

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/04/2016	Item No: 5.6
Report Originator	Christina Riley Senior Development Officer	Application No: KET/2016/0168
Wards Affected	All Saints	
Location	26A - 30A Rockingham Road, Kettering	
Proposal	Full Application: Change of use of first floor from office space to 2 no. two bedroom flats and 2 no. one bedroom flats	
Applicant	Miss R Cefai Gold Leaf Property Investments,	

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

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 and doors on the front elevation shall be retained. None shall be replaced unless this is done in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: To protect the character and appearance of the street scene in accordance with Policy 12 of the NPPF and policy 13(i) of the North Northamptonshire Core Spatial Strategy.

3. No development shall commence on site until details of a scheme for the secure storage of cycles has been submitted to and approved in writing by the Local Planning Authority. The use of the building shall not commence until the approved scheme has been fully implemented and shall permanently be retained in that form for the secure storage of cycles.

REASON: In the interests of general amenity and to ensure that no obstruction is caused on the adjoining highway in accordance with policy 13(h) of the North Northamptonshire Core Spatial Strategy and Policy 6 of the Town Centre Area Action Plan.

4. At all times except on waste collection day waste/recycling bins shall be stored behind or within the building in accordance with a scheme for the storage and collection of refuse, which has been submitted to and approved in writing by the Local Planning Authority. The use of the building shall not commence until the approved scheme has been fully implemented and shall be retained at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of general amenity and to ensure that no obstruction is caused on the adjoining highway in accordance with policy 13(l) and (h) of the North Northamptonshire Core Spatial Strategy.

5. Prior to the commencement of development hereby approved, a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved by the Local Planning Authority. Once approved the scheme shall be implemented before occupation of the residential units and therefore maintained in the approved state. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or applying noise barriers.

REASON: Noise protection is required prior to the commencement of development to protect the amenity of occupants of the proposed flats in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and the Core Principles outlined in paragraph 17 of the NPPF.

6. Prior to the commencement of development hereby approved details of waste reduction/recycling and water efficiency and recycling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: Waste and water measures are required prior to the commencement of development to ensure techniques of sustainable construction and energy efficiency are secured in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

7. Before development commences an air quality assessment shall be undertaken to assess the impact of local air quality on occupiers of the proposed development against the National Air Quality Standards and Objectives. The assessment shall be submitted to the local planning authority for approval and shall identify exceedances of the air quality objectives in addition to any mitigation measures required to reduce exposure. Once approved the mitigation measures shall be implemented in full before occupation of the development.

REASON: To protect the amenity of occupants of the proposed flats in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and the Core Principles outlined in paragraph 17 of the NPPF.

Officers Report for KET/2016/0168

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

3.0 Information

Relevant Planning History

KET/2015/0981, Change of use of first floor from office space to 6 no. 1 bedroom flats (Refused)

KET/2005/1099, Change of Use: A1 (retail) to A3 (restaurant) (Approved)

KE/1999/0565, Change of from Offices to two shops (A1/A2) use at ground floor and Change of use/conversion of first floor offices to five self contained flats (Approved)

Site Description

Officer's site inspection was carried out on 15/03/2016.

The application site consists of a two storey, red brick building with shop (A1), betting shop (A2) and restaurant (A3) at ground floor level and offices above. At ground floor there have been a number of alterations made to create unsympathetic shop fronts. At first floor level the character of the building has been better retained with the top floor windows being painted timber sash windows.

There is a rear access to the centre of the building with timber door and gated accesses either side of the building leading to residential behind, these fall outside of the application site. The main access door to the first floor is to the far southern end of the building, directly off the highway. The entrance is an attractive Ashlar stone surrounded entrance, with matching pillars extending at regular intervals along the frontage of the building.

Proposed Development

The proposal is for a change of use of first floor from office space to 2 no. two bedroom flats and 2 no. 1 bedroom flats (total 4 units)

Any Constraints Affecting The Site

A Road

4.0 Consultation and Customer Impact

Highway Authority

No objection. The site is within the town centre with car parking in close vicinity. A condition is recommended to control deleterious material on the highway.

Environmental Health

No objection subject to conditions and informatives with regards to air quality, refuse, noise protection, acoustic separation and radon.

Neighbours

One objection has been received from a neighbouring property to the rear (east) of the application site, number 32 Rockingham Road, which states:

At ground floor level their living room windows are 18.5metres from the proposed flats resulting in overlooking. If approval is recommended, it is requested that all rear elevation windows are obscure glazed.

5.0 Planning Policy

National Planning Policy Framework

Policy 2. Ensuring the vitality of town centres

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 13 – General sustainable development principles

Local Plan

K6. Kettering: Environmental Improvement

64. Shopping: Development Within Established Shopping Areas

Kettering Town Centre Area Action Plan

2. Urban quarters, urban codes and development principles

3. Primary Shopping Area (Primary and Secondary Frontages) and the Evening Economy

15. The Shopping Quarter

SPGs

Sustainable Design SPD

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Character
3. Amenity
4. Highways and Car Parking
5. Sustainable Design

1. Principle

The application site lies within the designated settlement boundary of Kettering. The site is also within the Town Boundary for Kettering as identified in the Town Centre Area Action Plan (AAP). The site lies within the Shopping Quarter, within the Primary Shopping Area and within the secondary shopping frontage.

The Shopping Quarter is to provide a strong retail focus. Policy 3 of the AAP encourages the use of floors above A1/A2 within the primary shopping area for A2 (financial and profession), B1 (office) and C3 (residential). Policy 2 of the AAP also encourages the delivery of new residential units within the town centre.

Policy 2 of the NPPF also supports the provision of housing within town centres.

The principle of residential in this location is therefore established, in accordance with Policy 1 of the CSS, Policy 2 of the NPPF and Policy 3 of the AAP, subject to detailed consideration of the matters as outlined below.

2. Character

The building is an attractive red brick building located on a main street in Kettering, with timber sash windows at first floor and ashlar stone pillars and door surrounds. Policy 12 of the NPPF, paragraph 135, requires local planning authorities to assess the impact on significance, of development of non-designated heritage assets. As the proposal involves limited alterations to the first floor front façade of the building. The proposal therefore considered acceptable in terms of the impact on the character of the area and the significance of this non-designated heritage asset, subject to conditions with regards the retention of the timber sash windows on the front elevation, which contribute to its significance as a non-designated heritage asset.

3. Amenity

Policy 13 (l) of the CSS states that new development should not have an unacceptable impact on the amenity of neighbouring properties or the wider area in terms of noise, vibration, smell, light or other pollution, loss of light or overlooking.

Policy 13 of the CSS goes on to states that new 'development should meet the needs of residents without comprising the ability of future generations to enjoy the same quality of life that the present generation aspires to'. Paragraph 17 of the NPPF states that planning should 'seek to secure high quality design and a good standard of amenity for all existing and future occupants'.

This proposal is for 4 residential units, a reduction in number from the previously refused scheme which proposed 6 flats. The previous scheme showed very small units evidenced in the small size of rooms, which were limited in number. The majority of the units fell below the minimum space standards set out in 'Technical housing standards – national described space standard for dwellings'.

The scheme has been revised and the number of units reduced. The individual units have increased in size and some two bed units are proposed. The amended units meet or exceed the space standards as set out within the above mentioned document.

There is no outdoor space allocated specifically for the residential units, apart from a small rear yard area to the back of the unit. The only means of access to the rear area appears to be along the main inside corridor, down the stairs and out of the front door, along the street and through a central access door along a jitty/corridor and outside. This is a convoluted route for bin storage. However, it is no different from the current arrangement for bins.

The plans show the potential for cycle storage within the basement of the building (subject to building regulations approval). Cycle storage is essential given that there is no car parking and this is a requirement of Policy 6 of the AAP. On this basis a condition is recommended to secure cycle storage on site whether within the basement or elsewhere within the building or to the rear.

Conditions with regards to air quality and acoustic separation would be required to protect the amenity of any future occupants of these units.

The neighbouring property to the rear of the application site has objected to the proposal on the grounds of overlooking. This property and its neighbouring semi-detached property is over 18 metres from the application site (window to window) distance. Given this distance and that the windows are existing, with current views available, then it would be unreasonable to request that these are partially or all obscure glazed, especially as the majority of these windows are for bedrooms and would be the only window for these rooms (therefore impacting the amenity of future occupants). The objector states that some of the panes of glass in these rear windows are already obscure glazed. The applicants have confirmed that they are happy to keep these panes and the windows in the first floor of the building. However, it would be unreasonable to condition this on the basis of distances between the properties.

The properties to the rear may experience some overlooking of their garden areas in-between the flats and this property, but this is a situation which can occur no matter the use of the building. On this basis the proposal is not considered to have an unacceptable impact on the amenity of the properties to the rear (east) of the application site to warrant refusal of this planning application.

The proposal, subject to conditions with regards to acoustic separation, bin and cycle storage, is considered acceptable and in accordance Policy 13(l) of the North Northamptonshire Core Spatial Strategy, the Core Principles, as set out in Paragraph 17 of the NPPF and policy 6 of the Kettering Town Centre Area Action Plan.

4. Highways and Car Parking

There is no car parking provided for this development. The application site is located within the Kettering Town Centre boundary and close to services and facilities including public transport. Policy 6 of the AAP allows for low or zero car parking on sites close to services, amenities and public transport. This policy goes on to say that all residential development will provide a minimum of 1 secure cycle storage space per unit. As outlined above, provision for cycle storage will be conditioned to ensure it is provided as part of any subsequent development. On this basis the proposal is considered acceptable and in accordance with Policies 13 (d

and n) of the CSS.

5. Sustainable Design

The applicants have not completed a Sustainable Design Checklist and therefore do not comply with the requirement of the Sustainable Design SPD (2009). There is no further information submitted with the application in terms of energy efficiency and sustainable construction. Policy 14 of the North Northamptonshire Core Spatial Strategy requires new development to incorporate techniques of sustainable construction and energy efficiency; provision for waste reduction and recycling; and provision for water efficiency and water recycling. A condition securing waste and water efficiency recycling measures has been added to the permission to ensure the proposal meets the necessary measures for sustainable construction for a development of this size.

Conclusion

Subject to conditions, the proposal is considered acceptable and in accordance with the Development Plan, as set out above. The proposal is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Christina Riley, Senior Development Officer on 01536 534316