

BOROUGH OF KETTERING

Committee	Full Planning Committee - 05/06/2018	Item No: 5.3
Report Originator	Natalie Westgate Senior Development Officer	Application No: KET/2018/0009
Wards Affected	Rothwell	
Location	74 Glendon Road, Rothwell	
Proposal	Full Application: 1 no. dwelling	
Applicant	Mr C Plowright	

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 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. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, 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.

4. The windows at first floor level on the east and west side elevations, as depicted upon approved Drawing No.82/139/07A, shall be glazed with obscured glass in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority and thereafter shall be permanently retained in that form.

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

5. 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 preserve the character of the area and to privacy of the occupiers of adjoining properties in accordance with Policies 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to the first occupation of the dwelling full details of the materials to be used for the paved surfacing to the front forecourt illustrated within Drawing No. 82/139/06A shall be submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

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

7. Prior to first occupation of the dwelling a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and any existing trees to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any newly approved trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Prior to the first occupation of the dwelling a scheme for boundary treatment and full details of the railings for the stairs shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details which shall remain at all times thereafter.

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

9. Prior to first occupation of the dwelling a vehicular visibility splay of at least 2m by 2m shall be provided on the eastern and western sides of the vehicular access. These measurements are taken from and along the highway boundary. The splay shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above the carriageway level.

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

10. Prior to first occupation of the dwelling, the vehicular parking spaces shall each be laid out as indicated upon the approved Drawing No.82/139/06A 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 in the interests of local amenity and highway safety and to comply with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. The gradient of the vehicular access shall not exceed 1 in 15 for the first 5m measured back from the highway boundary.

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

12. Any gates provided shall be set back a distance of 5.5 metres from the edge of the vehicular carriageway of the adjoining highway and shall be hung so as to open inwards into the site only.

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

13. 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 building, structure or other alteration permitted by Class A, B, C or E of Part 1 of Schedule 2 of the Order shall be constructed or made on the application site.

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

14. Prior to the first occupation of the dwelling the refuse storage shall be implemented in accordance with approved plans: Drawing No.82/139/07A and 82/139/06A and shall be made available for use. These refuse storage facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

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

15. Works audible at the site boundary during the construction of the development 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.

16. 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.

17. 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 the North Northamptonshire Joint Core Strategy 2016.

Officers Report for KET/2018/0009

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

3.0 Information

Relevant Planning History

KET/2017/0009: 1 no. detached dwelling – Withdrawn 3.4.2017

Site Visit

Officer's site inspections were carried out on 15 and 22 January 2018.

Site Description

The application site is vacant land consisting of overgrown landscaping. The site is set between two detached dwellings. The site is situated to the east of Rothwell. The site is located within a residential area. There are significant ground level changes within the site.

Proposed Development

The application seeks planning permission for 1 no. detached dwelling on land adjacent to No.74 Glendon Road, Rothwell. The application includes demolition of the side conservatory at No.74 Glendon Road.

Any Constraints Affecting the Site

Nene Valley NIA Boundary
Adjacent C Road

4.0 Consultation and Customer Impact

Rothwell Town Council

- Objection. Concern for road safety on this busy access road into Rothwell.

Highway Authority

- Objection on grounds of proximity of the junction, parking bay size, drainage and tree proximity.

Environmental Health

- No objection; subject to conditions for unexpected contamination and construction hours.

Neighbours

- Objections received from 2no. neighbouring properties (1 Ragsdale Street & 96 Glendon Road), which can be summarised as follows:
- Highway safety concerns. There must be parking provision on-site, parking in the area is already an issue. There should be no overlooking, loss of privacy or loss of light to neighbouring properties. Concern of subsidence and structural risk to a property in Ragsdale Street. And could obscure visibility. The maintenance of the fence bordering the site and Ragsdale Street is the responsibility of No.74.

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 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

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, Character and Appearance
3. Residential Amenity
4. Highway Safety, Access and Parking
5. Contaminated Land
6. Nene Valley Nature Improvement Area

1. Principle of Development

The site comprises former garden land associated with No. 74 Glendon Road. The site lies within the defined town boundary of Rothwell, as defined within the JCS, where the principle of residential development is acceptable, provided that it accords with all other relevant planning policies and in this particular case the character of the development, the impact on the amenity of neighbouring residents and the effect it will have upon the local highway network.

Policy 6 of the National Planning Policy Framework (NPPF) encourages use of land within existing settlements where future occupants can benefit from established amenities and public transport.

Policy 29 of the Joint Core Strategy (JCS) states that the re-use of previously developed land is encouraged, however it should be noted that the NPPF classifies garden land as previously undeveloped/greenfield land. The proposed development is however, located within the settlement boundary of Rothwell and therefore some form of residential development on the site is considered to be acceptable in principle.

2. Design, Character and Appearance

Paragraph 14 of the NPPF places a presumption in favour of sustainable development at the heart of planning; good design forms a key element of this. Local Planning Authorities must seek to secure a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.

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

The dwellings within this area of Glendon Road are set back from the streetscene and contain large dwellings that extent across the full width of their sites. The dwellings in this locality exhibit a variety of front building lines so therefore the set back of this proposed dwelling would be acceptable. The adjacent dwellings have pedestrian access via an external staircase, like that which is proposed within this scheme so it would be in keeping with the character of the area. The access contains railings which are set back from the streetscene and would be of a similar height of railings to that sited between No's 78 and 80 Glendon Road.

The proposed dwelling would be set down in height from the neighbouring detached properties. The proposed dwelling would be smaller in scale and mass than the surrounding properties so it would not appear dominant within the streetscene. There are ranges in designs so the proposed gable end roof would not appear out of character within the streetscene. There is a large bay window at ground floor level which is typical of the character of this locality of Glendon Road. The proposed windows would be smaller than the windows on the surrounding properties and appropriate in size for the proposed dwelling. The proposed materials would relate to the materials on the adjacent dwelling at No.74 Glendon Road so would be appropriate, subject to samples of external materials.

The proposed refuse store is set behind boundary treatment and gated off for access so as to minimise the appearance of bins within the streetscene.

The appearance of the proposal would not detract from the character of the immediate area. The proposed development would comply with Policy 8 (d) of the JCS.

3. Residential Amenity

Along with seeking development to respect the character of an area, Policy 8 (e) (i) of the JCS seeks development to prevent harm to residential amenities of neighbouring properties, by reason of overbearing, loss of light or overlooking.

The proposal would sit in garden land from No.74 Glendon Road between two dwellings. To the west of the site is No. 74. The plans show that the side conservatory on No.74 adjacent to the application site would be removed so the separation distance between these dwellings would be 1m. The side windows on No.74 serve secondary rooms so there would not be a loss of privacy as a result of the proposed dwelling. There would be boundary treatment between the properties, which is subject to a condition to ensure there would be adequate boundary treatment. The proposed dwelling would extend approximately 2.2m further back to

the rear beyond the neighbouring property. The main area of use within the rear garden for the amenity of those living at No.74 is set further back than the patio at the proposed dwelling so there would not be an overbearing impact to the occupiers at No.74. Although there would be some loss of light to this neighbour, given that the part of garden land which would be overshadowed would be to an under used part of the rear garden to No.74 and to secondary windows on No.74 then it would not be reasonable to refuse the application on the grounds of loss of light to this neighbouring property. The proposed first floor side window facing this property would serve a secondary room and is conditioned to be obscure glazed so there would not be overlooking to this neighbouring property.

To the east of the site is No.76 Glendon Road, in which there would be a separation distance between the dwellings of approximately 1.2m. The brick wall would be retained as adequate boundary treatment. There are no side windows to No.76 facing the application site. The proposed dwelling would extend approximately 2.2m further beyond the rear extent of the neighbouring property, however given the orientation, brick wall boundary treatment and side angle of the dwellings then it would have an acceptable relationship (as a note, No.76 benefits from a wide deep rear garden) so there would not be an adversely harmful loss of light or overbearing impact to the occupiers to No.76. The proposed first floor side window facing this property would serve a secondary room and is conditioned to be obscure glazed so there would not be overlooking to this neighbouring property.

To the rear of the site on much higher ground level than the application site is No.1 Ragsdale Street. No.1 is set further back from the application site so there is unlikely to be an impact upon this property. The rear garden at No.1 could overlook into the application site but there is already overlooking from this rear garden into other properties within Glendon Road. There is no evidence to suggest there would be more risk of structural damage and subsidence to the land at No.1 than there is from the existing properties along Glendon Road. The application site has boundary fencing and shrubs bordering this neighbouring property so therefore there would be adequate screening between the properties. Given the siting of the proposed dwelling in relation to No.1 then there would be no adverse harmful impact of overlooking, loss of privacy or loss of light.

In respect of the future occupants, the proposed scheme would provide adequate modest rear garden spaces for both the new occupiers of the application site and adequate remaining garden space for the occupier at No.74. There would be adequate space in the front garden for the provision of bins and bikes within the site. There is a condition proposed with respect to refuse to ensure there would remain appropriate management of the bins.

In accordance with Policy 30 of the JCS, the proposed dwelling would comply with the National Space Standards.

It is considered that the proposed development complies to provide adequate amenity space and bins and bike storage within the site for the future occupants and would not have an adverse harmful impact to neighbouring properties. The proposed development would be in accordance with Policy 8(e) (i) of the North Northamptonshire Joint Core Strategy.

4. Highway Safety, Access and Parking

Policy 8 (b) of the JCS, requires that developments have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards and states that developments must not have an adverse impact on the highway network or prejudice highway safety.

The Highways Authority object on the grounds of proximity of the junction, parking bay size, drainage and tree proximity. There are objections from a neighbouring property and Rothwell Town Council concerning highway safety. The proposed access is adjacent to vehicular parking spaces of up to two cars to the front of No.76. There is also already multiple dropped kerb access points on Columbus Crescent located close to the junction. Revised Drawing No.82/139/06A shows the trees are no longer close to the proposed parking, there would be adequate drainage within the site (an 'Aco' drain across the highway boundary is proposed), the parking bay sizes would meet highway standards and the plan illustrates adequate visibility splays within the site. Although parking is sited opposite a T junction serving Glendon Road and Columbus Crescent, given it sits adjacent to an already existing parking area and it is of modest size then it would be unreasonable to consider that undue highway safety concerns would materialise. Furthermore, although Glendon Road is a classified road and at times heavily trafficked, it is a single carriageway of 'C' classification and the proposals should be considered in this context. Relevant conditions relating to visibility splays and to ensure adequate highway safety are attached.

There has been an objection relating to the potential of increase in parking along Ragsdale Street, however, the plans show adequate parking provision within the site off Glendon Road.

The proposed development is for three-bed property, the provision of 2 off-street parking spaces is considered acceptable and commensurate to the scale of development.

There is adequate provision for cycle storage facilities within the site. The cycle facilities would be situated within the private front garden area and set back from the street so the design would have limited impact upon the streetscene.

The parking and access to the proposed dwelling is considered to be acceptable and thus complies with the aims and objectives of NPPF and JCS Policy 8 (b) (ii).

5. Contaminated Land

The Council's Environmental Health Officer has recommended a condition be added to ensure that the site is investigated / remediated in the event that unexpected contamination is discovered during construction. This element is conditioned in accordance with Policy 8 of the JCS.

6. Nene Valley Nature Improvement Area

The application site is within the Nature Improvement Area boundary, however, the application site is situated within an established residential area and the proposed scheme is set between dwellings on an overgrown landscaped site. It is considered

the development proposed will have no adverse impact on existing wildlife or the improvement of the Nene Valley.

Conclusion

In light of the amended plans received to clarify car parking arrangements, the proposal is considered to satisfy national and local planning policy. It is appropriately designed and will not impact on the neighbouring properties. As such it is recommended that planning permission should be granted subject to the recommended conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Natalie Westgate, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: