

BOROUGH OF KETTERING

Committee	Full Planning Committee - 17/10/2017	Item No: 5.7
Report Originator	Alison Riches Development Officer	Application No: KET/2017/0585
Wards Affected	Desborough St. Giles	
Location	120 Federation Avenue (land adj), Desborough	
Proposal	Outline Application: 2 no. dwellings with access only considered	
Applicant	Mr P Cooper	

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. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In order to secure a satisfactory development.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

4. The development hereby permitted shall not be carried out other than in accordance with the approved location plan 17/07//2, received by the Local Planning Authority on 24th July 2017 and the indicative layout plan 17/07/2/1A, received by the Local Planning Authority on 19th September 2017.

REASON: In the interest of securing an appropriate form of development in the interests of the character and appearance of the area and the amenity of adjacent

properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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 Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

6. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels has 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: Finished Floor Levels are necessary prior to commencement to protect the privacy of the occupiers of adjoining properties and the character of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development shall take place on site until details of the construction and finish of the means of access and parking area have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall identify a base and top level construction. Details shall also include the means for the drainage of surface water. The approved details shall be fully implemented before the dwellinghouses are first occupied.

REASON: To ensure a satisfactory means of access to the highway and parking provision in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. The dwellings hereby approved shall be a maximum of two storeys in height.

REASON: To prevent overlooking of or an overbearing impact upon the surrounding residential properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

9. 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 adjacent buildings. No development shall commence 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. 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 in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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

REASON: In the interests of the amenities and privacy of the neighbouring property in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. 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 9 of the North Northamptonshire Joint Core Strategy.

12. No other development shall commence until visibility splays of 2 metres by 2 metres have been provided at the junction of the access with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. The gradient of the drive shall not exceed 1 in 15 within 5 metres of the edge of the carriageway of the adjoining highway.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

14. 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 additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made at first floor level in the northeast and southwest elevations or roof planes of the dwellinghouses hereby approved.

REASON: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/0585

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

3.0 Information

Relevant Planning History

KET/2017/0141. 4 no. dwellings with access and layout only considered. Refused 21/04/2017.

Site Visit

Officer's site inspection was carried out on 01/08/2017.

Site Description

The application site is located in an established residential area to the southwest of Desborough.

The site comprises a vacant rectangular double plot of land between Nos. 112 and 120 Federation Avenue. Residential development in Federation Avenue and the surrounding streets in Windsor Avenue and Pioneer Avenue comprises of a variety of detached two-, one-and-a-half and single storey dwellinghouses set towards the front of long narrow plots of land and which follow a regular building line. The prevailing character is for parking provided on site in front of each dwellinghouse.

The properties range in age from early to late 20th century with the majority in Federation Avenue being built in the 1960s and 1970s of a gable roofed, unfussy design reflective of that time. The palette of materials is predominantly buff brickwork with concrete tile roofs and many properties have replacement PVCu windows and doors.

Proposed Development

The original proposal was for outline planning permission for 2 no. detached dwellinghouses with a central driveway and a garage at the bottom of the rear garden for each property. This application considers only the reserved matters of access and layout. The other matters of appearance, landscaping and scale were reserved for consideration at reserved matters stage.

Due to issues of amenity in relation to surrounding occupiers, amended plans were sought to remove the central driveway and garages to the rear.

A revised scheme was submitted showing the plot equally subdivided with a detached property indicated towards the front of each plot. The amended plans were reconsulted on for 14 days.

A further amendment was made to the proposal to remove layout from consideration.

The proposal is therefore for outline planning permission for 2 no. detached dwellinghouses considering only the reserved matter of access. The other matters of appearance, landscaping, layout and scale are reserved for consideration at a later stage.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Initial Consultation – 28/07/2017 – 21 days

Desborough Town Council

- Objection.
- There is no other property that has a road leading to the rear and therefore not in keeping.
- Concerns over lack of privacy for the rear gardens and 5 cars per property is perhaps overkill.

Highway Authority

- Highway Authority standards are to be applied.

Environmental Health

- No objection.
- Subject to conditions for unexpected contamination, and working hours for construction, and informatives regarding radon and invasive weeds.

Neighbours

157 Pioneer Avenue.

- Objection.
- The gravel road will cause air pollution as well as noise and light pollution.
- Any vehicles using their lights will shine directly into my property.
- The vehicle parking area will be against my fence causing noise and air pollution making it impossible to sit at the bottom of my garden, which will also affect the wildlife.

112 Federation Avenue

- Objection.
- The house at the front of the plot will cause us to lose light to a side window.
- There needs to be enough room to maintain our home.
- The noise and light pollution from the proposed cars to be parked at the rear of the land, coming and going, would mean we would be unable to open windows when sleeping and the noise and air pollution from the cars would restrict the use of the garden and be detrimental to health.
- The design is not in keeping with the area as all homes have garages/car ports/drives to the front of the homes.
- Already a problem with access in and out of Federation Avenue due to

the amount of traffic. The loss of the bus stop in unity Street some time ago was due to traffic and parking problems and by adding 6 parking places to the back of the plot would only add to the problems.

161 Pioneer Avenue x 2

- Objection.
- The gravel drive would provide intrusive vehicular access near the rear of my property and the 2 structures would enable vehicles to be parked a few feet from where we sleep and cause light and noise pollution.
- No properties in Federation Avenue, Windsor Avenue or Pioneer Avenue have garages, parking or similar builds at the rear so close to neighbours in this way.
- The layout of the two dwellings is inappropriate and not in keeping with the rest of the street.
- A road will run down the plot meaning all properties adjacent to the land will have their privacy compromised in a way that no other properties backing on to houses in Federation Avenue do.
- All other properties are at the front of the land with their garage or freestanding at the front too.
- Putting dwellings or garages at the bottom of the land creates a cul-de-sac and means the living space is inserted deep into what everyone else has kept as gardens.
- This therefore intrudes into the private space of the properties backing onto the land resulting in a loss of privacy and increase in noise of garages etc. for the surrounding properties.

110 Federation Avenue

- Objection.
- The access to parking at the rear of these houses would be detrimental to neighbouring properties and not in line with surrounding properties.
- All our living accommodation is at the rear of the property and vehicles to the rear would impact with sound from the gravel drive, car doors, engine noise and light pollution from headlights and security lighting in the car ports.

Reconsultation – 20/09/2017 – 14 days

Desborough Town Council

- No objection.
- Subject to the Planning Application being in keeping with the rest of the street, the visual impact on neighbours, sufficient parking.

Highway Authority

- No further comments received but Highway Authority standards are to be applied.

Environmental Health

- No further comments received.

Neighbours

112 Federation Avenue

- No objection provided parking facilities are on each plot to the front then this is in keeping with the area, otherwise.
- Objection, as concerns that the Design and Access Statement has not been amended and therefore states there will be cars parked to the rear of the land.

5.0 Planning Policy

National Planning Policy Framework

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 8. North Northamptonshire Place Shaping Principles

Policy 9. Sustainable Buildings

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

Saved Policies in the Local Plan for Kettering Borough

Policy 35. Housing: Within Towns

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
3. Residential Amenity
4. Parking and Highway Safety
5. Contaminated Land
6. Sustainable Design and Energy Efficiency

1. The Principle of Development

The application site is in an established residential area to the southwest of Desborough.

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. The application site is within the town boundary of Desborough, as defined by Saved Policy 35 of the Local Plan for Kettering Borough, in an established residential area where Saved Policy 35 is supportive of proposals for residential development in principle.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct new residential development to existing urban areas and indicate that Desborough as a smaller town is a secondary focal point for smaller scale development.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of new residential development provided there is no adverse impact on character and appearance, residential amenity and the highway network.

The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

2. Character and Appearance

Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

The proposal seeks outline planning permission for the construction of 2 no. detached dwellinghouses on a vacant rectangular double plot of land between Nos. 112 and 120 Federation Avenue. As the proposal is in outline, only access is being considered at this stage and no details have been submitted showing the design and scale of the proposed dwellings, although an indicative layout has been provided.

Residential development in Federation Avenue and the surrounding streets in Windsor Avenue and Pioneer Avenue comprises of a variety of detached two-, one-and-a-half and single storey dwellinghouses set towards the front of long narrow plots of land and which follow a regular building line.

The properties surrounding the application site are predominantly two-storey dwellinghouses built in the 1960s and 1970s of a gable roofed, unfussy design reflective of that time. The palette of materials is predominantly buff brickwork with concrete tile roofs and many properties have replacement PVCu windows and doors. Parking is also provided on site in front of each dwellinghouse.

The plot when subdivided into two equal sized plots gives rise to 2 no. plots with a width of 11.5 metres and a length of 51 metres, which corresponds to the plot size of surrounding development. This is considered to be adequate to accommodate 2 no. dwellinghouses to the same density as surrounding development, the scale, appearance and final layout of which can be determined at the detailed design stage when the reserved matters are determined.

To ensure the subsequent reserved matters applications are reflective of the surrounding character, conditions will be added requiring materials to match those on surrounding development, and to restrict the maximum number of storeys of the proposed dwellinghouses to two.

As such, it is considered that the proposal will not adversely impact on the

character and appearance of surrounding residential development or the wider street scene which is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Residential Amenity

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

The proposal seeks outline planning permission for the construction of 2 no. detached dwellinghouses on a vacant rectangular double plot of land between Nos. 112 and 120 Federation Avenue. As the proposal is in outline with only access being considered at this stage, only a limited assessment can be made in terms of the impact on neighbouring residential amenity, using the indicative layout provided.

The amended scheme has removed the 2 no. dwellinghouses from the rear of the plot (proposed under KET/2017/0141) and as such, the resultant 2 no. dwellings have been sited so they reflect the front building line on the southeast side of Federation Avenue. No details have been submitted showing the design and scale of the proposed dwellings but it is considered that the plot length is sufficient to ensure there will be no impact on the amenities of neighbours at the rear of the plot at No.2 Windsor Avenue and Nos.157 and 159 Pioneer Avenue, over and above any impact caused by existing surrounding neighbours.

With respect to the adjacent neighbours at Nos.112 and 120 Federation Avenue, an objection has been received from No.112 regarding overlooking, a loss of privacy and loss of light to a first floor side (southwest) window. The window in question is obscure glazed and serves a landing area, which is in accordance with planning permission granted for the construction of this dwellinghouse under reference KE/82/0607. Even though appearance, scale and final layout are reserved for later consideration, a condition will be added to prevent any openings at first floor level in the northeast and southwest elevations of both proposed properties to prevent any undue overlooking or loss of privacy. With respect to a potential loss of light, it is considered that, the newly proposed properties would be positioned broadly in line with existing neighbouring facing side elevations and would not unduly block light to habitable areas to the front or rear of neighbouring properties, including to rear garden areas.

With respect to No.112, a gap is proposed to the northeast boundary of the site to ensure that some separation to the facing obscure-glazed opening is achieved. The precise extent of this gap would be secured at detailed stage – but it would ensure that light would still be able to access the landing opening – which does not provide outlook for the current occupiers and does not serve a habitable room. The subsequent detailed application can be used to direct the design, scale and layout such that there will be no adverse impact on the amenities of these neighbouring occupiers over and above any impact currently experienced in the surrounding properties.

With respect to the amenities of future occupiers, a condition is to be added regarding the provision of boundary treatment between the two proposed dwellings to ensure there is no loss of privacy between the future occupiers.

Given the size of the site, the low density proposed and that the proposal seeks outline approval only, there is no reason to believe that an appropriately designed application could not result in a scheme that provides a good standard of residential amenity for future users of the site and surrounding neighbours. As such the proposal is considered to be acceptable in this respect and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The Local Highway Authority provided initial comments referring the Local Planning Authority to their Standing Advice in respect to residential parking. In accordance with the Local Highway Authority Standing Advice (June 2016) a means of private drive access is required to be at least 3 metres wide with visibility splays of 2 metres by 2 metres and the maximum gradient over the first 5 metres clear of the highway must not exceed 1 in 15. 3 no. parking spaces are to be provided for a 4+ dwellinghouse and are required to be at least 2.5 metres wide, widened to 3.3 metres where there is a solid boundary or where it is also the sole means of pedestrian access to the dwelling, and 5.5 metres deep. A positive means of drainage is also required to prevent surface water discharging onto the highway.

The information provided in relation to the access shows a front garden area 8 metres deep and 11.5 metres wide for each proposed dwellinghouse. It is considered that an area of this size would be adequate to provide sufficient space within each plot to provide an access and parking for a dwellinghouse. Federation Avenue is not a restricted highway and can also provide some on-street parking and it is considered that the addition of 2 no. dwellinghouses in this location will not lead to a level of parking that cannot be adequately accommodated within the site or on the existing highway.

Although the information submitted with the application refers to a 4/5 bed dwellinghouse on each plot, whether this is acceptable or not will be determined at a later detailed reserved matters stage when the appearance, layout and scale will be considered. Conditions will therefore be added requiring details of the access to be submitted for consideration, together with the requirements for visibility splays, the access gradient and parking spaces.

As such, it is considered that the proposal will not adversely impact on highway safety and will provide access and parking in accordance with Local Highway Authority standards.

5. Contaminated Land

Policy 6 of the North Northamptonshire Joint Core Strategy requires new development to be mitigated by remediation strategies in the event of any land contamination.

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 any unexpected 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. Sustainable Construction and Energy Efficiency

Policy 9 of the North Northamptonshire Joint Core Strategy requires new development to incorporate measure to ensure high standards of resources and energy efficiency and reduction in carbon emissions. This includes measures which limit water use to no more than 105 litres/person/day.

Policy 30 of the North Northamptonshire Joint Core Strategy requires new development to meet Category 2 of the proposed National Accessibility Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities.

As the detailed design stage is not for consideration in this application, information in this regard can be secured by condition when considering the reserved matters of appearance, layout and scale at a subsequent application.

Conclusion

Subject to the imposition of the required conditions, there are no material planning considerations which outweigh the Policies in the Development Plan, and the proposal is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: