

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/08/2017	Item No: 5.8
Report Originator	Louisa Johnson Development Officer	Application No: KET/2017/0448
Wards Affected	St. Michaels and Wicksteed	
Location	9 Kettonby Gardens, Kettering	
Proposal	Full Application: Infill internal swimming pool and erect 3 no. residential care units	
Applicant	Mr M Aplin Kettonby Care Ltd	

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 hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing number(s) Location plan KET/2017/0448/1 received by the local planning authority on 14/06/17; Proposed elevations P05417/05 received by the local planning authority on 07/06/17; Proposed floor plan P05417/04 A and Proposed Site Plan Layout P05417/07 A received by the local planning authority on 08/08/17.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

REASON: In the interests of visual amenity in accordance Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The parking spaces hereby approved shall be provided prior to the first occupation of the building hereby permitted and shall be permanently retained and kept available for the parking of vehicles.

REASON: To ensure adequate on-site parking provision for the approved building and to discourage parking on the adjoining highway in the interests of local amenity and highway safety.

5. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the Delivery and Storage of plant and materials used in constructing and fitting out the development within the site and the parking of plant and construction vehicles including vehicles belonging to construction workers. The approved Construction Management Plan shall be adhered to throughout the construction and fitting out period and the approved measures shall be retained for the duration of the construction and fitting out works.

REASON: In the interest of public health and safeguarding residential amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. Prior to the occupation of the units hereby approved a scheme for the storage and collection of waste and deliveries shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details and retained at all times thereafter.

REASON: In the interest of public health and safeguarding residential amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. There shall be no more than 10 people, including staff, residing at the premises overnight.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/0448

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

3.0 Information

Relevant Planning History

KET/2007/0277 – Two storey side extension – Approved

KET/2007/0748 – Indoor swimming pool and changing facilities – Approved

KET/2010/0375 – Change of use from residential to children’s home – Approved

KET/2012/0103 – Conversion, including alteration and extension of outbuilding to habitable room – Approved

KET/2014/0677 – Change of use from children’s home to residential care for adults - Approved

Site Visit

Officer's site inspection was carried out on 22 June 2017.

Site Description

The site is in use as a care home for adults with learning disabilities. The application site consists of a large, detached dwelling with an attached building housing a swimming pool. The site is located within a primarily residential area. The property is not located within the Conservation Area. Vehicular access from the site is via a private drive accessed off Kettonby Gardens

Proposed Development

The application is for the conversion of the existing swimming pool building into three semi-independent residential care units and includes associated changes to the parking layout to provide 10 parking spaces.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Neighbours

Six letters of objection have been received, the following issues were raised:

- The increase in beds at the home will worsen existing parking and access problems, there are significant problems with vehicles accessing the site already and parking and blocking access to properties on Kettonby Gardens.
- The site has no turning for vehicles which results in reversing / mounting of pavements in Kettonby Gardens which is detrimental to highway safety and causes damage.
- There have been a number of police call outs to the site and the increase in beds would worsen this.
- A number of trees were removed prior to the planning application being submitted.
- Wheelie bins from the care home are left on the road causing parking and manoeuvring problems and causing safety issues.
- There is insufficient parking for carers, visitors and deliveries on the site.
- The access road is not wide enough for fire engines to access the site.

Environmental Health

No objection

Highways

Objection due to inadequate parking and lack of detail on site servicing and turning for large vehicles.

Further comments on amended plans are awaited and will be reported in an update report.

5.0 Planning Policy

National Planning Policy Framework

Policy 1: Building a strong, competitive economy

Policy 4: Promoting sustainable transport

Policy 7: Requiring Good Design

SPDs

Sustainable Design

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1: Presumption in favour of Sustainable Development

Policy 7: Community Services

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 22: Delivering Economic Prosperity

Saved Local Plan Policies

Policy K15: Kettering: Character and Density in Defined Housing 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 the character and appearance of the area
3. Residential amenity
4. Access and Parking

1. Principle of Development

The National Planning Policy Framework sets out the principles for sustainable development which seek to ensure that places to live are created in locations which make the best and most efficient use of land, adopt high quality design standards respecting and enhancing the character of their surroundings, not result in unacceptable impact on the amenities of neighbouring properties or the wider area and not adversely impact on highway safety or the highway network.

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.

Paragraphs 56, 58 and 64 of the National Planning Policy Framework also recognise that good design is a key aspect of sustainable development, and supports development which establishes a strong sense of place and responds to the local character, reflecting the identity of local surroundings and

materials.

Saved policy K15 of the Local Plan restricts development involving infilling, sub-division or redevelopment of the property's curtilage. The site lies within the area of Kettering that falls under this restriction. However, the policy does not restrict development involving the change of use of properties or buildings within a plot, and as such this application, which does not seek to significantly alter the exterior of the building, nor to redevelop the site, is deemed to accord with the aims of the policy.

Policy 7 of the NNJCS requires development to support and enhance community services and facilities.

Policy 8 of the NNJCS seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area.

Policy 8 of the North Northamptonshire Joint Core Strategy provides for changes of use such as that proposed, subject to specific criteria being satisfied. In particular; development should be suitable in terms of its character in relation to the surrounding area; it should not impact upon the amenity of existing or future occupiers of adjoining properties; and it should form a suitable relationship with the highway network.

The principle of the proposed semi-independent care units is therefore considered acceptable as the site is within the town boundary in accordance with the relevant policies of the NNJCS.

2. Impact on the character and appearance of the area

The character of the surrounding area is largely residential in nature, though there are various A2, B1 and D1 uses on Headlands to the North. These properties have, however, retained for the most part their residential character.

The site is in use as a C2 (Residential Institutions) Care Home with a maximum of four residents. The proposal involves the conversion of the existing swimming pool building into three semi-independent care units; each unit would house one resident. This would bring the total number of residents to seven, and would result in an increase in staff from 11 FTE to 13 FTE, with 2-3 staff staying overnight. This could be conditioned, so as to ensure that resident numbers are controlled.

Whilst this presents an intensification of the use on the site, it is considered given the size of the property, that this would not be unreasonable number of people to reside at the property. Therefore the residential character of the

surrounding area is not impacted upon.

The minor nature of the proposals, in terms of the number of people residing/working within the site, effectively ensures that the residential character of the surrounding area would be maintained. The aforementioned condition limiting the number of people, including staff, residing in the property to 10 will mitigate against any impact on character.

Therefore it is considered that the proposal would not have a detrimental impact on character or appearance of the area and accords with the relevant parts of Policy 7 (NPPF) and Policy 8 (NNJCS).

3. Residential Amenity

Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The impact of the proposed intensification of the use on the site on the amenity of existing and/or future occupiers of adjoining properties is a material consideration, and one that was raised in various forms by neighbours. These concerns highlighted three specific issues: anti-social behaviour and the safety of residents and noise disturbance and parking and vehicles manoeuvring causing parking and highway safety problems (this will be addressed in the access and parking section below).

Environmental Health have not objected to this proposal on noise grounds and it is considered that the proposed intensification of the residential care home would not create any noise additional to that which would be created by a 6/7 bed family home. Thus it is considered unlikely that the proposed use would result in a level of noise above that which would reasonably be associated with the continued use of the property as a dwelling.

With respect to antisocial behaviour, the fear of crime is a material planning consideration, and has played an important role in this determination. Whilst there is some evidence of antisocial behaviour from evidence provided by nearby residents, the proposed units are intended for adults who are in the process of learning to live independently and as such it is considered that this increase in residents is unlikely to worsen existing problems.

The aforementioned condition relating to numbers residing within the property will have the additional benefit of ensuring that any potential future expansion of the business operations would have to secure planning permission. Unchecked expansion of this nature could, theoretically result in raised levels

of concerns with respect to noise and/or antisocial behaviour, and so the conditions are necessary to ensure this does not occur.

There will be no unacceptable impact on the amenity of neighbouring residents through this proposal and it is therefore considered that the development is in accordance with policy 8 of the NNJCS.

4. Access and Parking

The site is currently accessed via Kettonby Gardens with an access road that comes off Kettonby Gardens and curves around 14 Kettonby Gardens, this access is approximately at 3.11m at the narrowest point.

Therefore large vehicles would have difficulty accessing the site and this would limit the size of vehicles able to access the site for deliveries etc. Nearby residents have complained that deliveries to the site cause problems on Kettonby Gardens due to the narrow width of the access road. The applicant has stated that there are no deliveries to the site and that all needs are met by staff using their personal cars.

However given residents' concerns and the proposed intensification of the site, it is considered that it would be reasonable to attach two conditions – one condition requiring a construction and fitting out management plan and a second requiring an operational refuse and deliveries management plan to mitigate any adverse impacts from the development on surrounding residents.

The minimum width required for access by a fire engine is 3.7m as such a fire engine would not be able to access the care home via this access road. This is an existing situation and access could be gained via Kettonby Gardens where fences could be removed in an emergency. However, given that the proposal involves an intensification of the use, providing semi-independent living accommodation with cooking facilities, it is considered that this would increase the fire risk. As such the council's Building Control officer has recommended that a sprinkler system is installed into the three proposed units to ensure that the fire risk is adequately mitigated. The applicant has confirmed that they will install a sprinkler system into the proposed units.

The applicant has provided amended plans showing 10 parking spaces for the site, this is considered to be adequate given the proposed staff numbers of 5 on site during a shift and up to 9 on site during a shift change over. The proposed parking would provide adequate parking for the number of staff likely to be on site at any one time and for visitors. The applicant has confirmed that visits are pre-arranged, would not occur during a shift change over and that only one resident would have visitors at any one time and that visits would not

overlap; therefore it is considered there would be adequate parking available to accommodate visitors.

Therefore it is considered that the proposal would be acceptable in terms of access and parking and would not have a detrimental impact on highway safety in accordance with policy 8 of the NNJCS.

Conclusion

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area and on residential amenity. Subject to conditions the proposed development is acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: