

BOROUGH OF KETTERING

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| Committee | Full Planning Committee - 21/04/2016 | Item No: 5.4 |
| Report Originator | Alison Riches Development Officer | Application No: KET/2016/0081 |
| Wards Affected | Welland | |
| Location | 1 School Lane (land rear of), Wilbarston | |
| Proposal | Full Application: Barn conversion to create 1 no. dwelling with two storey side and rear extension | |
| Applicant | Mr Wallis & Mrs D Brown | |

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. Due to the previous potentially contaminative use of the site and the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The

contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o ground waters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in

accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 11 of the National Planning Policy Framework.

3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, have been submitted to and approved in writing by the Local Planning Authority. Natural slate and stone shall be used where indicated on the submitted plans. The development shall not be carried out other than in accordance with the approved details.

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

4. The proposed solar panels are not hereby approved. No development shall commence on site until details of the solar panels have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary prior to the commencement of development in the interests of the visual amenities of the area and the character and appearance of the Conservation Area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Prior to first occupation of the development hereby permitted, a scheme for boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the amenity and protecting the privacy of the neighbouring properties in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. Before the development hereby permitted is begun, a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste reduction and recycling and provision for water efficiency and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

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

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, C, D, E and G of Part 1 of Schedule 2 of the Order shall be constructed, erected or made on the application site.

REASON: In the interests of the amenities of the area and to protect the character and appearance of the Conservation Area in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2016/0081

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

3.0 Information

Relevant Planning History

KET/2012/0038. Single storey rear extension and conversion of barn to habitable accommodation. Approved 12/04/2012.

Site Description

Officer's site inspection was carried out on 15/10/2014.

The application site is a detached two-storey late 19th/early 20th century stone dwellinghouse with a slate tile gable roof and chimneys at each end of the ridge, located in the Conservation Area to the northwest of Wilbarston village.

The dwellinghouse is symmetrical about a central front door with two-over-two white painted wooden sash windows and a canopy above the front door. The property is constructed of ashlar limestone on the front elevation and ironstone on the sides and to the rear. To the rear the dwellinghouse has dormer windows within the rear roof plane and has been extensively altered at ground floor level with a large single storey flat roofed L-shaped extension across the rear of the property. The extension was built in the mid 1970s and the fenestration for both the extension and rear elevation is white PVCu of a style and design appropriate to the 1970s.

Closely associated with the existing dwellinghouse, and within its curtilage, is a linear two-storey barn-style outbuilding built of ironstone with a slate tile gable roof. The building has been converted to provide an ancillary residential function and has two single garages inserted at ground floor level.

The dwellinghouse is set in a large L-shaped plot of land and sits back from the footpath in School Lane by approximately 1 metre. The front boundary treatment is a low ironstone wall with railings above and an access gate in line with the front door.

To the rear of the property the ground level varies. Immediately behind the dwellinghouse is a paved terraced area with steps leading up to the barn. To the east of the dwellinghouse and adjacent to the east elevation of the outbuilding is a lawned area, which is accessed by the steps, which is surrounded by boundary hedging approximately 2 metres in height. The east elevation of the outbuilding appears single storey in this location due to the raised ground level. To the south the ground level slopes downwards so the outbuilding becomes two-storey again. The remainder of the large rear plot has an undulating ground level and a variety of boundary treatments ranging from post and rail fencing, hedging and wooden panel fencing.

The site has vehicular access over land in the ownership of the adjacent neighbour at No.3 School Lane and in addition to the garages, there is a parking area adjacent to No.7 School Lane.

Surrounding development consists of a variety two-storey detached late 19th/early 20th century dwellinghouses, some are limestone with wooden sash windows, others are ironstone with wooden casement windows. Many of the properties abut the back of the highway edge and have off-road parking and there is some later backland residential development. The area is within the Wilbarston Conservation Area and there are a number of Grade II listed properties in the surrounding area, one being the Fox Inn at the junction of Church Street and Carlton Road.

Proposed Development

The original proposal was for the subdivision of the curtilage of No.1 School Lane and to convert the existing tow-storey outbuilding on site with a two-storey extension into a separate dwellinghouse, providing parking for both the existing and the new dwellinghouse.

Due to the access arrangements, amendments were made to the proposal to remove the dedicated parking for the existing dwellinghouse from within the site with the parking serving only the new dwellinghouse.

The proposal is therefore for the subdivision of the curtilage of No.1 School Lane and for the conversion of the existing outbuilding on site with a two-storey extension to create a new dwellinghouse with associated parking.

Any Constraints Affecting The Site

Within Wilbarston Conservation Area

4.0 Consultation and Customer Impact

Initial Consultation 17/02/2016

Wilbarston Parish Council

- **Objection.**
- The proposed wooden finish is inappropriate to the surrounding properties, the Conservation Area and the village.
- The location of the property will generate off-road pedestrian and vehicular traffic past the windows of 3/5 School Lane and the upper floor windows of the proposed design will overlook a conservatory and a frequently occupied study at 7 School Lane.
- It is not clear there is sufficient space to accommodate the additional parking required for a five bedroomed property without impacting adversely on the access to 7 School Lane.
- The existing access to the highway is difficult due to poor visibility. This is particularly true at drop-off and pick-up times for the nearby primary school when parked cars reduce the carriageway to single vehicle width. Additional vehicles using this access would represent an additional hazard.

Highway Authority

- **Objection.**
- Current access is substandard.
- Adding another dwelling, an intensification of use.
- The access is audited from first principles.

- Applicants comment that one of the current dwellings used to be two is not viable for the proposal as it has been one dwelling for some time and standards for access have changed since the site had the extra dwelling.
- Use of mirrors is not recommended as a solution to poor visibility as it does not give true depth or speed perception and it must be ensure that the mirror is not in the highway verge.

Environmental Health

- No objection.
- Subject to conditions relating to contaminated land and external plant in relation to any heat recovery or ground source heat pump.

Neighbours

7 letters of **objection** received. The material planning considerations are summarised below:

Character and Appearance and the Conservation Area

- The proposed dwelling is too large for the site and is not a straightforward conversion to extend and enhance the living accommodation of No.1 School Lane; it is a new building over two floors of approx. 250 sq. m created from a current garage outbuilding of approximately 105 sq. m, more than doubling the existing size increasing it by some 138%.
- The scale of the proposed development will mean the building will be highly visible by many surrounding properties, and the style and use of timber boarding is incongruous with other more vernacular building types and the Conservation Area.
- The Wilbarston Conservation Area Appraisal requires development to harmonise with its surroundings in terms of scale, materials, colour, size and overall appearance.
- The adopted Wilbarston Parish Plan clearly states that buildings should be sustainable, in keeping with the style of the village, parking must be a consideration, as on street parking is an issue, buildings on gardens and other infill would not generally be welcomed.
- The plans appear to show the demolition of an extensive tall stone wall to the right of the parking area which would constitute the loss of an attractive feature in the Conservation Area.
- KET/2010/0278 for a new dwelling was refused due to the scale, design, increased traffic and access onto School Lane.

Residential Amenity

- (No.7 School Lane). The study on our northeast elevation will look directly onto the new extension and what will presumably be a new terraced area on the southeast side of it. The new dining and living rooms both have opening glass doors. This plus the terrace will lead to increased noise and disturbance.
- (No.7 School Lane). The elevations and floor plans suggest the first floor master bedroom will have opening glass doors. This will overlook our conservatory, study, bathroom and kitchen and reduce our privacy.
- (No.3 School Lane). The proposal will lead to a significant loss of privacy for

our property as all traffic will be within 1 metre of the ground floor windows of our home. The potential number of vehicle movements passing directly in front of the windows of No.3 would be intolerable.

- The creation of a new 5 bed property is likely to cause considerable additional traffic and inconvenience and nuisance to immediate neighbours.
- Refuse collection is an issue as bins have to be put on the very narrow footpath in School Lane forcing pedestrians into the road.
- (No. 2 Manor Gardens). The two storey extension would come extremely close to my boundary and would more than double the size of the existing building.
- (No.2 Manor Gardens). The proposed glass atrium would look towards the rear of my home towards the lounge and bedrooms infringing on my privacy, particularly in the winter when the trees are bare.

Parking and Highway Safety

- The existing building is used for garaging for two vehicles for No.1. As well as the garage, No.1 has a parking court for 2 vehicles within the application site. Both would be lost for No.1 if this application approved.
- As proposed the curtilage of No.1, as indicated within the blue line on the site plan, has no space for the parking of vehicles. If approved, existing 4-bedroom house would have no off road parking space at all.
- The amalgamation of two modest cottages at Nos.3 and 5 has done nothing to improve the substandard access to School Lane. The proposed addition of a large 5 bedroomed house in the place of a modest 2 bedroomed cottage is not fair substitution when considering vehicular access to the dwellings.
- Public transport is effectively only 2 buses each way which means almost everyone in the village needs their own transport.
- KET/2010/0278 attempted to resolve the vehicular access problems for Nos.1-7 School Lane but it was refused.
- (No.7 School Lane). Previous visitors to No.5, when it was separate from No.3, used to park alongside the outbuildings meaning we could not exit our drive. We are concerned this will happen again.
- The assertion in the D&A that traffic will be no greater than was the case when 3 and 5 were separate should be balanced against the much larger size of the new barn conversion than either 3 or 5 School Lane.
- The access to the existing driveway from School Lane is narrow and site lines are very limited, particularly when exiting. The exit is blind to the right, a school entrance is almost directly opposite and parked traffic often reduces the road to a single line of traffic, particularly at drop-off and pick-up times. The entrance is unsighted to traffic coming down the hill from the right. There is nothing that can be done to improve this situation, but the addition of the extra vehicular access created by an additional and substantially sized property will create additional hazards for road users and pedestrians.
- (No.3 School Lane). The proposal will share an inadequate access onto the main road through the village, conflicting with policy 13(d) of the North Northamptonshire Core Spatial Strategy. This access would be on a drive through our garden and directly in front of our property.
- The driveway is only 3 metres wide, exits perpendicularly onto School Lane with poor sight lines, particularly uphill.

- (No.3 School Lane). The proposal is for a large dwelling and would increase the number of vehicles using a narrow driveway across the front of our property and onto the main road. A 5 bedroomed dwelling is likely to generate more than the additional two vehicles mentioned in the application.

Reconsultation 18/03/2016

Wilbarston Parish Council

- Extension of time requested to respond to the reconsultation.
- The Parish Council comments will be included in the Planning Committee Update.

Highway Authority

- **Objection.**
- The access is currently substandard to what it provides.
- Forgoing the access to No.1 places a new loading on the highway network which we would not welcome and would actively resist, especially in this location.
- No details provided by the applicant of where the vehicles would park.
- There is a failure to demonstrate the highway safety implications of parking on the highway and so we would resist this greatly due to the road alignment, poor visibility from the local access, sub-standard footway widths and immediate vicinity of the pedestrian access to the school.
- The access does not comply with The Highway Authority standing advice, which is Northants County Council policy, especially on the grounds of visibility. The access cannot currently see the nearside kerb for 43m to the east due to the road alignment and the location of the buildings.
- The proposal places at risk the highway safety of members of the public.
- No parking survey has been requested as I do not believe there is anywhere to park near the property that would not cause issues on the highway.
- There is no intensification of the access but it is inextricably linked to forcing No.1's parking onto the highway. If there was no application, there would be no parking on the highway as No.1 would still be accessed off a private drive.
- Cannot see how No.1 will not use the access which would constitute an intensification in use.

Environmental Health

- No additional comments received.

Neighbours

70 letters of **objection** received. The material planning considerations are summarised below:

Character and Appearance and the Conservation Area

- Horizontal timber boarding is totally out of keeping with the local area. No properties in the vicinity use this material; they are either ironstone or red brick. When 1 and 2 Manor Gardens were built ironstone was stipulated.

Residential Amenity

- (No.3 School Lane). Reiterate the concerns in our previous letter regarding inappropriate construction materials, loss of privacy, noise and disturbance.
- (No.2 Manor Gardens). The proposed two-storey extension would come extremely close to my boundary and would more than double the size of the existing building.
- (No.2 Manor Gardens). Its proposed glass atrium would look towards the rear of my home towards the lounge and bedrooms.
- (No.2 manor Gardens). I feel it would infringe my privacy particularly in the winter when the trees are bare.
- Concern regarding the accumulation of wheelie bins on the pavement obscuring the exit on recycling days, forcing children off the pavement.
- (No.8 Main Street). All the large windows in the living accommodation at the back of the new build will be within a few metres of our boundary and look directly into our garden. This will lead to a significant loss of privacy.
- (7 School Lane). The study on our Northeast elevation where my wife works full-time most weekdays will look directly onto the new extension and what will presumably be a new terraced area on the southeast side of it. The new dining and living rooms both have glass doors. This plus the terrace will lead to an increase in noise and disturbance.
- (7 School Lane). The elevations and floor plan suggest that the first floor master bedroom will have opening glass doors which will overlook the conservatory, study, bathroom and kitchen and reduce our privacy.

Parking and Highway Safety

- It appears the existing dwellinghouse will not have any dedicated off-road parking.
- The amendments submitted render the proposals even more unacceptable as they remove all car-parking for No.1 onto the public highway which is utterly undesirable.
- The amended proposal is wholly unacceptable as School Lane narrows at the boundary of No.1, is on a hill above a blind corner, and has a primary school across the road. This proposal will seriously increase the danger on an already hazardous road.
- The Parish Plan highlights on-street parking as a major concern in this village and national planning guidance is that access and parking should be given a high priority and planning approval would be firmly rejected were this a new dwelling. All other properties on School Lane have off-street parking.
- Inappropriate to add more traffic/parking opposite a primary school where there is no zebra crossing/crossing patrol, no 20 mph limit, no warning lights to show that it is a primary school
- Many cars do not stick to the 30mph speed limit and there is also a lot of lorry traffic that has to navigate a very narrow space on a blind bend.
- KET/2010/0278 extensively details highway safety issues for this section of the road. Those issues remain and since that time the school's roll has increased with additional pupils from Desborough.
- The Parish Plan which the Borough Council adopted says 'parking must be a consideration with any new building, especially as on street parking is currently an issue'

- Observed parking on the highway outside 1 School Lane on very few occasions prior to the applicants purchasing the site. On the few occasions it tends to create significant risk to vehicles passing along School Lane mainly due to the highway off-set immediately outside 1 School Lane. Parking outside 1 School Lane creates a hazard to passing traffic. Currently the applicants appear to be using the highway outside 1 School Lane on a fairly regular basis as opposed to dropping off and relocating to parking spaces to the rear of the property as indicated on the application.
- Own 4 School Lane. A number of unrecorded incidents vehicle incidents and accidents as a result of parking on School Lane.
- Desborough South is likely to increase the traffic through Wilbarston.

2 letters of **support** received. The material planning considerations are summarised below:

- I don't feel either one or two additional vehicles parked on School Lane would cause any safety issues. I believe having a vehicle or two parked on School Lane would actually act as a traffic calming measure.
- The vehicles would be parked on the left hand side of School Lane which is downhill thus slowing approaching traffic as it would need to assess the obstruction.
- The majority of speeding is caused by vehicles travelling downhill towards a sharp bend at the bottom. Less traffic speeds uphill as it is unable to build up speed as quickly after coming out from the bend at the bottom.
- As a small village it is important that the building of extra housing is supported. Few people seem to move and housing is limited.
- The proposed plans would positively enhance the area and provide an additional home in the village.

5.0 **Planning Policy**

Legislation

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

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 12. Conserving and enhancing the historic 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

Local Plan

RA3. Rural Area: Restricted Infill Villages

Supplementary Planning Documents

Sustainable Design SPD

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The Principle of Development
2. Character and Appearance and Impact on the Conservation Area
3. Residential Amenity
4. Parking and Highway Safety
5. Contaminated Land
6. Energy Efficiency and Sustainable Design
7. Other Issues Raised by the Proposal

1. The Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with their Development Plans unless material planning considerations indicate otherwise.

The application site is in an established residential area within Wilbarston village Conservation Area.

Section 72(1) of the Act requires Local Planning Authorities have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

Paragraph 49 of the National Planning Policy Framework states that applications for housing should be considered in the context of the presumption in favour of sustainable development.

Wilbarston is defined by policy RA3 of the Local Plan for Kettering Borough as a restricted infill village. Policy RA3 is supportive of new residential development in restricted infill villages provided it is located within the defined village limits, and is appropriate in terms of its design, conservation and energy efficiency.

Policy 13 of the North Northamptonshire Core Spatial Strategy is supportive new development provided there is no adverse impact on the conservation area, character and appearance, residential amenity, the highway network, and that the new development takes into account energy efficiency and sustainable construction.

Issues relating to the development plan criteria are discussed below.

2. Character and Appearance and the Conservation Area

Section 72(1) of the Act requires Local Planning Authorities have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

Paragraph 137 of Policy 12 of the National Planning Policy Framework requires Local Planning Authorities to look for opportunities for new development within Conservation Areas to enhance and better reveal their significance.

Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires new development to reflect, respect and enhance the character of its surroundings.

Policy 13(o) of the North Northamptonshire Core Spatial Strategy requires new development to conserve and enhance historic designated built environmental assets and their settings.

The application site is included in the Wilbarston village Conservation Area, and the proposal is for the conversion of the existing outbuilding on site with a two-storey extension to the south to create a new dwellinghouse with associated parking. The existing plot will be separated to provide an area of private amenity space for each dwellinghouse.

Objections have been received regarding the resultant size of the proposal, its visibility to surrounding properties, the incongruity of the design and the proposed materials, and the adverse impact on the Conservation Area.

The proposed extension to the outbuilding has been designed to be similar in size and design to the existing linear outbuilding, but will be subordinate in height. It will sit at a right angle with the existing outbuilding and will be joined to it by a two-storey glazed link. The resultant dwellinghouse will be L-shaped and the northeast and northwest elevations of the existing outbuilding will form part of the boundary treatment for the revised rear amenity space for the existing dwellinghouse at No.1 School Lane.

There is a change in land levels at the application site with the area to the east of the existing outbuilding being at a higher level than the remainder of the site. This area is adjacent to the existing outbuilding and the land level drops in the remainder of the plot from north to south. This means the southwest elevation of the existing outbuilding is two-storey in height and the northeast elevation only has the first floor windows visible due to the higher ground level. As such, this means the proposed extension will be subordinate to the existing outbuilding reducing any adverse impact on the existing surrounding development and therefore not adversely impacting on the character and appearance of the Conservation Area.

The use of a 'light-weight' glazed link between the existing and the new buildings allows the character and appearance of the existing outbuilding to remain distinctive. The applicants also propose the use timber boarding for the external walls of the proposed extension to further separate the existing from the proposed development, and to retain the character of the original outbuilding. In order to ensure the materials proposed do not detract from but are sympathetic with the character and

appearance of the existing outbuilding and surrounding development, a condition is to be added requiring the materials to be submitted for approval. The use of timber boarding is different but not necessarily incongruous.

Due to the location of the existing outbuilding in relation to the surrounding neighbours, and the distance from the public highway, the proposal has limited views from the public realm in School Lane, and will not be easily visible in the public realm in Main Street to the east or Barlows Lane to the south and west. However, it is considered that neither the design of the proposed extension nor the proposed materials will adversely impact on the existing dwellinghouse or the character and appearance of surrounding development or the wider street scene. It would also satisfy the test to preserve or enhance the character and appearance of the Conservation Area.

Part of the proposal includes the use of solar panels on the southeast roof plane of the proposed extension. To ensure the panels do not have an adverse impact on the character and appearance of the area and the Conservation Area, a condition has been added. Any proposal for a roof with solar panels shall be subject to approval. This will enable consideration of the potential to integrate panels with in the roof plane.

In addition, a condition removing all permitted development rights granted by Part 1, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended has been added to enable consideration of the impact of any development on the character and appearance of the Conservation Area.

Subject to relevant conditions, the proposal accords with policy 12 of the National Planning Policy Framework and policy 13(h) and (o) of the North Northamptonshire Core Spatial Strategy and section 72(1) of the Act.

3. Residential Amenity

Policy 13(l) of the North Northamptonshire Core Spatial Strategy requires new development not to result in an unacceptable impact on the amenities of neighbouring properties.

The original form of development at the site is such that the outbuilding is located in close proximity to the existing dwellinghouse, forming part of a single planning unit. The proposed development will divide the curtilage of No.1 School Lane and result in alterations and extensions to the existing two-storey outbuilding to form a separate planning unit. The proposed new dwellinghouse will be located in a large L-shaped plot of land.

Objections have been received from surrounding neighbours at Nos.3 and 7 School Lane, No.2 Manor Gardens and No.8 Main Street.

The conversion of the outbuilding will result in the insertion of a first floor window in the southwest elevation which will serve a bedroom. This part of the proposal will also have two other bedrooms and a bathroom in the southwest elevation. This elevation faces over the access drive and onto the blank rear elevation of No.5

School Lane and as such will not lead to any issues of overlooking between the adjacent neighbours.

No.3 School Lane is the adjacent neighbour to the southwest of the application site and is a single planning unit along with No.5 School Lane, these two properties having merged in July 2012. This neighbour has objected to a loss of privacy due to the proximity of the driveway to their ground floor front windows. The layout is such that the vehicular access for Nos.1, 3, 5 and 7 School Lane is immediately adjacent to No.3. Prior to Nos.3 and 5 combining, the access drive would have been used by 4 no. dwellinghouses. At present the access is used by Nos.1, 3 and 7 School Lane and as the proposal is for the parking area currently used by No.1 to be used by the new dwellinghouse only, this will retain the use of the access for 3 no. dwellinghouses. As such, it is considered the proposal will not give rise to any additional traffic or lead to any loss of privacy over and above that which is currently experienced.

No.7 School Lane is the adjacent neighbour to the southwest of the proposed extension at the bottom of the access drive. This neighbour has objected to the proposed scheme stating that it will lead to a loss of privacy due to overlooking.

The dwellinghouse at No.7 School Lane is positioned such that a first floor window in the northeast elevation of No.7 looks directly over the rear amenity space of the application site. This first floor window is used as a study by the occupiers of No.7 and is separated from the application site by a small garden area and detached garage at No.7 and the parking area for the application site. The proposed extension is angled such that the windows in the rear elevation will not allow direct overlooking by this neighbour and vice versa. The neighbour at No.7 will overlook the amenity area immediately to the rear of the proposed extension, however this issue can be overcome by landscaping of the site and by securing the boundary treatment by condition.

The southwest elevation of the proposed extension which faces No.7 School Lane has an en-suite window at first floor level. Further openings can be prevented by condition to ensure there will be no issues of overlooking.

Nos.1 and 2 Manor Gardens are the adjacent neighbours to the northeast of the application site. No.2 is to the north of No.1. No.2 has objected to a loss of privacy due to the proximity of the proposal to their boundary. No.2 is not located near to the proposed extension but to the existing outbuilding. The existing windows in the southeast elevation of the outbuilding are to be blocked up and the northeast and northwest elevations of the proposed extension are blank, and the proposed glazed link between the old and new buildings is set back slightly from the northeast elevation of the existing outbuilding. In addition the separation distance between the proposed new dwellinghouse and this neighbour means there will be no issues of overlooking or loss of privacy. Although No.1 Manor Gardens is to the south of No.2, the outbuilding and proposed extension have blank elevations facing this neighbour meaning there will be no loss of privacy or overlooking.

No.8 Main Street is located to the southwest of the application site. The front elevation of No.8 which faces the application site is in excess of 35 metres from the rear elevation of the proposed extension and it is considered this separation distance together with the angle of the rear elevation windows in the proposed extension will mean there are no issues of a loss of privacy to these neighbours.

The alterations to the existing outbuilding and the proposed extension result in blank elevations facing onto the area of the proposed garden for the existing dwellinghouse at No.1 School Lane. This will ensure privacy for both the future occupiers of the existing dwellinghouse and the new planning unit. Retaining blank elevations on the northeast and northwest elevations of the outbuilding and the northeast and northwest elevations of the proposed two-storey extension can be secured by condition.

General objections have been received regarding an increase in the number of bins being put out on the narrow footpath and the general loss of amenity caused by an additional dwellinghouse at the site.

The proposal will result in an increase of a single dwellinghouse within the village. The bin storage requirement for a single household in Kettering Borough is for one general waste bin, one recycling bin, one garden waste bin and a box for papers. It is considered that an additional dwellinghouse will not lead to such a significant increase in the number of bins so as to cause disamenity. In relation to their being an additional dwellinghouse at the site, it is considered that it is of a size that will not produce a significant level of activity in excess of that which would be expected in a residential location.

As such, subject to the imposition of conditions relating to further openings and boundary treatment, it is considered the proposal accords with policy 13(l) of the North Northamptonshire Core Spatial Strategy in that it will not result in an unacceptable impact on the amenities of neighbouring properties.

4. Parking and Highway Safety

Policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety.

The proposal is for the subdivision of the curtilage of No.1 School Lane to provide a separate dwellinghouse. The original proposal included the parking for both the existing and the new dwellinghouse to be provided within the site and accessed from School Lane. The existing access serves Nos.1, 3 and 7 School Lane.

The highway outside No.1 School Lane is unrestricted with a 30mph speed limit. The road is on a gradient and slopes downwards from northeast to southwest, with a bend at the bottom southwest corner leading to the front vehicular entrance of the School. The distance from the application site to the bottom of the hill is approximately 90 metres and the distance from the bottom of the hill to the School entrance is a further 50 metres. From the crossroad at Main Street and Church Street to the northeast, the distance from the application site is approximately 75

metres. The application site is opposite the rear pedestrian access to the School.

Objections received from the Highway Authority stated that the existing access was substandard for what it provided. As a result, the applicants were advised to remove the parking provision for the existing dwellinghouse onto the highway with the on-site parking being provided for the new dwellinghouse.

Following reconsultation, the Highway Authority maintain their objection stating that forgoing the access to No.1 places a new loading on the highway network due to the road alignment, poor visibility from the local access, sub-standard footway widths and immediate vicinity of the pedestrian access to the school.

The Highway Authority states that although there is no intensification of the access, it is substandard and does not comply with the Highway Authority standing advice, which is Northants County Council policy, especially on the grounds of visibility. They also state that the vehicular visibility splay of 43 metres to the east is restricted due to the location of a building to the northeast of the access which has a gable end onto the back of the highway.

However, this is an existing access. The parking allocation for No.1 has been removed so the proposal will not lead to an intensification of the use of this access. The access is considered to be substandard by the Highway Authority for the reason stated above.

As the proposal results in no intensification of the use of this access, its upgrading and updating do not fall to be considered as part of this planning application. Nevertheless, if the occupiers of No.1 were to retain an off-street parking place on the plot, the amount of vehicle movements is unlikely to make a significant difference to that arising from the current vehicle movements at the site.

Due to the lack of visibility splays caused by the presence of No.3, this means that vehicles take care when leaving the site therefore not adversely impacting on the highway network or the safety of highway users.

In addition to the Highway Authority, objections were received regarding the impact of on-street parking on the highway network and the impact on the safety of users of the nearby Wilbarston Primary School. Letters of support were also received stating that having a vehicle or two parked on School Lane would actually act as a traffic calming measure.

With respect to highway safety, there is nothing to stop any of the occupiers of visitors to School Lane parking on the street due to its unrestricted nature, and this can be done without the need for a grant of planning permission. The highway is unrestricted and It is considered the number of vehicles associated with No.1 School Lane which would park on the highway will not adversely impact on the safety of the highway network or highway users.

With respect to the traffic generated by the School, this is only an issue twice a day at drop-off and pick up times and outside the School itself there is no 20pmh speed limit, no warning lights, and no zebra crossing or crossing patrol.

Northamptonshire County Council, as the Highway Authority, operate a scheme called the 'Safer Routes to School' Scheme to improve safety and accessibility by way of engineering improvements such as a 20mph zone with traffic calming or other speed reduction measures, as required. The programme of works identifies schools in order of priority for the scheme with a ranking list which is reviewed each year. The 2015/16 list does not identify Wilbarston Primary School as a priority for these measures.

Although the users of the School appear to cause highway safety and network issues at drop-off and pick-up times, it would be unreasonable for residential occupiers to be penalised and prevented from parking on an unrestricted highway due to the amount and location of parking generated by the School. In addition, the parking of vehicles on the highway will act as a traffic calming measure.

In addition to the highway safety aspects, consideration has to be given to the character of the area due to the location and spacing of the buildings within the village in relation to the highway. Notwithstanding the fact that there is no intensification of the use of the access, it is not desirable to expect historic boundary treatments and buildings to be altered and amended in such a way that would adversely impact on the character and appearance of the Conservation Area.

Therefore, it is considered that the proposal will not lead to any highway safety or highway network issues over and above that which is already permissible without the need for an application for planning permission. This is in accordance with policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy.

5. Contaminated Land

Due to the underlying geology present throughout Northamptonshire, levels of naturally occurring arsenic, vanadium and chromium found throughout the borough frequently exceed the levels at which the risk from arsenic, vanadium and chromium to human health is considered acceptable for residential land use. To prevent any unacceptable risk to human health to future occupiers of the site, further investigation on site will be necessary to assess the extent of contamination which will then inform a remediation scheme.

This further investigation/remediation scheme can be satisfactorily secured by condition in the interests of human health, property and the wider environment in accordance with paragraphs 109 and 121 of the NPPF which requires development to enhance the local environment by remediating and mitigating contaminated land ensuring it complies with Part IIA of the Environmental Protection Act 1990.

6. Energy Efficiency and Sustainable Design

Policy 14(b) of the North Northamptonshire Core Spatial Strategy states that development should 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.

Details in relation to techniques of sustainable construction and energy efficiency, provide for waste reduction/recycling and water efficiency can be secured by condition.

7. Other Issues Raised by the Proposal

A number of comments have been received about issues which are not material planning considerations. As such, these items do not fall to be considered in the determination of this planning application. These comments include the purchase or otherwise of a part of the village green, the motives of the applicants and any disturbance caused during the construction phase.

The Wilbarston Parish Plan. This plan has been adopted by the Council as informal council policy. According to the Parish Plans and Village Design Statements Guidance Note on the Borough Council website, Parish Plans contain relevant planning information which can be used as material planning considerations in determining planning applications but they are to complement and help deliver local planning policies and frameworks but cannot override adopted planning policies.

Conclusion

Subject to the imposition of relevant conditions the proposal accords with policies in the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: