

BOROUGH OF KETTERING

Committee	Full Planning Committee - 13/12/2016	Item No: 5.8
Report Originator	Pritesh Shah Senior Development Officer	Application No: KET/2016/0744
Wards Affected	Desborough St. Giles	
Location	6 & 8 Havelock Street (to rear of), Desborough	
Proposal	Full Application: Conversion of part ground floor of dwelling to create 1 no. two bedroom flat	
Applicant	Mr N Popat	

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 development shall not be carried out otherwise than in complete accordance with the

approved plans listed in the approved plans table unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

REASON: To clarify the permission and for the avoidance of doubt.

3. The materials to be used for the new external doors and windows of the development hereby permitted shall match in terms of colour, type and texture those used on the existing building.

REASON: To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. In accordance with the approved plans, the proposed windows serving New Bed 1 and New Bed 2 shall be obscurely glazed and positioned so the lowest part of each window is at least 1.7m above the ground floor level of the bedroom it serves.

REASON: In the interest of residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and the NPPF.

5. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy 6 and 6 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2016/0744

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

3.0 Information

Relevant Planning History

- KET/2011/0680 – Change of use from solicitors office to form two flats. Approved. This application was approved for the neighbouring building to the application site which the under-croft access is shared with.

Site Description

Officer's site inspection was carried out in August 2016 and 31 October 2016.

The application site comprises an existing flat roof outbuilding attached to the existing post office and convenience store located in Havelock Street, Desborough. The outbuilding is being used in connection with a residential unit attached to the post office and convenience store and comprises a utility, store-room and playroom which is accessed through a shared undercroft between 4 and 6 Havelock Street. There is an existing garden area attached to 6 Havelock Street which is also located to the rear of the post-office and convenience store. The applicant also owns 8 Havelock Street which is a first floor flat not connected to 6 Havelock Street and also has no access to a garden.

Surrounding the application site to the north, east and west are existing residential units whilst to the south is a small parade of commercial units fronting Havelock Street with residential development beyond. To the south-east of the application site along Havelock Street is also a primary school. Parking for the commercial and residential units along Havelock Street is primarily along car bays with some dwellings benefitting from private drives.

Proposed Development

The proposal seeks the change of use of the existing outbuilding to a two bedroom flat. As part of the proposal two windows and rooflights will be installed as well as a patio door to the southern elevation overlooking the garden area. The garden area will also be divided with a 1.8m high fence providing amenity space for the existing and proposed occupier.

Any Constraints Affecting the Site

- Within town confines
- Adjacent to Desborough Conservation Area

4.0 Consultation and Customer Impact

Desborough Town Council: No objection, but note that car parking in the locality can be problematic.

NCC Highways: No objection subject to a condition, if required, to control

deleterious material onto the highway.

KBC Environmental Protection: No objection subject to a condition to provide refuse facilities and a condition for unexpected contamination.

Neighbours: One letter of objection relating to parking issues in the area and lack of information regarding parking in the locality and concerns over the use of the joint undercroft which is also used as a shared access to 4 Havelock Street and the likelihood of the access being blocked by newspaper returns.

5.0 Planning Policy

National Planning Policy Framework

- Core Planning Principles
- Section 7 'Requiring good design'
- Section 12 'Conserving and enhancing the historic environment'

North Northamptonshire Joint Core Strategy

- Policy 2 – Historic Environment
- Policy 6 – Development on Brownfield Land and Land Affected by Contamination
- Policy 8 – North Northamptonshire Place Shaping Principles
- Policy 30 – Housing Mix and Tenure

Saved Policies of Kettering Local Plan

- Policy 35 – Housing within towns
- Policy 64 – Shopping development within established shopping areas

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 scale of existing building and surrounding area
3. Desborough Conservation Area
4. Residential amenity
5. Highways and parking

1. Principle of development

The application site is located within the town confines of Desborough where the principle of residential development is supported. Given precedence has been set for flat development at the neighbouring site, the principle of converting the existing building into flats is considered acceptable subject to there being no adverse impact on residential amenity for future and neighbouring occupiers; no adverse impact on the character and scale of the existing building and surrounding area and no adverse impact on highway

safety.

2. Impact on character and scale of existing building and surrounding area

Policy 8 (d) of the JCS states development should create a local and distinctive character by:

Responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of that local character without stifling innovation

Paragraph 60 of the NPPF states:

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

The proposal does not seek any significant external changes to the existing building and the insertion of windows, rooflights and a patio door will not detract away from the character and scale of the existing outbuilding or surrounding development.

3. Desborough Conservation Area

The application site is within close proximity to Desborough Conservation area which lies to the north-west and is identified as a designated heritage asset.

Policy 2 of the JCS seeks to protect designated heritage assets. Paragraph 134 of the NPPF states:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

As the proposed change of use does not seek any significant external alterations or extensions to the existing building, the proposal is not considered to adversely impact on character and setting of the adjacent conservation area and will not be seen from the most public parts of the conservation area.

4. Residential amenity

Policy 8 (e) of the JCS and bullet point 4 of the Core Planning Principles of the NPPF both seek to protect residential amenity from new forms of development.

The proposed change of use seeks to install two windows at the boundary to the garden for the existing occupier. These windows are located 2m above the ground level of the garden. A condition to install these windows at least 1.7m above the floor level of the bedrooms they serve is proposed to mitigate against any overlooking to the private amenity space of the neighbouring occupier.

As well as the residential amenity of neighbouring residents, the amenity of the existing and future occupiers also need to be taken into account.

Policy 30 (b) of the JCS states:

b) The internal floor area of new dwellings must meet the National Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities. In both affordable and market sectors, adaptable housing designs will be encouraged in order to provide flexible internal layouts and to allow for cost-effective alterations (including extensions) as demands and lifestyles change.

The proposed 2 bedroom dwelling will serve 4 people in accordance with the submitted plans. The National Space Standards state for a 2 bedroom dwellings serving 4 people on a single floor should be a minimum of 70sqm whereas the proposal shows a dwelling of over 72sqm in size. The proposed development therefore complies with the provisions of the National Space Standards and provides for an acceptable living space for future occupiers.

The existing residence at No.6 Havelock Street (which is to be reduced by virtue of this proposal) would also continue to exceed the aforementioned space standards as it will comprise a 3 bedroom dwelling for 5 people over two floors measuring 110sqm. The National Space Standards requires a minimum internal space of 93sqm.

Policy 30 (c) of the JCS states:

New dwellings must meet Category 2 of the proposed National Accessibility Standards as a minimum and the local planning authority will negotiate for a proportion of Category 3 (wheel-chair accessible) housing based on evidence of local needs.

Category 2 dwellings relate to part M4(2) compliance to the Building Regulations which is for accessible and adaptable dwellings. The proposed dwelling can offer level access from the street with the internal layout being easily adaptable to offer wider corridors and doors. The bedroom layout also shows 1m space to the sides of the bed which would allow for wheelchair accessibility.

5. Highways, access and parking

Policy 8 (b) of the JCS states development should create safe and pleasant streets by:

Ensuring a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The proposal does not include any designated parking for the flat but there is on-street parking within parking bays along Havelock Street. The application site is also centrally located within Desborough close to a range of facilities

and transport links. During the daytime parking on-street outside of the application site is limited but there are parking spaces further down Havelock Street with no restriction. Given the scale of the proposal (which does not create any new floor space) and its sustainable location, the proposal is not likely to give rise to a high demand for parking that is likely to lead to highway safety issues.

It should also be noted that NCC Highways have not objected to the scheme.

Whilst there has been an objection in relation to the potential blockage of the shared undercroft from newspaper returns and storage associated with the convenience store, this is not considered to be a reason to refuse the scheme. The shared access may well be used to store newspaper returns which are collected and delivered very early in the morning, however alternative arrangements can be found with regards to this by the convenience store to prevent any blocking of the shared access.

Conclusion

In conclusion the proposed development will not adversely impact on the character and scale of the existing building and surrounding area including the adjacent conservation area. The proposal will also not cause any detriment to the residential amenity to adjacent and proposed occupiers or lead to any highway safety concerns. In this respect the proposed development is in compliance with Policy 2, 8 and 30 of the JCS and the NPPF.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

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