

BOROUGH OF KETTERING

Committee	Full Planning Committee - 10/03/2015	Item No: 5.7
Report Originator	Marie Down Development Officer	Application No: KET/2014/0872
Wards Affected	Burton Latimer	
Location	42 High Street, Burton Latimer	
Proposal	Full Application: Change of use of ground floor residential floor space to retail, erection of external staircase to the rear and creation of doorway to access first floor apartment	
Applicant	Mr J Patel Costcutter,	

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 shown on drawing number 1350.02.08 received by the Local Planning Authority on 17/02/2015.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. Prior to first use of the external staircase to access the first floor hereby approved the boundary screen shall be erected and the fibreglass grating product shall be installed on the steps and the landing in accordance with the amended drawing number 1350.02.08 received by the Local Planning Authority on 17/02/2015. The development shall thereafter be permanently retained in that form.

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

Officers Report for KET/2014/0872

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

3.0 Information

Relevant Planning History

KET/1984/0576 – Extension and alterations to shop – Approved

KET/1984/0790 – Installation of automatic teller machine – Approved

KET/1989/1020 – Rear extension, internal alterations, new front entrance door and frame – Approved

KET/1991/0316 – Change of use: Proposed Alterations and extension to shop and living accommodation – Approved

KET/1992/0241 – Externally illuminated projecting shop sign – Approved

Site Description

Officer's site inspection was carried out on 14/02/2015. The application relates to a two storey end of terrace property located on the western side of High Street, within Burton Latimer's Conservation Area. The site comprises a ground floor retail unit, currently occupied by a newsagent, along with ground floor residential floor space comprising a kitchen and dining room with living room, bathroom and bedrooms at first floor. The first floor is currently accessed via an internal staircase at the front of the property within the existing dining room.

There is a shared access driveway to the south of the site which serves the application site and No. 44 High Street to the west. No. 44 High Street is a Grade II listed building. The garages of No. 44 and the application site are positioned on the boundary between the two properties. To the north, No. 40 High Street has a flat roofed single storey extension to the rear which forms the boundary with the application site. The side elevation of No. 46 High Street forms the boundary to the south.

Proposed Development

The proposal involves the change of use of ground floor residential floor space to retail to enable the expansion of the existing retail unit. The layout of the first floor will be reconfigured to provide a two bedroom flat. An external staircase will be erected to the rear of the property to provide access to the flat with a doorway created from an existing window opening.

Amended plans were received to address officer concerns in respect of the overlooking impact from the external staircase to No. 40 High Street via the raised roof lights in the flat roof of its single storey rear

extension. The applicant proposes to erect a 1.8 metre high close boarded fence along the stairs and landing to overcome this concern. The amendments also include the application of a fibreglass grating product to the steps and the landing of the metal staircase to reduce the level of noise generated from the stairs.

Statutory consultees and neighbours have been consulted on the amendments and any representations received will be reported in the Committee update.

Any Constraints Affecting The Site

Listed Building (Setting of)

Conservation Area

C Road

Nene Valley NIA Boundary

4.0 Consultation and Customer Impact

Town Council

No objection.

Neighbours

One objection received on the grounds of overlooking from the external staircase to No. 44 High Street and on the grounds that the metal staircase will generate noise and create disturbance for the occupiers of No. 44. A request was made that the staircase be changed to a wooden staircase which would overcome noise concerns and would be more in keeping with the conservation area and the application property.

5.0 Planning Policy

National Planning Policy Framework

Policy 1 – Building a Strong, Competitive Economy

Policy 2 – Ensuring the Vitality of Town Centres

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

Local Plan

Policy 35 – Housing: Within Towns

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. Impact on Character, Appearance and the Conservation Area
3. Impact on Neighbouring Amenity
4. Parking and Highway Safety

1. Principle of Development

The application site is located within the town boundary of Burton Latimer as defined by Policy 35 of the Local Plan. The site is located on the High Street, within the established shopping area of the town centre. Policy 1 of the National Planning Policy Framework (NPPF) states that the planning system should support sustainable economic growth and planning should operate to encourage and not act as an impediment to sustainable growth. Policy 2 of the NPPF states local planning authorities should promote competitive town centres that provide customer choice and a diverse retail offer. Policy 2 also emphasises the importance of meeting the needs for retail uses in full. The proposal involves the change of use of ground floor residential accommodation to retail to allow the expansion of the existing retail unit. As such this element of the proposal is considered acceptable in principle.

The proposal also involves the reconfiguration of the residential accommodation at first floor level to create a two bedroom flat. An external staircase will be erected to the rear of the property and an existing window will be replaced with a door to provide separate access to the flat. Policy 13 of the North Northamptonshire Core Spatial Strategy (CSS) supports such alterations to existing properties provided there is no adverse impact on character and appearance or neighbouring amenity. This element of the proposal is considered acceptable in principle subject to the satisfaction of the development plan criteria as discussed below.

2. Impact on Character, Appearance and the Conservation Area

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. Policy 12 of the NPPF refers to defining the significance of a heritage asset and that a proposal's impact is to be assessed on that asset for 'harm'. The application site is located within the Conservation Area and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of

preserving or enhancing the character and appearance of Conservation Areas.

As outlined above the existing unit comprises a newsagents and residential floor space in the form of a kitchen and dining room at ground floor level with bedroom accommodation, bathroom and living room at first floor level. The proposal involves a change of use of the ground floor residential floor space to retail which will form an extension to the existing newsagents. The layout of the first floor will be reconfigured to provide a two bedroom flat with access provided through an external staircase to the rear of the property. An existing window will be utilised to form the doorway into the flat. The external staircase will be constructed of galvanised metal and a 1.8 metre close boarded fence will be erected to the north of the stairs and landing to prevent overlooking to No. 40 High Street. The use of galvanised metal is considered appropriate for the stairs and although opaque screen or panel would have been a more desirable alternative to close boarded fencing given that the staircase is to the rear of the property and is not visible from any public vantage point the proposed materials are acceptable in this instance. No external alterations are proposed to the eastern elevation fronting High Street and as such it is considered that the proposal will not have an impact on the character and appearance of the surrounding Conservation Area. The impact of the external staircase on the public realm of the Conservation Area is negligible and therefore no substantial harm would result. The proposal, therefore, complies with Policies 7 and 12 of the NPPF, Policy 13 (h) of the CSS and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

An objection has been received from the occupier of No. 44 High Street on the grounds that the proposed external staircase will result in overlooking to No. 44. However, the garage of the application site and the garage of No. 44 are positioned in such a way that they largely obscure any view of No. 44 from the application site. There are views of No. 44 from the first floor bedroom but this is an existing on site situation and not a reason for concern in the consideration of this application. In any event the front elevation of No. 44 High Street is separated from the rear elevation of the application site by approximately 22 metres which is sufficient distance to prevent any harm to the amenity of the occupiers of No. 44.

The occupier of No. 44 has also raised an objection on the grounds of noise and disturbance from the metal external staircase and requested that the staircase be amended to a wooden staircase which, it was argued, would reduce noise and disturbance and be more in keeping

with the Conservation Area and application property. A discussion was had with the agent as to whether the staircase could be amended to wooden stairs but it was felt by the agent that this would not weather as well. The staircase therefore remains metal as proposed which is considered acceptable by Officers. In an effort to reduce the noise from the staircase the applicant proposes to apply a fibreglass grating product to the stairs and landing which will reduce the noise that will be generated from the staircase. As such it is considered that the staircase will not result in a significant adverse impact on surrounding neighbouring amenity in terms of noise and disturbance to warrant a refusal of planning permission in this instance.

The proposed staircase will adjoin the single storey flat roofed extension to the rear of No. 40 High Street, which is to the north of the application site. This extension has two roof lights which will be in close proximity to the proposed staircase creating a potential overlooking impact to the occupiers of No. 40. To overcome this concern the applicant has amended the proposal to include a 1.8 metre high close boarded fence the north of the stairs and landing to prevent any views into the extension of No. 40. The garage of the application site is positioned such that any views to the rear garden of No. 40 are largely obscured. The proposal will not impact on neighbouring amenity to the south as No. 46 High Street presents a blank side elevation to the application site. As such it is considered that the proposal complies with Policy 13 (l) of the CSS.

4. Parking and Highway Safety

Policy 13 (n) of the CSS requires development not to have an adverse impact on the highway network or to prejudice highway safety. The application form states that there are four car parking spaces within the application site. Concern has been expressed by the occupier of No. 44 that this is misleading as the access drive is a shared access and therefore does not provide any parking and there is insufficient capacity to the rear of the property to provide four off-street parking spaces. However, the application site is located within the town centre and as such the lack of off-street parking is not a cause for concern. The proposal will not adversely impact on the highway network or prejudice highway and therefore complies with Policy 13 (n) of the CSS.

Conclusion

The proposal complies with national policies and policies in the Development Plan. It raises no adverse impacts in respect of character and appearance, neighbouring amenity or highway safety. The amended scheme overcomes overlooking concerns to the neighbouring property to the north and it is considered that the application of a fibreglass grating product to the steps and landing of the external staircase will sufficiently reduce the level of noise generated from its use. As such the proposal is recommended for approval, subject to conditions.

**Background
Papers**

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Marie Down, Development Officer on 01536 534316