

BOROUGH OF KETTERING

Committee	Full Planning Committee - 20/02/2018	Item No: 5.6
Report Originator	Andrew Smith Development Team Leader	Application No: KET/2017/1033
Wards Affected	All Saints	
Location	Carey Memorial Baptist Church Hall, Nelson Street, Kettering	
Proposal	Full Application: Conversion of hall to create 7 no. dwellings	
Applicant	Mr R Glenn Rockingham Design Partnership	

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 listed in the schedule of plans below.

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

3. Prior to the first occupation of the development hereby approved, full details of refuse storage and collection facilities shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details. The approved facilities shall be retained at all times thereafter.

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

4. Prior to the first occupation of the development hereby approved, full details of cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details. The approved facilities shall be retained at all times thereafter.

REASON: In the interest of promoting sustainable transportation modes in accordance with Policy 15 of the North Northamptonshire Joint Core Strategy.

5. Prior to the first occupation of the development all window openings at the site shall be glazed in full accordance with the details annotated upon the approved floor and elevation plan (ref: L11 rev H); i.e. with certain specified windows being part-obscure glazed and part-clear glazed. All ground floor windows bordering the rear amenity area of No.168 King Street in the north eastern area of the site shall be non-openable. Following first occupation all window openings shall be permanently retained in their approved form.

REASON: To protect the privacy of adjoining and future occupiers and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. No works shall take place on site until full details of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. The window details shall include glazing bar details at 1:2. The works shall not be carried out other than in accordance with the approved details.

REASON: Details are required prior to the commencement of development in the interests of safeguarding the character and appearance of the application site and surrounding area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. The rooflights hereby permitted shall be conservation rooflights. No part of any of the rooflights shall sit above the plane of the roof.

REASON: In the interests of visual amenity and ensuring high quality design in accordance Policy 8 of the North Northamptonshire Joint Core Strategy.

8. No development shall take place until a programme of archaeological work, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

REASON: To ensure that adequate provision is made for the investigation and recording of any remains that are affected by the conversion in accordance with Policy 2 of the North Northamptonshire Joint Core Strategy.

9. 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 change of use of a building permitted by Class L of Part 3 of Schedule 2 of the Order shall be made on the application site.

REASON: To confirm that the approved flats are restricted to Class C3 (dwellinghouse) as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended) so as to protect the amenity of the occupiers of adjoining properties and the surrounding area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. All dwellings shall be constructed to achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).

REASON: In the interests of water efficiency in a designated area of water stress in accordance with Policy 9 of North Northamptonshire Joint Core Strategy

Officers Report for KET/2017/1033

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

3.0 Information

Relevant Planning History

KET/2017/0285 Conversion of hall to create 9no. dwellings (Refused 16/11/2017 on the grounds of an overdevelopment of the site so as to place undue pressure upon on-street car parking and to cause harm to surrounding residential amenity).

The current application has been made to overcome the earlier refusal reasons.

Site Visit

Officer's site inspection was carried out on 19/01/2018.

Site Description

The site comprises a red brick constructed now vacant Church Hall building, this is located to the south east of the still operational Carey Baptist Church. The two buildings are connected by a narrow brick-built link and were originally constructed in the early part of the twentieth century. The Church Hall was last used for community group uses in April 2015, a decision to relocate these community activities to the main Church was taken at that time due to the substantial investment required to make it safe to run for such community uses and activities. The Church Hall is afforded some external amenity space to the rear (east), which is accessed via a gated walk-through running the southern side of the building from Nelson Street. The area is predominantly residential in character; the site to the rear borders a number of private residential garden areas.

Proposed Development

It is proposed that the Church Hall be converted to 7no. self-contained flats (4no. one-bedroom and 3no. two-bedroom). The proposed conversion would include the creation of a first floor level within the building. Minimal external alterations are proposed as part of the conversion, although a number of new doorway openings are proposed at ground floor level around the building whilst existing bordered up first floor window openings are proposed to be reinstated with timber installations to match existing. The external amenity area would provide bin and bike storage opportunities.

The scheme represents a re-submission of *KET/2017/0285*, an application to convert the building to 9no. self-contained flats that was refused last year on the basis of the then proposals being an overdevelopment of the site so as to place undue pressure upon on-street car parking and causing harm to the amenities of neighbouring residents.

Any Constraints Affecting the Site

None.

4.0 Consultation and Customer Impact

Highway Authority: The Local Planning Authority should satisfy itself regarding parking and servicing at the site. Further information is requested with respect to vehicular traffic flows and evening and weekend residential parking in order to fully assess the proposals. However, the submitted parking survey is still relevant and evidences capacity within the immediate vicinity. The proposed cycle parking is adequate.

NCC Archaeology: The significance of the building lies in its historic associations with the Baptist movement and the later 19th century development of Kettering as well as its historic fabric. A programme of building recording, to be secured via condition, is recommended accordingly.

Northants Police: Comments provided in the interests of security and the quality of life of future occupants. The side access way should be secure and linked to an access control system. Ideally bin storage should be located away from the entrance alleyway. Communal areas should be lit and all doors and windows should meet the relevant requirements of the Building Regulations.

Neighbours: Notification letters were sent out to close proximity neighbours and two site notices were erected at the site. 1no. response was received and can be summarised as follows:

74a Bath Road: Objection on the grounds that the area cannot sustain on-street car parking and that there would be the loss of a community hall.

5.0 Planning Policy

National Planning Policy Framework

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 11 – Conserving and enhancing the natural environment

Section 12 – Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 2 – Historic Environment

Policy 4 – Biodiversity and Geodiversity

Policy 7 – Community Services and Facilities

Policy 8 – North Northamptonshire Place Shaping Principles

Policy 9 – Sustainable Buildings

Policy 11 – The Network of Urban and Rural Areas

Policy 30 – Housing Mix and Tenure

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. Principle of Development
2. Design & Heritage
3. Residential amenity
4. Ecology
5. Highways & Parking
6. Crime Prevention

1. Principle of Development

The proposals are centred upon the conversion of an existing vacant building to residential accommodation within the defined town boundary of Kettering. The proposed development is therefore located so as to strengthen the network of settlements within the Borough in accordance with Policy 11 of the Joint Core Strategy.

The scheme would result in the loss of a vacant community facility. Policy 7 of the Joint Core Strategy states that such facilities should be safeguarded unless it can be demonstrated that:

- they are no longer viable; and
- no longer needed by the community they serve; and
- are not needed for any other community use or that the facility is being relocated and improved to meet the needs of the new and existing community.

The application submitted by the same applicant late last year, KET/2017/0285 (conversion of the facility to 9no. flats), was accompanied by a statement from Carey Memorial Baptist Church that stated that a decision was made in 2013 to focus investment and improvements upon the main Church building (such as the removal of pews, floor levelling, new toilet and kitchen facilities) in the interest making it a multifunctional space. This decision was influenced by the substantial investment needed to make the church hall safe and viable for the future. All community groups and organisations moved either into the main Church or elsewhere by April 2015, leaving the church hall vacant. It is also noted that it has been stated by the Church that they plan in the future to upgrade the existing external car parking area that is situated between the main Church and the church hall.

On the basis of the above, it is considered that it has been satisfactorily demonstrated that the church hall is surplus to requirements as a community facility. The community groups previously served by the building have been able to successfully relocate to the main Church next door. It is also accepted that the church hall, having lain vacant for a not insignificant period of time, would require substantial investment to bring it up to modern and safe standards for community

use and is therefore this eventuality is not considered viable. The scheme demonstrates compliance with Policy 7 of the JCS; the principle of the proposed conversion is considered to be acceptable.

2. Design & Heritage

The application is supported by a 'Planning / Heritage and Justification Statement'. Whilst neither the Baptist Church nor church rooms (the subject of this particular application) are formally listed they are considered to constitute non-designated heritage assets by virtue of their origin dating back to the early part of the twentieth century, their historic fabric and architectural merit.

It is encouraging that the proposals necessitate only minor alterations to the external fabric of the building. Generally existing openings are to be retained and reused whilst former openings are to be reinstated. This is well illustrated to the principal elevation facing Nelson Street where modern infill brickwork is to be replaced by timber door openings between original stone headed plinth features. Similarly, now boarded-up first floor windows to the side elevations of the property are proposed to be re-instated in timber to match existing window detailing. Full details of any new doors and windows to be installed would be secured via condition to ensure they are of complimentary form and profile to closely match existing.

In so far as other additional external openings that are proposed, there are new doors proposed at ground floor level to the south-east elevation and the rear elevation of the building. It is considered that these alterations are suitably discreet so as not to be considered to cause harm to the historic fabric of the building. A number of new roof lights are also proposed to be installed, these are considered to have a limited and acceptable visual impact on the proviso that a condition is imposed to ensure they are of 'conservation' style and fitted flush to the roof slope.

It is noted that the internal layout of the building is dominated by a central open hall area that is proposed to be lost by virtue of the introduction of a framework of internal partition walls so as to provide 5no. flats at ground floor level and the introduction of a first floor level to provide a further 2no. flats. Whilst the building would have been originally constructed and intended to provide a large open church room, the harm of its loss would be minimal by virtue of modern alterations that have already occurred internally (including the installation of a ceiling above the open hall area) and the sensitive positioning of new partition walls with respect to the building's openings. Furthermore, the proposed elevations illustrate that the base first floor level would also not interfere with existing window openings.

The proposals would appropriately preserve the significance of a non-designated heritage asset in compliance with Policy 2 of the Joint Core Strategy and the guidance contained within the NPPF. This is subject to a planning condition being applied to ensure that adequate archaeological investigation (to include building recording where necessary) is carried out in conjunction with the proposed conversion works – as requested by NCC Archaeology.

As a further note with respect to design, a condition is proposed to require that water efficiency measures be utilised as part of the conversion to ensure compliance with Policy 9 of the Joint Core Strategy, which seeks to ensure sustainable buildings.

3. Residential Amenity

Policy 8 of the Joint Core Strategy requires that the amenities of future occupiers, neighbouring occupiers and the wider area are protected as part of development proposals. In this context the proposed plans under went amendment during the progression of KET/2017/0285, these negotiated amendments are reflected in these latest proposals. The proposed upper floor glazing arrangements have required careful thought and consideration to ensure that the amenities of both future occupiers of the development and neighbouring occupiers are safeguarded. The current array of first floor openings, with the exception of a single gable end window to the rear, are currently bordered up and offer no outlook.

In light of the tight urban character of the site and the close relationships in existence with neighbouring properties, glazing solutions have been negotiated with the applicant that involve obscure-glazing the lower portions of a number of the first floor window openings (where sensitive) and clear-glazing the upper portions. This has been required to three of the south-east elevation windows and three of the gable-end north-east elevation windows (to protect various Bath Road property occupiers from unduly sensitive overlooking opportunities) as well as to one of the of the north-west elevation windows (to protect the amenity of occupiers at No.168 King Street, the built extent of which is located approximately 21m from the application site at its nearest point). The provision of clear-glazed upper window portions in these instances would ensure that the occupiers of the habitable rooms affected would continue to have a decent degree of outlook whilst limiting the extent of outlook available (particularly with respect to close-proximity views of adjacent amenity areas) in the interests of safeguarding amenity.

It is considered that these arrangements constitute a pragmatic solution in such circumstances – it is considered that the separation distances to neighbouring properties are enough (i.e. approximately 20m for the nearest relationships, whilst facing properties are also set on variant oblique angles to the application site) so as not to necessitate the provision of fully obscure-glazed openings. Such full obscure solutions would be adjudged to provide oppressive living environments for the effected future occupiers and should be avoided where serving habitable rooms.

In accordance with the requirements of Policy 30 of the JCS, the applicant has paid regard to the National Spaces Standards for new properties. These standards are reflected on the proposed floor plans and it is considered that the amenities of future occupiers would be safeguarded in this context accordingly – i.e. satisfactory living arrangements are promoted. The situation in this context has been assisted by there now being proposed just 2no. flats at first floor level (as opposed to the 3no. proposed under KET/2017/0285).

Worthy of specific note in an amenity context is proposed Unit 4, which is located to the rear of the site at ground floor level and within a part of the building that abuts the rear amenity area of No.168 King Street to the north-west. By virtue of this immediate relationship with No. 168 it has been necessary to ensure that window openings in this area are retained in a fully obscure and non-openable. Fortunately proposed Unit 4 is afforded a further built frontage to the south-east where it is proposed that it be served by two glazed door openings and a further single clear-glazed window opening to serve an open plan kitchen and lounge area within the

flat.

Furthermore with respect to Unit 4, it should be noted that this now represents an amalgamation of previously proposed Units 4 and 6 (through KET/2017/0285). It is therefore afforded a spacious internal layout with further northwest-facing outlook provided from the proposed double bedroom. A southwest-facing window opening would also serve the unit's proposed single bedroom area. Notwithstanding the non-openable specification of a number of the openings that would serve Unit 4, it has been checked with KBC Building Control that this particular flat would be able to meet the relevant regulations with respect to fire escape requirements by virtue of openable window to the proposed bedroom areas of this unit.

In the further interests of prudence and in recognition of the tight urban environment in which the site sits and the relatively high level of anticipated occupation at the site, a planning condition should be attached to any consent to ensure that the relevant permitted development rights that would allow a residential flat to be converted to a small house in multiple occupation (HMO; i.e. occupied by 3-6 unrelated persons) without planning permission are removed. This is in the interests of safeguarding the general amenities of the area.

With respect to proposed bin storage arrangements, the proposed plans indicate the provision of individual compound enclosures for each individual flat within the defined amenity space to the rear of the premises. The application site also incorporates a narrow strip of land within the applicant's control to the front of the property and to the back of the highway boundary which would serve as a bin collection point on collection days.

4. Ecology

Policy 4 of the Joint Core Strategy requires that existing biodiversity and geodiversity assets are protected as part of development proposals. The Biodiversity Officer at NCC, when consulted upon KET/2017/0285, highlighted the building's potential to support bats – a preliminary bat survey was carried out by a licenced ecologist appointed by the applicant accordingly. No evidence of bats, current or historic, were found and no further surveys were recommended on the basis of the building construction offering limited potential for bat roosts (i.e. no openings or crevices suitable for bats were observed). The NCC Biodiversity Officer confirmed no objection to the findings.

5. Highways & Parking

The scheme is reliant upon on-street car parking spaces to serve the future occupiers of the development. In accordance with the requirements of the Local Highway Authority, a Car Parking Beats Survey (Survey) to seek to demonstrate that there is sufficient on-street supply to serve the development has been submitted. The scope of the Survey was agreed with the Local Highway Authority prior to its submission during the determination of application KET/2017/0285. The weekday survey was carried out on a Monday and the weekend survey on a Sunday, both between 5am and 6am and between 6pm and 9pm. Extents of Nelson Street, Bath Road, Princes Street, King Street and Regent Street were covered.

The conclusions of the Survey demonstrate that there is ample unrestricted on-street car parking available well within a 200m radius of the application site. This is the conclusion reached during all of the survey periods undertaken. The Local Highway Authority, in response to KET/2017/0285 confirmed no objection to the application and confirmed that the submitted survey evidences capacity within the immediate area to accommodate vehicles at a level of one car per dwelling with further spaces available within walking distance for extra vehicles and visitors. The Local Highway Authority in their response to this new application has confirmed that the results of the survey are still relevant and evidence spare capacity in the locality. Whilst they have also suggested that further information to fully assess the proposals would be helpful, it is considered that it would be onerous to request the applicant to submit further information given the full acceptance provided by the Local Highway Authority previously, that surveys have already been carried out on both a weekday and the weekend and that the scheme has been reduced to 7no. units (as opposed to 9no. units, as refused in November 2017).

The Survey acknowledges that the survey period undertaken on Sunday morning does not cover the Sunday service that commences at 10:30am. It has however been pointed out that the area between the Church Hall (hereby proposed to be converted) and the Church itself is to be retained by the Church for car parking purposes (to accommodate up to 7no. cars), that the Church serves the local community so many of its patrons can and do access it by means other than the private car.

Whilst it is acknowledged that there is a period of high demand during late Sunday morning hours, Officers are content that the Surveys undertaken demonstrate good levels of general parking availability in the local area. It is not considered that the proposals, by virtue of their relatively limited scale and being based upon the conversion of existing floor space, would produce a level of parking demand that would result in undue pressure upon the supply of available car parking opportunities in the local area to the detriment of highway safety. The proposals are therefore considered to be compliant with Policy 8(b) of the Joint Core Strategy.

6. Crime Prevention

Policy 8 of the Joint Core Strategy requires that developments seek to design out antisocial behaviour and crime. Northants Police have provided some notes of advice to ensure that this is the case. The applicant, when previously responding to Police comments with respect to KET/2017/0285, has confirmed that the side access to the flats will be secure, lit and free from obstacles. The access gate shall be code operated and a CCTV system will be utilised additionally. It has also been confirmed that all doors and window openings shall meet the relevant Building Regulation requirements. The proposed individual bin stores have been carefully designed and positioned on the proposed plans to ensure that a thoroughfare of at least 1m in width is provided through the side and rear amenity area that serves the site. It is considered that the proposals are acceptable in a crime prevention context and that an appropriate and useable layout is proposed for the development.

Conclusion

The proposed conversion would constitute sustainable development that would result in the loss of a community facility that has been demonstrated to be surplus to requirements, would appropriately preserve the significance of a non-designated heritage asset, would safeguard the amenities of existing and future residential occupiers, would avoid harm to biodiversity and would not prejudice highway safety in compliance with Policies 2, 4, 7, 8, 11 and 30 of the North Northamptonshire Joint Core Strategy and the policy guidance contained within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Andrew Smith, Development Team Leader on 01536 534316

Previous Reports/Minutes

Ref:

Date: