

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 12/02/2019</b>	<b>Item No: 5.6</b>
<b>Report Originator</b>	<b>Louisa Johnson Development Officer</b>	<b>Application No: KET/2018/0982</b>
<b>Wards Affected</b>	<b>St. Michaels and Wicksteed</b>	
<b>Location</b>	<b>42 Headlands, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Conversion of office to 5 no. flats</b>	
<b>Applicant</b>	<b>Berrys SIPP</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. 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. Prior to first occupation of the development hereby approved a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted 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 first occupation of the building, unless these works are carried out earlier. Any 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 in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the first occupation of the development hereby approved details of the design and location of the bin storage area and bin presentation area serving the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be provided in full before the first occupation of any flat hereby approved and retained as approved at all times.

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

5. Prior to the first occupation of any of the flats hereby approved the existing front boundary wall to the north of the existing vehicle access shall be reduced to a maximum height of 0.6m and thereafter retained at that height or less at all times.

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

6. The windows to all the bathroom/wc's to Flats 1 and 4 in the north elevation shall be glazed with obscured glass in accordance with details which shall have first 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 in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. Prior to any alteration to an original window or any replacement sash window, details of any proposed alterations shall first be submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved scheme shall be implemented.

REASON: To safeguard the character and appearance of the Kettering Conservation Area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Prior to the first occupation of any flat hereby approved details of a management scheme for the maintenance of all areas of shared responsibility including the grounds and parking area shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved management scheme shall be implemented in full from the date of the first occupation of any flat and remain in place in perpetuity.

REASON: To ensure the building and all external areas are maintained to a standard to safeguard the character and appearance of the Kettering Conservation Area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **Officers Report for KET/2018/0982**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/2015/1036 Single storey rear extension and increase in parking facilities – Approved 16/02/2016

KET/2015/0970 – Change of use of office to 5 no. two bedroom flats including alterations to car park – Approved 12/02/2016

#### **Site Visit**

Officer's site inspection was carried out on 18 January 2019.

#### **Site Description**

The application site is 42 Headlands, originally a substantial detached residential property but which was converted to offices in the 1970's, it sits on the west side of the Headlands between Queensbury Road to the north and The Crescent to the south. It comprises three floors and has been substantially extended over the years, which has resulted in a number of differing floor levels within the property. It is an imposing building built of red brick with the original slate pitched roof over.

The plot is very deep being in excess of 50m and is the deepest in this part of Headlands. There is an existing car park to the rear providing 33 parking spaces, which is accessed via the drive that runs to the north of the property directly off Headlands. The rear also includes a relatively large soft landscaped area with some mature trees on the periphery.

The neighbouring properties to the north and south are respectively a large detached bungalow (no.40) and a large semi-detached dwelling (no.44). The rear of the plot also shares its boundaries with plots on Queensbury Road to the north and The Crescent to the rear (west).

#### **Proposed Development**

The proposal is to convert the existing property without external alteration to provide 5 x 2 bed flats over three floors: one in the basement, two on the first floor and two on the second. Access to Flat 1 would be from the existing access to the front of the building which forms the current main access to the offices. Access to the remaining flats is proposed from a single access point to the rear of the building.

The proposal also includes a reduction in the size of the existing parking area to provide 14 parking spaces resulting in an increase of land available to be laid to soft landscaping.

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

Kettering Conservation Area

## **4.0 Consultation and Customer Impact**

### **Neighbours**

One comment and one objection have been received; the comment requested that a condition securing appropriate landscaping be attached. The objection is on the grounds that the proposal would result in overlooking and a loss of privacy to 35 The Crescent and would affect existing trees and landscaping on the site.

### **Highways**

The Local Highways Authority cannot support the application due to inadequate information.

- The shared private drive should be of a minimum width of 4.5m widened to 5.5m where solid side boundaries exist and/or it is also the sole means of pedestrian access to the dwelling.
- Vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level. Pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access.
- Turning is to be supplied and maintained in perpetuity within the curtilage of the site for the largest vehicle type likely to use it.
- Cycle parking should be supplied at one space per bedroom.
- Car parking spaces should be a minimum of 2.5m wide, widened to 3.3m where a solid side boundary exists and 6m is required behind perpendicular car parking bays in order to access & egress the spaces

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 7: Requiring Good Design

## **Development Plan Policies**

### **North Northamptonshire Joint Core Strategy**

Policy 1: Presumption in favour of Sustainable Development

Policy 2: Historic Environment

Policy 8: North Northamptonshire Place Shaping Principles

### **Kettering Town Centre Area Action Plan 2011 (TCAAP)**

Policy 12: Heritage Conservation and Archaeology

Policy 24: The Headlands Quarter

## **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. Amenity of future occupiers
4. Residential amenity
5. Parking
6. Bin Storage

### **1. Principle of Development**

The application seeks the conversion of an existing building currently in use as offices to five two-bed flats with associated parking and landscaping. The application site is located within an established built up area of Kettering, which historically was a predominantly residential area but over the years has seen the introduction of a variety of non-residential uses.

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.

Policy 24 (Headlands Quarter) of the TCAAP states:

The primary focus of this quarter will be on retaining and enhancing the residential character and use of the area. The focus of new A2 and B1 uses will be within the Station Quarter (Policy 20) and on the upper floors within the Primary Shopping Area (Policy 3).

New development proposals will only be considered acceptable where:

- i) the residential character of the area is maintained and the proposal does not involve the redevelopment, infilling or the sub-division of a properties curtilage; and
- ii) the external residential character of the property is retained and any changes to the external appearance are sympathetic to the building; and
- iii) they retain and where appropriate enhance the landscape setting of the area: and
- iv) single points of vehicular access are retained; and
- v) access points are not widened where this results in the removal of historic railings and boundary walls; and
- vi) single entrance points to the building are retained and remain the primary focus of the building; and
- vii) they accord with the heritage principles set out in Policy 12

The proposal relates to what was originally a dwelling but which has now been used as an office for many years and has been substantially extended which has eroded the buildings residential character. The application is to change the use of the existing building as it exists and does not involve any redevelopment, infilling of the site nor subdivision of the curtilage. The only operational development associated with the proposal is a reduction in the size of the existing parking area to the rear of the property which is a positive measure.

As stated above the external residential character of the property has diminished over the years with the office extensions although its return to residential use will redress this to a degree. There are no changes to the external appearance of the building.

The proposal affords the opportunity to enhance the landscaping to the rear of the site where recently a number of trees have been removed through the reduction in the size of the parking area.

The single point of vehicular access is to be retained and there is only to be small alteration to part of the existing boundary wall to facilitate better visibility at the entrance.

The single entrance point into the building at the front of the property is to be retained to serve Flat 1. The remainder of the Flats are to be served from a single access point to the rear of the building.

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

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

Policy 2 of the NNJCS requires proposals to conserve and where possible, enhance the heritage significance and setting of an asset or a group of heritage assets in a manner commensurate to its significance.

Policy 12 of the TCAAP requires that new development will preserve or enhance the existing historic environment in terms of a number of criteria including buildings which form an integral part of the designated Kettering Conservation Area and their settings.

The Headlands is a fine example of substantial residences built by the wealthy industrialists and merchants of Kettering primarily between the 1870's and 1900s. As well as it being characterised by the residences themselves many mature trees add to the leafy appearance of the area. However the road over the years has seen an influx of a number of commercial uses as the demand for large properties as single dwellings has diminished as has happened with the no.42 becoming an office use and the building having been substantially extended to accommodate such a use.

The proposed use, albeit flats sees the use of the building returning to one which can be viewed as having a positive impact on the character of the conservation area. Its overall size and internal configuration as an office do not readily enable the building to be easily returned to a single dwelling. In the absence of no proposed alterations to the building in particular the front elevation the proposed use will have a neutral impact although it will be evident through its internal occupation and through the use of domestic soft furnishings at for instance the windows that the building will be back in residential use, which again it is considered will have a positive impact on the character and appearance of the conservation area.

The rear of the property will also benefit from the proposed reduction in the parking area by allowing additional soft landscaping to be re-introduced to what would have formally all have been garden.

Overall the proposal will have an acceptable impact on the character and appearance of the conservation area and accords with the relevant parts of Policy 7 (NPPF), Policies 2 and 8 (NNJCS) and Policy 12 (TCAAP).

### 3. Amenity of future occupiers

Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The proposal is for five two bed flats all of which meet the minimum floorspace standard required for a two bed single storey dwelling and which meet the required standard for bedroom sizes. Therefore the proposed flats comply with the requirements of the Technical Housing Standards – nationally described space standards, March 2015.

The proposal would provide a large cohesive amenity space at the rear of the property which is considered to be adequate for five flats.

The proposal would be acceptable in terms of the amenity of future occupiers and in accordance with policy 8 e(i) of the NNJCS.

### 4. Residential Amenity

Policy 8 of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The site shares a side boundary with 40 Headlands a detached bungalow to the north. This property is already overlooked from windows in the north elevation of the building that are occupied as offices. There are two proposed flats that would have windows on the north elevation looking towards no. 40 of which overlooking would be greatest from Flat 4 on the first floor. However whilst there are 4 windows on this elevation two are proposed to serve bathroom/wc's and can be conditioned to be obscure glazed with the remaining 2 serving a single bedroom. This is considered acceptable having regard to the nature of the occupancy of such a room and also even if the property were returned to single residential occupancy the room could be a bedroom.

To a lesser degree overlooking will be possible from Flat 1, which sits below Flat 4 as a result of the relatively high floor levels on the ground floor of the building compared to the ground level of no.40. However there is a high brick wall which forms the boundary between the two properties and a number of the 5 windows in the north elevation of the flat are towards the front of the property and will look towards the front garden or the side of the house at no.40. Of the 3 windows towards the rear one will serve a bathroom/wc which can be obscure glazed leaving again, as with Flat 4 above, 2 serving a single bedroom. This is considered acceptable for the same reasons as Flat 4 but also with the addition of the brick boundary wall providing a degree of privacy.

The site shares a side boundary with 44 Headlands to the south. There is an existing balcony on the second floor which serves flat 5. The balcony will solely serve flat 5, as such the balcony's use would only be associated with just one 1 x 2 bed flat with limited occupancy. If the property were occupied as a single household it is assumed, being a very large property, it would primarily attract a large household and the balcony could be used as intensively in that scenario as that of a 2 bed flat. Furthermore, there is a brick screen immediately at the end of the balcony adjacent to the boundary with no.44 and at the present time a number of mature conifer trees provide screening.

The site shares a rear boundary with 35 The Crescent and an objection has been received on the grounds that the proposal would result in overlooking and a loss of privacy to 35 The Crescent and would affect existing trees and landscaping on the site.

The boundary between the site and no. 35 is approximately 39m away from the main rear elevation of no.42. It is acknowledged that a number of trees have been removed from the rear of no.42 but in planning terms this distance is acceptable and does not give rise to undue overlooking between the two properties. Notwithstanding this a landscaping condition will be attached to any consent and this could secure new tree planting close to the boundary with no. 35.

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.

#### 5. Highway safety and Parking

The Local Highways Authority (LHA) has stated that they cannot support the application due to inadequate information.

The LHA states that the shared private drive should be a minimum width of 4.5m widened to 5.5m where solid side boundaries exist. The access to the site measures 5m at the entrance narrowing to 2.5m as it runs down the side of the building. Whilst the access does not meet the required standard, this is an existing situation where the access runs between the building on the site and a boundary wall. As such there is no opportunity to widen the access; therefore it needs to be considered whether the proposal would worsen the existing situation so as to make the development unacceptable.

The site is in use as an office with 43 parking spaces at the rear, as such there is currently a significant level of traffic using the access. The proposal would reduce parking spaces to 14 serving five two-bed flats. Whilst it is acknowledged that the access will be in use 24 hours a day, the office use does not have any restrictions preventing the use of the office and car park outside of normal office hours. Therefore it is considered given the reduced level of parking, that the proposal would not worsen the existing situation so significantly as to make it unacceptable.

Due to the constrained nature of the access it is not possible to provide vehicular and pedestrian visibility splays in accordance with the standard required by the LHA. However, the access where it meets the highway has been widened as much as practical to ensure that the best possible visibility splays are achieved. A condition ensuring that nothing impedes the visibility splays is recommended.

There is space for turning of cars within the site, larger vehicles are unlikely to enter the site due to the width of the access and so are likely to unload / load from the highway.

Therefore it is considered that subject to conditions the proposal is acceptable in terms of parking and highway safety in accordance with policy 8 of the NNJCS.

## 6. Bin Storage

There is space for a bin store at the rear of the property details of which can be secured by condition. Given the distance from the road, bins will need to be presented on or close to the kerb on bin collection days. Therefore a bin presentation area is required at the front of the property; this can also be secured by condition. Due to the number / size of bins, they should not be kept at the front of the property as it is considered that this would have a harmful impact on the street scene and the character of the conservation area.

Therefore subject to an appropriate condition, the proposal is acceptable in terms of bin storage in accordance with policy 8 of the NNJCS.

**Conclusion**

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area, residential amenity and parking. Subject to conditions the proposed development is acceptable and recommended for approval.

**Background Papers**

Title of Document:

Date:

Contact Officer:

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**Previous Reports/Minutes**

Ref:

Date: