

BOROUGH OF KETTERING

Committee	Full Planning Committee - 18/12/2018	Item No: 5.6
Report Originator	Alan Chapman Development Officer	Application No: KET/2018/0788
Wards Affected	Welland	
Location	14 Hermitage Road, Brampton Ash	
Proposal	Full Application: Conversion of outbuildings to 1 no. dwelling	
Applicant	Mr & Mrs P Martin	

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. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no enlargements, improvements, alterations or additional openings permitted by Schedule 2, Part 1 Classes A, B or C shall be made in the south-western elevations or roof planes (adjacent No 16 Hermitage Road) of the building.

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.

3. No demolition, construction, deliveries of plant and materials for construction shall occur outside of the following times. 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.

4. If the development hereby approved does not commence (or, having commenced is suspended for 12 months) within one year from the date of the planning consent, further survey(s) shall be commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of bats and,
- ii) identify any new likely impacts that might arise from the changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme (Protected Species Scoping Survey at 14 Hermitage Road, Brampton Ash (October 2013) prepared by Hillier Ecology Limited submitted under approval KET/2013/0666), new measures and a timetable for their implementation will be submitted to and approved in writing by the Local Planning Authority prior to the commencement or re-commencement of development. Works must then be carried out in accordance with the agreed new ecological measures and timetable.

REASON: In the interests of protecting and enhancing biodiversity in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

5. Notwithstanding the submitted drawings, the obscure glazed roof light in the side (south-west) roof slope at first floor level to serve the toilet and shower room (as shown on Drawing Numbers: PM-502, PM-503, PM-505 and PM-506 received 8th October 2018 by the Local Planning Authority) shall be installed in the roof slope with its bottom cill at least 1.7m above the internal finished floor level, and thereafter shall be permanently retained in that form.

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

6. Prior to any new openings, or enlargements to existing openings, or the existing roof on the outbuilding to the rear of the site being removed, full details of all windows, roof lights, doors, timber finishes, verge detailing, rainwater goods and external facing and roofing materials shall be 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 the character and appearance of the Conservation Area in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy.

7. The shared pedestrian access running between the side elevations of the new dwelling and the existing dwelling (No.14 Hermitage Road, Brampton Ash) that leads into the rear gardens and as shown on approved Drawing Number PM_507 Rev A received 30th November 2018 by the Local Planning Authority shall be permanently kept as a shared access to permit occupiers of the new dwelling and the existing dwelling access into their rear gardens.

REASON: To ensure that the occupiers of both dwellings have access to their rear gardens and refuse bins store and to prevent refuse bins being kept permanently between the front elevations and the public highway in accord with Policy 2 and 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2018/0788

This application is reported for Committee decision because there are unresolved, material objections to the proposal and the proposal is a contentious application which, in the opinion of the Head of Development Services, is a matter for the decision of the Committee.

3.0 Information

Relevant Planning History

RU/69/02, Conversion of 3 domestic stores to garages

AOC/0206/0901, APPROVED, Condition no.2 (materials to be submitted) of KET/2009/0206

AOC/0666/1301, APPROVED, 12-12-16, Condition 3 (Materials) of KET/2013/0666

KET/2008/0890, APPROVED, 29-12-08, First floor rear extension

KET/2009/0206, APPROVED, 26-05-09, First floor Rear extension

KET/2013/0666, APPROVED, 27-02-14, Conversion of outbuildings (NB: Permission expired on 27/02/2017)

KET/2014/0414, NO-OBJECTION, 29-07-14, T1-2 Ash - fell; G1- Conifer - cut back to boundary line; T3 Beech - cut back to boundary line; T4- T5 Ash - prune low branches

KET/2014/0618, APPROVED, 05-11-14, Erection of temporary office accommodation

KET/2016/0636, NO-OBJECTION, 14-10-16, T1 Holly - Crown reduce to leave a tree height of 5m and crown radius of 1.5m -, T2 Cherry - Crown reduce to leave a tree height of 6m and crown radius of 2m, T3 Cherry - fell

KET/2017/0798, WITHDRAWN, 19-12-17, Conversion of outbuildings to 1 no. dwelling

Site Visit

Officer's site inspection was carried out on 07/11/2018

Site Description

The application site is located within the designated Conservation Area of Brampton Ash, and consists of a two-storey stone and slate roofed semi-detached dwelling (No. 14: application site and the attached property of No. 12), with two single storey outbuildings. One of the outbuildings is stone and slate and runs parallel with the application sites boundary with the road, but set back by some 15m. This outbuilding is shared across the boundary with No. 16 Hermitage Road. The second outbuilding is to the rear of the first and is a stone building with a tin roof. The ground rises up from the road to the rear of the site.

To the rear of the house and outbuildings is a long garden beyond which is open countryside. To the north is No. 12 (attached to the application site dwelling). To the south is No. 16 a two-storey semi-detached stone and slate dwelling. The rear garden of No. 16 is lower than the garden level of No. 14. Nos. 14 & 12 and Nos. 16 & 18 Hermitage Road are the same design and appear to date from the same era.

To the front of the site, on the opposite side of the road are No.3 (brick and plain tile dwelling) and 5 Hermitage Road (rendered and slate dwelling), both of which are at least 30 m from the outbuildings.

Proposed Development

Planning permission is being sought to create a 2-bedroom dwellinghouse out of the existing outbuildings currently within the curtilage of the dwellinghouse known as No.14. With the exception of the glazed link, in terms of design this proposal is similar to the annexe approved under KET/2013/0666.

The proposal seeks to create a link (partially glazed) between the front and rear single storey outbuildings. No link (as was the case with KET/2013/0666) is proposed between these outbuildings and the existing dwellinghouse of No.14.

It is also proposed to raise the roof the rear most outbuilding from 4.100m at the ridge to 5.245m at the ridge; this proposed 5.245m ridge height being the same as approved under KET/2013/0666. The applicant proposes to reduce the internal floor level of this outbuilding to give greater headroom internally. The tin roof will be replaced with slate.

As previously granted permission under KET/2016/0666, this proposal also includes extending the roof of the rear most outbuilding across to the front most outbuilding to create an enclosed link between the two separated outbuildings. Again the ridge height of this connecting link is 5.245m.

The plans also show the a number of associated changes to the exteriors, including;

- the replacement of large 'garage' doors with oak framed windows
- replacement of smaller 'garage' doors with timber external doors
- timber framed doors and windows in side (north-east) elevation
- linking atrium between two outbuildings oak framed glazing in wall and part glazed roof
- obscure glazed roof light in side (south-west) roof slope (similar to as approved under KET/2013/0666)
- 5 roof lights in two of the rear (north-west) roof slopes
- narrow two-storey gable end with Juliet balcony with oak framing in rear (north-west) elevation
- insertion of timber framed narrow patio doors in rear (north-west) elevation to replace single door opening

The proposal also includes widening the access walls, the provision of 4 on-site parking spaces (with turning/visitor space) and a new septic tank. (NB: underground LPG tank is shown on plans as already existing).

Planning permission was granted in 1969 (RU/69/2) for the conversion of the front most building from storage to domestic garages. At this time a central window under the gable projection was replaced with a garage door, and small front projecting extensions under a 'catslide roof' were added to either side of the gable to accommodate two new garages. The garage doors replaced two much smaller windows. As a result the garages have a domestic use. No conditions were attached to this planning permission removing permitted development rights.

Amended Plans

In response to the comments raised a set of amended plans were submitted. The amendments are:

- Location for storing bins in the rear gardens
- Relocation of parking space, additional parking space & turning area
- Dwarf stone retaining wall
- Revised sewerage system notes/details
- Re-labelling of proposed elevations (e.g. South changed to South East)

A 10 day re-consultation (expiring on 17 Dec 2018) on the amendments has been undertaken, and any comments/responses received will be reported to committee as updates.

Any Constraints Affecting the Site

Within Brampton Ash Conservation Area

Grade 1 Listed (Church) Building and curtilage located approximately 130 metres to the north-west

4.0 Consultation and Customer Impact

Brampton Ash Parish Town Council

Object to the proposal with the following (summarised) concerns:

Plans

Submitted plans lacking sufficient detail to address range of problems on site. Scales of plans are inaccurate and misleading.

Visual impact on Conservation Area (CA)

Site in prime position in conservation area. The BA Conservation Area Appraisal states that alterations/extensions to buildings are only permitted if sympathetic to existing/other buildings in locality.

All houses on west side of Hermitage Road constructed of local iron stone and fronts of houses have remained unchanged. The east and west side of the CA presents a unique and unspoilt Heritage asset and defines much of the character of the CA.

It is acknowledged that the garage of 14 Hermitage Road [adjoin the application site] has been altered.

The proposal will harm the CA due to its poor design.

Septic tanks

Existing septic tank within 5m of proposed dwelling is inadequate to accommodate additional effluent. Proposed (additional) septic tank is unclear where its drainage field would be as there is insufficient space to accommodate one. Officer comment: Building Regulations state what the septic tanks requirements are.

LPG storage tank

Underground liquid petroleum gas (LPG) storage tank. There are 4 parking spaces and councillors are concerned at the close proximity of the tank and spaces. Officer comment: Siting of LPG tanks is legislated by other bodies including the Health & Safety Executive (HSE). The Parish Council state general summarised advice on the siting of LPG tanks.

Car parking

Due to site constraints with the location of septic and LPG tanks, then insufficient space for 4 cars to park, manoeuvre and turn on site, thus leading to on-road parking and reversing onto highway. [Highway safety].

Refuse bin storage

Plans do not show bin storage location. The Parish Council assume they will be stored at front of property; this would be detrimental to the CA.

NCC Nature Development (Ecologist)

(Summarised). A bat survey was requested in 2017 under the withdrawn scheme KET/2018/0798. A survey had been done in 2013 for the KET/2013/0666. As it has been less than a year since the 2017 withdrawn scheme, I am prepared to accept the 2013 survey for this current application proposal. However, 5 years have now lapsed and in my view the survey will not be acceptable should this application/development be delayed – I therefore recommend imposing a pre-commencement condition to ensure a new survey, and appropriate mitigation measures are deployed if required, if planning permission were granted and the development is not commenced within 12 months of the date of the decision.

(NB: The applicant has agreed to the proposed pre-commencement bat survey condition)

Environmental Care

No comments received.

Environmental Health

No objections subject to a condition to restrict hours of construction and an informative advising of radon risks and potential mitigation measures.

Neighbours

Supportive representations received from:

- Mr 'G' – address not given
- 9 Hermitage Road
- Arthingworth Manor, Braybrooke Road

Reasons (summarised) cited by supporters:

- Proposal maintains appearance of street scene
- Enhancement to the current buildings/area
- Design is sympathetic to the village
- Recent developments in village represent a more significant change than does this proposal
- Existing outbuildings are an eyesore for a conservation area – having them restored would be beneficial to the village as a whole
- Brampton Ash has very limited dwellings – it would be a benefit to the community as a whole to permit another family to live in this area
- If this were a redundant agricultural building, redevelopment would be encouraged
- Brampton Ash (BA) is in a conservation area and has various footpaths connecting , one which I believe is the newest in the county which suggests it [BA] to be a good location for people who want to live in countryside – an opportunity that rarely comes along and should be encouraged

Objections received from:

- 16 Hermitage Road
- Crabtree Farm, Hermitage Road
- 20 Hermitage Road
- 22 Hermitage Road
- 3 Hermitage Road
- 5 Hermitage Road

Concerns (summarised) raised by objectors:

- 16 Hermitage Road (NB: annotated and detailed plans were provided to illustrate their concerns)
 - Loss of privacy (between proposed roof-light and first floor side windows of No.16 HR)
 - Plans inaccurate. Do not show 'our' annex properly. Proposed dwelling would turn No.16 into a mid-terrace.
 - Change of use of store-room into living space does not comply with Building Regulations.
 - Existing septic tank not shown correctly on plans. Its shape and location in reality is different to what is shown on the plans.
 - Cars should not be parked / driven over septic tanks.
 - Proposed septic tank encroached on the 3 metre exclusion zone of the underground LPG tank.
 - Drainage field of proposed septic tank cannot be within 15 metres of habitable space. No space for new soakaway.
 - Proposed roof plans indicate rain water will flow onto 'our' property – not acceptable.
 - Proposed box guttering not big enough to accommodate rainwater during heavy rainfalls.
 - No plans of where rainwater downpipes would discharge to - a breach of Section H3 Building Regulations
 - Proposed new occupiers would not be able to access the roof to maintain the gutters.

- Proposed new [party] wall to support new roof too close to 'our' boundary. It should be further away as its foundations will compromise integrity of existing boundary wall.
- New wall is within 1.8 metres of 'our' oil storage tank – this is in breach of fire safety regulations.
- Proposed roof-light [the most forward and in south-western roof slope – to serve first floor toilet] is within 22 metres of 'our' [side facing, first floor] bedroom window – cause a loss of privacy.
- Proposed Juliet balcony at first floor level in rear elevation gives rise to overlooking.
- Overall appearance of proposed dwelling with extensive glass is out of character for the CA.
- Parking of cars at front will destroy appearance of the building.
- Increase in traffic from one new dwelling
- Site only has safe parking for 3 cars for two houses with 6 bedrooms.
- Visitor traffic will park on road causing highway safety issues.
- Crabtree Farm
 - Weight of 4 cars parked on sewage [septic] tank will put enormous pressure on it and if affected would cause horrendous environmental impact
 - If No.14 and the proposed dwelling park their cars on the road it will make it difficult for our large machinery, which we have for our business, to manoeuvre through the village.
 - Negative impact on our business and the village.
- 20 Hermitage Road
 - Front garden does not have sufficient space to park 4 cars, accommodate 2 septic tanks, 2 soakaways, underground LPG tank
 - For safety reasons, cannot drive over the above
 - No details of where the soakaway will be – Building Regulations required for septic tank
 - Proposed new septic tank is in breach of the 7 metre exclusion zone
 - Proposed glazing at the front will not blend with the rest and is detrimental to the CA
 - Can't imagine anyone wanting to look at a parked car.
 - Plans inaccurate and have omissions.
- 22 Hermitage Road
 - Proposed windows and doors to the front will be out of character and spoil the CA
- 3 Hermitage Road
 - Proposed design is out of character with the CA and contrary to the Brampton Ash CA Appraisal
 - Front garden does not have sufficient space to park 4 cars, accommodate 2 septic tanks, underground LPG tank.
 - Cars will be parked on highway.
- 5 Hermitage Road
 - Increased parking – more traffic and cause highway safety issues

5.0 Planning Policy

National Planning Policy Framework (NPPF) (2018):

Policy 1: Introduction

Policy 2: Achieving sustainable development

Policy 4: Decision-making

Policy 5: Delivering a sufficient supply of homes

Policy 11: Making effective use of land

Policy 12: Achieving well-designed places

Policy 14: Meeting the challenge of climate change, flooding and coastal change

Policy 15: Conserving and enhancing the natural environment

Policy 16: Conserving and enhancing the historic environment

North Northamptonshire Joint Core Strategy (JCS):

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Historic Environment

Policy 4: Biodiversity and Geodiversity

Policy 5: Water Environment, Resources & Flood Risk

Policy 6: Development on Brownfield Land

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

Policy 30: Housing Mix & Tenure

Saved Policies in the Local Plan (LP) for Kettering Borough:

RA4 Housing in Restraint and Scattered Villages

RA14 Reuse and Conversion of Rural Buildings

Other

Brampton Ash Conservation Area Appraisal (adopted 22/09/1992)

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 Listed Building and Conservation Area
3. Character and Appearance
4. Highway Safety and Parking
5. Impact on Residential Amenity
6. Bats
7. Other

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan, unless material planning considerations indicate otherwise. Policy 1 (Paragraph 2) of the National Planning Policy Framework (NPPF) reiterates this.

Saved Local Plan Policy RA4 states that development in Scattered Villages (i.e. Brampton Ash) will not normally be permitted unless it is for appropriate re-use of an existing building and is of a form appropriate to the character and setting of the village. Policy 11 of the JCS is supportive of small scale infill development within villages where this would not materially harm the character of settlement.

The principle of converting these outbuildings and extending them to provide habitable residential accommodation was previously considered and granted planning permission under KET/2013/0666, albeit that this 2013 decision only considered their conversion and use as a residential annex to the main dwelling on-site.

In the context that the proposal is within the confines of the village, is small scale, is similar in size to the 2013 proposal and is for use for residential accommodation then it is opined that the principle of development is acceptable. Other material considerations are considered below.

2. Impact on Listed Building and Conservation Area

Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on LPAs to have special regard to the desirability of preserving listed buildings and their settings and any features of special architectural or historic interest they may possess.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 that when determining an application, regard must be made to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Policy 2 of the Joint Core Strategy (JCS) reflects these duties and requires that development must protect and, where appropriate enhance, the heritage asset and its setting. JCS Policy 8 is also pertinent, as development should respond to the site's context and the local character.

Policy 16 of the NPPF requires new development to sustain and enhance the significance of heritage assets, requiring any harm to the significance of heritage assets to be weighed against the public benefits of the proposal and the desirability of new development making a positive contribution to local character.

Comments and representations received cite that the proposed development would be harmful to the character of the Brampton Ash Conservation Area (CA) and would not be in-keeping with it. Conversely, other comments and representations received cite that the proposal would enhance and be beneficial to the character of the Conservation Area (CA). With reference to the policies contained in the Brampton Ash Conservation Area Appraisal, alterations and extensions to existing buildings

will be permitted if they are carried out in a sympathetic manner in terms of design and materials in relation to the existing and other buildings nearby.

This proposal does not entail any extensions to the frontage, but does entail extensions to the rear of the property. As described above, the proposal also includes various external alterations such as replacing 'garage' doors with oak framed windows and timber external doors. This proposal should also be seen in context with the approved external design of the KET/2013/0666 decision.

The application proposes a glass atrium link, inset with oak framing, between the existing outbuildings. There have been objections to the use of glass, with suggestions that this would not be in keeping with the surrounding area. It is acknowledged that stone is a characteristic building material within the Conservation Area however the use of glass in the link will allow the proposal to be read as a later addition and thus preserve the readability of the outbuildings' original fabric. It also serves to maintain the historic separation between the outbuildings. In addition the link is small scale and would be screened from public views as it is located in the side elevation. The detailing of the oak framing and glass is considered to be an acceptable material in this instance.

The two storey rear building will be largely screened from view from Hermitage Road by the existing outbuilding. The ridge of the main body of the building runs parallel with, (albeit higher than) that of the existing outbuilding, whilst the pitch of the gable reflects that of the gable on the outbuildings. It remains subservient to the existing dwelling and will also be viewed next to a two-storey extension at the neighbouring property, which presents its gable end to the road. It is recommended a condition be placed upon the consent, requiring all external materials to be used in the construction of the proposal to be first submitted to, and approved by the planning authority. This is considered appropriate given its location within a conservation area.

In terms of appearance and character, this current proposal is considered to be of a more superior design to the KET/2013/0666 proposal and would represent an enhancement to the CA through the sensitive renovation of the outbuildings. The proposal seeks to retain as many of the original openings and makes use of oak framed windows and doors, which are opined to not only retain the character of the buildings but also would be sympathetic to and respect the local heritage assets. The rear (north-west) and side (north-east) elevations of the outbuildings to be extended at the rear of the site are proposed to include two-storey gable features with again the use of oak frames. It is considered that the slender form of these gables and their oak frames would enhance the external appearance of the building and would also be of an almost ecclesiastical form thus respectful of the Grade I listed church some 130 metres away to the north-west.

With the attachment of the condition relating to materials the proposal is considered to be an appropriate form of development for this property, and as such it will not have an undue or detrimental impact upon the preservation of the conservation area.

3. Character and Appearance

Policy 8 of the JCS requires development to respond to the site's wider context, the local character and landscape setting of the settlement.

The main character and appearance considerations have been discussed above.

Concerns were raised that the conversion of the outbuildings to a self-contained dwelling house would create a terracing affect with Nos.18, 16 and the proposal site. It should be noted that No.16 has benefitted from an earlier decision (KET/2012/0003) for extension works linking the main dwelling house to their garage/outbuildings to the side which in-turn are historically attached to the outbuildings of the proposal site. From a street scene perspective, the extension works to No.16 have already created a terraced look to the street. Whilst the proposed works would alter the frontage of the buildings and a small part of the proposed increase in height of the building to the rear would be visible in the street, the 'terracing' affect would be opined to minimal and would not appear too different from what is already observed. Moreover, the earlier KET/2013/0666 would have created a very similar affect, if it had been implemented, and this 2013 decision did not conclude any harmful terracing effects. As KET/2013/0666 has expired then only limited weight can be afforded to the material consideration of it.

Whilst this 2013 approval was determined under the old 2012 NPPF policies and the development plan policies of the former North Northamptonshire Core Spatial Strategy (now replaced by the NNJCS), it is opined that the residential amenity impacts and impacts upon the character or the CA have not materially changed since 2013 until the present.

Some representations have raised concerns that the character of the area would be harmed by the additional car parking arrangements to the front of the property. The proposal would entail the provision of additional parking/turning space on part of the currently grassed front garden. This area would be constructed with an open geogrid system and grassed over so as to provide a sensitive surfacing within the CA, of sufficient structural integrity to allow cars to pass over it, of a permeable surface to permit natural surface water drainage and being of geogrid design would allow for the top surface to be dressed so as to permit the growth of grass. The parking of additional cars is opined to be of a transient nature and the planning system could not reasonably control how many cars a property can own or park on their private land.

Due to the respectful design of the new parking area, then it is considered this would not harm the area's character.

The proposed development accords with Policy 8 of the JCS.

4. Highway Safety and Parking

Policy 8 (b) of the JCS requires development to not to prejudice highway safety and ensure for satisfactory means of access, provision for parking and manoeuvring.

The existing dwelling house has 3 bedrooms (with a small box room) and the proposed dwelling is to have 2 bedrooms.

Concerns were raised that due to the site not being able to accommodate 4 cars due to the alleged exclusion zones of the existing underground LPG tank and septic tank and proposed underground septic tank which would prevent cars being parked near them or passing over them. The concerns go on to state that due to these on-site constraints cars of the potential occupiers and their visitors would need to park on the road thus causing highway safety issues on this alleged busy road by preventing large vehicles from being able to pass the parked vehicles.

During the case officer's site visits to the site, heavy traffic along this road was not observed, with only the occasional passing of 1 or 2 vehicles at a time. With regard to the Local Highway Authority's (LHA) Parking Standards, not adopted by Kettering Borough Council, 2/3 bedroom dwellings at this site would need to provide a minimum of 2 spaces per dwelling plus 1 visitor space across the development. The submitted plans show that this level of parking provision can be delivered. Accordingly, it is opined that as the development complies with LHA's own standards then it should not prejudice highway safety. It is opined that any occasional parking of vehicles on Hermitage Road, associated with either the development site or of the neighbouring properties, would not be detrimental to highway safety.

It is opined that it is not for the planning system to adjudicate appropriate 'exclusion zones' as such matters would be controlled under different legislation such as Building Regulations. In any event, full details of the underground tanks would be required to be approved by approved building inspectors before commissioning and if changes were required to the location of parking spaces and / or the tanks, then the applicant would need to apply to amend their planning permission (if approved). It is considered that the site can accommodate sufficient on-site parking.

Accordingly, the proposal is considered to accord with JCS Policy 8.

5. Impact on Residential Amenity

Policy 8 (e) of the NNJCS states that new development should not have an unacceptable impact upon the amenities neighbouring occupiers in terms of privacy, loss of light and overlooking *et al.*

Many concerns were raised primarily on the amenity impacts to the adjoining occupiers of No.16 and are considered below. It is noted, that other than a condition to control the hours of construction, this Council's Environmental Health department did not identify any other amenity concerns.

Towards the frontage of the proposal site, a roof-light (to serve toilet/shower) is proposed in the roof slope facing a first floor bedroom window of No.16. This roof light is proposed to be obscure glazing but openable. There is opined to be the potential for some loss of privacy to No.16 if the roof light were open when the toilet and shower are in use. Notwithstanding the potential new occupiers wishing to have their own privacy when using the toilet/shower, it is noted that a similar roof light was given permission under KET/2013/0666, although it was set at a higher level in the roof. Accordingly, to mitigate any possible privacy issues a condition shall be imposed to require this roof-light to be positioned such that its bottom sill is a

minimum of 1.7m above the finished internal floor level.

The raised roof of the rear-most outbuilding runs along the boundary between No. 14 and 16. The proposed wall is blank, preventing any overlooking. Permitted development rights in relation to any new openings in this elevation and the associated roof will be removed, to ensure the situation remains as it is. There will be some additional overlooking of the garden of No.16 from the window and Juliet balcony which have been introduced into the in the rear elevation of the extension as a result of the additional height. However this garden is already overlooked by No's 14 and 18 Hermitage Rd and the additional overlooking created by one window is not considered sufficient to warrant a refusal of the application.

The application site was viewed from the neighbouring property at No.16. The increased height of the outbuilding may lead to some additional overshadowing of the access way to No.16's oil tank and coal bunker, however this area cannot be considered to be habitable space and the application cannot be refused for this reason. There will be some additional overshadowing to two windows in the wall opposite the outbuilding. The objector has confirmed that one window serves a downstairs toilet; which is not considered to be a habitable room. The second window serves a study, whilst this is a habitable room; the overshadowed window is not the only source of light to this room. As the overshadowing will be to a non-habitable room and a habitable room which has an additional source of natural light it is considered that the application is acceptable in this respect.

There is the potential for additional overlooking of rear parts of No. 12's garden, from the new first floor window in the eastern elevation (again introduced as a result of the increased height). However this garden is already overlooked by the main dwelling at No's 14 and the additional overlooking generated by this window is not considered to warrant a refusal of the application.

The glazed link between the two outbuildings also serves as a staircase, again as this is space that will be passed through rather than lived in, overlooking from this area will be limited. The host dwelling lies between the area of glazing and No. 12 (and that part of No. 12's garden nearest to the house) further reducing the impact of this part of the proposal.

Nos. 3 and 5 Hermitage Road are on the opposite side of the road to the proposal, over 40 and 60m respectively away. In addition the majority of the additional height will be obscured by the existing outbuilding which is located to the front of the extension. The proposal will have no adverse impact on the residential amenity enjoyed by residents of these dwellings. There are no dwellings to the rear of the site.

To conclude, it is considered the proposed scale, siting and design of the development proposed will minimise any potential amenity impact on its neighbours and that no unacceptable harm to neighbouring amenity would result from the proposal. Subject to the conditions described, the proposed development is considered to accord with JCS Policy 8.

6. Bats

Policy 4 of the JCS requires development proposals to protect and / or to enhance biodiversity.

Due to the age and condition of the outbuildings they were previously surveyed for the presence of bats. On the advice of Northamptonshire County Council's Ecological Advisor, whilst the bat survey considered under KET/2013/0666 (approved) and KET/2017/0798 (withdrawn) is dated, the Ecologist was satisfied with its content subject to the imposition of a condition requiring a new survey if the development does not commence (or having started is suspended for 12 months) within one year from the date of the decision notice.

7. Other

The comments relating to the accuracy and scale of the submitted plans are noted. For the purposes of planning, the accuracy and scale of the plans were found to be acceptable in this regard.

Concerns were raised over encroachment, drainage, underpinning, rights of access (e.g. to maintain gutters), fire safety, septic tanks, LPG tank and exclusion zones. Following advice sought from this Council's Building Control department, these matters are not material planning considerations and would be dealt with through the Party Wall Act and / or through the building relegation consenting regime. As commented on above, the applicant may have to submit a further planning application for changes to the proposed development that may be required following the development's passage through the building relegation consenting regime.

The amended plans (received 30/11/2018) show the proposed locations for storing bins to the rear of the properties. To ensure that both properties have permanent access to their rear gardens so as to prevent bins being stored permanently at the front of the properties a condition shall be imposed to this effect.

Conclusion

The proposal is considered to have an acceptable impact on the character of the Conservation Area and thus accords with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and Policies 2 of the JCS and 16 of the NPPF. Whilst the proposal will have some impact on the amenity of neighbours this will not be so significant as to justify a refusal of planning permission. The application is therefore in accordance with Policies 2 and 8 of the JCS and 12 and 16 of the NPPF.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Alan Chapman, Development Officer on 01536 534316