

BOROUGH OF KETTERING

Committee	Full Planning Committee - 10/03/2015	Item No: 5.9
Report Originator	Rebecca Collins Development Team Leader	Application No: KET/2015/0062
Wards Affected	William Knibb	
Location	Stardust Bingo Club, Russell Street, Kettering	
Proposal	Approval of Reserved Matters: All details in respect of KET/2012/0521 for demolition of existing building and creation of 18 no. one bedroom apartments	
Applicant	Home Group & Fernbrook Builders 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 consultation period for this application ends 2nd March 2015. This application is reported to Planning Committee to allow for comments to the application to be received. To date there has been no adverse comments to the application, if no letters of objection are received, the application will be determined using delegated powers.

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers F/RK/14/002 K received on 27/02/2015 and plans F/RK/14/003 G, F/RK/14/004 H, F/RK/14/005 F, F/RK/14/006 E and F/RK/14/007 E received on 16/02/2015.

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

2. 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 (a) of the North Northamptonshire Core Spatial Strategy.

3. The first and second floor windows on the east and west elevations shall be top-opening only and glazed with obscured glass to a level of obscurity of level 3 within the Pilkinton range of textured glass or equivalent and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 13(l) of the North Northamptonshire Core Spatial Strategy.

4. Prior to first occupation of any of the units hereby approved the vehicular and pedestrian access shall be laid out in accordance with approved plan reference F/RK/14/002 K received on 27/02/2015. The access shall be a minimum width of 4.5metres and paved with a hard bound surface for the first 10 metres from the highway boundary into the site. The maximum gradient over 5 meters from the highway boundary shall not exceed 1 in 15. The access shall thereafter be maintained in that form.

REASON: To ensure that the roads are constructed to a satisfactory safe standard in accordance with policy 13 (d and n) of the North Northamptonshire Core Spatial Strategy.

5. Any gates provided shall be set back a distance of 5.5 metres from the edge of the vehicular carriageway of the adjoining highway and shall be hung so as to open inwards into the site only.

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

6. No other development shall commence until visibility splays of 2.0 metres by 43 metres have been provided at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.

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

7. Prior to first occupation of any of the units hereby permitted pedestrian visibility splays of 2m x 2m shall be provided on each side of the vehicular access. The pedestrian visibility splays shall be permanently retained and kept free of obstacles over 0.6m in height.

REASON: To provide satisfactory and safe access in accordance with policy 13(n) of the North Northamptonshire Core Spatial Strategy.

8. Prior to commencement of development full details of all external windows and doors to be used 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: To protect the character of the area in accordance with Policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

9. 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 (b) of the Core Spatial Strategy for North Northamptonshire.

Officers Report for KET/2015/0062

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

3.0 Information

Relevant Planning History

KET/2012/0521 Outline application (all matters reserved) for demolition of the former cinema and erection of 18 no. 1 bed flats APPROVED 23/01/2015.

KET/2007/0965 Full application: Three storey affordable housing scheme (23 no. dwellings) with parking and amenity works REFUSED 12/12/2007, APPEAL DISMISSED 14/4/08

KET/2007/0081 New 3 storey affordable housing scheme (23 No. dwellings) with basement car parking and roof terraces REFUSED 24/04/2007, APPEAL DISMISSED 14/4/08

KET/2006/0205 Demolition of cinema and erection of 20 dwellings WITHDRAWN 15/9/06

EN/03/580 Section 215 Notice ISSUED 5/3/04

KE/2002/0017 Approval of Reserved Matters:21 residential dwelling units and associated car parking APPROVED 9/4/02

KE/01/0914 Renewal of KE/98/0545: Outline for 21 residential dwelling units and associated car parking APPROVED 12/3/02

KE/2001/0814 Erection of 25 apartments (1 bedroom) WITHDRAWN 6/12/01

KE/2001/0452 Erection of 25 apartments (1 bedroom) REFUSED 24/7/01

KE/1998/0545 Outline for 21 residential dwelling units and associated parking APPROVED 12/1/99

KE/1986/0219 storage building for small building firm REFUSED.

Site Description

The site is located on the south side of Russell Street, to the east of Kettering town centre. Russell Street is a residential street mainly comprised of terraced dwellings, but includes infill development of flats. The site itself was previously occupied by a derelict former cinema which has been demolished. This building was constructed of a dark brick and was approximately 4 storeys tall at the highest point. Adjacent to the site is a single storey sub-station, to be retained. The site fronts Russell Street to the north, a tall double garage to the east, residential properties on St Peter's avenue to the south, and recently built terraced properties (post 2004) and a parking court to the west.

Proposed Development

This is a reserved matters application for the construction of 18 one bedroom apartments.

Any Constraints Affecting the Site

Potential LWT

4.0 Consultation and Customer Impact

Highway Authority

06/02/2015 – Initially objected on the grounds that the access is too narrow with split gates. Pedestrian visibility is impaired by 1.1m high boundary wall at the point of exit from the site. Tracking is required to show manoeuvrability in and out of the site with all car parking bays occupied. The proposed bin storage is considered unacceptable. No drainage showing how water will be prevented from running off the site onto the highway has been shown.

17/02/2015 – No objection as the access into the site has a lateral gradient which diminishes the headroom available under the property, however, it does not reduce beyond 2.5m. The access has been revised from split gates for vehicles and pedestrians providing a clear width of 4.5m. Bin presentation points are required. The access will require the excavation and re-construction of the existing footway to vehicular access construction depths and strengths. The cross gradient through the undercroft is to maintain the gradient of the footway.

The following conditions are recommended:

- Prior to first use or occupation of the development hereby permitted, the means of vehicular access shall be of a minimum width of 4.5m and shall be paved with a hard bound surface for the first 10m from the highway boundary such surfacing shall thereafter be retained. The maximum gradient over the 5m distance shall not exceed 1 in 15.
- All accesses should be aligned square to the highway to ensure that visibility for and to emerging drivers is optimised.
- Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall not be provided other than in accordance with the approved plans (F/RK/14/002 K) and shall thereafter be set aside and retained for those purposes. Turning must be provided within the site where access is to a classified road to ensure that vehicles may enter and exit in a forward gear.
- Multiple dwelling bin and recyclable bin stores may be required within the curtilage of a development in locations that do not obstruct the highway, or the effective width of a private drive or pedestrian access.
- Prior to first use or occupation of the development hereby permitted, vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m to the right and left, measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.
- Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.4m x 2.4m (2m x 2m where there is turning space within the site) shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.

Environment Agency

02/02/2015 - No comments.

23/02/2015 – The site has low environmental risk and therefore no further comments to make.

Northamptonshire Police

12/02/2015 - The development shall be constructed to Secure by Design accreditation. Communal entrance doors shall be recessed to no less than 50cm. The entrance gate should be anti-climb, electronic, 1.87m in height, linked into an entry system and allow surveillance of the yard. Boundary treatment walls should have capping to prevent loitering. It would be preferable to have a mail boxes within a secured entrance lobby, as well as a colour visual audio entrance system. The underpass should not be rendered and a surface demarking this area as private to discourage hostile behaviour. All windows and doors should meet the necessary PAS standards.

Kettering Borough Council - Housing Strategy

Housing Officers have been working with a number of developers and housing associations over the years to try and get this derelict site redeveloped. It has always been difficult to get a scheme that stacks up financially and is acceptable in planning terms.

We believe that the scheme Home Housing have developed now offers a opportunity to turn around this site and develop some much needed affordable housing in a central location.

Our affordable housing completion levels have been dropping, from a high of 243 new affordable homes in 2008/9 to just 100 new affordable homes completed last year. We welcome the opportunity to work with housing association partners on these windfall led schemes as they are unlikely to be brought forward by a private developer, as has been the case with a number of high profile brownfield sites within the town centre over the past few years.

Home Housing are contributing over £1m of their own resources into this development as well as securing over £560,000 grant from the Homes and Communities Agency. A requirement of this grant is that Home must achieve a 'start on site' by the end of the financial year or else this money is lost. We are unlikely to achieve this level of funding again (which amounts to circa £31k worth of grant per unit) as average grant levels are now closer to £24k per unit. This site is unlikely to be feasible for anyone else to develop any time soon without considerable internal resources.

The development will provide for 18 x 1 bed homes, including a couple of wheelchair accessible ground floor properties which are much welcomed. Currently over 65% of our keyways applicants would qualify for 1 bed accommodation and this remains an over-riding need when only around 25% of our stock is made up of one bed provision. 34% of applicants have a ground floor need due to mobility issues – thus this scheme would help to meet some of this need.

In terms of the car parking provision 62% of those households on our register requiring 1 bed accommodation have no cars within the household – therefore the need is not as great for the levels of parking provision that would usually be sought.

Environmental Health

20/01/2015 – No objection subject to conditions and notes with regards to the requirement for the Construction Method Statement, contaminated land and acoustic separation.

Joint Planning Unit

The amendments made by the applicant are satisfactory, subject to conditions regarding external surface materials inc doors and windows, surface materials for the parking areas and shared space drive and front boundary treatment.

Neighbours

No letters have been received from neighbouring properties to date. The Consultation period ends 2nd March 2015. If any responses are received they will be reported to Members of the Planning Committee through the update.

5.0 Planning Policy

National Planning Policy Framework (NPPF)

Paragraph 17

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

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 6. Infrastructure delivery and developer contributions

Policy 7. Delivering housing

Policy 9. Distribution and location of development

Policy 13. General sustainable development principles

Policy 14. Energy efficiency and sustainable construction

Policy 15. Sustainable housing provision

Local Plan

Policy 35, Housing within towns

SPGs

Sustainable Design SPD

Biodiversity SPD

6.0 Financial/Resource Implications

The granting of outline permission was subject to a Section 106 agreement which required the following:

- The development to be 100% affordable housing
- Library contribution of £116 per dwelling
- Fire and rescue contribution of £92 per household
- £1,181 required for enhancing community infrastructure off site (open space £1,045 and community facilities £135)

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Access and car parking
3. Layout, Scale and Appearance
4. Amenity
5. Energy efficiency and sustainable construction

1. Principle of Development

Outline planning permission was granted in January of this year for demolition of the former cinema and erection of 18 no. 1 bed flats. The cinema has since been demolished. The previous application reserved all matters to be considered at this stage (Access, Layout, Scale and Appearance).

The application site is located on a primarily terrace street within the town boundary of Kettering. The proposal is therefore considered acceptable in principle, in accordance with Policy 1 of the CSS and Policy 35 of the Local Plan for Kettering Borough.

2. Access and car parking

Policy 13 (d) of the CSS requires all new development to have a satisfactory means of access and provide for car parking, servicing and manoeuvring in accordance with adopted standards; and (n) requires that new development does not impact the highway network nor prejudice highway safety.

The Highways Authority initially objected to the proposal on the grounds that the proposed separate vehicle and pedestrian accesses into the site were unacceptable and the access was also unacceptable in terms of gradient and visibility. They also raised concerns over manoeuvrability within the application site and the suitability of the bin storage. The applicants have since revised the plans and addressed the highways concerns, subject to the imposition of conditions proposed by the Highways Authority with regards to visibility, access width, gradient and alignment.

The applicants have provided tracking details to demonstrate manoeuvrability in and out of the sites proposed car parking spaces, which have been reduced from six spaces to two spaces. The applicants state that the remaining two spaces are necessary to serve the proposed disabled units located within the application site. The number of car parking spaces within the site has been reduced on the advice of the case officer. The site is a constrained site and allows for limited amenity space for occupants, this is further discussed below. The scheme is for 100% affordable housing for 18, much needed one bedroom units. Car ownership in affordable units is usually very low. Although, the site is located off a busy terrace street where cars often park either side of the street, it is not considered that the number of cars likely to be generated from this affordable housing scheme would put significant pressure on on-street parking to warrant refusal of permission on this basis. The site is also located in walking distance to the town centre, shops and services as well as bus and rail links. The Highways Authority has removed their objections to the scheme on the basis of the revised access and car parking and the application is therefore considered in accordance with Policy 13 (d and n) of the CSS.

3. Layout, Scale and Appearance

Policy 13 (a) of the CSS states that new development should incorporate flexible designs for buildings, including access to amenity space . . . and to take account the needs of all users; and (h) be of a high standard of design. Policy 7 of the NPPF states that good design is a key aspect of sustainable development, which is indivisible from good planning . . . it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings.

The plans showing the external appearance of the building have been amended. Previously, the ground floor included recessed doorways of approximately 2 metres, which would create a security issue encouraging loitering within doorways. The terrace properties on the opposite side of the street have recessed doorways and abut the pavement. Although, this is a design feature of the street, this recess is much shallower than originally proposed by this scheme. The proposal has therefore been amended so this recess is less than 50cm in accordance with Northamptonshire Police advice.

The proposed units are to be set back from the edge of the pavement approximately 90cm. Traditionally, in this area terrace properties generally abut the pavement. However, new development to the west of the application site is set back from the highway with a brick wall to the front boundary. This proposal would be on the same building line as this neighbouring development and a front brick boundary wall can be conditioned to create some enclosure in the street. Subject to some capping on the brick wall to prevent rubbish being left on the wall or people sitting on the wall, as advised by Northamptonshire Police, this is considered acceptable and would not unduly impact the character of the street scene.

Originally, the first floor of the proposal was to be set back and constructed of an alternative material. The proposal is located within a primarily terrace street where uniformity in material, building line and structure is common. On this basis it was recommended that the building be flush fronted and constructed of matching materials. The plans have been amended according. On this basis the appearance of the building is considered acceptable and in accordance with Policy 13 (h) of the CSS.

The applicants have amended the originally submitted plans to address officer concerns raised with regards to the site layout and the design of the building. As the site is a constrained site, the proposed design leaves little outdoor amenity space for 18 units. On this basis the outdoor space needs to be well designed so it is useable space. The use of attractive hard-standing, softened with some good quality trees and the removal of internal boundary treatment was suggested to maximise space and create an open feel. The applicants have amended their proposal to remove internal boundary walls, relocate the proposed cycle storage, remove planting beds, which reduce useable external space and offer little landscape or ecological value, replaced with more appropriate planting. The proposed black top tarmac and yellow cross-hatching has also been replaced with block paving to demarcate private areas and car parking. This has greatly improved the layout of the external space to the benefit of future occupants.

The proposed cycle storage has been increased in size to accommodate 12 cycles. The applicants have stated that additional cycle storage is possible within the entrances to the flats, although these entrances are shared so the security of this is questionable. However, units 2 to 6 could possibly store a cycle within their properties as they are at ground floor level and accessed directly off the street. Given that 2/3 units are for disabled users then the proposed level of cycle storage is considered acceptable on this basis.

Concerns were raised about the suitability of the bin storage originally proposed. An amended plan has been received to show that the amended bin store can accommodate suitable bin storage to adequately serve the proposed units.

There is a condition on the outline approval restricting the development to 18 units, and that the dwellings should be a maximum of two and a half storeys. The proposal is considered to be in accordance with these conditions and the revised design is similar to that of the neighbouring development. Subject to conditions with regards to materials and hard-standing, as well as appropriate boundary treatment as discussed above, then the proposal is considered acceptable and in accordance with Policy 13 (a and h) of the CSS. As these conditions have been applied to the outline planning permission therefore there is no requirement to repeat them on any subsequent reserved matters approval.

4. Amenity

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

Proposed first and second floor windows on the western elevation of the building have been removed to prevent overlooking of rear gardens of properties to the west. There is a bathroom window on the first floor western elevation, which remains. A condition can be added to require this to be top opening and obscure glazed to protect the amenity of neighbouring properties to the west. Likewise there are two side bathroom windows in the eastern elevation of the proposal, similar conditions can be applied to protect the amenity of neighbouring properties to the east. There would be over 19 metres from the main block of the building and any windows in its rear elevation to the rear elevations of properties off St Peters Avenue to the south of the application site. This is considered an unacceptable distance for facing windows. The southern elevation of Flat 7 is approximately 7.5 metres from the rear elevation of number 123 St Peters Avenue. There are no windows proposed in this first floor elevation. On this basis the proposal is unlikely to have a significant impact on the amenity of number 123 St Peters Avenue or other surrounding residential properties.

Environmental Health has proposed conditions requiring a construction method statement to be submitted to protect the amenity of surrounding neighbouring properties and a note for acoustic separation of each of the flats. An acoustic separation note can be applied to any subsequent approval. There is already a requirement to submit a Construction Management Plan on the Outline Planning Permission (condition 18). No further condition is therefore considered to be required. Environmental Health also suggested a contaminated land condition to protect the amenity of future occupants, again there is already a suitably worded condition on the outline consent (condition 7). The proposal is therefore considered in accordance with Policy 13(l) of the CSS.

5. Other Matters

Conditions applied to the outline permission cover the requirement for suitable bin and cycle storage, full details to be submitted, surface water flooding and drainage, finished floor levels, boundary treatments, materials and hard-standing, energy efficiency measures and external illumination. A further condition for landscaping is considered to be required to ensure a suitable landscaping scheme is applied to the outdoor space.

Conclusion

The proposed development will provide 18 much needed one bedroom affordable units. The Access, Layout, Scale and Appearance are all considered acceptable and in accordance with the relevant Development Plan and National Policies. The application is therefore recommended for approval, subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Rebecca Collins, Development Team Leader on 01536 534316

Previous Reports/Minutes

Ref:

Date: