

BOROUGH OF KETTERING

Committee	Full Planning Committee - 30/06/2015	Item No: 5.11
Report Originator	Alan Davies Development Officer	Application No: KET/2015/0431
Wards Affected	Desborough St. Giles	
Location	135 Rothwell Road (land at), Desborough	
Proposal	s.73 Application: Variation of condition 13 of KET/2013/0384 in respect of Aboricultural Survey & Report	
Applicant	Ms T Baker Green Bean Development Co 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 not be carried out other than in accordance with the approved plans and details shown on drawing numbers 9856/02C received 22/10/2014 and GRE2691WD001D received on 26/05/2015.

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

2. There shall be provided for each dwelling either garaging and /or hardstanding for the parking of vehicles clear of the highway, and such provision shall be shown be in accordance with the layout plan submitted with this application (reference GRE2691WD001D), and shall be provided prior to the occupation of the dwellings. The completed parking provision for each dwelling shall be retained, as approved and kept permanently for parking purposes thereafter.

REASON: To ensure adequate vehicular parking provision within the site in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The development shall not be carried out other than in accordance with the recommendations contained within the Ecological Survey dated June 2013 submitted with application KET/2013/0384. The development shall be carried out in accordance with the recommendations of the approved survey only and shall be retained as approved in perpetuity.

REASON: In the interests of providing a net gain in biodiversity in accordance with Policy 5 of the North Northamptonshire Core Spatial Strategy.

4. This consent grants outline permission for up to 4 houses only.
REASON: In the interests of ensuring high quality development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0431

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

3.0 Information

Relevant Planning History

KET/2015/0247 – Non-material minor amendment in respect of KET/2014/0575: extension of onsite car parking for plot 1. Approved 17/04/2015.

KET/2014/0575 – Appearance, landscaping, layout and scale details in respect of KET/2013/0384. Approved 04/11/2014.

KET/2013/0384 – 4 no. houses with new access. Approved 01/08/2013.

Site Description

Officer's site inspection was carried out on 03/06/2015.

The application site lies on the eastern side of Rothwell Road and close to the very southern edge of the town of Desborough. The application site lies just within the town boundary and formed part of the existing garden to a 3 storey detached dwelling. Planning permission was granted in 2013 to develop the site for four dwellings and at the time of the Officer's visit the dwellings were half built. The site slopes from north to the south and also from west to east and it is bounded by a mix of mature planting and wire mesh fencing. At present there is no boundary between the application site and existing dwelling which retains part of the garden to the north and west of the site. The area which is the focus of this application is a set of Lawson's Cypress trees and Ash trees interspersed with each other and located on the boundary of the site and the neighbouring site. Due to the level at which the two plots to the north have been constructed these trees now tower over the future back gardens of these two plots due to the difference in land levels.

Proposed Development

Variation of Condition 13 of KET/2013/0384 in respect of Arboricultural Survey and Report.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Town Council

Awaiting update.

Neighbours

One response from a neighbouring resident has been received which objects to the removal of the Lawson's Cypress trees, but not the Ash trees. The objection states that the Arboricultural Report makes no mention of the Cypress trees being in poor condition and adds that it states that they "have a modest degree of merit as a public visual amenity." The report also states that "They have a minimum life expectancy of 20 years ..." and "... that they are worthy of a Moderate (B) Category." The removal

of the Ash trees that are currently alongside them will probably enhance the growth of the Lawson's Cypress, improve their quality and increase their life expectancy.

The trees provide a useful screen between the site and the neighbouring properties in Rothwell Road and do make a positive contribution to the appearance of the area. They also provide a screen and will be of public benefit to the communities in Roman Way and Wilton Close who are on raised ground and overlook the site across the Dams fields. Over thirty trees have already been removed from the site exposing it to the communities in Kenmore Drive and Millholm Road as well as to travellers on the main road from Rothwell.

The large roofs and upper brickwork will still be clearly visible to the neighbouring properties which are on raised ground and overlook them. From the lounge and conservatory windows of 93 Rothwell Road it is already possible to see the upper structures of the two houses that are nearly complete. The two northerly houses will be even more obvious, particularly with no screening.

5.0 Planning Policy

National Planning Policy Framework

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Policy 11. Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements

Policy 9. Distribution & Location of Development

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Policy 15: Sustainable Housing Provision

Local Plan

35. Housing: Within Towns

SPGs

North Northamptonshire Sustainable Design SPD

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Removal of group of Lawson's Cypress and Ash trees on the north western boundary of the application site

In granting outline planning permission in 2013 for the construction of 4 dwellings on land to the south of 135 Rothwell Road a condition was imposed which states that 'the development shall not be carried out other than in accordance with the recommendations contained within the Arboricultural Survey and Report dated May 2013 submitted with the application and all trees to be retained shall be protected during construction by fencing in accordance with the report'.

Having reached the halfway point of construction it has become apparent that the sheer scale and proximity of the group of Lawson's Cypress and Ash trees, combined with the topography of the site, will result in very claustrophobic rear gardens for the two properties to the north of the site. In addition, the height of the trees means that should they fall they will cause severe damage to the approved dwellings. The applicant has therefore applied to remove this group of trees and have the boundary between the rear gardens and the land to the northwest as a 1.8 metre high boundary fence, as approved.

The group of trees are not protected, they are not within Desborough Conservation Area, they are not visible from the public realm and they are not in a good condition, as inspected on 17/06/2015 during the Officer's site visit. The Arboricultural Report from May 2013 states that this group of trees is of moderate quality. It is considered that due to the relatively poor quality of this group of trees permission should be granted for their complete removal as they are of no public benefit and there are no restrictions on their removal once the dwellings are occupied; and neither should there be as they do not merit protection by a Tree Protection Order.

A neighbouring resident has objected to this proposal, although as his correspondence states he does not object to the removal of the Ash trees, rather the removal of the Lawson's Cypress trees. The reason for retention of the Lawson's Cypress trees he gives is that 'they provide an excellent screen to maintain the visual amenity of the site. The complete removal of the trees would expose the brick and tile structures of the new houses to the neighbouring community'. Whilst this objection is a material planning consideration it would be wholly unjustified for the Local Planning Authority to refuse this application on the basis that a proportion of the roofs of the approved dwellings would be visible from the land to the northwest, or further afield.

In addition, boundary treatment of a 1.8 metre high fence has already been approved in this location which will, in combination with the lower ground level of the 4 dwellings, continue to ensure that they do not have an uncharacteristic or overbearing impact upon neighbouring properties. It is therefore considered that the removal of Condition 13 of permission KET/2013/0384 and the subsequent replacement with a condition requiring the development to be constructed in accordance with drawing GRE2691WD001D will ensure that the scheme continues

to accord with Policies 6, 7 and 11 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Conclusion

The proposal will have a minor impact upon an already approved scheme in that it will remove some moderate quality trees from a single part of the site boundary. Residential amenity or the character and appearance of the area will not be detrimentally impacted whatsoever as a result of the removal of Condition 13 from KET/2013/0384 and therefore permission for this proposal should be granted.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: