

BOROUGH OF KETTERING

Committee	Full Planning Committee - 09/02/2016	Item No: 5.2
Report Originator	John Hill Development Officer	Application No: KET/2015/0970
Wards Affected	St. Michaels and Wicksteed	
Location	42 Headlands, Kettering	
Proposal	Full Application: Change of use of office to 5 no. two bedroom flats including alterations to car park	
Applicant	Trustees Of Berrys SIPP	

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. Prior to first occupation of the development hereby approved a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the first occupation of the building, unless these works are carried out earlier. 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.

3. Prior to the first occupation of the development hereby approved details of the design and location of the waste bin storage area serving the development shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be provided in full before the first occupation of any flat hereby approved and retained as approved at all times.

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

4. Prior to the first occupation of any of the flats hereby approved the existing front boundary wall to the north of the existing vehicle access shall be reduced to a maximum height of 0.6m and thereafter retained at that height or less at all times.

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

5. The windows to all the bathroom/wc's to Flats 1 and 4 in the north elevation shall be glazed with obscured glass in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority 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 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0970

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

3.0 Information

Relevant Planning History

KET/2015/1036 Single storey rear extension and increase in parking facilities. Not yet determined.

Site Description

Officer's site inspection was carried out on the 21st January 2016.

42 Headlands, originally a substantial detached residential property but which was converted to offices in the 1970's, sits on the west side of the Headlands between Queensbury Road to the north and The Crescent to the south. It comprises three floors and has been substantially extended over the years, which has resulted in a number of differing floor levels within the property. It is an imposing building built of red brick with the original slate pitched roof over.

The plot is very deep being in excess of 50m and is the deepest in this part of Headlands. There is an existing car park to the rear providing 33 parking spaces, which is accessed via the drive that runs to the north of the property directly off Headlands. The rear also includes a relatively large soft landscaped area with some mature trees on the periphery.

The neighbouring properties to the north and south are respectively a large detached bungalow (no.40) and a large semi-detached dwelling (no.44). The rear of the plot also shares its boundaries with plots on Queensbury Road to the north and The Crescent to the rear (west).

Proposed Development

The proposal is to convert the existing property without external alteration to provide 5 x 2 bed flats over three floors: one in the basement, two on the first floor and two on the second. Access to Flat 1 would be from the existing access to the front of the building which forms the current main access to the offices. Access to the remaining flats is proposed from a single access point to the rear of the building.

The proposal also includes a reduction in the size of the existing parking area to provide 14 parking spaces resulting in an increase of land available to be laid to soft landscaping.

Any Constraints Affecting the Site

Kettering Conservation Area

4.0 Consultation and Customer Impact

County Highways

No Objection subject to conditions

Neighbours

59 Headlands – Object. Don't object to returning the use back to residential from office. Do object to having a bin storage area in the front garden in what is a conservation area. Plenty of room at the rear for bin storage. Headlands is now a very busy road and urge consideration of speed restrictions and parking regulations.

57 Headlands – Object. Object to the proposed bin storage area in the front garden. It is unnecessary and will be unsightly in the conservation area. Bins should be located to the rear of the property where the disposal of any waste by future residents will be out of public view and those of residents opposite.

40 Headlands – Object. Consider the proposal inappropriate development within a conservation area. Consider it contrary to the `Kettering Town Centre Area Action Plan', which seeks to maintain single occupancy residential accommodation in this location. Allowing subdivision into flats will lead to potential applications for infill development behind the property. Concern regarding loss of privacy to rear garden area. Windows from Flat 4 overlook property. As offices they are only occupied during working hours.

44 Headlands – Object. Consider the proposal inappropriate development within a conservation area. Consider it contrary to the `Kettering Town Centre Area Action Plan', which seeks to maintain single occupancy residential accommodation in this location. If permitted concerned about future applications to the rear of the property. Currently 33 parking spaces that will be increased to 50. Loss of trees could lead to overlooking of rear garden from balcony at rear that would serve Flat 5. There are numerous examples of large properties that have been converted back to single occupancy residential.

35 The Crescent – Concern regarding loss of privacy and noise nuisance and disturbance. A number of trees shown on the block plan have been removed in the last 3 months including two conifers located on the boundary. The loss of trees has enabled overlooking of the rear of their property from the rear of no.42. There is a change in elevation between the two properties with no. 42 higher. There are views available from the second floor windows and third floor balcony allowing views directly into the rear of their bungalow. Property currently used primarily between 8.30am and 6.00pm. Lost privacy during business hours only. If converted into flats residents on the second floor and third floor will have clear view of our garden and living bedrooms at all times. Change of use to residential will result in cars coming and going at all hours compared to primarily business hours at the moment. The reduced parking area shows a green space next to the boundary which is important to them. Conservation aspect of the area will be further eroded with ever expanding urbanisation and the removal of trees. Refer to other current application for an office extension.

5.0 Planning Policy

National Planning Policy Framework

Core Planning Principles

Part 6 Delivering a wide choice of high quality homes.

Part 12 Conserving and enhancing the historic environment.

Development Plan Policies

North Northamptonshire Core Spatial Strategy (CSS)

Policy 13: General Sustainable Development Principles

Kettering Town Centre Area Action Plan 2011 (TCAAP)

Policy 12 Heritage Conservation and Archaeology

Policy 24 The Headlands Quarter

Other Documents

Kettering Conservation Area (Review 2007)

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 and Appearance of Kettering Conservation Area.
3. Residential Amenity
4. Highways
5. Bin Storage

1. Principle of Development

The application site is located within an established built up area of Kettering, which historically was a predominantly residential area but over the years has seen the introduction of a variety of non-residential uses.

Policy 24 (Headlands Quarter) of the TCAAP states:

The primary focus of this quarter will be on retaining and enhancing the residential character and use of the area. The focus of new A2 and B1 uses will be within the Station Quarter (Policy 20) and on the upper floors within the Primary Shopping Area (Policy 3).

New development proposals will only be considered acceptable where:

- i) the residential character of the area is maintained and the proposal does not involve the redevelopment, infilling or the sub-division of a properties curtilage; and
- ii) the external residential character of the property is retained and any changes to the external appearance are sympathetic to the building; and
- iii) they retain and where appropriate enhance the landscape setting of the area: and
- iv) single points of vehicular access are retained; and
- v) access points are not widened where this results in the removal of historic railings and boundary walls; and
- vi) single entrance points to the building are retained and remain the primary focus of the building; and
- vii) they accord with the heritage principles set out in Policy 12

The proposal relates to what was originally a dwelling but which has now been used as an office for many years and has been substantially extended which has eroded the buildings residential character. The application is to change the use of the existing building as it exists and does not involve any redevelopment, infilling of the site nor subdivision of the curtilage. The only operational development associated with the proposal is a reduction in the size of the existing parking area to the rear of the property which is a positive measure.

As stated above the external residential character of the property has diminished over the years with the office extensions although its return to residential use will redress this to a degree. There are no changes to the external appearance of the building.

The proposal affords the opportunity to enhance the landscaping to the rear of the site where recently a number of trees have been removed through the reduction in the size of the parking area.

The single point of vehicular access is to be retained and there is only to be small alteration to part of the existing boundary wall to facilitate better visibility at the entrance.

The single entrance point into the building at the front of the property is to be retained to serve Flat 1. The remainder of the Flats are to be served from a single access point to the rear of the building.

In these circumstances the proposal is in accordance with Policy 24 of the TCAAP.

2. Impact on Character and Appearance of Conservation Area

Policy 12 of the TCAAP requires that new development will preserve or enhance the existing historic environment in terms of a number of criteria including buildings which form an integral part of the designated Kettering Conservation Area and their settings. This is consistent with the requirement laid down by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that Local Planning Authorities pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in the determination of planning applications. Policy 13(o) of the CSS also requires need development to conserve and enhance the historic landscape designated built environmental assets and their settings.

The Headlands is a fine example of substantial residences built by the wealthy industrialists and merchants of Kettering primarily between the 1870's and 1900s. As well as it being characterised by the residences themselves many mature trees add to the leafy appearance of the area. However the road over the years has seen an influx of a number of commercial uses as the demand for large properties as single dwellings has diminished as has happened with the no.42 becoming an office use and the building having been substantially extended to accommodate such a use.

The proposed use, albeit flats sees the use of the building returning to one which can be viewed as having a positive impact on the character of the conservation area. Its overall size and internal configuration as an office do not readily enable the building to be easily returned to a single dwelling. In the absence of no proposed alterations to the building in particular the front elevation the proposed use will have a neutral impact although it will be evident through its internal occupation and through the use of domestic soft furnishings at for instance the windows that the building will be back in residential use, which again it is

considered will have a positive impact on the character and appearance of the conservation area.

The rear of the property will also benefit from the proposed reduction in the parking area by allowing additional soft landscaping to be re-introduced to what would have formally all have been garden.

The proposed development therefore will as a minimum have a neutral impact on the character and appearance on the conservation area and in some instances will enhance the character and appearance and therefore is in accordance with Policy 12 of the TCAAP and Policy 13(o) of the CSS.

3. Residential Amenity

Policy 13(l) of the CSS requires new development not to have 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.

The only issue arising out of the proposal is potential overlooking that will arise for the neighbouring residential properties numbers 40 and 44 both of whom have objected to the proposal in part on these grounds.

Having regard to no.40, the detached bungalow to the north, this property is already overlooked from windows in the north elevation of the building that are occupied as offices. There are two proposed flats that would have windows on the north elevation looking towards no.40 of which overlooking would be greatest from Flat 4 on the first floor. However whilst there are 4 windows on this elevation two are proposed to serve bathroom/wc's and can be conditioned to be obscure glazed with the remaining 2 serving a single bedroom. This is considered acceptable having regard to the nature of the occupancy of such a room and also even if the property were returned to single residential occupancy the room could be a bedroom.

To a lesser degree overlooking will be possible from Flat 1, which sits below Flat 4 as a result of the relatively high floor levels on the ground floor of the building compared to the ground level of no.40. However there is a high brick wall which forms the boundary between the two properties and a number of the 5 windows in the north elevation of the flat are towards the front of the property and will look towards the front garden or the side of the house at no.40. Of the 3 windows towards the rear one will serve a bathroom/wc which can be obscure glazed leaving again, as with Flat 4 above, 2 serving a single bedroom. This is considered acceptable for the same reasons as Flat 4 but also with the addition of the brick boundary wall providing a degree of privacy.

The occupier of no. 44, the neighbouring dwelling to the south, has objected on the grounds of potential overlooking down into their rear garden from the balcony that exists on the 2nd floor along that part of the rear elevation that extends up to the boundary with no.44. In particular this will serve solely Flat 5 and the concern is it will be used more intensively than if it were a single household occupancy. Whilst this is not disputed the balcony's use would only be associated with just one 1 x 2 bed flat with limited occupancy. If the property were occupied as a single household it is assumed, being a very large property, it would primarily attract a large household and the balcony could be used as intensively in that scenario as that of a 2bed flat.

Notwithstanding this there is a brick screen immediately at the end of the balcony adjacent to the boundary with no.44 and at the present time a number of mature conifer trees provide screening.

Having regard to the impact on no. 35 The Crescent this property backs onto the rear of no.42, the boundary between the two properties being some 39m away from the main rear elevation of no.42. It is acknowledged that a number of trees have been removed from the rear of no.42 but in planning terms this distance is acceptable and does not give rise to undue overlooking between the two properties. Notwithstanding this a landscaping condition will be attached to any consent and this can secure new tree planting close to the boundary with no. 35.

In the above circumstances the degree of impact on the amenity of the neighbouring occupiers is considered acceptable and the proposal is in accordance with Policy 13(l) of the CSS.

4. Highways

Policy 13(d) and (n) of the CSS requires new development to have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standard and not have an adverse impact on highway safety.

The proposed parking provision for the flats is 14 spaces at the rear, a reduction from 33 as existing. This is considered acceptable to serve the proposed number of flats. The use of the existing access is also considered acceptable for what could be a less intense use in terms of traffic movements. There is adequate visibility to the south and visibility to the north could be improved by reducing the height of a small length of wall to 0.6m, which can be conditioned. The Highway Authority have not raised any objection subject to conditions.

In the above circumstances the proposed parking and existing access with some minor alteration is in accordance with Policy 13 of the CSS.

5. Bin Storage

The supporting Statement submitted with the application referred to a proposed bin storage area in the front garden and a revised block plan was submitted detailing this proposal, the original submission not showing this. Officers considered this to have a harmful impact on the street scene and in particular the character and appearance of the conservation area and sought its removal. A revised block plan has been submitted detailing this and a condition will be attached to any permission requiring the design and location of any bin storage area to be submitted prior to its provision within the site.

Conclusion

The proposed development is considered compliant with the relevant policies of the Development Plan and therefore it is recommended that planning permission be granted subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

John Hill, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

