

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 15/01/2019</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Alan Chapman Development Officer</b>	<b>Application No: KET/2018/0856</b>
<b>Wards Affected</b>	<b>Northfield</b>	
<b>Location</b>	<b>98 Lower Street, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Conversion of dwelling to 2 no. flats</b>	
<b>Applicant</b>	<b>Mr A Thakrar</b>	

### 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. 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.

3. Prior to the commencement of development a scheme for achieving the noise attenuation outlined in British Standard BS8233:2014 with regards to the insulation between residential units shall be submitted and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and therefore maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: Details are required prior to the commencement of development because any noise measures required are likely to be an integral part of the design and in the interest of 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, refuse storage and collection facilities shall be made available for use. The refuse storage area shall be in a separate room not connected to any habitable area. These 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.

## **Officers Report for KET/2018/0856**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/2011/0470,DIL,1 no. 2.4m x 0.76m non-illuminated billboard,REFUSED,30/11/2011

#### **Site Visit**

Officer's site inspection was carried out on 09/11/2018

#### **Site Description**

The application site is an end of terrace two-storey 3-bedroom property constructed in 1905. It is located at the lower end of the street within this town centre location with semi-detached residential properties to the east, a medical centre opposite, and flatted development to the south-west and to the west.

The property has a small front garden and pedestrian access along its eastern side into the small rear garden. The rear of the property has a two-storey outrigger with a small single storey lean-to attached. Residential development surrounds the site to the north and east. The site does not benefit from any on-site parking, although parts of Lower Street and Carlton Street have unrestricted on-street parking. A large multi-storey car park is located just some 110 metres due south of the site.

#### **Proposed Development**

Planning permission is being sought to convert this 3-bedroom dwellinghouse into two (no.2) 1-bedroom flats. Each proposed flat would only have a single bedroom for a single bed. No external alterations are proposed. The submitted plans show that both proposed flats would have access to the shared rear garden; with a shared access into the garden from the passageway to the property's side.

#### **Any Constraints Affecting the Site**

A Road

Outside of, but immediately located to the north of the Kettering Town Centre Area Action Plan boundary

### **4.0 Consultation and Customer Impact**

#### **Environmental Care**

No comments received.

#### **Environmental Health**

No objections and recommends imposition of conditions; to control working hours for construction, to install sound insulation and refuse storage facilities. Also recommended informative note concerning radon gas protective

measures.

### **Neighbours**

Objections received from:

- 13 Hawthorn Avenue, Mawsley
- 102 Lower Street

Concerns raised by objectors:

- Additional parking demand created would make the critical congestion along Lower Street worse; – giving rise to highway safety issues, illegal parking
- Conversion of dwelling into flats would cause disturbance to children sleeping in neighbouring properties (sound insulation)

## **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 9: Promoting sustainable transport

Policy 12: Achieving well-designed places

### **North Northamptonshire Joint Core Strategy (JCS):**

Policy 1: Presumption in Favour of Sustainable Development

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:**

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. Impact on Character and Appearance of the area
3. Impact on Residential Amenity
4. Impact on highway safety and parking

### 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.

National policy is supportive of the re-use of buildings for housing within established residential areas, provided that the development results in a 'high quality of design and a good standard of amenity', as confirmed in paragraph 127 of the National Planning Policy Framework (NPPF).

The broadest principle of providing residential development within town confines is consistent with Local Plan Policy 35 and JCS Policies 11 and 29 that seek to focus such development to the areas Growth Towns in the interest of the NPPF's sustainability principles and the protection of the rural areas.

In addition Policy 6 and 29 of the JCS are consistent with Policy 11 of the NPPF which seeks the re-use of buildings within urban areas.

As such the principle of the proposal is consistent with the three arms of the Development Plan and the NPPF providing that it respects residential and visual amenity and is acceptable with regard to all other material planning considerations. These other pertinent matters will be discussed below.

### 2. Impact on the character and appearance of the area

Policy 8 of the JCS and Policy 12 require development proposals to respond to the character of an area and maintain a strong sense of place.

The development site is located within the town and immediately adjacent to the defined town centre. The immediate area is characterised by residential development to the north, dense flatted residential development to the west and mixed use development to the south and east where there are located multi-storey car park and medical centre.

The proposal does not entail any external alterations to the dwellinghouse. As such the proposed internal conversion to a ground floor and a first floor flat would not have any impact of the area's appearance. With regards to character, then this form of flatted residential development is reflective of the area and is also considered to be in accord with NPPF Policies 7 and 12 (paragraphs 85(f) and 127) as this very minor intensification of residential development would help to ensure the vitality of the adjacent town centre and would sustain the mixed residential and commercial nature of this part of the town.

### 3. Impact on residential amenity

Policy 8(e)(i) of the JCS seeks to *ensure quality of life by Protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers*. Policy 12 (Paragraph 127) of the NPPF states that development must secure a good standard of amenity for all existing and future occupants

of land and buildings.

The main concerns with regard to residential amenity impacts are opined to be overlooking, privacy and noise disturbance to the future occupiers and to the neighbouring occupiers.

No external alterations are proposed concerning changes to and the installation of additional windows. At first floor level the existing dwellinghouse has a side facing window that is obscurely glazed and serves the bathroom. The proposal would not alter this position as this bathroom would serve the first floor flat. A clearly glazed window at first floor level is located in the rear elevation, and currently serves a very small bedroom. The proposal would entail this bedroom becoming a study/store as the room would fail the National Space Standards for it to be a 1-bed bedroom.

Whilst the first floor would become a self-contained flat it is considered that there would be no material differences in use of the very small habitable room located at the rear most part of the property from a very small bedroom to that of a proposed study/store room. Evidently, this existing rear bedroom could be used as a study/store room even if this proposal were not granted planning permission. Accordingly, it is opined that the neighbouring occupiers whom are in close proximity to the site would not experience any additional overlooking or loss of privacy as a result of this proposal.

The proposal entails the conversion of a 3-bedroom dwellinghouse into 2no. 1-bedroom (single bed spaces) flats. This situation would give rise to a potential increase in noise disturbance to the adjoining property, particularly where the proposal would convert the first floor front bedroom into a lounge. This situation could potentially cause noise disturbance to the occupiers of the front bedroom on the other side of the party wall. Accordingly, a scheme of measures for acoustic separation between the proposed flats and also between Nos. 98 and 100 Lower Street shall be submitted to and approved by the local planning authority before development commences. These approved measures shall then be implemented and permanently retained as such so as to mitigate any noise propagation between the existing and proposed residential units.

To mitigate and modify disturbance due the neighbouring occupiers, then a condition be imposed to control the hours of construction to Monday to Friday 08.00 to 18.00 hrs and Saturday 08.30 to 13.30, is considered to reasonable.

Subject to the conditions above, the proposal is considered to be in accordance with Policy 8 of the NNJCS.

With regard to refuse arrangements, whilst an area is cited on the plans to the rear of the property it is not clear how it would function. As such and consistent with the recommendations of the Council's Environmental Protection Officer further detailed information will be required by condition prior to occupation of the proposal.

#### 4. Impact on highway safety and parking

Policy 8 (b) of the JCS seeks satisfactory means of access and provision for parking and resist development that would prejudice highway safety.

Both objectors to the proposal raised concerns with the lack of parking provision on-site, lack of on-street parking provision and the impact the proposal would have upon traffic congestion in the vicinity.

As described above the proposal site is located within very close proximity to a multi-storey car park and is in a sustainable location with easy access to town centre facilities, services and public transport links including bus and rail. Due to the site's location, on the edge of the town centre, it is considered that it is in accord with paragraphs 102, 108 to 110 of Policy 9 of the NNPF in that the future occupiers would have highly accessible sustainable transport options for their daily needs.

The existing 3-bedroom dwellinghouse does not currently have any on-site parking provision. If this were an infill site, the Local Highway Authority (LHA) would wish to apply their standards where 2 spaces should be provided for a 3-bedroom house. By comparison, the LHA would require 1 space per 1-bedroom flat, which equates to 2 spaces for this proposed 2no. 1-bedroom flat development. Accordingly, by LHA standards there is opined to be no net difference in the parking demands between the existing and proposed development. In this regard, it is considered that the proposed development would not give rise to an increase in traffic that would in turn not prejudice highway safety.

As such the proposal is considered to be in accordance with Policy 8 of the NNJCS.

#### **Conclusion**

Subject to the imposition of conditions as discussed above, the proposal is recommended to be granted planning permission.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Alan Chapman, Development Officer on 01536 534316

#### **Previous Reports/Minutes**

Ref:

Date:

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