuilding (behind which is the garden area) also running along the rear of the footway to Cransley Hill. Its vehicular access is also onto Cransley Hill. The proposal has the majority of the intended dwelling opposite the objectors outbuilding and access, although there will be some overlapping of the objectors dwelling where 2 (of the 4 windows in this gable) are located. There will be a highway between the 2 properties meaning they will be effectively some 8 metres apart (not the 3-4 metres suggested by the objector) and potentially there could be some conflict between the two. However, the objector already makes use of effective curtaining to protect privacy due to their dwellings back of footway situation and their bathrooms could be fitted with obscure glazing. Accordingly the proposed relationship is considered to be acceptable. Overlooking into the neighbours garden is largely prohibited by the existing outbuilding and gated access. Even so the objector's garden area is some 15 metres distant from the proposed dwelling and combined with the outbuilding the level of any overlooking is considered to be low and at an acceptable level.

6. Other issues raised

It is accepted that the proposed dwelling will only have a limited amount of private amenity area (rear garden area). However, given the significant improvement to the street scene, and the fact this is only a 2 bedroom dwelling, it is considered that on balance this element is acceptable; Permitted Development Rights will require to be

removed to control further additions.

Should there be a culvert under the plot, as indicated by the neighbour, then this will need adequately protecting during construction and subsequently to the requirements of the Appropriate Authority.

The matters of the need for a retaining wall to protect the adjacent garden from collapsing and the undermining of the neighbour's gable end wall are both civil matters between the mutual owners of the lands in question. They do not prevent development of the site.

Conclusion

Drawings of clarity are required prior to any Planning Permission being granted but otherwise the scheme meets with the intentions of the National Planning Policy Framework and particularly with Policies 1 & 13 of the North Northamptonshire Core Spatial Strategy. Subject to the revised plans and to satisfying the intended Conditions, the scheme is in keeping with the character of the area and raises no unacceptable adverse implications for residential amenity or highway safety.

A dwelling here would improve the street scene and that proposed is of an acceptable size and design.

Background Papers

Title of Document:

Date:

Contact Officer:

Trevor Feary, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.2
Report Originator	John Hill Development Officer	Application No: KET/2014/0245
Wards Affected	Rothwell	
Location	56 Harrington Road, Rothwell	
Proposal	Full Application: Extend existing vehicular access	
Applicant	Mr H Owens Sean Owens Groundwork Ltd,	

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.

Officers Report for KET/2014/0245

3.0 Information

Relevant Planning History

None.

Site Description

The officer site inspection was carried out on the 12th September 2014.

The site is 56 Harrington Road, Rothwell a detached residential property located within what is a long established residential part of the town. Harrington Road is a classified road, the B576.

The site formerly consisted at the front of the property of a part paved hard standing and a part gravelled area used for car parking with a low brick wall forming the boundary with the public highway. This ran along part of the boundary only, a gap being left to provide vehicle access off Harrington Road by way of an existing dropped kerb. Shrub planting existed immediately behind this wall.

However some works have recently been carried out which are detailed on the submitted drawings. The original hard standing has been removed and replaced with a new one which includes a drainage channel adjacent to the boundary with the public footpath to catch surface water. This has included the removal of the whole of the front boundary wall and the soft landscaping to its rear, thereby opening up the whole of the front of the property to Harrington Road. Notably these works are not considered to require planning permission. The laying of the new hardstanding is considered to be permitted development and the removal of the boundary wall and the associated landscaping to its rear does not constitute development.

No works have been carried out to the existing dropped kerb.

Proposed Development

The application is for the widening of the existing vehicle access off Harrington Road, a classified road by an additional 2m i.e. extending the existing dropped kerb and vehicle crossover from a width of 4.3m to 6.3m.

Any Constraints Affecting the Site

None

4.0 Consultation

Highway Authority – Objects to the application on the grounds that the proposal does not have a satisfactory means of access or manoeuvring in accordance with adopted standards. Consider the depth of the drive at 4.7m in front of the bay window of the property and only 4.25m in front of the front door to be too short and that 2 vehicles parking perpendicular to the highway will result in the hanging out of the vehicles over the footway. Require a minimum of 5.5m from the back of the footway to prevent this. Additionally require all new accesses on to classified roads to be accompanied by the provision of a turning space within a property to allow

vehicles to enter and leave in a forward gear. It is accepted that the existing single access cannot achieve this but a new double width parking area will be added and an extra point of conflict onto the highway network for the additional vehicle which should be resisted.

Environmental Health – No comments to make.

Rothwell Parish Council – No objection.

Neighbours – Letter of objection received from neighbouring property on the opposite side of the road to the application site. The property has large vehicles outside at the present which prevents the house looking like it belongs in a residential area. Vehicles look cumbersome from my property and are intimidating. There are no gates, wall or fence to the front of the house and therefore does not fit in with the style of the rest of the houses in the street which have been preserved in their original state. Lack of vegetation at the front of the property looks spartan and is upsetting. Devalues my property and others in the street. Vehicles use dropped kerbs in the street to drive on the pavement around other large vehicles that sometimes block the road which regularly happens outside this house which is dangerous to pedestrians. A fence or planting would be beneficial to the occupiers of the application property providing safety and shelter from noise.

5.0 Planning Policy

National Planning Policy Framework

Core planning principles – paragraph 17.

North Northamptonshire Core Spatial Strategy (NNCSS)

Policy 13 General Sustainable Development Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Impact on Highway Safety
3. Impact on character of the area
4. Other comment

1. Principle

The nature of the proposal is consistent with the principles set out in the NPPF paragraph 17.

2. Impact on Highway Safety

The key issue for consideration in determining this application is the impact of the proposed widening of the existing vehicular access on highway safety.

Policy 13d of the NNCSS requires that development should have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards. Policy 13n of the NNCSS goes on to say development should not have an adverse impact on the highway network and will not prejudice highway safety. This sets out the policy background against which this development proposal should be considered.

The house is served by a relatively wide existing access defined by the dropped kerb which provides access now to the new hard standing area which is considered to be permitted development. The concerns the Highway Authority have expressed could occur now as a result of what in planning terms is a lawful situation i.e. without the dropped kerb being extended.

Their concerns will not result as a direct consequence of the physical widening of the access which in any event is relatively modest in scale. In these circumstances it is not considered the Highway Authority's objection can be sustained. It should be noted in the event planning permission were granted then the consent of the Highway Authority would need to be obtained separately to undertake any works to have the dropped kerb extended.

The proposal is therefore considered compliant with Policy 13d & n of the NNCSS in that the proposed development will not give rise to a notable adverse impact on the highway network nor highway safety in the vicinity of the site over and above the existing situation.

3. Impact on character of the area

In terms of the impact on the character of the area the work that has had the greatest visual impact is the removal of the front boundary wall as the majority of neighbouring properties have them. However there are some that do not. Whilst the retention of a front boundary wall is desirable in this case its removal to facilitate access for the proposed widening is not considered development requiring permission.

4. Other comment

The objections of the neighbouring resident have been noted but are not considered wholly relevant to the proposal as they in part comment on those works undertaken that do not require planning permission. Where they are relevant they do not justify refusal of the application.

Conclusion

The proposal is therefore considered compliant with the relevant policy of the Development Plan. It is therefore recommended that planning permission is granted subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

John Hill Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.3
Report Originator	Alan Davies Development Officer	Application No: KET/2014/0401
Wards Affected	Rothwell	
Location	Woodfield Farm, Glendon Road, Rothwell	
Proposal	Full Application: 1 no. 60kW wind turbine	
Applicant	Mr P Blott	

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 blade tip of the wind turbine hereby permitted shall not exceed 32m in height above ground level.

REASON: In the interests of protecting the natural environment, to minimise visual impact and impact to neighbouring amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The Local Planning Authority shall be notified in writing if the wind turbine hereby permitted fails to produce electricity for a continuous period of 12 months. This wind turbine and its associated ancillary equipment shall be removed from the site within a period of 6 months from the end of that 12 month period and the land restored to its former condition.

REASON: To prevent unnecessary landscape impact in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The noise emitted from the wind turbine as measured in accordance with the guidelines stated within ETSU-R-97, at any dwelling in existence (at the time of this permission) not associated with the scheme, shall not exceed 35 dBLA90, 10 minutes at wind speeds within the site not exceeding 10 metres per second. The measurements and or calculations shall be made in accordance with the methodology detailed in ETSU-R-97.

REASON: In the interests of protecting residential amenity in the accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. At least 3 months before the development commences the developer shall provide the Local Planning Authority with written confirmation of the following details: i) the date when development is expected to commence; and ii) the maximum extension height of any construction equipment. Within fourteen days of the "first export date" the developer shall provide the Local Planning Authority with written confirmation of the following details: iii) the date of completion of construction; and iv) the position of that structure in terms of latitude and longitude.

REASON: In the interests of air safety in accordance with Section 4 of the National Planning Policy Framework.

6. No development shall commence on site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

REASON: To ensure that features of archaeological interest are properly examined and recorded in accordance with Paragraph 141 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. The Local Planning Authority shall be notified in writing of the date when electricity from the development is first supplied to the grid and the development shall be removed from the site following the expiry of 25 years from that date: the turbine shall be decommissioned and the turbine and all related above-ground structures shall be removed from the site. Following the removal of the turbine and structures the land shall be reinstated in accordance with a Decommissioning Method Statement that shall first be submitted for the approval of the Local Planning Authority at least 18 months before the date of the decommissioning of the turbine. That method statement shall include details of the manner, management and timing of the re-instatement works to be undertaken. The removal works and the reinstatement of the site shall not be carried out other than in accordance with the approved scheme.

REASON: In recognition of the expected life of the proposal and to prevent an unacceptable impact on the landscape and the surrounding environment in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0401

This application is reported for Committee decision because the proposal is a contentious application which, in the opinion of the Head of Development Services, is a matter for the decision of the Committee.

3.0 Information

Relevant Planning History

KET/2001/0942 – Resubmission: construction of replacement single dwelling.
Approved 09/04/2002.

KET/2001/0527 – Construction of replacement single dwelling. Refused 02/08/2001.

KET/1998/0144 – Outline for demolition of existing farmhouse and associated buildings and erection of new dwellinghouse. Approved 23/06/1998.

Site Description

Officer's site inspection was carried out on 30/06/2014.

The application site is an agricultural field set within Woodfield Farm, Glendon Road, which is approximately 600m to the east of the edge of Rothwell and 1000m west of Glendon Hall. The northern boundary of the site faces onto Glendon Road and the vehicular access to the site has an ironstone feature wall and entry gates. This leads on to the house itself which sits back from Glendon Road by approximately 75m. Surrounding the house is agricultural land on all sides. 100m to the northeast of the Farmhouse, which is in fact a modern dwelling, is Oddstones, the nearest residential neighbour to the application. The surrounding land slopes downwards to the east and west along Glendon Road and towards both Rothwell and Glendon. The site also slopes downwards towards the south.

Proposed Development

It is proposed to install one 60kW wind turbine with a hub height of 22m and a blade tip height of 34m. The turbine will be a 'Tozzi Nord' turbine which will sit on a concrete base measuring 7m x 7m. The concrete base will be 1.25m deep. The turbine will be an off-white colour. No additional structures will be required with this proposal.

Any Constraints Affecting the Site

Nene Valley Nature Improvement Area Boundary

4.0 Consultation and Customer Impact

Rothwell Town Council

Objection. 'Rothwell Town Council objects to this proposal because the wind turbine and the noise would have a detrimental impact on our historic market town and on the landscape and wildlife in the area, and would be too close to existing houses and the bridleway and stables in Violet Lane.

National Air Traffic Services

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS has no safeguarding objection to the proposal.

Ministry of Defence

The Ministry of Defence has no objections to the proposed development. If planning permission is granted we would like to be advised of the following: the date construction starts and ends, the maximum height of construction equipment and the latitude and longitude of the turbine.

English Heritage

No objection but general advice given in terms of determining the potential impact upon the Grade II* Glendon Hall, which is 1000m away to the east. The guidance emphasises the need to preserve the listed building or its setting or any features of special architectural or historic interest which it possesses.

NCC Archaeology

The County HER indicates scattered evidence for archaeological activity in the area. There is therefore potential for remains of archaeological interest to survive on the site. In this instance a condition for an archaeological programme is recommended. The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constrain on the development provided that adequate provision is made for the investigation and recording of any remains that are affected.

Environment Agency

No comment.

Environmental Health

The noise assessment by Lifelong Energy dated 29/08/2014 gives a noise prediction based on the manufacturer's information. It predicts that the noise level at the nearest receptor will be approximately 35dB (A). The ETSU guidance recommends that for single wind turbines such a prediction should be accepted provided that the noise levels are predicted to be no more than 43 dB (A) at night time. In this case the guidance is applicable as the predicted noise level is somewhat lower than the ETSU standard. A condition is recommended requiring the exact turbine in the application to be installed.

Neighbours

Ten objections to the proposal have been received from neighbouring residents. The comments include the following points:

- The proposal will have an adverse impact on surrounding properties and the Grade II* listed Glendon Hall.
- It will negatively impact highway safety.
- Will result in overshadowing of Oddstones.
- It is development of the open countryside.
- The turbine will generate electricity far in excess of the personal and business needs of the applicant.

- Property values will be affected by this project.
- Burton Wold wind farm already meets the 2020 wind-generated energy target for the Borough and so this single turbine is not necessary.
- You can see the turbine from my property (various comments).
- Noise from the turbine may affect my Sleep Apnoea.
- Shadow flicker will affect several properties to the north.
- The turbine will not benefit the 'farm business' as claimed.

5.0 Planning Policy

National Planning Policy Framework

Section 1. Building a strong, competitive economy

Section 3. Supporting a prosperous rural economy

Section 10. Meeting the challenge of climate change, flooding and coastal change

Section 11. Conserving and enhancing the natural environment

Section 12. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 9. Distribution & Location of Development

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Local Plan

7. Environment: Protection of the Open Countryside

SPG's

North Northamptonshire Biodiversity SPD

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 appearance
3. Residential amenity
4. Biodiversity
5. Heritage

1. Principle of development

The application site is located outside of any designated settlement boundary and within open countryside. Policy 7 of the 1995 Local Plan for Kettering Borough restricts development in the open countryside and Policy 9 of the North Northamptonshire Core Spatial Strategy state that development outside of settlement boundaries should be strictly controlled. Therefore existing development

plan policies which seek to prevent development within the open countryside appear to be contrary to this proposal. However, wind turbines, by their very nature, create some noise and stand out. Suitable sites in existing urban areas are limited and therefore sites within the open countryside are often the most suitable. National planning policy is generally supportive of such proposals as they seek to realign energy generation to more sustainable and less carbon-based forms such as wind, tidal and solar.

Section 10 of the National Planning Policy Framework specifically supports the delivery of renewable and low carbon energy and associated infrastructure. It states that this is central to achieving sustainable development across the country. Paragraph 98 of Section 10 adds that when determining applications Local Planning Authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and must instead recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. It continues that an application should be approved, unless material considerations indicate otherwise, if the impact of the proposal is, or can be made acceptable. Matters such as whether the land is currently farmed or whether the electricity will be used by the applicant or sold to the national grid are not material considerations in the determination of this application.

The National Planning Practice Guidance (2014) identifies particular planning considerations when determining applications for wind turbines including assessing the noise impact, safety (i.e. aircraft safety), interference with electronic equipment (TV, radio etc), risk to birds and bats, impact on the setting of heritage assets, shadow flicker, energy output, the cumulative landscape impact and the eventual decommissioning. Those aspects above that are relevant to this proposal are discussed in further detail later in this report and several conditions are proposed in order to ensure that the negative impact of this turbine is mitigated. With the imposition of said conditions it is considered that the proposal complies with the guidance set out in the NPPG.

Despite the location of the proposal in open countryside the benefits it will deliver by generating renewable energy, as well as its small scale (34m to the blade tip), the proposal is considered to be fully in accordance with national planning guidance contained within Section 10 of the National Planning Policy Framework. Development Plan Policy 9 of the North Northamptonshire Core Spatial Strategy and Policy 7 of the 1995 Local Plan for Kettering Borough deal with a general principle controlling development in open countryside. It is considered that the proposal which, by its very nature, is far more suitable in less-densely populated areas will help to achieve nationally and regionally set targets to reduce carbon emissions, subject to satisfying the planning considerations identified above.

2. Design, character and appearance

Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires development to respect and enhance the character of its surroundings. It must also be 'in accordance with the Environmental Character of the area'. Policy 13(o) meanwhile requires that development conserves and enhances the landscape character. Therefore the onus is on the developer to ensure any proposals do not result in a detrimental impact upon the surrounding landscape.

The application site is in a rural location in the open countryside in an agricultural field which although not currently farmed is part of Woodfield Farm. There are no designated archaeological sites, Scheduled Ancient Monuments, Conservation Areas or historic parks within a 1000m radius of the site. There are no SSSI's or designated Wildlife Sites in close proximity to the site either. The closest Listed Building is Glendon Hall, a Grade II* building that is approximately 1000m east of the site. The photomontages submitted with the application help to assess the visual impact of the design of the turbine and how it will affect the surrounding landscape. An assessment of how the proposal will affect Glendon Hall is included in section 5 of this report and therefore this section deals solely with the design and how it impacts upon the surrounding landscape. Ten objections to the proposal have been received and whilst not all objections are material planning considerations all of them have referred to the visual impact this turbine will have upon the character of the local landscape.

The proposed turbine is 34m in height to the blade tip, although the hub will be at a height of 22m, which is more perceptible due to the additional bulk of the structure at this level. The hub will be higher than existing trees surrounding the proposal and as a result, as Photomontage 3 demonstrates, both the hub and the blades will be visible from certain locations within a 1000m radius from the turbine, dependent upon the topography and existing visual barriers. The turbine will be clearly visible from the dwelling associated with the application site, although the impact upon the next nearest dwelling, Oddstones, will be somewhat minimised by existing mature vegetation surrounding the boundary of the property, which will visually screen at least the bottom half of the turbine.

The blades above the hub of the turbine will be visible from the rear garden of Oddstones. Whilst there is no 'right to a view' in planning and therefore objections based on this proposal spoiling views from this dwelling are not material planning considerations, Policy 13 of the North Northamptonshire Core Spatial Strategy does however require the Local Planning Authority to consider whether any new development would have an overbearing impact upon neighbouring residents. The top half of the proposed turbine, including its hub, would be visible above the vegetation along the boundary. However, it will be approximately 210m away which is considered to be a significant distance to minimise the impact of overbearing.

The turbine would be approximately 10m higher than existing telegraph poles within the vicinity. Due to the ground levels in this location which fall towards the south and east and the dense hedgerows along either side of Glendon Road only intermittent views of the top part of the turbine would be visible from the public highway as Photomontage 1 shows. In some fields of vision, such as the locations of Photomontages 2 (outskirts of Rothwell), 5 (Glendon Hall) and 6 the turbine would be hidden from view due to the topography of the land. Photomontages 3 and 4 show that the turbine would be visible – although Photomontage 3 – which is taken from Glendon Hill Farm would appear to be set in the distance and would not have an overbearing impact upon the residents of Glendon Hill Farm.

Photomontage 4, which is taken from the northeast on Glendon Road, is the public area that will have the greatest visual impact. It is however not considered that this

view would cause visual detriment to any designated heritage assets or local residents. As the proposal is relatively small and a slender structure the design and cumulative visual impact upon all neighbours and public highway in the area is considered to be acceptable.

There are no affected footpaths within a 1000m radius of the site. The proposal is therefore unlikely to have a significant impact on the character of the area to warrant the refusal of planning permission due to the ground levels and the abovementioned intermittent screening. The proposal is thus considered to be in accordance with Section 10 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of design and appearance.

3. Residential amenity

Policy 13(l) of the North Northamptonshire Core Spatial Strategy requires that development does not result in an unacceptable impact upon neighbouring amenity or the wider area. The closest residential properties to the application site are the applicant's own dwelling, Woodfield Farm, which is approximately 140m to the north, 'Oddstones' approximately 210m to the north and Glendon Hill Farm, approximately 350m to the northwest. Due to the distance of the proposal from the residential properties, despite the occupants having views to the turbine, due to the height of the turbine, existing mature vegetation and the distance away from the properties the turbine will not have a significant impact on the amenity of these properties.

The greatest impact upon amenity will be upon the dwelling to the immediate north, which is the applicant's own property. The greatest impact will be from shadow flicker, but this will only have a minor impact and it only occurs infrequently when the sun is shining and at a low level in the sky. As such the detriment is considered to be minimal and in any event the turbine can be controlled to prevent instances of shadow flicker occurring in the first place. The location of both 'Oddstones' and Glendon Hill Farm, which will not be within 130 degrees either side of north of the turbine means that neither of these properties will experience shadow flicker from the turbine. The angle from the properties and the distances involved also means that the turbine will not have an overbearing impact on these dwellings as a result of its size or location. As such it is considered that the proposed location and type of turbine will not have a detrimental impact upon the amenity of residents in this respect.

With regards to noise Environmental Health raise no objections as the predicted noise generated is somewhat lower than that considered to be acceptable in the ETSU guidance, which is nationally-set guidance for determining the acceptability of the noise impact from wind turbines. A condition has been recommended requiring that this exact model is installed. However, that is not considered to be a justified condition as the manufacturers specification could change in the intervening period, thus resulting in a permission that cannot be implemented. As such it is considered that a condition requiring the noise output of the turbine to be restricted to a maximum level of 35dB (A) in line with the manufacturers own data should be imposed. Provided that this condition is complied with the impact upon the amenity of residential neighbours will be minimal. The proposal is therefore considered unlikely to have a significant detrimental impact on the amenity of neighbouring properties in accordance with Policy 13 of the North Northamptonshire Core Spatial

Strategy.

4. Biodiversity

Section 11 of the National Planning Policy Framework requires development to minimise its impact upon biodiversity with particular regard to protected species and the impact upon Sites of Special Scientific Interest (SSSIs). The submitted Design and Access Statement includes a short section on Ecology and Nature Conservation. Following national guidance in Natural England's Technical Information Note TIN051 the site has been assessed through Natural England's interactive mapping system (MAGIC). The conclusion of the assessment is that the site is not situated in a protected habitat area, nor is it close to one. As a result the Design and Access Statement concludes that the development does not present a risk to protected sites.

The Local Wildlife Trust has been consulted upon this application but has yet to respond. However, the response from the Local Wildlife Trust is likely to consider whether the site has been assessed against 'Bats and onshore wind turbines Guidance' Technical Information Note (TIN051), produced by Natural England, and as it has the response is likely to be positive. This will be updated at committee.

Natural England refers to Paragraph 118 of the National Planning Policy Framework which states that Local Planning Authorities should aim to conserve and enhance biodiversity. Given the size and scale of the turbine, its limited impact on biodiversity and its positive contribution to the production of renewable energy the proposal is considered acceptable. In accordance with Section 10 of the National Planning Policy Framework it is considered that no additional biodiversity enhancements will be required in this instance. The proposed development is therefore considered to be in conformity with Section 11 of the National Planning Policy Framework too and also Policy 13(o) of the North Northamptonshire Core Spatial Strategy.

5. Heritage

Within a 1500m radius of the site there is only one designated heritage asset: the Grade II* Listed Glendon Hall. This is approximately 1000m to the east of the proposed turbine. The impact, as a result, will be the visual impact upon the setting of the historic building only. English Heritage have provided some guidance as how to best assess the impact and refer to the requirement for Local Planning Authorities to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. In order to do this the applicant has provided a photomontage taken from the grounds of Glendon Hall. It demonstrates that whilst a small section of the tip of the blade will be visible from the westernmost point of the grounds of Glendon Hall it will merge into the landscape and will appear as a small, distant object on the horizon. It is not considered that such a small, unobtrusive object will have a detrimental impact upon the setting of Glendon Hall.

However, the setting of a Listed Building is not solely what can be seen from the setting, but it is also what objects can be viewed from certain vantage points towards the Listed Building and its setting. As Glendon Hall does not have an imposing impact upon its setting and surrounding landscape – and the turbine is equally small – there will not be any vantage points in which the turbine and the Hall will be

viewed together. Therefore it is considered that the proposal will not have a detrimental impact upon the setting of this Grade II* Hall as required by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is therefore considered to accord with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Other Matters

Consideration has been given to the presence of a single turbine relative to any others approved. The nearest approved turbines will be at Rushton, but that is 4km away and there is no continuous footpath or direct road link between the two, therefore the proposed turbine will not be viewed in the same vistas as the approved wind farm. At the end of the expected lifetime of the structure, which is considered to be 25 years, the structure will be removed from site and all supporting structures decommissioned, which is required by condition.

Conclusion

On balance the proposal is considered to accord with Sections 10, 11 and 12 of the National Planning Policy Framework, Policies 1, 9, 13 and 14 of the North Northamptonshire Core Spatial Strategy and Policy 7 of the 1995 Local Plan for Kettering Borough. The proposal is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Alan Davies, Development Officer on 01536 534316

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.4
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2014/0460
Wards Affected	Ise Lodge	
Location	Garden Centre, Warkton Lane, Kettering	
Proposal	Full Application: Erection of 6 no. polytunnels (part retrospective)	
Applicant	Mr D White C/O Agent - GC Planning Partnership Ltd	

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

Officers Report for KET/2014/0460

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

3.0 Information

Relevant Planning History

ENFO/2013/00235 – Erection of polytunnels – Pending

KET/2014/0110 – 5 no. non-illuminated signposts – Refused, Appeal dismissed

KET/2011/0454 – 2 no. post signs in V shape – Approved

KE/1999/0571 – Extension to front of shop area – Approved

KE/1991/0030 – Change of use from agricultural land to car park – Approved

Site Description

Officer's site inspection was carried out on 15/09/2014. The application site is located directly off Warkton Lane, a main 'C' road to the east of Kettering. The site has a long established use as a garden centre. The front boundary to Warkton Lane consists of a wire mesh fence which provides views into the site. A gravelled car park adjoins this boundary. Towards the rear of the site is the garden centre's shop. There are 4 no. polytunnels on site – one to the rear of the shop, two situated in front of the shop and one at the northern boundary. There are a range of items stored and displayed throughout the remainder of the site. The application site is bounded by open countryside to the north and east while to the south is residential development. To the west of the site, opposite the highway, is a large verge which separates a residential service road from Warkton Lane. An established hedge visually separates these residential properties to the west from the application site.

Proposed Development

This application is partly retrospective in that it seeks consent for the existing 4 no. polytunnels on site. In addition to this the application seeks consent for 2 no. additional polytunnels. The application was submitted following an enforcement investigation at the site in relation to the 4 no. existing polytunnels. A decision as to whether the Council will take enforcement action has been postponed pending the outcome of this planning application.

Any Constraints Affecting The Site

C Road

4.0 Consultation and Customer Impact

Environmental Health

No comments received to date.

Neighbours

One third party representation received from the neighbours at 96 Warkton Lane raising the following concerns:

- Inconsistencies in the application form which require further consideration, particularly in relation to public rights of way and trees.
- Visual amenity of the area will be impacted by the proposal.
- The proposal will result in loss of privacy and overlooking.

5.0 Planning Policy

National Planning Policy Framework

Policy 1 – Building a Strong, Competitive Economy

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements

Policy 8 – Delivering Economic Prosperity

Policy 9 – Distribution and Location of Development

Policy 13 – General Sustainable Development Principles

Local Plan

Policy 58 – Employment: 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 Neighbouring Amenity
4. Comments on other points raised by proposal

1. Principle of Development

At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development and paragraph 14 states that development proposals that are in accordance with the development plan should be approved without delay. Paragraphs 18 and 19 of Policy 1 of the NPPF underlines the Government's commitment to promoting sustainable economic growth and states planning should encourage and not act as an impediment to sustainable growth.

The application site is located within the town boundary of Kettering as defined by Policy 58 of the Local Plan. Policies 1 and 9 of the North Northamptonshire Core Spatial Strategy (CSS) direct development towards the growth town of Kettering. Policies in the development plan support the expansion of existing commercial uses

subject to the satisfaction of certain criteria. Policy 13 of the CSS supports development provided there is no adverse impact on character and appearance and neighbouring amenity. The proposal seeks consent for the erection of polytunnels on a site which has an established use as a garden centre. The principle of development is therefore acceptable subject to the satisfaction of the development plan criteria as discussed below.

2. Design and Impact on Character

Policy 7 of the NPPF requires good design while Policy 13 (h) of the CSS requires development to be of a high standard of design and to respect and enhance the character of its surroundings. This application seeks retrospective consent for the existing 4 no. polytunnels on site. It also seeks consent for 2 additional tunnels.

The existing and proposed polytunnels are of a typical design. The site has a long established use as a garden centre and it is considered that development of this nature is commensurate with this use. The tunnels to the front of the shop have a height of 4 metres, while the tunnels at the northern boundary and to the rear of the shop are 3 metres in height. Each tunnel is approximately 6 metres wide. As noted above the boundary treatment to Warkton Lane consists of a wire mesh fence and as such there are open views into the site. The 2 no. polytunnels situated in front of the shop are particularly prominent from Warkton Lane but as they are set back approximately 25 metres from the front boundary their visual prominence is reduced quite considerably. The tunnel at the northern boundary is also set back sufficient distance from the front boundary and there are only limited views of the tunnel to the rear of the shop from outside the site. It is proposed to erect 2 further tunnels to the front of the shop – one either side of the existing tunnels. The 4 tunnels will have a total width of 24 metres but the scale of development is in proportion to the size of the plot. Again given the tunnels are set back from the front boundary they will not be overly dominant in the street scene. It is considered that the proposal will not have an unacceptable impact on the character of the site or the surrounding area and development of this nature is in keeping with what one would expect to see at a garden centre. Therefore, it is considered the proposal complies with Policy 7 of the NPPF and Policy 13 (h) of the CSS.

3. Impact on Neighbouring Amenity

Policy 13 (l) of the CSS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. The site is bounded to the north and east by open countryside and is separated from residential development to the west by Warkton Lane, a large verge and a residential service road. The main potential impact of the development, therefore, will be to the neighbouring dwelling to the south, No. 96 Warkton Lane.

The 2 no. existing polytunnels to the front of the shop are located approximately 24 metres from the boundary with No. 96 Warkton Lane which consists of a 2 metre high close boarded fence. The erection of one additional tunnel to the side will reduce this separation distance to approximately 18 metres but nevertheless this is more than sufficient distance for there to be no impact on No. 96 in terms of loss of light or overbearing. An objection has been received from the occupier of No. 96 on the grounds of overlooking and loss of privacy. The polytunnels are roughly in line

with the rear garden of No. 96 but, at a distance of 18 metres from the boundary, the tunnels will not impact on the amenity of the neighbours in terms of loss of privacy. The site has a long established use as a garden centre and currently materials are stored and displayed in much closer proximity to the neighbouring boundary than the polytunnels. Therefore it is considered the development does not increase the potential for privacy concerns given its distance from the boundary. As such it is considered the development complies with Policy 13 (l) of the CSS.

4. Comments on other points raised by proposal

The third party representation received contends that there are a number of inconsistencies in the application form which require further consideration, including:

- At section 6 of the application form it is stated that no new public rights of way are to be provided within or adjacent to the site. There is a large development of 5000 homes in the area with required road infrastructure which includes the proposal of a roundabout and access road in close proximity to the Garden Centre. This should be considered and noted. However, this section of the application form relates to public rights of way created as a result of the proposal under consideration and therefore this section of the form has been correctly answered in this instance.
- At section 15 of the application form it is stated that there are no trees on the proposed development site. There is a large tree which although not located where the additional polytunnels will be erected it should be noted. The presence of this tree has been noted and it is also noted that the development will not impact on this tree.

Conclusion

The proposal complies with national policy and policies in the development plan. The proposal does not result in any adverse impacts in terms of character and appearance and neighbouring amenity. There are no other material considerations which would indicate against the proposal and it 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:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.5
Report Originator	Mark Coleman Assistant Development Officer	Application No: KET/2014/0485
Wards Affected	Queen Eleanor and Buccleuch	
Location	4 Steele Way, Geddington	
Proposal	Full Application: Two storey side extension and roof light to existing dwelling	
Applicant	Mr A Groome	

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 (including all windows, cills, window surrounds, doors, and rainwater goods) hereby permitted shall match, in type, colour and texture those on the existing building.

REASON: In the interests of protecting the character and appearance of the area and adjacent Conservation Area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and Sustainable Design Supplementary Planning Document.

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 in the west facing 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.

Officers Report for KET/2014/0485

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

3.0 Information

Relevant Planning History

KET/2006/0575 – Construction of four houses with garaging (Approved: 24.11.06)

Site Description

Officer's site inspection was carried out on 1st September 2014. The site adjacent to the Conservation Area is located to the southern edge of Geddington Village and occupied by a two storey, detached dwelling house. The existing dwelling is constructed from limestone rubble, with natural slate roof. Windows are painted timber, with stone moulded surrounds. Rainwater goods are heritage style and made from black plastic. The footprint of the house is based around a centrally positioned traditional ridge roof design, with intersecting gables to the east and west, providing additional living accommodation and garaged parking with accommodation above. Single storey projections are also present to the north (side). A large rear garden extends to the east in excess of 30m, with a smaller side garden to the north. The northern boundary is screened by established planting located primarily on neighbouring land. The west boundary is a limestone wall measuring approximately 2m high.

The site comprises one of four relatively new build individually designed dwelling houses laid out around a private cul-de-sac which previously formed the private garden serving The Firs, 49 Queen Street. Whilst the host property falls outside of the defined settlement boundary, the proposed development falls within it.

Proposed Development

The proposed development is a 2 storey side extension comprising an extension to the existing kitchen breakfast room to create an enlarged kitchen breakfast family room with mezzanine floor above. A minor alteration is also proposed to the bathroom through the inclusion of a new roof light to replace the existing window which will be blocked by the proposed side extension, albeit that in the original planning permission of 2006 (see above) permitted development rights for this sort of alteration were not removed. However, because the roof light is not to be obscure glazed, planning permission is required. This is therefore dealt within this application.

Any Constraints Affecting The Site

Nene Valley NIA Boundary
SSSI

4.0 Consultation and Customer Impact

Geddington Parish Council

No comment received.

Neighbours

Objection from the occupiers (Mr and Mrs Steele) of The Firs, 49 Queen Street, Geddington. Objection made on the grounds of loss of privacy in terms of overlooking from the mezzanine level roof light, loss of access to natural light from the garden, and general overdevelopment of the site which would adversely affect the balance of their home. An additional comment relating to loss of views of fields beyond the site is not a material consideration and can not be considered further.

Further comment was received from Apex Planning Consultants (appointed by Mr and Mrs Steele) highlighting that if planning permission were to be granted, they would seek a condition securing the positioning of the mezzanine roof light to be not less than 1.7m above floor level, and prevention of additional windows being inserted in the west elevation.

5.0 Planning Policy

National Planning Policy Framework

Section 7: Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1: Strengthening the Network of Settlements

Policy 9: Distribution and location of development

Policy 13: General Sustainable Development Principles

SPDs

Sustainable Design

Biodiversity

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Impact on the character and appearance of the area
3. Impact on residential amenity
4. Impact on the Nene Valley Nature Improvement Area and SSSI

1. Principle of development

Policy 1 (CSS) in supports development adjoining village boundaries in exceptional circumstances where there is a demonstrable housing need. In this instance, the site is located both partially in and outside of the settlement boundary for Geddington. However, the principle of development in this location has already been established by the grant of planning permission for the host dwelling and 3 neighbouring properties on Steele Way (i.e. KET/2006/0575). Furthermore, some weight can be

attached to Policy 9 (CSS) which sets out that new building development [typically new dwellings] in open countryside will be strictly controlled. As the proposal seeks to enlarge the existing residential dwelling and not create a new dwelling, significant weight is attached to the existing authorised residential use of the site. Policy 13 (CSS) also seeks to ensure that new development demonstrate the key principles of sustainable development. In particular, new development should be of a high standard of design, architecture and respect and enhance the character of its surroundings; not result in an unacceptable impact on amenities of neighbouring properties in terms (including through overlooking) amongst other things. The proposal broadly meets these objectives which are considered in detail below. As a result, subject to conditions recommended throughout this report, the proposal is considered acceptable in principle.

2. Impact on the character and appearance of the area

The proposed extension is located to the side of the existing dwelling and will only be visible from the street at a distance beyond existing gardens located in the foreground. The extension is subservient in scale to the main house and is considered to be proportionate in size. Subject to materials used in the construction of the extension matching those used in the construction of the main dwelling house, the proposal will have an acceptable impact on the character and appearance of the area and adjacent Conservation Area and accords with the relevant parts of Section 7 (NPPF), Policy 13 (CSS) and Sustainable Design (SPD).

3. Impact on residential amenity

The existing property benefits from a large garden to the east which will remain unaffected by the proposal. Ground floor openings will not adversely impact neighbouring amenity due to the presence of existing boundary treatments (i.e. the boundary wall separating the site from The Firs, 49 Queen Street is approximately 2m high).

The amended proposal incorporates roof lights in the proposed mezzanine extension and to the existing bathroom which are in excess of 2m above finished floor levels and will not provide opportunities for overlooking which may otherwise give rise to loss of privacy affecting neighbouring properties. In addition, the side extension has been stepped back so that it is at least 3.6m from the boundary with The Firs, 49 Queen Street. Although the amended scheme has sought to widen the extension from 5.3m to 5.6m (as measured from the existing utility room) this does not have a significant impact on residential amenity when compared to the original scheme.

Objection to the original scheme was received from the occupiers of The Firs, 49 Queen Street, Geddington. Grounds of objection include loss of privacy caused by overlooking from the roof light serving the mezzanine, over development of the site, and loss of access to natural light from the garden.

Given that the proposed extension is located east of The Firs, access to daylight from the south and west is unaffected, and the original scheme would not have a significant detrimental impact on access to natural light. The amended scheme steps the proposed extension back a further 2.2m from the shared boundary lessening impacts of overbearing and loss of light even further. As discussed above, the

applicant has demonstrated that direct overlooking from the proposed extension will not be possible through the proposed roof lights. However, to prevent further roof lights being inserted in the west facing roof slope which may give rise to a loss of privacy, a condition is recommended to secure this. Whilst the occupiers of The Firs also object on the grounds of over development, given the size of the remaining garden, this view can not be supported. No further comments have been received in relation to the amended scheme. Subject to the aforementioned condition, the proposal is considered to have an acceptable impact on neighbouring amenity and accords with the relevant parts of Section 7 (NPPF) and Policy 13 (CSS).

4. Impact on the Nene Valley Nature Improvement Area and SSSI

The application site is located within the Nene Valley NIA Boundary which aims to define an area for ecological and biodiversity enhancements in order to create a resilient ecological network in the Nene Valley. Despite this, it is acknowledged that the site is within an existing settlement area, with a residential character of low biodiversity value. The proposed development is unlikely to have any significant adverse impacts on the NVNIA for the aforementioned reason. In addition, the nearest SSSI (The River Ise) will not be adversely affected by the proposal due to the separation distance between the river and the site. The proposal is therefore acceptable and accords with the relevant parts of and Policy 13 (CSS) and Biodiversity (SPD).

Conclusion

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area, residential amenity, and the Nene Valley Nature Improvement Area and nearest SSSI. Subject to conditions already discussed, and in accordance with the statutory duty of Section 38 (6) of the Planning and Compensation Act 2004 Act, the proposed development is acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Mark Coleman, Assistant Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.6
Report Originator	Rebecca Collins Senior Development Officer	Application No: KET/2014/0491
Wards Affected	Barton	
Location	Polwell Lane (land at), Barton Seagrave	
Proposal	Full Application: Erection of Community Building	
Applicant	Mrs L Webber Redrow Homes (South Midlands) Ltd	

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. No development shall commence on site until 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 development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with policy 7 of the NPPF and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. There shall be no external illumination on the site other than in accordance with details which shall first have been submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties and to conserve biodiversity in accordance with Policy 13 ((l) and (o)) of the CSS for North Northamptonshire.

4. The building hereby permitted shall not be occupied until its designated car parking spaces and covered cycle store(s) have been provided and constructed ready for use in accordance with the approved plans. The car parking and cycle stores shall thereafter be retained for the parking of vehicles and the storage of cycles only.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for

North Northamptonshire.

5. The building shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM and is the assessment in force at the time when the building is registered for assessment purposes). In the event that the BREEAM standard achieved for the actual building falls short of the "very good" standard (or the equivalent standard which replaces BREEAM) achieved at design stage, a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of sustainable development and energy efficiency in accordance with Policy 14 (a) (ii) of the CSS for North Northamptonshire.

6. An energy statement shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the development incorporates techniques of sustainable construction and energy efficiency as well as provision for waste reduction/recycling and water efficiency and water recycling.

REASON: To ensure the development meets the highest standard of resource and energy efficiency in accordance with policy 14 of the CSS.

7. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

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

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

9. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme indicating the positions, design, materials and type of screen walls and fences to be erected. This shall include proposals for the rear eastern boundary fence. The building shall not be occupied until the scheme has been fully implemented in accordance with the approved details.

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

10. Notwithstanding the approved plans, plans showing the exact size, design and means of security for the bin store shall be submitted to and approved by the Local Planning Authority. Prior to occupation of the community centre, the bin store shall be built in accordance with the approved plans and shall thereafter be retained for the purposes of bin storage only.

REASON: To protect the amenity of the local area in accordance with policy 13 of the CSS.

11. Prior to the commencement of development details of the proposed windows, doors, rainwater goods and any security shutters shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and protecting the character of the street scene in accordance with Policy 7 of the NPPF and policies 13 of the CSS.

12. Prior to the commencement of development, a scheme shall be submitted and approved in writing by the local planning authority which specifies the provision to be made for the control of noise from the centre, to include any external plant and machinery, and noise from inside the building under normal use.

REASON: To protect the amenity of neighbouring properties in accordance with policy 13 of the CSS.

13. The building shall not be occupied until details of a ventilation system for the extraction and disposal of cooking odours from the kitchen has been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the approved details have been fully implemented.

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

14. Prior to the commencement of development, a scheme detailing the security measures/standards to be incorporated within the development with reference to the ACPO 'Secured By Design' scheme shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: To reduce the potential for crime in accordance with policy 13 of the Core Spatial Strategy for North Northamptonshire.

15. Prior to the transfer of ownership of the building hereby approved, a site meeting with the Local Planning Authority shall be undertaken to approve the internal and external specification, which shall first be agreed in writing with the Local Planning Authority.

REASON: To ensure the building is fit for purpose.

Officers Report for KET/2014/0491

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

3.0 Information

Relevant Planning History

KET/2007/0475

Construction of up to 500 dwellings with associated landscaping, public open space, highway works and ancillary development (Refused)

KET/2008/0785

Erection of up to 450 dwellings associated landscaping, green space, highways works and potential mixed-use development. (Approved)

The Planning Committee resolved to approve this outline planning application, on 18th June 2009, subject to planning conditions and a Section 106 agreement. This application proposed the residential use of the land to the west of Polwell Lane (a maximum of 450 dwellings) with an on-site community centre, the opportunity for some mixed use development and open space. Access was the only matter considered at the outline stage (the primary access was approved as part of the outline planning permission – planning condition number 23). All other matters were reserved for later approval. An Environmental Statement (ES) (a detailed appraisal of a development proposal that considers its potential positive and negative impacts in environmental and social terms) accompanied the planning application.

A number of planning conditions have been discharged including the submission and approval of a Design Code and Phasing Plan. Each subsequent application should accord with this design document.

KET/2011/0534

Reserved Matters for open space infrastructure. (Approved)

KET/2012/0085

Reserved Matters for 122 no. dwellings with associated roads and landscaping. (Approved)

KET/2013/0329

Reserved matters for all details relating to access, appearance, scale, layout and landscaping of Phase Three for 170 dwellings (64 affordable units). (Approved)

KET/2013/0330

Reserved matters for all details relating to access, appearance, scale, layout and landscaping of Phase Four for 135 dwellings (27 affordable units). (Approved)

KET/2014/0120

Variation of Condition 21 of KET/2008/0785 in respect of traffic calming scheme and opening of new access road. (Approved)

Site Description

Officer's site inspection was carried out on 01/08/2014.

The application site is located within the approved Polwell Lane development, which is located approximately 3 kilometres from Kettering town centre, to the south of Barton Road and west of Polwell Lane. The existing built up edge of Barton Seagrave is positioned to the east of the site whilst the River Ise is positioned to the west.

The Ise Valley is defined by the North Northamptonshire Core Spatial Strategy (CSS) as a Sub-Regional Green Infrastructure Corridor. Wicksteed Park, a Grade II Park and Garden of Historic Interest, is also found to the west. A disused railway line, with wooded embankment, bounds the southern edge of the site with the A14 positioned beyond this. A wooded area is found adjacent to the most northern tip of the site. Castle Field, a Scheduled Ancient Monument (SAM), is located to the north of the site. The Conservation Area of Barton Seagrave is found to the north east. The wider site is also located adjacent to the existing allotments accessed from Polwell Lane.

The land slopes down from the defined built up edge of Barton Seagrave towards the River Ise. The topography of the site is undulating with a visible dip in the land found approximately in the north western area of the wider site.

The wider site (south west corner) incorporates part of the Southfield Farm Marsh, Site of Special Scientific Interest (SSSI). The SSSI extends from the site to the south, over the A14 and beyond. The part of the SSSI found within the site is currently within the Environment Agency's flood zone 3a which has the highest level of risk (land assessed as having a 1 in 100 or greater annual probability of river flooding). In addition to the SSSI there are two other wildlife designations in this area, Southfield Farm Marsh Wildlife Trust Nature Reserve and a non-statutory County Wildlife Site. These three areas are overlapping in part but are not necessarily coincident.

A primary and secondary school are found to the east of the site beyond Gray's Field (an existing play area). The school grounds incorporate a community centre which is bounded by the educational buildings.

The 'Polwell Lane development' is currently under construction with works continuing at its northern edge involving a main access point off Polwell Lane and residential development comprising Phase 1 of the development site or 'Castlefields'. Also, works have commenced off Denford Drive with the construction of residential development comprising Phase 4 or 'River view'. Finally, open space works (Phase 2) have commenced including construction of the drainage HAF and approved works to the SSSI.

The application is for a small part of the overall Polwell Lane application site. This land lies to the west of properties off Polwell Lane, behind property numbers 38-46 Polwell Lane. The site lies to the north of a footpath which runs in between properties numbers 46 and 48 Polwell Lane, west into the application site. The site slopes into the application site from east to west, away from properties off Polwell

Lane.

The properties to the east are reasonably large dwellings set in large plots, set back off Polwell Lane. Garden sizes are between 23-27 metres in length from the rear elevations of properties and extensions to rear boundary fences. There is a line of poplar trees running along the rear boundaries of these properties with the application site. Other boundary treatments along this boundary include some fence panels, planting and ancillary garden buildings.

Proposed Development

The proposal is for a full application for the erection of a community building.

Any Constraints Affecting the Site

Nene Valley NIA Boundary

Southfield Farm Marsh, Site of Special Scientific Interest

4.0 Consultation and Customer Impact

Parish/Town Council

Barton Seagrave Parish Council – 8th September 2014

No objections subject to the following considerations: The use of renewable energy sources for heating and lighting; additional car parking plus space for coaches; light and noise pollution particularly for the rear of the building; 2.1m close boarded fencing on North West and North East boundaries of the application site; provisions of bollards on adjacent verges in Polwell Lane to prevent over-spill parking; and involvement of Parish Council and residents in determining conditions governing usage.

Highway Authority – 26th August 2014

No objections, the level of car parking is slightly over Highways required standards but the extra provision is made up of disabled spaces, which is welcomed. Some control of car parking in the parking area may be required as drivers visiting properties in the area may be tempted to use these spaces.

Cycle parking is not sufficient and should be increased to 8. This should also be under cover.

Amended Plans

Amended plans were received on 23/09/2014 showing 8 covered cycle bays.

Northamptonshire Police – 21st August 2014

Further information is required with regards windows and door specifications, is the bar to be selling alcohol and what other security measures are to be implemented?

Concerns include the safety and security measures for the rear alleyway which appears to be running the length of the rear boundary of the site and the roof design.

Amended Plans

Amended plans were received on 23/09/2014 showing the removal of the rear alleyway, which was just a duplication of lines and an amended roof design to meet

anti-climb design guidance. The applicants have stated that other safety and security measures are to be dealt with via condition or through the transfer of ownership of the building.

Sport England – 20th August 2014

No objection.

Environmental Health – 19th August 2014

No comments subject to conditions with regards to noise, hours of operation and use of ventilation/extraction.

Community Services – 8th August 2014

No comments.

Neighbours

One letter of objection has been received from number 44 Polwell Lane, on the grounds that no public consultation was undertaken; the application states that there are no trees or hedges in this location important to the local landscape, this is disputed on the grounds that there are a row of popular trees on the rear boundary of the site which are important. The plans are incorrect as they fail to show an existing extension to number 44 which is 3.3 metres closer to the rear boundary of the site than that shown and also the slope in grounds levels in this location is not as severe as shown. The proposed 9 metre high building will overlook and overshadow the rear garden of this property and be intrusive. There is insufficient car parking for the centre. Concerns have been raised about the inclusion of a bar and patio doors onto a rear garden close to the rear gardens of existing properties resulting in noise and disturbance from the facility.

One letter of concern has been received from number 42 Polwell Lane. Concerns have been raised over the inclusion of a bar. Car parking appears insufficient; hours of operation should be controlled due to the proximity of the building to neighbouring properties; lighting needs to be controlled especially in the garden area and at night. Poplar trees on the rear boundary of the site should be retained and the rear boundary treatment increased in height to protect privacy. Boundary treatment to the nursery should also be carefully considered to suitably screen this facility from surrounding residential properties. Insufficient community consultation has taken place and a visit to properties in this area should be undertaken to view the potential impacts.

5.0 Planning Policy

National Planning Policy Framework

Policy 4 – Promoting Sustainable Development

Policy 7 – Requiring Good Design

Policy 8 – Promoting Healthy Communities

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements

Policy 13 – General Sustainable Development Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Local Plan

Policy 35 – Settlement Boundaries

SPGs

Sustainable Design SPD

Open Space SPD

6.0 Financial/Resource Implications

The Community Centre is a requirement of the Section 106 Agreement attached to application reference KET/2008/0785, the original outline planning permission for the wider site. The Section 106 requires the development to be undertaken in accordance with a draft specification included within this Section 106 Agreement. The s.106 also includes a requirement to deliver the Community Centre prior to the occupation of 100 dwellings. No further section 106 agreement is deemed necessary for this application.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Design
3. Amenity
4. Highways, Access and Car Parking
5. Sustainability
6. Other matters

1. Principle

The Polwell Lane development, application reference KET/2008/0785 was granted planning permission on 29th June 2010. This was an Outline application for planning permission with all matters reserved except for access. The application was approved subject to a Section 106 agreement requiring the provision of a community building. The obligations within the Section 106 include for the applicants to submit and obtain approval for a community building, which shall be prepared in accordance with the annexed specification. The Section 106 requires the community building to be completed prior to the occupation of 100 dwellings and transferred to the Borough Council.

This application has been submitted as a Full Planning application. This is because the period for submitting Reserved Matters applications pursuant to the Outline Planning permission reference KET/2008/0785 has expired. A Variation of Condition application was approved in 2014 (KET/2014/0120) but this does not allow

for an extension to the period for submitting Reserved Matters applications.

Condition 5 of application KET/2008/0785 required a Design Code to be submitted to and approved in writing by the Local Planning Authority and Condition 8 requires any development to accord with the approved Design Code. The Design Code was approved at Planning Committee on 29/03/2011. Condition 10 of the permission required the submission of a comprehensive layout plan and phasing programme. The details required by these conditions have already been discharged and include the provision of a Community Building in this location.

The application site lies in the designated Kettering town boundary in accordance with Policy 1 of the CSS and Policy 35 of the Local Plan for Kettering Borough. The application site is located within the wider Polwell Lane development site where planning permission was granted in 2010 for up to 450 residential dwellings and a community building. The location is as approved in the submitted Design Code and Phasing Plan. The proposal is therefore considered acceptable in principle.

2. Design

As previously outlined the development is controlled by an approved specification which is an obligation of the section 106 agreement and there is an approved Design Code and Phasing Plan all providing guidance for the development of this community building.

The specification in the Section 106 agreement requires the community building to include:

- Main Hall 18m x 13m (the proposal includes 234sqm),
- Stage 18m x 3m (shown as provided),
- Main Hall storage 35sqm (provision 36sqm),
- Bar to be 6m in length with 3m of working space (provision 15sqm),
- Cellar 14sqm (provision 13sqm),
- Lounge 10m x 10m (provision 100sqm),
- External area adequate for 3/4 picnic style tables and chairs (provision 54sqm, considered adequate),
- Kitchen 20sqm (shown as provided, 20sqm),
- Foyer (shown as provided),
- Cleaning cupboard 4sqm (numerous cupboards shown as provided).

The specification also states that the proposal should consider the following:

- Internal changing should provide for sports and arts
- Refer to Sport England Design Guidelines
- The building must be DDA compliant
- The building requires to be energy efficient
- Provision for 140 nursery places
- A dedicated space for the playgroup/nursery.

The planning application, in addition to that listed above, provides the following:

A nursery/playgroup area with secure entrance off main foyer, including office, storage, kitchen, children's WC's and outdoor area (including tarmac and grass for wet and dry days). This indoor area is in excess of 168sqm, the tarmac/wet days

play space is 40sqm and a total outdoor area in excess of 252sqm,
Female/Male/Disabled WC/changing facilities,
Office (10sqm),
Bin store and external plant storage,
33 car parking spaces.

The proposed community centre has been designed in accordance with the specification agreed as part of the Section 106 agreement.

The community building is located as shown in the approved Design Code and layout plan. The proposal is located within the designated Gateway Square, designed to be an important nodal point of which the community building is a key part. The Design Code states that the Community Building should reinforce the importance and function of this space and have an appropriate relationship to properties off Polwell Lane. Within the approved Design Code, the parameters for the community building include - the centre of the site should be a two-storey equivalent building with single storey elements to the sides and rear with car parking to the front and south and outdoor space to the rear (east). The proposal has been designed in accordance with these approved details. The Design Code also goes on to say that the community building will adhere to the following:

Two storey massing will be limited to the main hall;

The ridge height will be kept to a minimum on those elements closest to adjacent boundaries;

The building will be articulated as a series of linked components rather than a single mass.

The proposal is considered to address all these matters given that the main hall two-storey element is only a small part of the design in the centre of the site set away approximately 28 metres from the rear eastern boundary of the application site. Single storey elements wrap around the building to the north and east, a maximum of 5.5 metres in height. To the north are approved two-storey dwellings, to the rear, the single storey element is 16 metres from the rear boundary of the application site. The proposed car parking wraps around the front and southern side of the building.

Amended plans have been submitted to address concerns raised by Northamptonshire Police, NCC Highways Authority and Barton Seagrave Parish Council and include a change to the eaves detail on the single storey building to anti-climb design and the removal of duplicate lines to rear of boundary site, giving the appearance of a rear footway/walkway around the site to improve the safety and security of the site. The nursery fence height has been increased to 1.8 metres to protect children using this facility and a covered cycle rack has been added. The required window & door security specification, as well as details of the buildings security measures are proposed to be dealt with via condition. This is because these will be agreed in consultation with the Borough Council prior to the transfer of the building.

The design of the proposal is therefore considered appropriate and in accordance with approved details associated with applications reference KET/2008/0785 and variation of condition application KET/2014/0120, it is therefore considered in accordance with policy 7 of the NPPF and policy 13 of the CSS.

3. Amenity

Concerns have been raised about the proximity of the development to existing neighbouring properties, noise, lighting and proposal for a bar within the building. The proposed community building is located in the position as proposed in the approved Design Code and it is over 30 metres from the rear elevations of existing neighbouring properties off Polwell Lane. Conditions regarding boundary treatment, hours of operation, lighting and for a noise assessment to be submitted have been proposed to help mitigate any impacts of noise and light pollution and to protect the amenity of existing neighbouring properties. The neighbouring properties and Parish Council have asked for the rear boundary treatment to be increased height. This is considered reasonable and is addressed through condition; a note will be added on any subsequent planning permission.

The inclusion of a bar within the design of the community centre is a requirement of the section 106. However, there is no requirement for its use as a bar to be implemented. A license for the sale of alcohol would be required, this would need to be obtained from the Borough Council and use limitations could be applied to the license. The section 106 also requires the transfer of the community building to the Borough Council who can control the internal specification and use of the building including the use and management of the bar. As the proposal is for a replacement facility for the existing Community Centre in Barton Seagrave, which also has a bar. As it is a requirement of the section 106 then it is not appropriate to remove it at this stage.

Subject to the conditions suggested it is considered that the proposed building is sufficiently distanced from neighbouring properties to not have an unacceptable impact on their amenity and is located in a position which has already been considered in the earlier outline planning application. The proposal is therefore considered in accordance with policy 13(l) of the CSS in terms of impact on amenity.

4. Highways, Access and Car Parking

Concern has been raised by Barton Seagrave Parish Council and surrounding residential properties with regards to the level of car parking provision proposed. The level of provision is actually in excess of the Highways Authority standards and there is no requirement to provide coach parking. The site is a constrained site, in that it is surrounded by approved residential development. The level of car parking and land allowance for the community building is in accordance with that outlined in the Design Code and as shown on the Phasing Plan. Further provision for car parking on site would result in the building being pushed further into the application site, resulting in the loss of outdoor space to detriment of future users as well as moving the building closer to existing neighbouring properties off Polwell Lane, which is not considered acceptable.

The original application was accompanied by a travel plan, secured as an obligation in the section 106 agreement. The travel plan includes measures to promote walking and cycling as well as an upgraded bus service. The section 106 requires the travel plan to be monitored and reviewed. These secured measures will assist the users of this community building in accordance with policy 13(k) of the CSS.

There is adequate provision for car parking on site in accordance with Highways Standards. Phase 4 of the development site has already been approved, this Phase of development adjacent to the Community Building (KET/2013/0330) locates the community building opposite a block of nine affordable flats with car parking and the linear park, this would mean that there would be available on-street car parking opposite the community building. On this basis the use of unsightly bollards is not considered necessary and the proposal is considered in accordance with policy 13 of the CSS.

5. Sustainability measures

Policy 14 of the CSS requires new development to meet the highest standards of resource and energy efficiency and a reduction in carbon emissions. All proposals for new development should demonstrate how they are intending to incorporate techniques of sustainable construction and energy efficiency and make provision for waste reduction and recycling and for water efficiency and water recycling. A condition is therefore suggested to ensure that the development meets the highest standard of sustainable construction and design. Condition 29 of the Outline planning permission requires Non-residential buildings to meet a minimum standard of BREEAM 'very good', as required by Policy 14 of the CSS. A condition has therefore been added to this to ensure this building meets the same standards. A further condition requiring an energy statement to be submitted has been added to address the Parish Council's comments with regards to renewable energy sources.

6. Other Matters

Consultation

Concern has been raised that insufficient public consultation has been undertaken. This application has been consulted upon in accordance with Planning Regulations and the North Northamptonshire Statement of Community Involvement. Previous consultation has been undertaken at the time of the original planning applications, Variation of Condition application and with regards the submitted Design Code. It is considered that sufficient consultation has been undertaken for the Council to reach a decision on this application.

Environment Impact Assessment (EIA)

The original Outline planning application (KET/2008/0785) was accompanied by an EIA, subsequent development on this site has been through a Screening process to establish whether further EIA is required. This proposal has also been Screened, despite an application solely for this purpose not being likely to generate significant environmental impacts to warrant an EIA, its relationship with surrounding residential development could have led to unacceptable cumulative environmental impacts and the requirement for further EIA. However, following the Screening of this application it is considered that no further EIA is required.

Transfer of Building

The Section 106 agreement accompanying the planning application requires the transfer of the community building to the Borough Council. The future management of the community building will either fall to the Borough Council or an appointed management company to be selected by the Borough Council. Given the transfer is dependent on the Borough Council being happy with its specification (internal and external) and the layout of the site then it is considered that we have reasonable

control over the building to approve this application with conditions.

Conclusion

The proposal is considered to have an acceptable impact on the character of the development as it establishes; and the amenity of neighbouring properties. The proposal will be a positive addition to the local area and the design of the centre, subject to conditions is considered acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Rebecca Collins, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.7
Report Originator	Alan Davies Development Officer	Application No: KET/2014/0526
Wards Affected	Slade	
Location	3 Main Street, Loddington	
Proposal	Full Application: Demolish a section of the rear boundary wall and insert an access gate. Install a high post and rail fence adjacent to the Dutch barns	
Applicant	Mr P Ablett	

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 and details submitted with the application on 14/08/2014.

REASON: To ensure that the character and appearance of 3 Main Street and its surrounding area is not detrimentally impacted in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Notwithstanding the plans hereby approved the 7 metre long section of 1.5 metre high post and rail fence shown on drawing PL02G shall not be physically attached or affixed directly to the curtilage listed wall and shall instead be installed so as to only abut the existing wall.

REASON: To prevent unnecessary damage to the historic stone wall in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The part-demolished wall shall be made good using the stone salvaged from the existing wall and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of re-construction of the part-demolished wall. As approved, the sample panel shall be retained on site and kept

available for re-inspection throughout the construction period.

REASON: In the interests of preserving the architectural and historic interest of the listed building in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0526

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

3.0 Information

Relevant Planning History

KET/2014/0527 – Listed Building Consent: Demolish a section of the rear boundary wall and insert an access gate. Pending.

KET/2013/0133 – Listed Building Consent: Creation of gateway in rear boundary wall. Refused 23/04/2013.

KET/2013/0108 – Creation of an access gate into the rear boundary wall. Refused 23/04/2013.

KET/2012/0453 – Creation of driveway and gated access. Demolition of wall for access to 3 Main Street. Refused 21/09/2012.

KET/2005/0490 – Construction of one new residential dwelling. Approved 19/07/2005.

KET/2004/0387 – Erection of 2 no. dwellings, conversion of and extension to existing outbuildings with associated garage. Approved 25/05/2004.

Site Description

Officer's site inspection was carried out on 01/09/2014.

The application site is located within the village of Loddington and comprises the listed curtilage boundary wall of 3 Main Street. This wall is a substantial historic coursed rubble ironstone wall that encloses two sides of The Lays, an existing farm paddock which is defined as 'environmentally important open space' within the 1995 Local Plan for Kettering Borough. Part of this wall serves Loddington House (Grade II Listed Building) and therefore part of the site is listed building curtilage. The entire site falls within the designated Conservation Area for Loddington.

The agricultural field to the southwest of the application site benefits from an existing access point with Harrington Road, which borders the site along its southeast boundary. Richardson's Lane encloses the agricultural field (known as The Lays) along its northern boundary. The curtilage listed stone boundary wall that is the subject of this application separates properties on Main Street and Parklands Close from the paddock and it extends from Harrington Road around to Richardson's Lane. The site steps down to a lower level between The Lays and the domestic curtilage of Loddington House of approximately 1 metre.

Proposed Development

It is proposed to demolish a 3.2 metre wide section of the coursed rubble ironstone boundary wall to the rear of 3 Main Street, Loddington, to provide access to The Lays, an agricultural field to the southeast of 3 Main Street, Loddington otherwise known as Loddington House. The opening will have a timber 5-bar gate installed

and an area of gravel will be created between the existing hard surfacing within the domestic curtilage of 3 Main Street and the proposed access to the field. This will enable vehicular access to the paddock.

Any Constraints Affecting the Site

Loddington Conservation Area

Within the curtilage of a Grade II listed building

4.0 Consultation and Customer Impact

Parish Council

Objection: Should this application be permitted it could be interpreted as establishing the principle to develop The Lays in future. As The Lays is not a sustainable site permission for this proposal should not be granted.

Environmental Health

No objection.

Neighbours

As the proposal affects a curtilage listed wall dual planning and listed building consent applications have been submitted (KET/2014/0526 and KET/2014/0527). 26 letters of objection have been received from neighbouring residents that object to the proposal, but have not necessarily been submitted against the relevant application. The reasons for objection are as follows:

- The new access is part of future plans to develop The Lays.
- The part-demolition of the wall will harm its character/special historic interest.
- Lack of access between plots is not uncommon in the village; there is alternative vehicular access to The Lays that does not require this additional access point.
- The Lays is an agricultural field, not a paddock for equestrian use and so the justification for the opening (so horses can access The Lays from 3 Main Street) would result in a breach of planning control.
- By creating an opening in the wall and a gravel driveway this will have a detrimental impact upon the character and appearance of The Lays.

5.0 Planning Policy

National Planning Policy Framework

Policy 7. Requiring good design

Policy 12. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 13. General Sustainable Development Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Impact upon Designated Heritage Assets
3. Design, character and appearance
4. Residential amenity
5. Highway safety

1. Principle of development

The proposal is to create a vehicular access from the application site (3 Main Street, Loddington) into The Lays, an agricultural field to the southeast of the applicant's dwelling, by demolishing part of the existing curtilage listed stone boundary wall on the southeast boundary of 3 Main Street. The proposed opening will be 3.2 metres wide and a timber 5-bar gate will be installed in the opening. Gravel will be laid from the existing area of hard surfacing in the domestic curtilage of The Lays to connect to the new opening and this area of gravel will be continued through the field to an existing access gate. The submitted plans also show a 1.5 metre high post and rail fence will be installed for a 7 metre section between the existing boundary wall and an existing barn in The Lays.

The submitted plans show various elements, some of which do not require planning permission. An accompanying listed building consent application (KET/2014/0527) has also been submitted for the works which require consent. It is considered, for the purposes of this application, that the new access and gate both require permission as they are within the curtilage of a listed building, the hard surfacing outside of the domestic curtilage requires permission as it is within 5 metres of the boundary of the planning unit and the 7 metre long fence could fall foul of permitted development rights depending on whether it is connected to the listed wall or not. The only aspect of the proposal that does not require express permission is the area of hard surfacing within the domestic curtilage.

Planning permission was refused for a similar proposal in 2013 (KET/2013/0108) as it was considered to be harmful to the listed wall and the setting of the Grade II listed dwelling. An appeal was lodged and whilst the appeal was dismissed the inspector concluded in her report, in Paragraph 11, 'that the creation of an opening in the wall as proposed would not harm the special character or appearance of the wall or diminish its historic interest'. In Paragraph 15 she continued 'the piers and gates would visually dominate the rear garden area around the, constituting a negative change in the setting of the designated heritage asset'.

It can therefore be concluded that whilst the planning inspector did not believe the design of the proposal would not have a detrimental impact upon the setting of the listed building she accepted that the creation of an opening would neither harm the listed wall or the setting of the listed building. As the inspector's report is a material planning consideration in determining this latest proposal it is considered that the principle is established and that the proposal would accord with both national and local planning policy provided that the final design is appropriate within this location. The following paragraphs of this report identify how this proposal is considered to

accord with Policies 7 and 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Impact upon Designated Heritage Assets

The proposal affects two Designated Heritage Assets; the Grade II listed building and Loddington Conservation Area. The part of the wall that will be demolished, contrary to third party comments received as part of the application, will not have a visual impact upon Loddington Conservation Area as it will not be visible from the public realm. Whilst the new opening could have an impact upon the character of the Conservation Area by enabling The Lays to be accessed in an entirely different manner it is considered that this would be such a minor change so as to render it unnoticeable. The impact upon the Conservation Area is therefore considered to be of no significance in determining this proposal.

The introduction of a 3.2 metre wide opening and gravel driveway from 3 Main Street into The Lays along with the provision of a timber 5-bar gate will result in operational development that will preserve the existing agricultural character of this area to the southeast of the main dwelling. The use of appropriate materials and design to create this access will ensure that the character and appearance of the Conservation Area are preserved. Following the refusal of a previous proposal (KET/2013/0108) an unsuccessful appeal was made to the Planning Inspectorate as stated above. In her report the Planning Inspector stated in Paragraph 11 that 'I conclude that the creation of an opening in the wall as proposed would not harm the special character or appearance of the wall or diminish its historic interest' In Paragraph 15 she adds that 'the piers and gates would disrupt the simple functional appearance of the wall and lend it an unacceptably domestic and formal appearance...' It is therefore considered that this latest proposal preserves the character of the Conservation Area as a result of the design and material chosen.

In terms of the impact upon the setting of the listed building and the curtilage listed wall this is the subject of a separate listed building consent application (KET/2014/0527). Therefore for the purposes of this planning application the considerations of how the proposal will impact the setting of the listed building and the curtilage listed wall are only dealt with briefly here. Whilst the partial loss of a section of historic boundary wall to the rear of Loddington House will result in the removal of some historic fabric it is considered that the form of the boundary will be retained. The proposed timber 5-bar gate is considered to be appropriately proportioned and both an appropriate design and material for this location. Whilst there has never been a historic link through from 3 Main Street to The Lays in this location it certainly will not detrimentally impact the special architectural interest of the curtilage listed wall or the setting of 3 Main Street, as the proposed opening will have a rural character in respect of its design in common with the existing wall and The Lays in general.

The proposed opening, as demonstrated in the applicant's Design and Access Statement and Heritage Statement, will not recreate a previous historic opening but will instead create a new opening in a historic wall. Significant consideration of previous formal and informal accesses to The Lays and 3 Main Street has been given in both documents and previously refused applications. It is not considered to be justification for this latest proposal to grant permission on the basis that it

recreate a historic access, as this is not the case. In spite of this fact the latest proposal will retain the sense of boundary and enclosure, albeit with a timber 5-bar gate instead of the present ironstone wall. The resultant harm to the setting of the listed building and curtilage listed wall will therefore be less-than-substantial.

Paragraph 134 of the National Planning Policy Framework states that where a development results in less-than-substantial harm this should be weighed against the public benefit of the proposal. Whilst it is considered that there will be no public benefit whatsoever as a result of this proposal it is also accepted that the alteration to the wall will not result in a particularly high level of harm to the setting of the listed building or the wall itself. As a result the proposal is considered to be acceptable and accords with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 of the National Planning Policy Framework and Policy 13(h, l and o) of the North Northamptonshire Core Spatial Strategy.

3. Design, character and appearance

The application property is accessed from Main Street and therefore as you approach the area where the proposal will be situated the character changes from semi-rural and domestic to agricultural. As the new opening will form the point at which the domestic meets the agricultural an appropriate means of enclosure is required. A simple timber 5-bar gate is proposed for the opening and both within 3 Main Street and into The Lays a gravel hard surface will be provided. This is considered to be an appropriately low-key design typical of an agricultural setting. In addition a 7 metre stretch of post and rail timber fencing within The Lays is proposed. The cumulative impact upon the character of the area will be to retain the existing agrarian appearance and thus the design of the proposal is considered to accord with Policy 7 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Residential amenity

A number of objections from neighbouring residents highlight concern over loss of privacy, noise disturbance, and light disturbance from passing vehicles which will use the proposed access. The proposal is for a narrow access of 3.2 metres which will provide for vehicular access to The Lays from the application property. In order to access The Lays any vehicle will have to go through three separate sets of gates from Main Street to reach The Lays. It is therefore unlikely that this will become the chosen vehicular access to The Lays and is instead likely to become an access for horses to graze on the agricultural field as identified in the Design and Access Statement in the application.

The Lays is in agricultural use and without a future planning application it cannot be used for a more intensive land use. As a result the level of disruption, noise and light pollution from vehicles using this entrance to The Lays from 3 Main Street is likely to be minimal. Unlike previous applications for similar schemes in this area this latest proposal identifies that the surface to connect The Lays with 3 Main Street will be constructed of gravel, a material which is hardly appropriate for high numbers of traffic movements. In fact the passing of headlights and loss of light attributed with passing vehicles will be limited to the use of Loddington House as a single dwelling and would therefore not be at a significant level so as to cause disturbance.

Concerns from third parties have been raised with respect of potential intensification of the access in the future in the event that the protected open space is developed for residential use. In the absence of such formal proposals being made, these concerns are not material to the proposal under consideration and the impact of any future proposals on neighbouring amenity would need to be taken into account at the time that when an application for planning permission is made. As a result, the proposal is considered acceptable in terms of its impact on neighbouring amenity and accords with Policy 13(l) of the North Northamptonshire Core Spatial Strategy.

5. Highway safety

Third party objections raise concerns that this proposal could result in a detrimental impact upon highway safety. The proposal has been considered under Northamptonshire County Council Highways Standing Advice for Local Authorities and it is considered that the existing access to 3 Main Street is sufficient. This would be used as a link from the highway via the new proposed access and onto The Lays. It is considered that the proposal would not result in any real intensification of vehicular traffic using the existing access to the highway as discussed in the previous section. Use of the existing access in conjunction with this proposal is not considered to give rise to an unacceptable risk to highway safety and is in accordance with relevant parts of Policy 13(d) of the North Northamptonshire Core Spatial Strategy.

Conclusion

The proposal is considered to satisfy national and local planning policy, it will not detrimentally impact the significance of the curtilage listed wall nor harm the setting of the Grade II listed Loddington House, it is appropriately designed and it will not result in the loss of amenity. It will have no impact upon the character of the Conservation Area and will have a negligible impact upon the local highway network. As such it is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.8
Report Originator	Alan Davies Development Officer	Application No: KET/2014/0527
Wards Affected	Slade	
Location	3 Main Street, Loddington	
Proposal	Application for Listed Building Consent: Demolish a section of the rear boundary wall and insert an access gate. Install a high post and rail fence adjacent to the Dutch barns	
Applicant	Mr P Ablett	

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 works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.

REASON: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to prevent an accumulation of unimplemented consents.

2. The works hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application on 14/08/2014.

REASON: To ensure that the proposal does not have a detrimental impact upon the setting of 3 Main Street, a Grade II listed building, in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Notwithstanding the plans hereby approved the 7 metre long section of 1.5 metre high post and rail fence shown on drawing PL02G shall not be physically attached or affixed directly to the curtilage listed wall and shall instead be installed so as to only abut the existing wall.

REASON: To prevent unnecessary damage to the historic stone wall in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The part-demolished wall shall be made good using the stone salvaged from the existing wall and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of re-construction of the part-

demolished wall. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

REASON: In the interests of preserving the architectural and historic interest of the listed building in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0527

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

3.0 Information

Relevant Planning History

KET/2014/0526 – Demolish a section of the rear boundary wall and insert an access gate. Install a 1.5m high post and rail fence adjacent to the Dutch barns. Pending.

KET/2013/0133 – Listed Building Consent: Creation of gateway in rear boundary wall. Refused 23/04/2013.

KET/2013/0108 – Creation of an access gate into the rear boundary wall. Refused 23/04/2013.

KET/2012/0453 – Creation of driveway and gated access. Demolition of wall for access to 3 Main Street. Refused 21/09/2012.

KET/2005/0490 – Construction of one new residential dwelling. Approved 19/07/2005.

KET/2004/0387 – Erection of 2 no. dwellings, conversion of and extension to existing outbuildings with associated garage. Approved 25/05/2004.

Site Description

Officer's site inspection was carried out on 02/09/2014.

The application site is located within the village of Loddington and comprises the listed curtilage boundary wall of 3 Main Street. This wall is a substantial historic coursed rubble ironstone wall that encloses two sides of The Lays. Part of this wall serves Loddington House (a Grade II listed building) and therefore part of the site is considered to be within the curtilage of the listed building and the wall which is the subject of this application is curtilage listed. The entire site falls within the designated Conservation Area for Loddington.

The agricultural field to the southwest of the application site benefits from an existing access point with Harrington Road, which borders the site along its southeast boundary. The curtilage listed stone boundary wall that is the subject of this application separates properties on Main Street and Parklands Close from the agricultural field to the southwest. The site steps down to a lower level between The Lays and the domestic curtilage of Loddington House of approximately 1 metre.

Proposed Works

It is proposed to demolish a 3.2 metre wide section of the coursed rubble ironstone boundary wall to the rear of 3 Main Street, Loddington, to provide access to The Lays, an agricultural field to the southeast of 3 Main Street, Loddington. The opening will have a timber 5-bar gate installed and an area of gravel will be created between the existing hard surfacing within the domestic curtilage of 3 Main Street and the proposed access to the field. This will enable vehicular access to the paddock.

Any Constraints Affecting the Site

Loddington Conservation Area

Within the curtilage of a Grade II listed building

4.0 Consultation and Customer Impact

Parish Council

Objection: Should this application be permitted it could be interpreted as establishing the principle to develop The Lays in future. As The Lays is not a sustainable site permission for this proposal should not be granted.

Environmental Health

No objection.

Neighbours

As the proposal affects a curtilage listed wall dual planning and listed building consent applications have been submitted (KET/2014/0526 and KET/2014/0527). 26 letters of objection have been received from neighbouring residents that object to the proposal, but have not necessarily been submitted against the relevant application. The reasons for objection are as follows:

- The new access is part of future plans to develop The Lays.
- The part-demolition of the wall will harm its character/special historic interest.
- Lack of access between plots is not uncommon in the village; there is alternative vehicular access to The Lays that does not require this additional access point.
- The Lays is an agricultural field, not a paddock for equestrian use and so the justification for the opening (so horses can access The Lays from 3 Main Street) would result in a breach of planning control.
- By creating an opening in the wall and a gravel driveway this will have a detrimental impact upon the character and appearance of The Lays.

5.0 Planning Policy

National Legislation

The Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

Policy 12. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 13. General Sustainable Development Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Legislative considerations in determining listed building consent
2. Special interest of the Grade II curtilage listed wall
3. Assessment of the acceptability of the proposal against national guidance

1. Legislative considerations in determining listed building consent

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, when considering whether to grant consent for works that affect a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The subject of this application, the 2 metre high ironstone boundary wall to the southeast of 3 Main Street, Loddington, is considered to be curtilage listed as it forms part of the curtilage of the application site. This application therefore has to be considered on the basis that the wall is Grade II listed and thus is defined by English Heritage as being 'of special interest, warranting every effort to preserve it'. This proposal must therefore be considered against the national importance of the curtilage listed wall, but in order to do so its significance must first be understood.

2. Special interest of the Grade II curtilage listed wall

According to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 listed structures can have two separate aspects which make them special or desirable to preserve. The first is the special architectural interest and the second is the special historic interest. It is considered that this boundary wall, which starts to the south of the application site, facing onto Harrington Road, running north along the rear gardens of Parklands Close and then from the southeast corner of the application property in a northeast direction towards Richardsons Lane, does not possess any particular architectural significance in that it is a coursed rubble ironstone wall of various builds and heights, which essentially forms a boundary for the agricultural field to the southeast, The Lays. However, this wall, whilst fairly typical of many north Northamptonshire historic boundary walls in respect of its architecture, does have a long and varied history and it is this history which gives the wall its significance.

The 1886 Enclosure Map submitted with the Heritage Statement suggests that parts of this wall, particularly those parts close to the boundary with The Lays and the agricultural barn to the southeast, may have been rebuilt and possibly altered in the past, although there has always been a strong boundary wall separating The Lays from the areas to the north and west, including the application property, Loddington House. The map does however show a long barn and a dark u-shaped courtyard building in and around the area of the wall that is proposed to be part-demolished as part of this application. It could therefore be surmised, and the Heritage Statement goes on to suggest this, that the present wall in this area may have been part of the northwest elevation of the long barn structure shown on the 1886 map.

It appears from the 1993 map submitted with the Heritage Statement (penultimate page) that this long barn stood until at least 1993 before it was part demolished to

enable the development of Bramble Barn. Therefore, whilst the part of the wall that is proposed to be part-demolished may not have stood as a boundary wall for 200 years, it may well have been part of a former barn on this site and thus has its own narrative to tell. The inspector's report relating to an appeal against a previous refusal states that the creation of an opening in this wall would not be harmful and it is considered that this proposal, which would result in a 3.2 metre wide opening and timber 5-bar gate would retain the boundary and sense of enclosure, albeit with a new access to The Lays.

If the special interest of this wall is understood as its history then a small opening that retains the majority of the wall can only be considered to be less-than-harmful, although Paragraph 134 of the National Planning Policy Framework does state that this harm should be weighed against the public benefit of the proposal, which in this case is considered to be no benefit. That said, the design, and the principle of the opening, is accepted to be something that would not be an alien feature in this area and thus the harm as a result of this proposal, which is simply the loss of some historic fabric, is concluded to be acceptable and thus the proposal accords with Policy 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Assessment of the acceptability of the proposal against national guidance

It is considered that the applicant has, in their submission of a very well detailed Heritage Statement, satisfied the requirements of Paragraph 128 of the National Planning Policy Framework as it demonstrates an understanding of the historic structure. Paragraph 126 of the National Planning Policy Framework requires Local Planning Authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and opportunities to draw on the contribution made by the historic environment to the character of a place.

It is considered that this proposal will satisfy some of the aims of Paragraph 126 of the National Planning Policy Framework as it will sustain the boundary between 3 Main Street, Loddington, albeit with the creation of a new feature, but a feature that will nonetheless retain the sense of enclosure currently experienced from the existing boundary wall, most of which will continue to be retained. It is therefore considered that the proposal overall will have a negligible impact upon local character. It will not provide any economic or public benefit however and therefore it is considered that whilst this proposal is acceptable in respect of its impact upon a curtilage listed structure it is certainly not a positive proposal that will enhance the significance of the curtilage listed structure or the setting of the Grade II listed building.

Conclusion

The proposal accords with national and local planning policy in respect of heritage and will result in an appropriately designed alteration to a curtilage listed structure. Whilst there will be some harm to the significance of the wall, primarily the loss of historic fabric, it is not considered to be so harmful as to warrant refusal of this application. Therefore consent should be granted.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.9
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2014/0549
Wards Affected	All Saints	
Location	Nisa Local, 182 Kingsley Avenue, Kettering	
Proposal	Full Application: Demolition of garage and erection of store room	
Applicant	Mr T Rana	

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. Prior to the recommencement of development hereby approved the front elevation wall that has been erected shall be demolished and shall be rebuilt using materials which match in type, colour and texture those on the existing shop. No development shall recommence on site until details of the materials to be used, 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 visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0549

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

3.0 Information

Relevant Planning History

ENFO/2014/00117 – Development carried out without permission - Pending

KET/2014/0312 – Change of use on unit 2 from shop to restaurant and take away.
Confirm use of unit 1 as shop – Withdrawn

KET/2014/0181 – Replacement shop front – Approved

KE/1998/0432 – First floor extension to form 2 flats – Approved

KE/1998/0431 – Alterations to shop to form 2 shops – Approved

KE/1991/0020 – Alterations to buildings to form second shop, new shop front and side access – Approved

KE/1990/0739 – Extension at first floor level to form 2 flats and parking spaces – Approved

KB/1970/0281 – New shop front, staff room and cold store – Approved

Site Description

Officer's site inspection was carried out on 05/09/2014. A site visit from the neighbouring property, 180 Kingsley Avenue, was carried out on 30/09/2014. The application site occupies a corner plot at the junction of Kingsley Avenue and Hallwood Road. The site comprises a 1.5 storey Victorian built retail shop which fronts Kingsley Avenue. Adjoining the retail unit to the rear and facing Hallwood Road is a store room along with 2 no. garages. The store room and the larger of the two garages are set back from the footpath while the smaller garage adjoins the path. The application seeks to extend these buildings forward to adjoin the footpath and also to increase the height of the 2 no. garages to the same height as the store room. The enlarged store room will be accessed via a roller shutter off Hallwood Road. At the time of the site inspection the front elevations of the 2 no. garages had been demolished along with the boundary wall between the store room and the footpath. The rear walls of the garages remain in place and these walls form the boundary with No. 180 Kingsley Avenue to the west. The proposed front elevation adjoining the footpath on Hallwood Road has been partly constructed with the brickwork used distinctly different from the bricks used in the construction of the original building.

Proposed Development

The proposal involves the demolition of 2 no. garages and the erection of a store room. As outlined above development has partly commenced on site. This application was submitted following an enforcement investigation at the site. A decision as to whether enforcement action will be taken has been postponed

pending the outcome of this application. Some discrepancies on the accuracy of the submitted plans have been identified but corrected plans are expected to be available by the time of Committee.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Environmental Health

No objection subject to the application of an informative should the proposed store room be used to store food.

Environmental Care

No comments received.

Neighbours

Four third party representations received on the following grounds:

- Loss of light (3)
- Overbearing (1)
- Overlooking and loss of privacy (1)
- Materials used to build up the front wall are not in keeping with the brickwork of the existing building (1)

5.0 Planning Policy

National Planning Policy Framework

Policy 1 – Building a Strong, Competitive Economy

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements

Policy 9 – Distribution and Location of Development

Policy 13 – General Sustainable Development Principles

Local Plan

Policy 58 – Employment: 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 Neighbouring Amenity
4. Comments on other points raised by the proposal

1. Principle of Development

The application site is located within the town boundary of Kettering as defined by Policy 58 of the Local Plan. Policies 1 and 9 of the North Northamptonshire Core Spatial Strategy (CSS) direct development towards the growth town of Kettering. The National Planning Policy Framework (NPPF) advocates a presumption in favour of sustainable development with paragraph 14 stating that development proposals that are in accordance with the development plan should be approved without delay. Paragraphs 18 and 19 of Policy 1 of the NPPF underlines the Government's commitment to promoting sustainable economic growth and states planning should encourage and not act as an impediment to sustainable growth. The proposal involves an extension to an existing retail unit to provide a larger store room. Policies in the development plan support extensions to existing properties subject to the satisfaction of certain criteria. Policy 13 of the CSS supports extensions to existing properties provided there is no adverse impact on character and appearance and neighbouring amenity. The principle of development is therefore acceptable subject to the satisfaction of the development plan criteria as discussed below.

2. Design and Impact on Character

Policy 7 of the National Planning Policy Framework (NPPF) requires good design while Policy 13 (h) of the CSS requires development to be of a high standard of design and to respect and enhance the character of its surroundings. This application seeks to provide a larger store room for the retail unit. The existing store room is located to the rear of the unit which fronts onto Hallwood Road. The store room is currently set back from the highway boundary and the proposal involves extending this building forward so that it abuts the highway boundary. The proposal also involves the partial demolition of the adjacent 2 no. garages connecting the existing store room to this space. The larger of the two garages will also be extended forward to abut the highway while the smaller garage already abuts the highway. It is also proposed to increase the height of the garages to match the height of the existing store room. The extension will have a flat roof similar to that of the existing store room. The design of the proposal is considered to be acceptable and in compliance with Policy 7 of the NPPF and Policy 13 (h) of the CSS.

As discussed above development has commenced on site with the front elevations of the garages and their dividing wall already demolished. The boundary wall between the existing store room and the highway has also been demolished and the proposed front elevation has been partly constructed. The materials used in the construction of this front elevation differ quite distinctly from the materials used in the construction of the shop as a whole. One objection has been received in this regard. The materials used are not considered to be acceptable and will detract from the

overall appearance of the development such that it will appear incongruous in the street scene. It is recommended that a condition be added to the permission requiring this wall to be rebuilt using a more sympathetic material, details and a sample of which will need to be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of further development. Subject to this it is considered that the proposal complies with Policy 7 of the NPPF and Policy 13 (h) of the CSS.

3. Impact on Neighbouring Amenity

Policy 13 (l) of the North Northamptonshire Core Spatial Strategy requires development not to result in an adverse impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. Objections have been received from both the owners and occupiers of the adjoining residential property to the west, No. 180 Kingsley Avenue and from the occupier of No. 178. The objections have been made primarily on the ground of loss of light and overbearing. However, it should be noted that the occupiers of No. 180 have raised concern about the potential for overlooking and loss of privacy. There is one existing window in the rear elevation of the larger garage which adjoins the rear garden of No. 180. It is not clear whether it is intended to retain this opening from the submitted plans with the proposed floor plan indicating that the window will be retained and the proposed elevation indicating that the window will be blocked up. Clarification and amended plans have been sought from the applicant and this will be reported in the Committee update. However, as this is an existing window on site and given the window is obscure glazed there will be no impact on neighbouring amenity in terms of overlooking or loss of privacy. Should the window be retained a condition will be added to the permission requiring this window to be permanently obscure glazed.

The proposal involves an increase in height of the 2 no. garages to match that of the existing store room which has a total height of 3 metres. There is a discrepancy on the submitted plans as to the height of these garages at the boundary with No. 180 Kingsley Avenue. Clarification and amended plans have been sought from the applicant and this will be reported in the Committee update. The larger of the two garages steps into the garden of No. 180 and obscures much of the smaller garage from the amenity space, although the occupiers of No. 180 can access their rear garden from Hallwood Road and the smaller garage adjoins this access.

The occupiers of both Nos. 180 and 178 along with the owners of No. 180 have objected to the proposal on the grounds of loss of light and overbearing to these properties. However, given the orientation of the properties in relation to the path of the sun the rear gardens of these properties will only experience a marginal degree of overshadowing in the morning. This impact will occur at the end of the garden only and there will be no impact on the living accommodation of the amenity space immediately adjacent to the dwellings. It is considered that increasing the height of the garages to 3 metres will not have a significant adverse impact on neighbouring amenity in terms of loss of light or overbearing to warrant a refusal of planning permission in this instance. The site is located sufficient distance from other neighbouring properties for there to be no impact on their amenity and therefore it is considered that the proposal complies with Policy 13 (l) of the CSS.

4. Comments on other points raised by proposal

A neighbour has recently raised concern under the enforcement investigation about the erection of 3 no. condensing units - 1 on the side of the existing building fronting Hallwood Road and 2 on the roof of the existing store room. This is outside the scope this planning application and will be dealt with as part of the enforcement investigation.

Conclusion

The proposal complies with national policy and policies in the development plan. Subject to securing appropriate materials it raises no adverse impacts in respect of character and appearance. Impact on neighbouring amenity in a material planning consideration and in reaching a determination the issues of loss of light and overbearing have been carefully considered. However, it is considered that there will not be a significant adverse impact on neighbouring amenity to warrant a refusal of planning permission in this instance. The application is, therefore, recommended for approval subject to receipt of amended plans and subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Marie Down, Assistant Development Officer on 01536 534316

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.10
Report Originator	Trevor Feary Development Officer	Application No: KET/2014/0610
Wards Affected	Brambleside	
Location	29 Swinburne Close, Kettering	
Proposal	Full Application: Double storey side and single storey rear extensions	
Applicant	Miss M Illingworth	

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.

Officers Report for KET/2014/0610

This application is reported for Committee decision because the applicant is a member of KBC staff

3.0 Information

Relevant Planning History

KET/1987/1144 - Residential Development - Granted 23/12/1987

Site Description

Officer's site inspection was carried out on 08/10/2014

The Application dwelling is the right-hand half of a pair of 2 storey dwellings located on a spur off the main Swinburne Close estate road. This type of semi-detached dwelling is replicated a number of times throughout the estate. This pair of dwellings is constructed of an orange/brown and brown mottling facing brick with brown tiled roof. To the rear of the Application dwelling is a brick and upvc conservatory.

The estate is laid out on the "open-forecourt" principle such that there is no front boundary enclosure. For the length of the Northern boundary is located a timber fence on concrete posts; on the Application site side this varies between 2.0 and 2.5 metres in height due to the levels of the adjoining land. The remaining two boundaries are of fencing of 1.8 metres height. The rear garden itself is stepped up and at its highest is some 1 metre higher than the floor level of the dwelling.

Attached to the left-hand (South) is the other half of these semi-detached houses and which has its own conservatory attached to the rear.

To the North immediately abutting the mutual boundary is a landscaped grassed area and then a private drive roadway, beyond which are 2 pairs of semi-detached 2 storey houses facing the Application Site.

Opposite the Application site lies the gable end of a further pair of semi-detached 2 storey houses. A single storey outbuilding relating to one of the dwellings at the rear lies close to the rear boundary.

A single on site parking space exists and behind which is a fence and gate closing off this part of the frontage.

Proposed Development

The proposal includes for a two-storey addition to the side of the existing dwelling to provide an open porch and utility room with a fourth bedroom and (relocated) bathroom over. This 2 storey addition is set back from the main front wall of the existing dwelling but finishes level with the rear wall of the main dwelling. An existing conservatory on the rear of the existing dwelling is to be removed and a single storey addition with a monopitched roof (including roof-lights) erected across the rear of both the existing dwelling and the proposed two storey addition above, to form a dining room.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Neighbours

No representations have been received.

5.0 Planning Policy

National Planning Policy Framework

Para 17 - Core Planning Principles

Section 7 - Requiring good design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 - Strengthening the Network of Settlements

Policy 13 - General Sustainable Development Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Impact on the application site
2. Impact on character of the area
3. Impact on neighbours reasonable amenity
4. Retained facilities

The application site is in an established residential area within the designated boundary of Kettering. As such, the proposed development accords with Policy 1 of the North Northamptonshire Core Spatial Strategy which directs development towards existing urban areas. Policy 13 of the North Northamptonshire Core Spatial Strategy also supports development provided that the proposals meet certain requirements (discussed below).

1. Impact on application site

Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires that developments be of a high standard of design, architecture and landscaping and respect and enhance the character of its surroundings. Para 17 of the National Planning Policy Framework requires the Local Planning Authority to seek to secure a high quality of design in new development,

As the application site is situated on a cul-de-sac spur off the main estate road the dwelling is not within a prominent visual location within the estate as a whole. It is, however, located within a "corner plot" situation such that it holds a visually

important position within that cul-de-sac, being clearly seen from two directions.

The two storey element proposed is located on an area presently mainly used as a yard area giving access to the rear of the property, and providing for various domestic storage facilities. This part of the proposal is set back from the main wall of the dwelling and has been nicely designed to harmonise with the existing dwelling.

The single storey element simply replaces the existing conservatory, and part yard area, and will not be seen from any public view point. Again it has been well designed to harmonise with the existing structure.

2. Impact on character of area.

The proposed two storey element, when viewed from the front, will inevitably close down some of the open-ness presently existing between the application dwelling and the landscaped amenity area adjacent. There will remain, however, a clear open area before the dwellings to this side are reached such that the proposal will not substantially alter the character of the area; and so is considered acceptable.

Equally, the proposed side elevation, which will be seen from the adjacent private driveway and dwellings located there, will be little different than the existing side gable and accordingly will have virtually no impact on this part of the character of the area.

Replacing part of the existing varying height boundary fence with part of the side wall of the proposal should improve the visual appearance of the area.

3. Impact on neighbours' reasonable amenity.

Policy 13(l) of the North Northamptonshire Core Spatial Strategy requires that development will not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking. Paragraph 17 of the National Planning Policy Framework states planning should 'always seek to secure ... a good standard of amenity for all existing and future occupiers of land and buildings.'

The proposal will have a small utility window in its ground floor and a bathroom window at first floor within its front elevation. Neither of these will have any real impact on the dwelling opposite (which has its side gable facing the proposal in any event). Only a limited impact will be made on the attached number 28 where the proposal basically replaces an existing structure (the slightly increased depth of the proposal will now coincide with the depth of the neighbour's conservatory). Although now on the mutual boundary the proposal will have little additional impact on the neighbour's conservatory than the present fencing. Accordingly there will be no undue domination between these two properties and since number 28 is to the South of the proposal, no loss of light. As the proposal is single storey at this point there will be no over-looking.

Equally the impact on number 31, to the side but facing the side gable of number 29, will be minimal – there will be no domination or loss of light due to the separation distance between the two properties. As no windows are proposed in the new side gable no overlooking will be introduced (in fact, it will be reduced since there is

currently a first floor window in the existing side elevation).

The dwellings to the rear are situated some distance away on higher ground and the proposal will have virtually no impact on those dwellings or the occupiers' amenity.

4. Retained Facilities.

The proposals will not reduce the amount of private open space (rear garden) available to the dwelling and this element is considered to remain acceptable, despite the extra bedroom being created.

Policy 13 (d) of the North Northamptonshire Core Spatial Strategy requires development to have a satisfactory means of access and provide for parking, servicing and manoeuvring of vehicles. Removing the existing fence and gate from across the driveway as proposed will, in fact, return the on site parking facilities to two as was originally granted. This number of spaces is considered satisfactory for the proposed enlarged dwelling.

. Policy 13(n) requires development not to have an adverse impact on the highway network or to prejudice highway safety. The submission will not change the present situation and which is satisfactory.

Conclusion

The development is considered to have an acceptable impact on the character of the area and the amenity of neighbours. The proposed addition harmonises well with the existing dwelling. The application is therefore in accordance with Policies 1 and 13 of the North Northamptonshire Core Spatial Strategy and Section 7 of the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Trevor Feary, Development Officer on 01536 534316