

BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/07/2019	Item No: 5.4
Report Originator	Gavin Ferries Senior Development Officer	Application No: KET/2019/0152
Wards Affected	Queen Eleanor and Buccleuch	
Location	Clarks Barn, Kettering Road, Cranford	
Proposal	Full Application: Change of use of agricultural land to residential land in association with the 3 dwellings (approved under prior notification appeal W/18/3195337) and installation of 3 external flues into buildings being converted	
Applicant	Cranford Management Ltd	

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).

2. 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.

3. Prior to the first residential occupation of any of the buildings, visibility splays of 2.0 metres by 215 metres shall be provided at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.

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

4. Notwithstanding the provisions 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 Part 1 of Schedule 2 of the Order shall be erected, constructed or made on the application site.

REASON: In order to mirror the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which does not grant Part 1 permitted development rights to Part 3 Class Q conversions.

Officers Report for KET/2019/0152

3.0 Information

Relevant Planning History

KET/2017/0716

Prior notification under Part 3 Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion of agricultural barn to 3 dwellings. **Appeal Decision. Prior approval not required**

Site Visit

Officer's site inspection was carried out on 21 March 2019.

Site Description

The application site forms part of an agricultural field located between Cranford Road and the A14. The field contains two barns, with the barn to which the application relates benefiting from permitted development to convert the building into 3 properties.

Proposed Development

This application seeks planning permission for the installation of 3 external flues to the barn and to create gardens for the 3 permitted dwellings.

Any Constraints Affecting the Site

Nene Valley NIA Boundary

Proximity of A14 and proposed new A14 junction

Classified Roads

4.0 Consultation and Customer Impact

Highway Authority: Recommend refusal

The existing access does not meet highway standards and no proposals for improvements to the access or visibility splays have been submitted.

Officers Note: visibility splay requirements can reasonably be conditioned

Neighbours

One objection was received to the principle of housing in this location as it is part of the barrier between Cranford village and the Hanwood Park development area.

Officers Note: the permission for the principle of the residential use was granted by the prior notification.

5.0 Planning Policy and Legislation

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

National Planning Policy Framework

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 15 Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Joint Core Strategy

- Policy 1 Presumption in favour of Sustainable Development
- Policy 3 Landscape Character
- Policy 6 Development on Brownfield Land and Land affected by contamination
- Policy 8 North Northamptonshire Place Shaping Principles
- Policy 10 Provision of Infrastructure
- Policy 13 Rural Exceptions

Kettering Borough Local Plan (Saved Policies)

- LP7 Protection of Open Countryside
- RA5 Housing in the Open Countryside
- RA14 Reuse and Conversion of Rural Buildings

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Junction 10a
3. Design and Appearance
4. Highways and Access

1. Principle of development

Policy 7 of the Local Plan is an overarching policy which seeks to protect the open countryside; this states that permission for development within the open countryside will not be granted unless where otherwise provided for in the Plan. There are also other policies relevant to this proposal. The saved policies RA5 and RA14 of the Local Plan relate to housing in the open countryside. RA5 and RA14 allow for conversion of existing buildings in the open countryside subject to various criteria. One of the exceptions within policy RA5 is the reuse/conversion of a suitable rural building (links onto Policy RA14).

The criteria of Policy RA14 include that the building is physically suitable for conversion and that changes are limited and/or in keeping with the original

design, the submitted structural report along with the limited physical changes proposed to the building show this is the case. The criteria in this policy also requires that the new use(s) is compatible with any adjacent land uses or ongoing farm practices.

Whilst the proposal is considered to be compatible with the adjacent farm arable field use, a residential use may not necessarily be compatible with the A14 and any new future junction/associated road alterations. In this regard it should be noted however that no objection has been raised by the Council's Environmental Protection team on the grounds of noise, air quality or any other such environmental or amenity impact. The fall-back position (the appeal scheme) is also a material consideration which must be weighed in the planning balance

The appeal outcome in relation to KET/2017/0716 has permitted the residential conversion of the barns and this can be implemented up until 10th November 2020. The differences between the appeal scheme and this application for planning permission are relatively minor and include the addition of the flues and the provision of the garden. It is considered that the fall-back position in this particular case should be afforded significant weight. One of the conditions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is that Class Q prior notification schemes must be completed within 3 years (i.e. the appeal scheme must be completed 10th November 2020).

The requirement to complete within a set period doesn't apply in the same way on a planning permission and therefore the standard time limit condition for implementation is to be applied.

2. Junction 10a of the A14

Junction 10a of the A14 is proposed to be situated between the pedestrian bridge over the A14 which connects the two Cranford Road sections (one which is accessed from the A6 south of the A14 and the main Cranford Road between Kettering and Cranford) and the application site. The position of the junction is subject to detailed design and assessment however, for context the nearby junctions including arms are approx. 700m for junction 10 and 550m for the smaller junction 11.

It is also noted that the junction 10a scheme will result in the severing of Cranford Road between the application site and Kettering.

Given the exact positioning and design of Junction 10 A is yet to be formalised the specific impacts of noise and air quality in relation to this proposal cannot be fully assessed.

3. Design and Appearance

The application seeks to install 3x 10cm radius extract flues on the southern elevation of the building at 1.9m above the ground with a projection of between 10cm and 20cm from the elevation. This projection is limited in

extent and as it is at a low level and a similar height to the front doors and windows, there is limited visual impact of this amendment.

The proposal seeks to create a small area of outdoor private amenity space for the three properties to the rear consisting of a small area of patio and lawn. The garden area is proposed at 11m long which is considered to be proportionate to the size of the consented residential properties and result in a degree of protection to the amenity of the properties from the adjacent agricultural activities. As the proposal now includes garden land within the former farmyard area, an unexpected contamination condition is considered to be necessary and reasonable.

4. Highways and Access

The existing access is substandard as the Local Highways Authority notes however the access can easily be upgraded to ensure that visibility splays are provided which would ensure that the access is safe. This is recommended as a condition. It is considered that the traffic generated by this proposal will not be so significant as to warrant a refusal on that basis alone.

Conclusion

Subject to removing permitted development rights, it is considered that the changes are relatively limited from the existing and the addition of a visibility condition ensures improved highway safety. The application is therefore recommended for approval with conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Gavin Ferries, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date:

..