

BOROUGH OF KETTERING

Committee	Full Planning Committee - 25/08/2015	Item No: 5.8
Report Originator	Marie Down Development Officer	Application No: KET/2015/0554
Wards Affected	Slade	
Location	Rookery Cottage Care Home, 5 Church Way, Thorpe Malsor	
Proposal	s.73A Retrospective Application: Creation of patio area to rear and proposed new parking layout	
Applicant	Mr D Bass	

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. Within one month of the date of this planning permission the parking layout and turning area shall have been provided in accordance with approved drawing number 2015/1/ENFO received by the Local Planning Authority on 02/07/2015. The two garages and four parking spaces together with the turning area shall thereafter be permanently retained.

REASON: To ensure that adequate parking and turning space is available within the site in the interest of highway safety in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0554

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

3.0 Information

Relevant Planning History

KE/2004/1054 – Change of use from care home to 4 no. dwellings – Approved

KE/2004/0687 – Change of use of care home to 3 no. dwellings and extension to detached garage to form 1 no. dwelling – Refused

KE/1996/0587 – Demolition of small single storey wing and construction of new two storey extension – Approved

KE/1996/0584 – Extension to sheltered accommodation for the elderly – Approved

KE/1991/0065 – Extension to existing residential care home – Approved

KE/1990/0675 – Erection of garage with office over – Approved

KE/1989/1126 – Additional minor alterations – Approved

KE/1989/1125 – Externally illuminated name board for residential home – Approved

KE/1989/1037 – Demolition of front wall – Approved

KE/1989/0804 – Kitchen extension and covered way – Approved

KE/1988/0845 – Lowering of garden wall – Approved

KE/1988/0207 – Change of use to aged persons residential care home – Approved

KE/1987/0857 – Change of use to aged persons residential care home – Approved

KE/1985/0664 – Garage and extension to house – Approved

Site Description

Officer's site inspection was carried out on 17/07/2015. The application site is located on the southern side of Church Way, within the confines of Thorpe Malsor and its Conservation Area. The application site comprises a stone building fronting the highway which is currently in use as a residential care home for the elderly. There is a vehicular access to the east of the site which leads to a car parking area to the rear. A patio has been constructed to the rear of the building to provide amenity space for the residents of the care home. A stone built dwelling, converted from a garage, and occupied by the owners of the care home is positioned in the south eastern corner of the site. The site is adjoined by No. 3 Church Way to the east, while to the south and west the site is adjoined by a wooded area which is within the grounds of Thorpe Malsor Hall.

Proposed Development

This is a retrospective application for the erection of a patio to the rear of the care home and also includes a new parking layout to the rear.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Parish Council

Parking at the rear of the property should be observed as set out in the original application. Church Way is frequently blocked by indiscriminate parking.

Neighbours

3 Church Way:

- Objection.
- The proposed parking layout reduces the parking at the rear of the site and will lead to congestion on Church Way.
- This will impede access to No. 3, will reduce light to the property and will limit pedestrian access to pavements.
- Increased parking on Church Way will restrict pedestrian/driver visibility and increase the risk of pedestrians walking on the roads.
- Cars parking on Church Way will have a noise impact and will impact on privacy to No. 3 which is a low set property.

8 Church Way:

- The parking arrangements for staff and visitors at the site are severely inadequate and parked cars of Church Way obstruct vision and access to the driveway of No. 8.
- When the care home opening parking provision to the rear of the site was included to the plans, this is now forgotten and the patio area reduces the already inadequate parking area.

18 Church Way:

- The original planning approval at the site stipulated that parking should be to the rear of the premises and was one of the conditions set out. This has never been observed and as a result the driveway to No. 18 is often blocked.

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

Local Plan

Policy RA3 – Rural Area: Restricted Infill Villages

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 confines of Thorpe Malsor which is identified as a Restricted Infill Village by Policy RA3 of the Local Plan. The application seeks retrospective permission for the erection of a patio to the rear of the care home and also seeks consent for a new parking layout to the rear. National policy and policies in the Development Plan supports additions and alterations to properties provided there is no adverse impact on character and appearance, neighbouring amenity or highway safety. The proposal is therefore 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, architecture and landscaping and to respect and enhance the character of its surroundings. As outlined above the application site is located within Thorpe Malsor's 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 the Conservation Area. This is supported by Policy 12 of the NPPF.

The proposal seeks retrospective consent for the erection of a patio to the rear of the care home. The patio extends 4 metres from the rear elevation of the care home and a length of approximately 8.1 metres. Given the level changes to the rear of the site the patio is constructed of 0.9 metre high brick walls topped with timber balustrading and laid with artificial grass. The patio provides amenity space for the residents of the care home as previously the rear of the site was laid with hardstanding. Given the works are to the rear of the site and will not be visible from the public realm it is considered that the proposal will not have an adverse impact on the character and appearance of the property, the surrounding area or the wider Conservation Area. Equally the proposed car parking layout will not have an adverse impact and as such it is considered that the proposal 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. The application site is adjoined by one dwelling to the east, No. 3 Church Way, and by a wooded area within the grounds of Thorpe Malsor Hall to the south and west. The patio is located approximately 10.5 metres

from the boundary with No. 3 Church Way and this boundary is marked by the blank side elevation of No. 3 and a high level stone wall. As such the proposal will not impact on neighbouring amenity in terms of overlooking or loss of privacy. The patio is approximately 32 square metres in size and provides amenity space for the residents of the residential care home for the elderly. Given its limited size it is considered that the use of the patio will not generate a significant level of noise disturbance. The patio area is located approximately 6 metres from the front elevation of 5A Church Way which is located in the south eastern corner of the site. This property falls within the red line of the application site and is occupied by the owners of the care home and as such it is considered that the patio will not have a significant adverse impact on the amenity of the occupiers of No. 5A. Therefore, 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 result in an adverse impact on the highway network or to prejudice highway safety. As outlined in the planning history above planning permission for the change of use to a residential care home for the elderly was granted via KE/1987/0857 and KE/1988/0207. Given the development that has taken place on site since this time it is not evident which permission was in fact implemented. However, Condition 2 of KE/1987/0857 required the parking and manoeuvring facilities indicated on the approved plans shall be provided before the development is brought into use and shall be permanently set aside and reserved for such purposes. Similarly Condition 4 of KE/1988/0207 required the parking arrangement to be provided and permanently retained. The approved plans associated with these permissions indicate that nine spaces were to be provided on site in various layouts.

A double garage with office space over was subsequently erected in the south eastern corner of the site via KE/1990/0675. In 2004 planning permission was granted via KE/2004/1054 for a change of use of the care home to 3 no. dwellings and the conversion of the office space over the garage, plus an extension, to 1 no. dwelling. The approved plans indicate that six parking spaces would be provided on site – two retained in the double garage and four between the extension to the garage and the existing building. Condition 4 of the permission required this parking area to be provided in accordance with the approved plans and to be permanently retained thereafter. However, while the change of use of office space and the extension to the garage was implemented the care home was not converted to 3 no. dwellings.

As a result of the part implementation of this planning permission there is no specific parking layout which should be maintained at the site. The erection of the patio to the rear of the site has resulted in the loss of some parking space but the proposed layout will provide for six spaces to the rear of the property. Following discussions with the applicant it appears that three members of staff are on site at any one time with thirteen residents cared for. The applicant has advised given the nature of the care they provide visitors to the care home number between two and three per day with visits typically lasting between 30 minutes to one hour. As such it is considered that the provision of six parking spaces is sufficient for the residents of No. 5A Church Way and staff members of the care home. Furthermore, there are no parking standards specified in planning policy and the new parking layout with clearly

defined spaces will facilitate parking to the rear and should result in the removal of staff parking on Church Way. It is acknowledged that visitor parking may take place on Church Way but the removal of staff parking will ease congestion on the street. At the time of the Officer's various visits to the site a number of vehicles have been parked on Church Way but there is no evidence that all of this parking is associated with the care home. Furthermore, it is considered that the provision of six spaces to the rear of the property is acceptable and although three spaces have been lost since the change of use to the care home was originally permitted it is considered that the benefits of providing amenity space for the residents of the care home outweigh the loss of these spaces particularly given staff numbers are limited to three at any given time and given the infrequent number of visitors to the site. A condition will be applied requiring the parking layout to be implemented within one month of the date of the planning permission and to be permanently retained thereafter.

Conclusion

The proposal complies with national policy and policies in the Development Plan. It raises no adverse impacts in respect of character and appearance and neighbouring amenity. The proposed new parking layout will provide six spaces to the rear of the property and this is considered an acceptable level of parking given the nature of the use, staff numbers and visiting patterns. The application is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Marie Down, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: