

BOROUGH OF KETTERING

Committee	Full Planning Committee - 05/04/2016	Item No: 5.2
Report Originator	Richard Marlow Senior Development Officer	Application No: KET/2016/0085
Wards Affected	William Knibb	
Location	Emanuel Evangelical Church, Shaftesbury Street, Kettering	
Proposal	Full Application: Conversion of church to 2 no. two bedroom flats	
Applicant	Clifford William Limited	

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 windows in the west elevation of flat 1 shall be glazed with obscured glass (no less than level 4 Pilkington Standard, or equivalent) and any portion of the window that is within 1.7m of the floor of the room where the window is installed shall be non-openable. The window shall thereafter be maintained in that form.

REASON: To protect the privacy of the adjoining properties and to prevent overlooking in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

REASON: Details of materials are necessary prior to the commencement of development in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Prior to occupation of the development hereby permitted, the vehicular access shall be provided and pedestrian visibility splays of at least 2 metres by 2 metres shall

be provided to the side of the vehicular access. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above footway level.

REASON: In the interest of highway safety and in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5. The parking spaces and refuse storage area hereby approved shall be provided prior to the first occupation of a residential unit and shall be permanently retained and kept available for the parking of vehicles and storage of refuse thereafter.

REASON: To ensure adequate on-site parking provision for the approved building and in the interests of local amenity and highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. Prior to occupation of a residential unit all garden and landscaped areas shown on the approved plans shall have a capping layer of soil (top and/or sub soils) to a minimum depth of 600mm in private residential gardens and 300mm in general landscaped areas. Prior to occupation a verification report shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate that the capping layers have been completed.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with policy 11 and paragraph 120 of the National Planning Policy Framework.

7. The development shall not be carried out other than in accordance with the Sustainable Design and Energy Statement - P2 received by the Local Planning Authority on 1st February 2016.

REASON: In the interests of energy efficiency and sustainable construction in accordance with policy 14 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2016/0085

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

3.0 Information

Relevant Planning History

KET/2015/0846 - Conversion of church to 3 no. flats. Refused 14/12/2015.

KET/1980/0634 – Construction of new roof to existing church. Approved 30/05/1980.

KET/1978/0216 – 2 dwellings. Refused 17/04/1978.

KET/1976/0541 – Alterations and extensions. Approved 18/06/1976.

Site Description

Officer's site inspection was carried out on 10/03/2016.

The site is located in Kettering town, approximately 1 kilometre east of the town centre. The site is within a predominantly residential area, although due to the historic nature of the area there is a mixture of building types and styles with a two storey red brick Victorian factory opposite the application site. The application site is an existing single storey church building constructed of red brick with a pitched roof above. To the east, and included within the application site, is a parking courtyard and vehicular access currently used by the occupants of the 4 apartments to the east of the church building.

Proposed Development

It is proposed to convert the existing church building into two separate dwellings. Alterations will be made the external appearance of the building and a shared amenity area will be provided to the south. The existing parking courtyard will be reconfigured so that both residents of the existing 4 flats as well as 2 proposed flats can park cars clear of the highway.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Highway Authority

Objection based on provision of a kerbed radii (bell mouth) junction and concerns that the pedestrian splay shall be clear of all obstructions above 0.6m.

Environment Health

No objection and have recommended conditions regarding refuse storage and a capping layer of soil in the garden area.

Neighbours

One objection from the neighbouring resident at no.46 to the west regarding overlooking from the proposed west elevation windows within flat 1 that will look directly into their dining room and study windows. They also consider that the parking provision is inadequate; the development will lead to more cars using the site and without sufficient parking on-site, more on-street parking. The resident has also objected to amended plans.

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 8. Promoting healthy communities

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements

Policy 7. Delivering Housing

Policy 9. Distribution & Location of Development

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

Local Plan

35. Housing: Within Towns

Emerging Joint Core Strategy

Policy 1 Presumption in favour of Sustainable Development

Policy 8 North Northamptonshire Place Shaping Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design, character and appearance
3. Impact on Neighbouring Amenity
4. Parking and Highway Safety
5. Contaminated Land
6. Sustainable Construction and Design

1. Principle of Development

The application site is located in an established residential area within the town boundary of Kettering as defined by Policy 35 of the Local Plan. At the heart of

the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development and for decision-making this means approving development proposals that accord with the development plan without delay. Paragraph 49 of Policy 6 of the NPPF requires applications for residential development to be considered in the context of the presumption in favour of sustainable development. Paragraph 17 of the NPPF encourages the effective use of land by reusing land that has been previously developed, provided it is not of high environmental value.

Policy 1 of the North Northamptonshire Core Spatial Strategy (CSS) directs development towards existing urban areas and identifies Kettering as a 'growth town'. This is supported by Policy 10 which identifies Kettering as a focal point for residential development. Policy 9 of the CSS states development will be distributed to strengthen the network of settlements as set out in Policy 1 and states priority will be given to the reuse of suitable previously developed land within urban areas, followed by other suitable land in urban areas. The principle of development for this proposal is therefore established subject to the detailed considerations set out below.

2. Design, character and appearance

Policy 6 of the NPPF requires local planning authorities to deliver a wide choice of quality homes. Policy 7 requires development to be of good design which is visually attractive, adds to the overall quality of the area and responds to local character while not preventing or discouraging appropriate innovation. 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.

The existing building is a small single storey building with a linear form and with the gable end facing onto Shaftesbury Street. There is a mixture of styles and periods of architecture surrounding the application site, although the closest property is no. 46 Shaftesbury Street, a bungalow with its gable end again facing the road. In terms of design therefore it will have the greatest visual impact upon Shaftesbury Street as a result of the alterations to the front (north) elevation. The proposal amends the existing fenestration on the building and introduces symmetrical window openings placed either side of the central main entrance. The existing scale and mass of the building is retained and overall the building appearance is improved when viewed from the public realm.

In conclusion it is considered that the appearance of the proposed conversion respects the character of the surrounding area and will be compatible within the wider street scene. The proposal, therefore, conforms to Section 7 of the National Planning Policy Framework and Policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

3. Impact on Neighbouring Amenity

Policy 13 (l) of the CSS states that development should not have an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The conversion to 2 flats is achieved within the existing built form, with elevational changes. An objection has been received from the neighbouring property to the west regarding overlooking into their property which would result from the ground floor side facing windows. The applicant has submitted a revised plan which shows the windows in the west elevation of flat 1 as being obscurely glazed. A condition will secure this. The proposal therefore accords with Policy 13 (l) of the CSS

4. Parking and Highway Safety

Policy 13(d) and (n) of the North Northamptonshire CSS requires that developments have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards and do not have an adverse impact on the highway network.

The site currently has vehicular access from Shaftesbury Street which leads to a shared parking court which is used by the existing 4 apartments adjacent to the site which are in the same ownership. The site is located within close proximity to the town centre, in an accessible urban location whereby alternative modes of transport to the car would be on offer. Four car parking spaces are to serve the 2 new units and the four existing apartments. Given the site location and relationship with the town centre it is considered in this case that the level of parking provision is acceptable.

A 4.8m width access serves the proposed parking with the area also accommodating a refuse area and covered cycle shelter. The highways authority has objected to the proposal having concerns about the bell mouth kerbs proposed at the entrance point and the lack of drainage. They have also commented about the height of the brick piers serving the low front wall but these are shown to be no more than 60cm in height on the proposed front elevation and as such accord with highways standing advice allowing appropriate visibility. The applicant has submitted revised plans to address the highways comments, including the removal of the bell mouth kerbing and provision of a linear drainage channel at the front of the drive, and these are currently being consulted upon. An update will be provided within the Committee update.

Subject to the confirmation from the highway authority it is considered that the proposal complies with Policy 13 (d) and (n) of the CSS.

5. Contaminated Land

Kettering Borough Council's Environmental Health Department was consulted on the proposal and have no objection to the application. They have advised that a capping layer of soil is provided within the proposed shared garden/amenity space and this will be secured through condition. Subject to this, the proposal is considered to be in accordance with Policy 11 of the NPPF.

6. Sustainable Construction and Design

Policy 14 (b) of the CSS requires development to meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. All developments should incorporate techniques of sustainable

construction and energy efficiency, provide for waste reduction/recycling and water efficiency and be in accordance with the requirements of the North Northamptonshire Sustainable Design SPD.

The applicant has submitted a Sustainability and Energy Statement, which demonstrates how the requirements of the CSS and accompanying SPD would be met by the development. Subject to a condition which secures accordance with this document it is considered that Policy 14(b) of the North Northamptonshire Core Spatial Strategy has been met.

Conclusion

The proposed development is considered to be in accordance with the relevant policies of the Development Plan and there are no material considerations which indicate planning permission should not be granted. The principle of development is established, there would be no unacceptable detrimental impact on neighbouring residential amenity and the design is appropriate. The application is recommended for approval, subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: