

BOROUGH OF KETTERING

Committee	Full Planning Committee - 13/03/2018	Item No: 5.7
Report Originator	Louisa Johnson Development Officer	Application No: KET/2018/0061
Wards Affected	Burton Latimer	
Location	Patrick Court, 37 Duke Street, Burton Latimer	
Proposal	s.73A Retrospective Application: Installation of gated vehicular access	
Applicant	Mr A Bate Bespoke Supportive Tenancies	

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 not be carried out other than in accordance with the approved plans and details listed below.

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

2. Within 8 weeks of the date of this permission details of measures taken to improve the operation of the gates shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be fully implemented within 8 weeks of the details being approved. Thereafter the gates shall be operated in accordance with the approved details.

REASON: To improve the operation of the gates and reduce the likelihood of queues forming in Duke Street in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2018/0061

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

3.0 Information

Relevant Planning History

KET/2015/0634 – 2 no. single storey infill extensions to 3 no. bungalows –
Approved 22/10/15

KET/2007/0582 – Construction of 7 no. flats and 3 no. bungalows (demolition
of outbuildings and no.37 Duke Street) – Approved 10/01/08

Site Visit

Officer's site inspection was carried out on 15 February 2018.

Site Description

The site is located on Duke Street Burton Latimer in a predominately residential area. The site is formed of three bungalows and seven flats around a courtyard with parking and bin storage. The site is accessed via an undercroft from Duke Street. Bespoke Supportive Tenancies are the landlord of Patrick Court and have three units within the court; the other seven units are managed by Nottingham Community Housing Association. Both organisations provide accommodation for vulnerable adults.

Duke Street is formed of a row of terraced housing and there are no parking restrictions on the street.

Proposed Development

This is a retrospective application for the erection of 2m high gates within the access undercroft to Patrick Court.

Any Constraints Affecting the Site

Conservation Area

Permitted Development rights for Classes A and E removed

4.0 Consultation and Customer Impact

Neighbours

Five letters of objection have been received, the following points have been raised:

- The gates make it very difficult for all residents of Duke Street to park due to staff, visitors and residents from the site parking on Duke Street.
- The closed gates cause regular and dangerous build-ups of traffic in the highway and across the pedestrian footpath, with carers and visitors cars stuck waiting for the gates to be opened.
- Vehicles regularly reverse out when gates are not opened in a timely manner.
- Carers and visitors frequently choose to park inconsiderately in Duke Street rather than wait for the gates to be opened.

5.0 Planning Policy

National Planning Policy Framework

Policy 1 – Sustainable development

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

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. Impact on residential amenity
4. Highways and Parking

1. Principle of Development

This is a retrospective application for the erection of double gates in the undercroft access to Patrick Court.

Policy 8 of the adopted NNJCS (July 2016) seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area. 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.

Subject to detailed consideration of the impact of the gates, having an acceptable impact on highway safety, the character and appearance of the area and residential amenity, the development is considered acceptable in principle.

2. Highways and Parking

The gates are set approximately 8m from the highway boundary and open inwards; this complies with the Local Highway Authority (LHA) requirements for gates to open inwards with a minimum set back of 5.5m from the highway boundary. The parking spaces within the court are allocated to residents and are for the use of residents and their visitors. In regard to carers and visitors parking within Duke Street, the applicant has an arrangement in place with the Civic centre in Burton Latimer to park their minivan and for staff to park their vehicles.

A number of objections have been received from residents of Duke Street regarding the gates and their operation. Concerns raised by residents include queues building up in the road due to more than one vehicle waiting to enter the court and / or delays in the gates being opened and visitors and carers parking in the road rather than the court.

Whilst the gates meet the LHA requirements neighbours are concerned that the presence of the gates is causing problems in this narrow terraced street. As such the applicant has agreed to look at options for improving the operation of the gates to minimise the impact on residents of Duke Street. Therefore it is recommended that a condition requiring the submission of details of measures such as electrification, to improve the operation of the gates and how this will be managed to ensure timely access to the site, is attached to this permission.

Therefore subject to the condition above, it is considered that the gates are in accordance with LHA requirements and the relevant parts of Policy 7 (NPPF) and Policy 8 (NNJCS).

3. Impact on residential amenity

The gates are set back 8m from the highway boundary and the operation of the gates does not affect the amenity of neighbouring properties. Whilst there have been objections regarding the gates and highway and parking issues, these issues have been addressed above.

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

4. Impact on the character and appearance of the area

The site is located on Duke Street Burton Latimer, in a predominately residential area.

The gates are approximately 4.7m wide by 2m high and wooden with a metal frame.

Whilst the design of the gates is not particularly in keeping with the character of the area, they are set 8m back from the highway boundary and are not visible in views down the street, only becoming visible when you are opposite the site. Therefore it is considered that the gates would not be detrimental to the character and appearance of the area.

Overall the gates have an acceptable impact on the character and appearance of the area and accords with the relevant parts of Policy 7 (NPPF) and Policy 8 (NNJCS).

Conclusion

The development is acceptable in principle and in terms of its impact on highway safety, the character and appearance of the area and on residential amenity. Subject to conditions the 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: