

BOROUGH OF KETTERING

Committee	Full Planning Committee - 19/11/2019	Item No: 5.3
Report Originator	Collette Panther Assistant Development Officer	Application No: KET/2019/0527
Wards Affected	William Knibb	
Location	3 Meeting Lane, Kettering	
Proposal	Full Application: Conversion of part of ground, first and second floor with loft to form 3 no. flats including replacement roof and installation of rooflights	
Applicant	Mrs K Lemon, C/O Mr J McDermott	

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 amended plan numbers 1062-P-0011 and 1062-P-002C received by the Local Planning Authority on 11/09/2019.

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 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 as shown on plan number 1062-P-0011 received by the Local Planning Authority on 11/09/2019. These 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 amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The materials to be used on the external surfaces of the replacement rear gable roof of the development hereby permitted shall match those on the existing roof in type, colour and texture.

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

5. 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 additional openings permitted by Schedule 2, Part 1 Classes A, B or C shall be made in any elevation or roof plane of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining properties and to prevent unacceptable forms of development occurring in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Works audible at the site boundary 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.

Officers Report for KET/2019/0527

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

The application was on the 22nd October 2019 Planning Committee Agenda for consideration, it was resolved to be deferred to enable further information to be sought.

3.0 Additional Information Sought

The Development Manager understands that the 22nd October 2019 Planning Committee required additional information and clarification regarding the following matters:

- Confirmation of the number of flats being proposed as part of this application
- A clear list of the differences between this application and the previously approved application (KET/2018/0669)
- Explanation as to how the 3 no. proposed flats physically relate to the 2 no. flats which were deemed to be permitted development (under KET/2018/0554)
- A statement explaining why no cycle store provision is included within the application
- Clear consultation responses from Environmental Protection and Environmental Care regarding the proposed refuse arrangements in terms of bin store capacity, odour and access.

These matters will be considered below and shall refer to the attached Committee Report item of the 22nd October 2019 and also the additional information provided by the applicant throughout.

4.0 Planning Considerations

The site history, site description, development proposed, constraints, planning policies and financial implications are unchanged from those detailed in the original Planning Committee Agenda item, which follows this update report.

The key issues for consideration in this deferred application are:-

1. Items for clarification - the number of flats proposed in this application and a list of differences between this application and the previously approved application, (KET/2018/0669)
2. The relationship between the 3no. proposed flats with the 2no. permitted development flats approved under KET/2018/0554
3. Cycle storage
4. Refuse – capacity, odour and access.

1. Items for clarification - the number of flats proposed in this application and a list of differences between this application and the previously approved application. (KET/2018/0669)

This application proposes 3no. 1 bedroom residential flats (2no. on the ground floor and 1no. on the first floor). Therefore, this application presents a revised scheme to that previously approved under application reference KET/2018/0669.

It is important to accept that an additional 2no. flats are also being provided via Permitted Development outside of this application which can be viewed under previous application reference KET/2018/0554 for Certificate of Lawfulness. These flats cannot be controlled through this planning application.

As a result, the differences in the applications are as follows:

- The bin store is larger and flat 1 is smaller than previously approved (flat 1 still meets the minimum National Space Standards) to take account of Building Regulation requirements
- Flat 1 – has been reconfigured due to a land ownership issue which occurred post the previous planning approval. As a result, it is proposed to remove a window located on the ground floor of the rear (north-east) elevation and to insert an additional roof light into the centre of the building adjacent to an existing roof light to allow more light to penetrate the unit thereby counteracting the loss of the window on the rear elevation
- All flats and bin store – a lobby area has been incorporated into each of these areas to comply with Building Regulations
- 1no. skylight window is proposed to the north-west roof plane to comply with Building Regulations in providing a window which will open automatically in the event of a fire to release smoke from the building
- It is proposed to replace the roof with like for like material whereas the previous application (KET/2018/0669) approved a slate look alike material.

2. The relationship between the 3no. proposed flats with the 2no. permitted development flats approved under KET/2018/0554

The applicant and agent were approached on this matter and provided the following statement:

The flats will be distinct from the two allowed under permitted development aside from sharing a common stairwell and access to the street.

Drawing no. 1062-P-001 rev I (proposed plans) shows the relationship between the permitted development elements and the flats for which planning permission is being sought; the red outlined areas show the location of the flats which have an extant permission and are being amended as part of this current application. The blue outlined areas relate to the flats which the applicant is bringing forward under permitted development and are not part of this planning application.

In addition, it is considered that the proposal does not present any neighbour amenity impacts and as such accords with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon amenity to neighbouring properties.

3. Cycle storage

The applicant and agent were approached on this matter and provided the following statement:

“No cycle storage was submitted as per the previous scheme and the Highways Officers raised no objection citing Due to the sustainable location within the town centre and the proximity to alternative means of transport such as bus and train services as well as public car parking, the proposal for no off road parking, in this particular set of circumstances, it is considered appropriate. Occupants can utilise public transport and parking services and, furthermore, as most facilities are within walking distance the proposal promotes health and well-being. This remains the case on the site.”

The above statement aligns with the recommendations in the original report where this matter is considered to have been suitably considered in section 7.4 where it is explained that there is no outdoor space associated with this premises for provision of a cycle store which is considered to be offset by the town centre location which is close to shops with a variety of public transport options available within the immediate and wider vicinity. As such, it is considered that the proposal presents an acceptable form of development in this regard.

4. Refuse – capacity, odour and access

- Environmental Care were reconsulted on the matters of capacity and access and provided the following comments:

“Internal bin store – There are several steps up and down from the bin store to the presentation point on meeting lane making it difficult for residents to get bins in/out. We would not also be able to provide a fetch and return service (should a resident need it) to this block due to the steps.

We don't think there will be enough room in a 6.9m² for all the bins required. There will be 3 x 140L refuse, 3 x 140L recycling and one 140L for paper recycling. Each bin is H1070mm, W480mm and D555mm. Residents can request additional recycling bins free of charge space permitting and if appropriate, they can request an additional black refuse bin. We understand from the plans that the bins for the retail unit will also be stored in here too? If they are getting a refuse and recycling service from us they will be supplied with the 240L size of refuse and recycling bins. Dimensions of these are H1070mm, W580mm and D740mm

We would prefer there not be an internal bin store if at all possible (I appreciate there is no outside space for this) as problems can arise from it attracting vermin.

There will not be enough room on the pavement outside the property for bins and pedestrians on collection day. With an increase of residential units in this area we imagine that Meeting Lane will be getting busier in the future.”

- Environmental Protection were reconsulted on the matter of odour and provided the following comments:

I think the internal arrangement of the bin store is an acceptable proposal, however it will only work in terms of odour if it is managed properly. There needs to be somebody responsible for ensuring that the waste is put out for collection on the appropriate collection days as otherwise it is likely to accumulate and cause problems for the ground floor tenants.

In response to these comments the applicant/agent provided the following responses for consideration:

- *The floor area of one of the bins as per the spec given is 0.26sqm. An area of 6.9sqm would be able to take 10 bins (2.6sqm) with space for circulation. As per the officers site visit the internal corridor has been levelled in order to create a ramped pathway to the street. That being said the arrangement with bin storage has already been approved as part of the previously approved scheme*
- *There will be a ventilation system installed in the bin storage area to ensure odour management. I can also confirm that all flats will be rented and therefore the company that owns the building will be managing the block and I will ensure all waste management policies are adhered to.*

As such, although an internal bin store is not an ideal arrangement, it is accepted that this proposal presents an appropriate form of development which can be managed. The bin store will be fitted with vents to control odour, the floor level in the access corridor has been levelled to provide a suitable access for wheelie bins and there is capacity provided for the proposed development. Therefore, this element of the proposed development is considered to be acceptable.

Conclusion

The above matters are addressed within the original report however it has been beneficial to provide the Planning Committee with clarity on their issues of concern.

This additional information has not provided any reason to take a different approach contrary to the approval recommendation given in the original report and as such the same applies.

That being; in light of the foregoing and the considerations detailed in the original appended report the proposal is considered to comply with the Development Plan and is consistent with NPPF advice and particularly those associated which encourage housing schemes in sustainable locations.

The proposal is therefore consistent with paragraph 11 of the NPPF which presumes in favour of sustainable development and in accordance with the

Development Plan. As such, the application comes before the Planning Committee with a recommendation to approve.

Background Papers

Title of Document:

Date:

Contact Officer:

Collette Panther, Assistant
534316

Previous Reports/Minutes

Ref:

Date:

Development Officer on 01536