

BOROUGH OF KETTERING

Committee	Full Planning Committee - 08/05/2018	Item No: 5.7
Report Originator	Gavin Ferries Senior Development Officer	Application No: KET/2018/0124
Wards Affected	St. Michaels and Wicksteed	
Location	78 Headlands, Kettering	
Proposal	Full Application: Change of use from C2 to a health, wellbeing and therapy centre	
Applicant	Mrs A Kaur	

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. Prior to the first beneficial use hereby permitted of the building, a detailed scale plan (at a scale of 1:100) showing the following shall be submitted for the approval in writing of the Local Planning Authority and implemented in accordance with the approved details and thereafter retained in perpetuity;

-Access width of 5.5m

-Pedestrian visibility splays of 2m x 2m at either edge of the access to the rear of the highway boundary (clear above 600mm).

-The surfacing material for the driveway and parking areas (to be hardbound)

-Parking and manoeuvring for a minimum of 6 visitor spaces and 3 staff spaces

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

3. The use hereby permitted shall not be carried out before 08:30 hours or remain open after 19:30 hours on Mondays to Saturdays nor at any time on Sundays or any recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The building shall be used only for health, wellbeing and therapy consultation and podiatry as detailed within the submitted Proposed Use statement and for no other purpose whatsoever (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: In order to define the permission as approved and in the interests of amenity of nearby residential occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2018/0124

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

3.0 Information

Relevant Planning History

KET/2017/0825 Change of use from residential institution to business offices and non-residential institutions **withdrawn**

KE/93/211 change of use to a rehabilitation home **approved** 20 July 1993

Site Visit

Officer's site inspection was carried out on 14/03/2018

Site Description

The application site consists of a detached dwelling within the principally residential area of Headlands within close proximity to Kettering Town Centre. There is an existing vehicular access to the site and the building previously had an authorised use as C2 residential institution (however this use is stated as having ceased in 2014 but the building has been in use subsequently, with the precise use between these times being uncertain).

Proposed Development

The application seeks consent to change the use of the building from a C2 residential institution to a mixed care based use containing therapy and wellbeing rooms and treatment rooms for non-residential purposes.

Any Constraints Affecting the Site

Change of Use

Nene Valley NIA Boundary

4.0 Consultation and Customer Impact

Highway Authority

Request further information regarding traffic generation to assess whether intensification in use will arise from the proposals. If so then request condition relating to improved access width and parking.

(officer's comment: confirmed with Highways Authority improvement approach is acceptable and therefore traffic generation information not required)

Neighbours

9 neighbour letters have been received raising concerns regarding parking, hours of operation and loss of dwellinghouse within the residential area.

5.0 Planning Policy

National Planning Policy Framework

Chapter 1. Building a strong, competitive economy

Chapter 3. Supporting a prosperous rural economy

Chapter 6. Delivering a wide choice of high quality homes

North Northamptonshire Joint Core Strategy

Policy 8 North Northamptonshire Place Shaping Principles

Policy 11 The Network of Urban and Rural Areas

Policy 22 Delivering Economic Prosperity

Policy 28 Housing Requirements

Kettering Borough Local Plan

Saved Policy K15: Policy K15 - Character/density in defined housing area

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Neighbour impact (excluding highways)
3. Highways and Parking

1. Principle of development

The proposed development is a mixed healthcare use with no residential facilities and therefore would fall within the use class D1 Non-residential institutions. The proposed use is described as being in two parts consisting of therapy & wellbeing and podiatry. Both of these elements would fall within the same use class and therefore is a single use of the site – the consideration is as a single use for D1 health facility.

Headlands is a primarily residential area and therefore the main consideration is whether the proposed use is considered to be appropriate as a non-residential use. There are other non-residential uses within Headlands and the property is not currently a C3 dwellinghouse.

There are no proposed buildings, extensions or alterations proposed as part of the development and the proposed development is not for residential and therefore Policy K15 has limited relevance to the development.

There is no loss of dwelling as a result of the proposal and the proposed use is not a defined town centre use (retail, office or leisure). Therefore the assessment falls to whether the impact of the proposal is acceptable.

2. Neighbour impacts (excluding highways)

The proposed use is for a restrictive use within the D1 use class. It is considered that the nature of the restrictive use is unlikely to generate significant noise or emissions that are likely to cause harm to the amenity of the area or the neighbouring properties.

It would be necessary to impose an hours restrictions and limit the use the specific use described but the nature of the use is not necessarily inappropriate or harmful in terms of described use. The requested hours of 08:30 to 19:30 Monday to Saturday (within the application form as there is a discrepancy with the supporting statement) is considered to be acceptable in terms of the general impact on the area. Hours outside of these could be considered to be anti-social or unneighbourly and therefore are not considered to be appropriate.

3. Highways and Parking

Whilst it is considered that the proposed specific use is not likely to be very intense in terms of vehicle movements, the highways impact is likely to be more significant than the existing authorised use.

The main concern raised by members of the public is in regards to parking problems which could be exacerbated by the proposed change of use. The assessment of impact can only be in regards to the impact of the proposal rather than resolving the existing situation which objectors have referenced in relation to Bishop Stopford School, the Kettering Muslim Association centre and users of the railway station. It is acknowledged that there is limited on-street parking available and therefore there needs to be site provision.

The building is primarily residential in form and character with the access being a domestic driveway. The access is approximately 2.5m in width which is less than the commercial access width (5.5m) that would be the recommended width for a business/commercial use. The width to the side of the building to access the rear parking area appears even narrower with the hedging on one side, making it less than 2.4m. The visibility on this arrangement is insufficient at either end and therefore does not provide a reasonable access to the rear to enable the usage of the additional area for parking by visitors to the site.

It is not possible to improve the access to the rear of the site due to the location of the boundary, however the area to the front of the property measuring 8m x 13m (excluding the width of access to the rear) could be redeveloped in order to provide additional parking for visitors and given there is existing parking and a garage to the rear of the property which are used, this area could be provided for staff only parking with a lesser degree of use.

The Highways Authority have commented on the application in regards to the required parking provision. They have stated that the current use requires 1 space per member of staff plus 1 space per 3 beds compared to 1 space per member of staff plus 3 per consulting room for the proposed use. This would generate 16spaces on the basis of the proposed 4 consulting rooms which is greater than the existing 5 spaces. The Highways Authority parking standards have not been adopted by Kettering Borough Council and therefore are guidance only but it is a reasonable assumption that additional parking above the 5 shown on the plan is reasonably required. It is recommended in the conditions that a minimum of 6 visitor spaces and 3 staff spaces are provided.

The Highways Authority have confirmed that the parking and access improvements could realistically be accommodated within the site and therefore could be reasonably conditioned. As such, it would be more appropriate to impose conditions than issue a refusal.

Conclusion

Subject to conditions restricting the use and hours along with a parking and access improvement plan, it is considered that the change of use from C2 residential care home to a health and wellbeing facility is considered to be acceptable and not result in unacceptable impacts on the residential area.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Gavin Ferries, Senior Development Officer on 01536 534316