

PLANNING COMMITTEE

Wednesday 10th June 2020 at 6.00pm
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A G E N D A

1. Apologies
2. Declarations of Interest
 - (a) Personal
 - (b) Prejudicial
3. Any items of business the Chair considers to be urgent
4. Planning Application Reports

Thursday, 28 May, 2020

No. 4 Planning Application Reports

4.1	KET/2019/0696	ACH	43 High Street, Harrington Full Application: Demolition of dormer bungalow and erection of two storey dwelling and shed to rear Expiry date: 01-June-2020	1
4.2	KET/2019/0870	RJA	Appleton Farmhouse, Rothwell Road, Harrington Full Application: Two storey side extension with render and stone, and addition of 2 no. windows at first floor southeast and southwest elevations Expiry date: 31-May-2020	12
4.3	KET/2019/0871	RJA	Appleton Farmhouse, Rothwell Road, Harrington Application for Listed Building Consent: Two storey side extension with render, to create kitchen. Alterations to existing kitchen to create dining room including 1 no. window blocked and creation of new opening with glazed doors to northwest elevation. Block 1 no. window in utility room. Creation of first floor bedroom with ensuite and addition of 2 no. windows at first floor level to southeast and southwest elevations Expiry date: 31-May-2020	22
4.4	KET/2020/0024	KEK	3 Middle Lane, Stoke Albany Full Application: Conversion and extension of outbuilding to form annex Expiry date: 31-May-2020	28
4.5	KET/2020/0049	ACH	20 - 24 Underwood Road (land between), Rothwell Full Application: Demolition of garages and erection of a dwelling Expiry date: 01-June-2020	39

Application Reference Numbers and Expiry Dates in bold type are within the permitted time frame

The Planning Officer's initials are in the third column. For further details please refer to the end of the individual reports.

The membership for this Full Planning Committee is as follows:-

Councillors:- S Stanton (Chair), A Davies (Deputy Chair), J O'Hara, L Adams, C Mitchell, C Moreton, M Rowley, L Thurland, G Titcombe

Substitutes:- Councillors S Edwards, D Howes, I Jelley, A Lee, J West

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/05/2020	Item No: 4.1
Report Originator	Alan Chapman Development Officer	Application No: KET/2019/0696
Wards Affected	Slade	
Location	43 High Street, Harrington	
Proposal	Full Application: Demolition of dormer bungalow and erection of two storey dwelling and shed to rear	
Applicant	Mr & Mrs Jackson Stops	

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 REFUSED for the following reason(s):-

1. The application provides insufficient heritage justification for the proposal, particularly the building's massing, external appearance and extent of finned and non-finned glazing to its front, rear and side elevations. These elements result in harm to the heritage asset which is not outweighed by any public benefits of the proposal. The proposal does not preserve or enhance the setting or significance of the scheduled monument (National Heritage List for England 1003875), Grade II* registered park and garden (National Heritage List for England 1001034), or the character and appearance of the Harrington Conservation Area. The proposal is therefore contrary to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 189 to 196 of the NPPF and Policies 2 and 8 (d) of the North Northamptonshire Joint Core Strategy (JCS) which require proposals to conserve and where possible enhance the heritage significance and setting of an asset, and protect and, where possible, enhance key views and vistas of heritage assets.

Officers Report for KET/2019/0696

This application is reported for Committee decision because it is substantively supported by Harrington Parish Council and refusal is recommended, and there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

None since 2007.

Site Visit

Officer's site inspection was carried out on 13/11/2019

Site Description

The existing dwelling on site is a three-bedroom 1960s chalet style house with a tiled roof set within a rectangular plot of land within the settlement boundary and Conservation Area of Harrington. It is also located on and within the 'Site of manor house' schedule monument and 'The Falls' Grade II* registered park and garden. Attached to the side (north-eastern) of the chalet house is a single storey flat roofed single garage. To the front is garden area with driveway and parking. To the rear is landscaped garden laid mainly lawn. Tall and mature vegetation runs along the site's north-eastern and north-western rear boundaries. The slab level of the chalet is set approximately 0.5m below the level of the highway (High Street) but is set approximately 1.0m above the scheduled monument at the rear boundary of the site.

The property enjoys an isolated location where it is surrounded by open countryside to the rear and on both side with the open countryside rolling downwards from its rear boundary towards the River Ise valley. A public footpath (PROW) runs along the property's eastern side and extends in a north-west direction towards the village of Arthingworth.

Proposed Development

Following concerns raised concerning the proposal's harmful impact upon heritage assets an amended proposal was suggested to the applicant that may be more favourably considered by Historic England and the Local Planning Authority, however, the applicant declined this opportunity and instead submitted the amended proposal described below.

Demolition of the existing chalet style house and the erection of a four-bedroom two-storey L-shaped (footprint) dwelling house and the erection a single storey outbuilding to the rear. For clarification purposes, the proposal does not include any garage structure between the proposed front elevation and High Street. The main dimensional characteristics of the existing and proposed dwellings are presented below:

- 112.2 sqm existing footprint
- 152.7 sqm proposed footprint (excluding proposed outbuilding)
- 6.8m max ridge height of existing dwelling
- 8.2m max ridge height of proposed front two-storey element

- 7.5m to 7.8m max ridge heights of proposed stepped two-storey return element

The other more subtle amendments made to the proposal include a very marginal reduction in roof height of 30cm to only part of the two-storey return; no rendering to the side and rear elevations and the addition of timber 'fins' (louvres) to the external rear face of the two-and-a-half storey fully glazed central atrium.

Any Constraints Affecting the Site

Within Harrington Conservation Area

Within Grade II* registered park & garden 'The Falls'

Within Scheduled Monument 'Site of manor house'

TPO – Group 1963 NCC No.15 G1 (to front of site only)

C Road

Archaeological & historic site

Public Footpath adjacent to east side of site

4.0 Consultation and Customer Impact

Harrington Parish Council

HPC are pleased to support this application. (we have been made aware that the applicant is a Member of Harrington Parish Council but did not take part in any voting on this matter)

NCC Archaeology

Amended proposal

Reiterated their earlier comments that they do not object subject to a pre-commencement condition being imposed and fully complied with requiring the applicant to secure the implementation of a programme of archaeological work before development commences. They added that Historic England be consulted, and that Historic England have all the information they require.

Historic England (Objection)

Amended proposal

Expressed concerns that revised plans which clarify the proposal, marginally reduce the level of harm to the significance of the scheduled monument and Grade II* registered park and garden. The submitted photomontages are inaccurate and do not facilitate a thorough assessment of the impacts. Our concerns have not been fully met.

The impact [of the amended proposal] on the designated heritage assets remains similar to our previous [original proposal] assessment.

You should be satisfied that there is clear and convincing justification for any harm caused to the assets' significance and be weighed against the public benefits of the proposal.

KBC Environmental Health

No objection subject to imposition of conditions to in the event of unexpected contamination and an informative note regarding radon gas be applied.

KBC Environmental Care

No comments received.

Neighbours

No comments received following publicity and notification exercises.

Councillor Jim Hakewell

Requested application be brought to Planning Committee, however, this request was received after the expiry of the publicity/notification period.

5.0 Planning Policy

Legislation

The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF) (2019)

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 16: Conserving and enhancing the historic environment

Policy 20: Nene and Ise Valleys

Policy 28: Housing Requirements

Policy 29: Distribution of new homes

Policy 30: Housing Mix and Tenure

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1: Presumption in favour of Sustainable Development

Policy 2: Historic Environment

Policy 3: Landscape Character

Policy 6: Development on Brownfield Land and Land affected by contamination

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Local Plan

RA3. Rural Area: Restricted Infill Villages

Emerging Policies (Local Development Framework)

Site Specific Part 2 Local Plan

Harrington Conservation Area Appraisal

6.0 Financial/Resource Implications

None

7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

8.0 Planning Considerations

The key issues for consideration in this application are: -

1. Principle of Development
2. Impact on Heritage Assets, Character and Appearance
3. Impact on Archaeology
4. Parking and Highway Safety
5. Protected Trees

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. Paragraph 2 of the National Planning Policy Framework (NPPF) reiterates this.

Policy 11 (Paragraph 118) of the NPPF offers support for utilising previously developed land located within settlements for example, new residential development. This general principle for the reuse of previously developed land/buildings in urban areas as support in Policy 6 of the JCS.

Policy 11 of the JCS is supportive of new residential development on suitable sites within defined village confines.

Saved Local Plan Policy RA3 is supportive of new residential development that is within the settlement boundary of a Restricted Infill Village, which Harrington is, where the proposal meets the following criteria:

- i. the proposal is within the defined village limits shown on the Proposals Map;
- ii. the proposal is appropriate in terms of size, form, character and setting of the village and in terms of the local community and its environment;
- iii. the proposal does not involve the development of open land shown on the Proposals Map as particularly significant to the form and character of the village;
- iv. the proposal is compatible with other policies and proposals in the Plan, particularly in relation to conservation, design, density, site layout, access, drainage, landscaping and open space provision; and v the proposal takes account of the need to conserve energy through good building design and the use of appropriate materials.

Whilst it is opined that the proposal would satisfy RA3 criterion (i), (iii) and possibly (v), for the reasons set out below the proposal would not satisfy criterion (ii) and (iv) and is, therefore, not fully in accordance with this Development Plan Policy as well as being in conflict with the other Development Plan and NPPF Policies set out below.

2. Impact on Heritage Assets, Character and Appearance

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities (In the exercise, with respect to any buildings or other land in a conservation area) to pay special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that 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.

Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and 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, including securing the optimum viable use of the heritage asset.

The application site is within the Harrington Conservation Area, a scheduled monument (SM) ('Site of manor house') and a Grade II* registered park and garden (RPG) ('The Falls'). Whilst the entire application site is wholly within the SM and RPG with the SM and RPG extending beyond the site's north (rear), west

(side) and east (side) boundaries the Conservation Area (CA) follows the site's north boundary and includes the parcel of open land between the site and the closest property of Springhead Farm. The CA boundary then hugs the site's western boundary before turning south-eastwards to run parallel with High Street. As identified on the Harrington Conservation Area Appraisal Plan, the Appraisal identifies that there are two 'Significant Views' that look north-eastwards along High Street towards the SM and the site and looking south-westwards along High Street towards the SM and the site. The CA Appraisal Plan also identifies 'The Falls' (RPG) as a 'Significant Open Space' which contributes in a large way to the setting of the CA. A public footpath traverses past the site's eastern boundary and out over the SM & RPG.

The significance of the designated assets is described below.

The SM known as 'Site of manor house' (NHLE 1003875) encompasses the complex and extensive above and below ground earthwork remains of a manor house and formal gardens, fishponds and associated water management system.

The post-medieval manor house built circa 1600, which likely incorporated remains from an earlier medieval manor on the site, is visible above ground as an earthwork having been demolished soon after 1745. The earthwork remains of the fishponds and a water management system dating from the earlier medieval phase lie to the north of the site.

It is likely that the fishponds remained in use during the post-medieval occupation of the site and formed an important contribution to the views from the manor house. Formal gardens were laid out in the late 17th century as a series of terraces running downhill from Harrington High Street towards the manor house, which sat centrally below the lowest terrace. A key view from the house would have been of the designed landscape of the formal garden terraces rising up the slope towards the Harrington's main street. Various features are visible on the terraces, including a lozenge shaped pool centrally within the upper terrace. The earthworks are well preserved, with the existing dwelling built at 43 High Street in the 1960s forming the only intrusion into the site where it truncates the upper terrace at its eastern extent.

The original entrance to the manor is thought to be adjacent to 43 High Street, running from the north-east corner alongside the northern edge of the terraces before turning gradually westwards to the house.

It is suspected that medieval house platforms once existed along the north-western edge of High Street which may have been destroyed or buried by the construction of the gardens.

The monument is partly within Harrington Conservation Area to the south east and sits in a wider agricultural landscape of fields. The survival of wide ranging views across the landscape and the relationship between the high status manorial site and the rest of the village which developed alongside contributes to the significance the monument derives from its setting. Both the visible components as they sit within their setting and below ground remains retain information which

contributes to our understanding of continuity and change in the evolution of the site.

On examination of the amended proposal Historic England (HE) have provided their assessment of the proposal's harmful impacts upon the designated heritage assets.

“Historic England provided advice on this application in our letter of 27 November 2019 where we highlighted concerns regarding the height and massing of the proposed dwelling, the level of glazing, the provision of inconsistent information and quality of the Landscape and Visual Impact Assessment. We note the submission of revised plans which clarify the proposals and marginally reduce the level of harm to the significance of scheduled monument 'Site of manor house' (National Heritage List for England 1003875) and Grade II registered park and garden 'Harrington', known locally as 'The Falls' (NHLE 1001034). We also note the submission of photomontages; however, these are inaccurate and do not facilitate a thorough assessment of the impact to the designated heritage assets. Historic England considers that our concerns have not been fully met.*

We previously advised that the proposed scheme would cause a degree of harm to the significance of the scheduled monument and grade II registered landscape. We refer you to our previous letter regarding the significance of the designated heritage assets.*

The harm was caused by the visual impact of the proposal as a substantially larger dwelling than the existing, which would intrude upon the designed and monumental character of the site, and through physical impact on surviving nationally important buried archaeological remains which contribute to our understanding of its development and use. We recommended that to reduce the level of harm, the dwelling should be reduced in height and massing. We advised that an improved Landscape and Visual Impact Assessment containing photomontages should be prepared to allow for a thorough assessment of the impact of the proposals on the designated heritage assets and help to reduce harm. The submitted Landscape and Visual Impact Assessment incorporates photomontages that are inaccurate and distorted, which does not permit an accurate assessment of impact.

We acknowledge that the applicant has made minor design amendments, including the stepping of the ridge height on the dwelling's return, and the introduction of 'fins' to the rear elevation glazing to reduce the impact of travelling light and reflection. The incorporation of fins does reduce the impact of the glazing and goes some way to meet our concerns. We consider that the stepping of the ridge height on the return, whilst somewhat disrupting the massing of the south-west elevation, is not sufficient to address our concerns regarding the overall increase in massing from the existing dwelling.

Historic England considers that the revised proposals will still cause a degree of harm to the significance of the scheduled monument and grade II registered landscape. This is by impacting on their monumental character and reducing legibility, and through physical impact on nationally important archaeological*

remains. We maintain that the re-development of the site provides an opportunity to reduce the level of harm incurred by the existing dwelling. We reiterate our previous advice that a reduction in ridge height to, or close to the height of the existing building would reduce the level of harm to the heritage assets. While we acknowledge a slight stepped reduction in the ridge height of the proposed dwelling, no further steps have been taken to reduce the massing and therefore the impact of the proposals on the designated heritage assets remains similar to our previous assessment.

We would welcome the opportunity to advise again should there be further amendments. Should no revisions be forthcoming, we advise that in determining this application your authority should be satisfied that there is clear and convincing justification for any harm caused to significance (National Planning Policy Framework paragraph 194), giving great weight to the asset's conservation (NPPF 193). Any harm caused by the proposals should be weighed against the public benefits of the proposal in accordance with NPPF 196.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 193, 194 and 196 of the NPPF.”

Acting as the Council's professional heritage advisors, then the above comments of Historic England are regarded as an objection to the proposal and are afforded significant weight in the overall planning balance.

It is opined that the SM and RPG contribute heavily to the setting of the Conservation Area, as recognised in the CA Appraisal where the area is defined as a 'Significant Open Space' that lies partly within the CA as well as immediately abutting it and there are two 'Significant Views' that relate to the application site and SM / RPG, and therefore its significance. Whilst it is acknowledged that there exists an opportunity to reduce the level of harm that the current chalet house causes to the CA by replacing it with a less harmful building that would preserve and enhance the significance of the CA and its setting. The current proposal would, however, introduce an unacceptable level of harm, by way of its massing and extent of finned and non-finned glazing. The comments of Historic England above are considered to flow through to the consideration of the impact on the CA's character as the enjoyment of the CA and its setting is largely derived from the significance of the SM and RPG in this locale. Of concern is that when the CA is experienced from the PROW and the 'Significant View' the solid two-storey elevation of the gable end and the return would introduce a significant visual impact.

When compared to the existing side (north-east) elevation, the proposed elevation not only presents a much larger expanse of a two-storey face (approximately twice the surface area) but is also some 4.4metres closer to curtilage boundary and therefore the PROW that runs along the SM to the east of the site. The existing one-and-a-half side elevation is approximately 8.0m wide with ridge height to 6.8m and is set back from the boundary by 5.3m. The single storey garage between it

and the boundary is approximately 8.0m long with a maximum height of 3.0m. The proposed side elevation is approximately 13.8m long with a height starting at 8.2m before stepping down slightly to 7.4m. The proposed elevation is only set back from the boundary by approximately 0.9m.

It is opined that this increase in surface area of the side elevation and its closer proximity to the CA and PROW would have a significant visual impact on how the CA is experienced and its character and appearance. The 'Significant View' at this location would also be negatively impinged upon.

The large bulk, massing and extent of finned and non-finned glazing to the rear combined with the elevated position that the proposed dwelling will have, would have a harmful impact on the views into the CA and the CA's wider setting. It is evident from the comparison between the existing and proposed drawings that the proposed dwelling would be a visually more prominent feature in the landscape.

As one traverses through the CA along High Street from the south to the north there is a distinct lack of residential properties that have the external appearance of former barns (with slit openings and cart door openings) and the distinctive character is of properties with traditional looking casement windows. Indeed, in the submitted Heritage Statement (Ref. KET/2019/0696/2) reference is drawn to 3 properties (Henry Hall's House, Slade Farmhouse and Nos.40-50 High Street) which have this traditional casement fenestration.

Accordingly, it is opined that this proposal would introduce a building that is out of keeping with the traditional appearance of the streetscape in this part of the CA and thereby would not preserve or enhance the special character and appearance of the CA.

A specific justification statement was not submitted but there are short paragraphs contained within the Heritage Statement and Design and Access Statement that allude to the justification for this replacement dwelling. In short, the Agent perceives that the proposed dwelling, by virtue of its external design, would be an enhancement to the CA, when compared to that of the existing dwelling. This is also the premise that the Agent presents as the public benefit that would outweigh the harm to the heritage assets. As a side note, it is opined that there could be no reason why the existing dwelling could not be physically refurbished in a manner that would be positive to the area's appearance. The LPA does not accept that the proposed larger dwelling represents a public benefit, although it may be a private benefit.

Whilst it is accepted that there is an opportunity for a replacement dwelling of some design that would preserve and enhance the CA, the current proposal still causes a degree of harm that is not outweighed by any perceived public benefit.

For the reasons given above the proposal would not be in accord with JCS Policy 2, Policy 8 (d) and Policy 16 of the NPPF.

3. Impact on Archaeology

Policy 16 NPPF requires appropriate assessment and evaluation of a site's archaeological interest where that interest contributes to the historic environment and a heritage asset's significance. Policy 2 of the JCS states that the historic environment will be protected, preserved and where appropriate enhanced. The historic interest may be archaeological.

The County Council Archaeological Advisor was consulted on this proposal and advised, that due to potential buried remains, a condition be imposed requiring the implementation of a programme of archaeological work being implemented before the development commences.

4. Parking and Highway Safety

Policy 8 (b) (ii) of the JCS requires development to make safe and pleasant streets by ensuring a satisfactory means of access and provision for parking, serving and manoeuvring.

The proposal provides for 4 on-site parking spaces as well as an on-site area for manoeuvring, which would be compliant with the Parking Standards that the Local Highway Authority would normally wish to see.

The proposed scheme would not prejudice highway safety and there would be adequate parking within the site so the proposed development would be in accordance with Policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

5. Protected Trees

Whilst an historic group Tree Protection Order (TPO) (made in 1963) is still registered, this TPO only includes a small portion of land between the building's front elevation and High Street. Also, of note is that recent site visits reveal that there are no trees contained in this portion of land or in proximity to the site boundaries. Accordingly, it is opined that the proposed development would not have any impact upon TPO trees.

Conclusion

For the reasons given above the proposal would have a harmful effect on the heritage assets' significance and upon the character and appearance of the conservation area. The proposal would therefore not accord with JCS Policies 2, 4 and 8, and refusal of planning permission is recommended.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Chapman, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/05/2020	Item No: 4.2
Report Originator	Ruth James Assistant Development Officer	Application No: KET/2019/0870
Wards Affected	Slade	
Location	Appleton Farmhouse, Rothwell Road, Harrington	
Proposal	Full Application: Two storey side extension with render and stone, and addition of 2 no. windows at first floor southeast and southwest elevations	
Applicant	Mr & Mrs Bray	

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 REFUSED for the following reason(s):-

1. The proposed two storey extension would result in a development that would adversely impact upon the grade II listed building and its setting as it would fail to respect the open setting of the farmhouse by way of its scale and form. It would also result in harm to the rural approach to the village and the Harrington Conservation Area. It is therefore contrary to Section 72(1) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and conflicts with Part 16 of the NPPF and Policies 2(b) and 8(e) of the North Northamptonshire Joint Core Strategy

Officers Report for KET/2019/0870

The proposal is substantively supported by a statutory consultee (including town/parish councils), refusal is recommended

3.0 Information

Relevant Planning History

KET/1988/1324 – Planning application: Convert stone barn into 2 storey dwelling and to provide combined garaging and parking facilities for existing farmhouse and the new dwelling. Approved 11/01/1989.

KET/1992/0294 – Listed Building Consent: Provision of double garage to keep vehicles under cover and secure. Approved 23/06/1992.

KET/2002/0787 - Listed Building Consent: Demolish single-storey utility room and construct two-storey extension. Approved 16/01/2003.

KET/2002/0788 - Planning application: Demolish single-storey utility room and construct two-storey extension. Approved 16/01/2003.

KET/2004/0115 - Planning application: Conservatory. Approved 05/03/2004

KET/2004/0116 - Listed Building Consent: Conservatory. Approved 05/03/2004

KET/2018/0074 - Planning application: Two-storey side extension with retaining wall. Porch to front and French doors to dining room. Withdrawn 14/03/2018

KET/2010/0075 - Listed Building Consent: Removal of conservatory to front. Two-storey side extension with retaining wall. Porch to front and French doors to dining room. Creation of opening between sitting room and dining room. Removal of first floor ensuite shower room. Withdrawn 14/03/2018.

Recent Planning History

KET/ 2019/0871 – Listed Building Consent: Two storey side extension with render, to create kitchen. Alterations to existing kitchen to create dining room including 1 no. window blocked and creation of new opening with glazed doors to northwest elevation. Block 1 no. window in utility room. Creation of first floor bedroom with ensuite and addition of 2 no. windows at first floor level to southeast and southwest elevations. Application recommended for refusal. Decision pending.

KET/2019/0872 – Listed Building Consent: Raise eaves height to single storey rear lean-to and add conservation rooflight, move stud partition to enlarge first floor bathroom and reconfigure layout. Withdrawn 08/01/2020 and a new application submitted removing the alteration to the eaves height.

KET/2020/0007 – Listed Building Consent: Alterations to first floor bathroom to include replacement suite and repositioning of stud partition wall. Approved 27/02/2020

Site Visit

Officer's site inspection was carried out on 15/01/2020

Site Description

The application site is located to the south east of Harrington village, within the Harrington Conservation Area and outside the village boundary. It is accessed by a

private track which runs to the south of the property from the main highway, Rothwell Road.

Appleton Farmhouse is a Grade II listed building and the 'National Heritage List for England' provides the following listing description:

HARRINGTON ROTHWELL ROAD SP 78 SE (south west side) 2/36
Appleton Farmhouse II Farmhouse, now a house. Early C18. Coursed rubble with steep pitched concrete tile roof. Brick coped gables. 2 brick ridge stacks. 2 storeys, 3 bays. Front has a central doorway with C20 glazed porch on brick plinth, flanked by single 3-light C19 casements. All these openings have wooden lintels. Above, 3 smaller C19 2-light casements. Lean-to rear addition.

Appleton Farmhouse sits towards the rear of its curtilage, in the southwest corner of the plot. The front garden area is large and mainly laid to lawn with high boundary hedging across the northeast boundary with the main road. The northern side of the site encroaches into a Tree Preservation Order Area that extends west and north covering a total area of approximately 3.9 acres. The property has been previously extended to the side with a two-storey extension in a 'Pastiche' style.

Appleton Farmhouse sits towards the rear of its curtilage, in the southwest corner of the plot. The front garden area is large and mainly laid to lawn with high boundary hedging across the northeast boundary with the main road. The northern side of the site encroaches into a Tree Preservation Order Area that extends west and north covering a total area of approximately 3.9 acres. The property has been previously extended to the side with a two-storey extension in a 'Pastiche' style.

Appleton Farmhouse has also been extended to the rear, partly done pre the building being listed, whilst garaging was applied for after the listing in 1991. There is also off road parking for up to 2 no. vehicles. Stone built pillars with trellis fencing separate the property at the rear from its eastern neighbour Appleton barn; originally part of the Farmhouse outbuildings, the barn was granted approval for conversion in the late 1980's and its outbuildings join to the garaging for the application property.

Proposed Development

The application seeks consent for a two-storey side extension, on the northeast side set back from the front elevation.

In the originally submitted scheme the proposal included a two storey side extension set back from the front with an 'orangery' style single storey element to the front of the two-storey element. The applicant was advised that another extension to the side was considered unacceptable and negotiations were entered into. Although the amended scheme does not accord with the advice given by the LPA the applicant has requested it be determined. The revised scheme has been reconsulted on for 14 days.

Any Constraints Affecting the Site

Within Harrington Conservation Area
Grade II Listed Building
Outside village boundaries
Area TPO 1965 No.33

4.0 Consultation and Customer Impact

Harrington Parish Council

Initial consultation – supports the application.
14 day re-consultation – no further comments received

Neighbours Notification letters were sent out to close proximity neighbours no responses were received from the either the initial consultation or the 14 day re-consultation.

5.0 Planning Policy

Legislation

The Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

Policy 12. Achieving well-designed places
Policy 16. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 2. Historic Environment
Policy 8. North Northamptonshire Place Shaping Principles
Policy 11. The Network of Urban and Rural Areas

Saved Policies in the Local Plan for Kettering Borough

Saved Policy RA5. Rural Area: Housing in the Open Countryside
Saved Policy 7. Environment: Protection of the Open Countryside

6.0 Financial/Resource Implications

None

7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is

properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

8.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Character and appearance and impact on the Conservation Area
3. Residential Amenity
4. Trees
5. Other matters

1. Principle of development

The application seeks consent for a two-storey side extension.

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires Local Planning Authorities have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

Policy 16 (paragraph 185) of the National Planning Policy Framework (NPPF) requires Local Planning Authorities to consider the desirability of new development making a positive contribution to local character and distinctiveness.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of development to residential properties provided there is no adverse impact on character, appearance and residential amenity. Policy 8 also seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area. Paragraphs 124, 127 and 130 of the National Planning Policy Framework recognise that good design is a key aspect of sustainable development and supports development which is sympathetic to the local character and history, including the surrounding built environment.

The application site is located to the south of Harrington Village on the western side of Rothwell Road. It is within the Harrington Conservation Area boundary but outside of the village boundary, which is approximately 50 metres from the property's

curtilage. As such the proposal would be located within the Open Countryside where relevant constraint Policies 7 and RA5 of the Local Plan apply.

Neither of these policies are supportive of development within the local countryside, unless they meet the exceptions specified within the plan, which the proposal does not. The last approved development being KET/2004/0115 & 0116 which permitted the conservatory to the front.

Nevertheless, the principle of development in this case is also dependent upon the consideration of the degree of harm to the significance of the building as a (listed) heritage asset. A separate application (ref: KET/ 2019/0871 for LBC has been submitted. The proposed extension has been assessed in accordance with national and local policy and found to be harmful to significance. Therefore, this is a fundamental objection to the principle of the proposed development and taking account of National & Local Policies detailed above.

2. Character and appearance and impact on the Conservation Area

The National Planning Policy Framework (NPPF) emphasises the importance of high quality design (Policy 12). Policy 16 of the NPPF 'Conserving and enhancing the historic environment' also requires local planning authorities (LPA) to take account of 'the desirability of new development making a positive contribution to local character and distinctiveness' (para 192).

Policy 2(b) of the North Northamptonshire Joint Core Strategy requires new development should complement their surrounding historic environment through the form, scale, design and materials. Policy 8(d) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

In addition as the proposal is associated with grade II listed Appleton Farmhouse, the proposal falls to be considered under Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities (when considering whether to grant planning permission for development which affects a listed building or its setting) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The proposed extension would be two-storey and set back from the front elevation by 4.6 metres. It would extend out to the side, from the previously approved two-storey side extension, for a distance of 6.5 metres and have a width of 4.2 metres. The eaves height would match with the existing roof on the host dwelling and the ridge height would be subordinate being 0.6 metres lower than the main roof. The front elevation would be finished with stone and the rear and side elevations would have a render finish. The plans show the inclusion of timber shutters to the front

elevation for the double glazed doors and a first floor window; windows and doors would be timber.

Prior to being listed in 1991, the host dwelling was extended to the rear and also permission was granted for the conversion of the stone barn to the rear to provide a separate dwelling. Since then the host listed building has been the subject of a number of extensions over the years to the rear, the side and to the front. Appleton Farmhouse derives its special character from its simple rural vernacular appearance. A previous two-storey side extension, done as a pastiche of the original farmhouse, has not been entirely successful; nevertheless, it is an interpretation of the simple design of the original farmhouse which remains legible. The farmhouse setting remains largely intact due to its discrete relationship to the rest of the village and it also contributes significantly to the rural village approach and to the southern extent of the village Conservation Area.

To further extend out to the side would increase the frontage of the farmhouse significantly to 19.9 metres. It is acknowledged that the development would be set back towards the rear of the main dwelling house by 4.6 metres but visually from the front the cumulative impact of the extra frontage would detract and harmfully compete with the listed farmhouse, which originally had a frontage measuring just 9.5 metres; the previous pastiche extension has already increased this to 13.5 metres. The new extension would also fail to respect the open setting of the farmhouse and thereby fail to preserve its significance which would also result in harm to the rural approach to the village and the conservation area.

The design of the front elevation of the extension with wooden shutters and windows that are different in design to the existing farmhouse is not welcome. The 'Design and Access, Impact and Justification Statement' submitted states that the design of the proposed extension is intended to show a 'barn type building' similar to former agricultural buildings which adjoin the main house. The buildings referenced are the outbuildings to the rear of the dwelling that formed the barn conversion under KET/1988/1324. The inclusion of wooden shutters introduces a feature that creates a cluttered appearance visually and again detracts from the simple design and form of the original farmhouse.

Whilst each new extension has been individually assessed and considered to be of a size and impact that has been found to be acceptable within the host dwellings context and listed building status, it is considered that the cumulative impact of the submitted proposal, together with the previous additions to the property would cause significant harm by way of competing with the original listed building, failing to preserve both the building and its setting.

It is the considered opinion of the Local Planning Authority that the dwelling has now reached the limit of the accommodation that can be realised through extension, without causing significant harm to the character and appearance of the listed building, its setting and the conservation area.

As such the proposal would result in a development that would be of an inappropriate form, scale and design that would not complement Harrington Conservation Area and would adversely compete with the form of the listed building.

As a result, the proposed development does not accord with Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 16 of the National Planning Policy Framework and Policies 2 and 8 of the North Northamptonshire Joint Core Strategy.

3. Residential Amenity

In addition to seeking development to respect the character of an area, Policy 8(e) of the North Northamptonshire Joint Core Strategy seeks to ensure that development prevents harm to the residential amenities of neighbouring properties, such as by reason of overbearing, loss of light or overlooking.

Appleton Farmhouse was originally a single dwelling unit with barns to the rear, the conversion of these to a dwelling in the late 1980s makes Appleton Barn the closest neighbouring property to the southwest of the application site. Appleton Barn is orientated with its front elevation facing southwest overlooking the open countryside and the rear elevation facing towards the rear elevation of Appleton Farmhouse. There is a separation distance of approximately 19 metres between these rear elevations.

The proposed extension would extend out from the northwest side elevation of the host dwelling and the rear build line of the host dwelling would be maintained along with the separation distance with Appleton Barn. There would be two new windows inserted into the rear elevation of the extension along with a roof light and these would serve the new kitchen and the new internal staircase. The roof light would sit within the slope of the rear roof plane. A new small window would be inserted into the existing rear elevation at first floor level, to provide daylight for bedroom 2, as this would lose a northwest facing window as a result of the new extension.

The new ground floor kitchen window would overlook the northeast section of the host dwellings own garden. Staircases are a passing place and not a habitable room so the new window serving this area is not considered to give rise to any overlooking impacts. The new roof light would also not cause overlooking towards neighbouring Appleton Barn, which has no windows in its rear elevation that faces the application site, only roof lights in the rear roof plane.

The additional window to bedroom 2 would be a small secondary window for the room, and it would overlook the car ports and the rear elevation of Appleton Barn. The separation distance between rear elevations of 19 metres is considered to keep any potential increase to overlooking towards Appleton Barn to an acceptable level.

The orientation of the site and the large plot size means that any increase to overshadowing would be within the application sites own garden and would not adversely affect neighbour amenity.

There is a neighbour to the northeast of Appleton Farm on the other side of the main highway, Close House, but this property is over 40 metres away and would not be adversely impacted by the proposed extension.

It is therefore considered that the proposed development is in accordance with Policy 8(e) of the North Northamptonshire Joint Core Strategy in that the new

development does not result in an unacceptable impact upon the amenities of neighbouring properties.

4. Trees

The northwest area of Appleton Farms garden and curtilage boundary lies within an Area TPO, 1965 No.33 which extends from the building's rear (north) elevation northwards towards Harrington High Street. This part of the garden is on elevated ground and contains four trees. The ground level and base of the trees are approximately 30 to 60cm above the footings of the host dwelling and are also contained within the Area TPO. In order to facilitate the building of the extension three of the trees would need to be removed. The applicant has submitted a separate notification for works to trees that are subject to this TPO and this has been considered under KET/2020/0001, which was completed on 03/03/2020. Therefore, it is not necessary to consider the trees as part of this application.

5. Other matters

Planning application KET/2018/0074 for a two-storey side extension was withdrawn on 05/03/2018. Harrington Parish Council had objected to the design as they felt it was not in keeping with the listed building or conservation area and the proposed materials did not match with the existing building.

The Harrington Council have substantially supported this application stating that they consider the extension to 'be more in keeping with the Village Design Statement' and that 'the materials to be used are in keeping with the house'

The Harrington and Thorpe Underwood Village Design Statement is dated August 2008 and has not been reviewed at any point. Notwithstanding this, the statement states that 'Future development including alterations to existing buildings should preserve the existing pattern of the villages and be in sympathetic form, materials and design to the surroundings.' Whilst it is agreed that the extension does comply with these requirements, Appleton Farmhouse is one of only six listed buildings within the locality and as discussed at section 2 the application for planning permission must be considered in accordance with Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

The Parish Council has not demonstrated that consideration has been given to the impact of the granting of planning permission upon the listed building and its setting; only that they consider the proposal to be more in keeping. As such the support given does not take into account all of the issues set out in Section 66 (see above), which the local planning authority is statutorily obliged to have regard to.

Conclusion

The application is recommended for refusal. The proposed extension will have a harmful impact on the appearance and character of the grade II listed building, its setting and the Harrington Conservation Area, contrary to the requirements of national and local policy.

Background Papers

Title of Document:

Date: 23/03/2020

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Ruth James, Assistant Development Officer on 01536 534316

BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/05/2020	Item No: 4.3
Report Originator	Ruth James Assistant Development Officer	Application No: KET/2019/0871
Wards Affected	Slade	
Location	Appleton Farmhouse, Rothwell Road, Harrington	
Proposal	Application for Listed Building Consent: Two storey side extension with render, to create kitchen. Alterations to existing kitchen to create dining room including 1 no. window blocked and creation of new opening with glazed doors to northwest elevation. Block 1 no. window in utility room. Creation of first floor bedroom with ensuite and addition of 2 no. windows at first floor level to southeast and southwest elevations	
Applicant	Mr & Mrs Bray	

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 REFUSED for the following reason(s):-

1. The proposed extension by virtue of its design, scale and location, would be detrimental to the special historic and architectural character of the grade II listed building. Therefore, this proposal is considered to be contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 16 of the National Planning Policy Framework and Policy 2 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2019/0871

Planning consent is sought under KET/2020/0870 which is substantively supported by a statutory consultee (including town/parish councils), for which refusal is recommended

3.0 Information

Relevant Planning History

KET/1988/1324 – Planning application: Convert stone barn into 2 storey dwelling and to provide combined garaging and parking facilities for existing farmhouse and the new dwelling. Approved 11/01/1989.

KET/1992/0294 – Listed Building Consent: Provision of double garage to keep vehicles under cover and secure. Approved 23/06/1992.

KET/2002/0787 - Listed Building Consent: Demolish single-storey utility room and construct two-storey extension. Approved 16/01/2003.

KET/2002/0788 - Planning application: Demolish single-storey utility room and construct two-storey extension. Approved 16/01/2003.

KET/2004/0115 - Planning application: Conservatory. Approved 05/03/2004

KET/2004/0116 - Listed Building Consent: Conservatory. Approved 05/03/2004

KET/2010/0075 - Listed Building Consent: Removal of conservatory to front. Two-storey side extension with retaining wall. Porch to front and French doors to dining room. Creation of opening between sitting room and dining room. Removal of first floor ensuite shower room. Withdrawn 14/03/2018.

KET/2018/0074 - Planning application: Two-storey side extension with retaining wall. Porch to front and French doors to dining room. Withdrawn 14/03/2018

Recent Planning History

KET/ 2019/0870 – Planning application: Two storey side extension with render and stone, and addition of 2 no. windows at first floor southeast and southwest elevations. Application recommended for refusal. Decision pending.

KET/2019/0872 – Listed Building Consent: Raise eaves height to single storey rear lean-to and add conservation rooflight, move stud partition to enlarge first floor bathroom and reconfigure layout. Withdrawn 08/01/2020 and a new application submitted removing the alteration to the eaves height

KET/2020/0007 – Listed Building Consent: Alterations to first floor bathroom to include replacement suite and repositioning of stud partition wall. Approved 27/02/2020

Site Visit

Officer's site inspection was carried out on 15/01/2020

Site Description

The application site is located to the south east of Harrington village, within the Harrington Conservation Area and outside the village boundary. It is accessed by a private track which runs to the south of the property from the main highway, Rothwell Road.

Appleton Farmhouse is a Grade II listed building and the 'National Heritage List for England' provides the following listing description:

HARRINGTON ROTHWELL ROAD SP 78 SE (south west side) 2/36
Appleton Farmhouse II Farmhouse, now a house. Early C18. Coursed rubble with steep pitched concrete tile roof. Brick coped gables. 2 brick ridge stacks. 2 storeys, 3 bays. Front has a central doorway with C20 glazed porch on brick plinth, flanked by single 3-light C19 casements. All these openings have wooden lintels. Above, 3 smaller C19 2-light casements. Lean-to rear addition.

Appleton Farmhouse sits towards the rear of its curtilage, in the southwest corner of the plot. The front garden area is large and mainly laid to lawn with high boundary hedging across the northeast boundary with the main road. The northern side of the site encroaches into a Tree Preservation Order Area that extends west and north covering a total area of approximately 3.9 acres. The property has been previously extended to the side with a two-storey extension in a 'Pastiche' style.

Appleton Farmhouse has also been extended to the rear, partly done pre the building being listed, whilst garaging was applied for after the listing in 1991. There is also off road parking for up to 2 no. vehicles. Stone built pillars with trellis fencing separate the property at the rear from its eastern neighbour Appleton barn; originally part of the Farmhouse outbuildings, the barn was granted approval for conversion in the late 1980's and its outbuildings join to the garaging for the application property.

Proposed Works

The application seeks consent for a two-storey side extension, on the northwest side set back from the front elevation.

In the originally submitted scheme the proposal included a two storey side extension set back from the front with an 'orangery' style single storey element to the front of the two-storey element. The applicant was advised that another extension to the side was considered unacceptable and negotiations were entered into. Although the amended scheme does not accord with the advice given by the LPA the applicant has requested it be determined. The revised scheme has been reconsulted on for 14 days.

Any Constraints Affecting the Site

Within Harrington Conservation Area
Grade II Listed Building

4.0 Consultation and Customer Impact

Harrington Parish Council

Initial consultation – supports the application.

14 day re-consultation – no further comments received

Neighbours Notification letters were sent out to close proximity neighbours no responses were received from either the initial consultation or the 14 day re-consultation.

5.0 Planning Policy

Legislation

The Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

Policy 16. Conserving and enhancing the historic environment

North Northamptonshire Joint Core Strategy

Policy 2. Historic Environment

Saved Policies in the Local Plan for Kettering Borough

RA3. Rural Area: Restricted infill Villages

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of works
2. Impact upon the special architectural and historic significance of Appleton Farmhouse

1. Principle of works

Section 66(1) and Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which it possesses.

Policy 16 of the National Planning Policy Framework 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, including securing the optimum viable use of the heritage asset.

This proposal is subject to an evaluation of the impact upon the significance of the building.

2. Impact upon the special architectural and historic significance of Appleton Farmhouse

Policy 2, of the North Northamptonshire Joint Core Strategy supports the protection and preservation of the historic environment and heritage assets and their settings. Proposals should demonstrate an understanding and appreciation of development

upon the setting of heritage assets and complement their surrounding historic environment through the form, scale, design and materials used.

Policy 16 of the National Planning Policy Framework, requires local planning authorities to ensure that development within the setting of a heritage asset, enhances or better reveals the significance of that asset.

National guidance states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Appleton Farmhouse was first listed on 31st January 1991 and it is noted that the interior of the building was not inspected at the time of this listing. Prior to being listed in 1991, the host dwelling was extended to the rear and also permission was granted for the conversion of the stone barn to the rear to provide a separate dwelling. Since then the host listed building has been the subject of a number of extensions over the years to the rear, the side and to the front.

Appleton Farmhouse derives its special character from its simple rural vernacular appearance. A previous two-storey side extension to the northwest side of the original listed building which was built as a pastiche of the original farmhouse, has not been entirely successful; nevertheless, it is an interpretation of the simple design of the original farmhouse which remains legible. The farmhouse setting remains largely intact due to its discrete relationship to the rest of the village and it also contributes significantly to the rural village approach and to the southern extent of the village Conservation Area.

The proposals would involve a further extension out to the northwest side from the previous two-storey side extension. This would increase the frontage of the farmhouse significantly to 19.9 metres. It is acknowledged that the development would be set back towards the rear of the main dwelling house by 4.6 metres but visually from the front, the cumulative impact of the extra frontage would detract and harmfully compete with the listed farmhouse, which originally had a frontage measuring just 9.5 metres; the earlier pastiche extension has previously increased this to 13.5 metres. As such, the new extension would fail to respect the open setting of the listed farmhouse and thereby fail to preserve its significance.

The design of the front elevation of the extension with wooden shutters and windows that are different in design to the existing farmhouse is not welcome. The 'Design and Access, Impact and Justification Statement' submitted states that the design of the proposed extension is intended to show a 'barn type building' similar to former agricultural buildings which adjoin the main house. The buildings referenced are the outbuildings to the rear of the dwelling that formed the barn conversion under KET/1988/1324. The inclusion of wooden shutters introduces a feature that creates a cluttered appearance visually and again detracts from the simple design and form of the original listed farmhouse.

Policy 16 (para 189) of the National Planning Policy Framework, requires applicants to describe the significance of heritage assets and the contribution they make to the

setting. Whilst para 194 states that clear and convincing justification should be provided for any harm to, loss of, the significance of heritage assets. The submitted 'Design and Access, Impact and Justification Statement' explains that because the physical alterations to the dwelling to physically connect the new extension, are not impacting or altering the physical fabric of the original listed building, then there is no impact from the new extension. It also states that the windows will be the same form and style of the existing house.

The statement was not updated when the amended scheme was submitted and the windows in the revised two-storey extension would be different to the windows in the front elevation of the original farmhouse and the previous extension. It also fails to take into consideration the cumulative impact upon the listed building and its setting from all of the extensions that have been implemented previously together with the proposal, which must be considered. Each of the previous extensions would have been considered and assessed having regard to the adopted planning policies in place at the time of the applications and taking into consideration the context and status of the listed building.

Whilst the proposal would not be physically attached to the fabric of the listed building, in determining this additional extension, it is considered that the cumulative impact of this extension with the previous additions to the property, would cause significant harm by way of competing with the original listed building, failing to preserve both the building and its setting. Furthermore, the local planning authority deems that the dwelling has now reached the limit of the accommodation that can be realised through extension, without causing significant harm to the character and appearance of the listed building and its setting.

As such the proposal would result in a development that would be of an inappropriate form, scale and design that would not preserve the significance and special character of the listed building and its setting. Therefore, the proposed development does not accord with Policy 16 of the National Planning Policy Framework and Policy 2 of the North Northamptonshire Joint Core Strategy.

Conclusion

The proposed extension by virtue of its design, scale and location, fails to preserve the significance and special character of the grade II listed building. The proposal is recommended for refusal.

Background Papers

Title of Document:

Date: 25/03/2020

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Ruth James, Assistant Development Officer on 01536 534316

BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/05/2020	Item No: 4.4
Report Originator	Koko Ekanem Development Officer	Application No: KET/2020/0024
Wards Affected	Welland	
Location	3 Middle Lane, Stoke Albany	
Proposal	Full Application: Conversion and extension of outbuilding to form annex	
Applicant	Mrs S Clennett	

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 shall conform in all aspects with the plans and details shown in the application as listed below including amended plan ref: 124-709/Rev. B; received 12.03.2020 (i.e. without a kitchen or dining room); and be retained thereafter for the life of the development.

REASON: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy.

3. Notwithstanding the details submitted, no development shall commence on site until samples of all materials to be used in the external construction of this development are provided on site and details (including photographs) are submitted for approval in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details and be retained thereafter.

REASON: To ensure a satisfactory appearance in the interests of visual amenity and to comply with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy and the NPPF.

4. The use of the hereby-approved development/residential annexe shall remain ancillary to 3 Middle Lane, Stoke Albany; and shall not be separated or sub-divided or used as independent dwelling/accommodation.

REASON: In order not to prejudice the minimum parking standards for residential development required by the Local Planning Authority. In the interest of amenities and to ensure compliance with Policy 8 of the North Northamptonshire Joint Core Strategy and the NPPF.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out in respect of the hereby approved under Classes A, B, C, D, or E of Part 1 of Schedule 2 of GPDO 2015.

REASON: In the interest of amenities and to ensure compliance with Policy 8 of the North Northamptonshire Joint Core Strategy and the NPPF.

6. Demolition or construction on site shall not occur other than between the hours Monday to Friday 08:00 to 18:00 Hrs, Saturday 08:30 to 13:30 Hrs 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.

7. 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.

8. Notwithstanding details shown on the hereby-approved plans, the proposed roof light(s) shall be flush-fitting conservation type (e.g. VELUX GGL MK08 3570H Conservation Pine Laminated Centre Pivot Roof Window 78x140cm; OR similar)

REASON: In the interest of visual amenity and to ensure compliance with NNJCS Policies 2 and 8.

Officers Report for KET/2020/0024

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

KE/2002/0166 (3 Middle Lane): Single storey side and rear extensions. Approved 13/08/2002.

Site Visit

Officer's site inspection was carried out on 5/02/2020 and 13/03/2020.

Site Description

Application site lies on the south side of Middle Lane; about 30m metres west of Ashley Road junction. The host dwelling house is a two-storey rustic stone-walled slate-roofed attached building. To the west of the site are nos. 5, 7 & 9 (i.e. Stonecrop) Middle Lane; to the south of the site is no. 3a Ashley Road (i.e. Willowbrook House); and to the east of the site is no. 1 Middle Lane. The site lies within Stoke Albany Conservation Area. Stoke Albany a designated Restricted Infill Village in the local plan Proposals Map.

Proposed Development

Planning permission is sought for the conversion and extension of the existing outbuilding to form 1 no. residential annexe. Proposed extension measures: 3m/4.2m/3.4m WIDE x 13.2m DEEP x 2.3m (eaves)/3m & 3.5m (ridge) HIGH

Accommodation schedule

Proposal	Internal space provision (sqm)	Nationally Described Space Standards (sqm)	Comment
1-storey/ 1-bedroom ANNEXE (including existing store)	51.12	39 (1-person)	Compliant

Table 1

Ancillary use

ANCILLARY (generally needs planning permission): This is generally anything one could do normally in a standard house as built; e.g. eat, sleep, sit comfortably, pray, study, watch tv, shower, etc.

Incidental use

INCIDENTAL (permitted development): This is generally everything else; including storage, swimming, bowling, gym, art studio, or something that can be classed as a hobby. An incidental use is "parasitic" on the primary use - it cannot exist without it. Also, ancillary use can be incorporated if it is subordinate to the incidental, i.e.

shower room for gym or small bar area - these are seen to not materially extend the normal living accommodation at the property.

Self-contained residential annexe

An example of when accommodation is not self-contained includes where no kitchen or cooking facilities are provided. Current proposal has: (i) lounge, (ii) no cooking facility (initially proposed kitchen has been deleted in the amended scheme), (iii) bedroom and (iv) bathroom; and is not considered a self-contained residential accommodation; as there is no kitchen.

Proposals for residential annexes will be permitted within settlement boundaries, providing that they are of a good quality design and do not cause significant adverse impacts on the living conditions of adjoining occupiers. In granting planning permission, caution needs to be exercised to ensure that this does not result in proposals which are effectively the same as creating a new dwelling, which may be in an inappropriate location.

The submitted Design and Access statement explains that the proposed development has been designed to retain all the original architectural features of an existing stone and brick faced single storey outbuilding which is rectangular in form and consists of two rooms divided by a central arch. This is located towards the northern end of the site adjacent to the existing dwelling. Alterations would include new roof lights shown as flush fitting. Attached onto the existing out-building is the proposed single storey extension to complete a development for an annexe intended for a relative of the existing household. The additional build at approximately a right angle to the existing outbuilding would be located adjacent to a block faced wall, that is part of a separate property existing at the south east side of the site. The proposed new build would be faced in stone/brick and slate/tile.

Any Constraints Affecting the Site

Rural Area: Restricted Infill Village
Stoke Albany Conservation Area

4.0 Consultation and Customer Impact

Stoke Albany Parish Council: SAPC has considered and supports this application.

Environmental Protection Officer: In case of approval, Conditions regarding the following should be applied to the approval: (i) Working Hours, (ii) Unexpected Contamination and, (iii) Radon.

Neighbours

Four letters of objection received

Issues raised

- Traffic congestion and parking (*Officer Comment: No new independent dwelling is proposed*)
- Aesthetically it would be detrimental to the appearance of the property if further off-road parking was to be created by removing stone walling/ lawned

- area to the front (*Officer Comment: Suggestion is not part of current application*)
- Overdevelopment of site (*Officer Comment: See planning assessment below*)
 - Access of occupier no.3 to rear of no. 5 Middle Lane (*Officer Comment: See Access to Neighbouring Land Act 1992; matter between neighbours*)
 - Possible subsidence (*Officer Comment: See Party Wall Act 1996; matter between neighbours*)
 - Small-scale infill development (*Officer Comment: No new independent dwelling is proposed*)
 - Scale of development (*Officer Comment: See planning assessment below*)
 - Conservation, design, density, site layout and access (*Officer Comment: See planning assessment below*)
 - Reuse of rural buildings (*Officer Comment: The main house would remain a dwelling house; current proposal/outbuilding remain ancillary to the host dwelling*)
 - Access is unsuitable for construction (*Officer Comment: Noted*)
 - Proposed extension is to be small in scale (*Officer Comment: See planning assessment below; any harm must be demonstrable*)
 - Site of the proposed development is or has been inhabited recently by species (*Officer Comment: Subject site is rear garden*)
 - Habitat survey (*Officer Comment: Operational development relates to the proposed extension; except for insertion of roof lights, relevant existing outbuilding element to remain a store*)
 - Disabled access (*Officer Comment: Host dwelling is existing*)
 - Adequate garden space (*Officer Comment: See planning assessment below*)

Not all of the above, therefore are material planning objections. The material objections are further summarised:

Traffic

Four objections on traffic/parking grounds based on proposal as an annexe per se received; albeit it appears that objectors are treating an annexe as an independent dwelling. Whilst the possibility of this as an independent dwelling was an initial concern of officers, a dependent relative of those occupying the main property is identified and a self-contained kitchen originally proposed has been removed from the scheme. Apparently, the occupier of the annexe is hardly thought to drive/require a vehicle given potential health consideration, but even if they did, there would be nothing in planning terms to prevent the occupiers of the existing dwelling simply acquiring another vehicle themselves and parking it nearby.

Overdevelopment/ out of character

The objections refer to the presence of previous developments in the area that have “increased the density of buildings at the cost of small gardens affecting the character of the area”; “to build further additional living accommodation would be overdevelopment of this small plot and bring a property much closer to the back of no. 5; “inappropriate for the size of the site which is unsuitable for infill development and detrimental to the character of the Village;” objectors also quote NNJCS Policy 11 which states “Small-scale infill development will be permitted on suitable sites within the villages where this would not materially harm the character of the

settlement, the proposal is not compatible with other policies in the Plan, particularly in relation to conservation, design, site layout, access...”

These objections are addressed in the planning assessment below.

5.0 Planning Policy

National Planning Policy Framework

Policy 2: Achieving Sustainable Development

Policy 5: Delivering a Sufficient Supply of Homes

Policy 12: Achieving well-designed Places

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

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 28: Housing Requirements

Policy 29: Distribution of New Homes

Policy 30: Housing Mix and Tenure

Saved Policies of Local Plan for Kettering Borough (Adopted January 1995)

RA3. Rural Area: Restricted Infill Villages

SPD

Sustainable Design SPD

Rural Master Plan (2012)

6.0 Financial/Resource Implications

None

7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging site-specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

8.0 Planning Considerations

The key issues for consideration in this application are:

The main considerations in the determination of this application relate to:

1. The principle of development;
2. The suitability of the site to accommodate the development; and
3. The impact on adjoining properties/amenities.
4. Car parking
5. Housing supply
6. Accommodation

1. The principle of development

The statutory Development Plan against which this application is to be determined comprises the North Northamptonshire Joint Core Strategy (2016) and the Kettering Local Plan Saved Policies (2011), NNJCS policies identified above have been considered.

NPPF Policy 2 re enforces the need for development to be sustainable within national and local policies; JCS Policy 2 refers to the historic environment and the need for proposals to conserve and where possible enhance the heritage significance, in this case the conservation area. This is considered below. JCS Policy 8 addresses place shaping matters such as responding to local form and character. JCS Policy 11 identifies the possibility of small scale development in rural areas on suitable sites within villages.

The latter is further explained by reference to the saved LP Policy RA3: Rural Area: Restricted Infill Villages that applies to consideration of new (separated dwellings) contains a number of criteria by which such proposals are to be considered.

- The proposal is within the defined village limits shown on the Proposals Map;
- The proposal is appropriate in terms of size, form, character, and setting of the village and in terms of the local community and its environment;
- The proposal does not involve the development of open land shown on the Proposals Map as particularly significant to the form and character of the village;

- The proposal is compatible with other policies in the Plan, particularly in relation to conservation, design, density, site layout, access, drainage, landscaping and open space provision;
- The proposal takes account of the need to conserve energy through good building design and the use of appropriate materials.

The site is within the defined village envelope and has a form and scale that is in keeping with the existing buildings around and within the site or available land area. However, there is no suitable separate means of access (vehicular or otherwise) and reliance is placed upon achieving this via the existing dwelling. Also, with proximity to the existing dwelling that too would constitute a planning concern if the proposal were intended as a separate dwelling.

However, the proposal is presented as an annexe intended for a dependant relative of the occupier of the existing dwelling. Furthermore, (as amended) a separate kitchen facility shown on the initial plan has been removed, thus showing that it would need to function in conjunction with the existing dwelling.

The emerging Site-Specific Local Plan Part 2 is undergoing public consultation, but its policies which would have limited weight at this stage do not change the planning balance in this case.

Other policy related comment

Saved LP Policy RA14: Rural Area: Reuse and Conversion of Rural Buildings 4.7 Planning permission will be granted for the reuse and conversion of existing buildings in the Restricted Infill Village, Restraint Villages, Scattered Villages and in the open countryside: This policy has been raised through the consultations and in submission. However, the amount of 'conversion' is relatively small, does not involve substantial change to an existing outbuilding, other than insertion of rooflights, with the main change allocating space within the existing outbuilding to the new proposed annexe. Representations made included comment that the extension in relation to the outbuilding is large; bearing in mind Saved LP Policy RA14. However, that is not the end of the matter. This is because, for this issue of scale to be given significant weight in terms of standard planning balance, associated harm need be demonstrable; without which the proposal should be supported.

Taken as a whole, and subject to further consideration below regarding design, impact on the conservation area, and residential amenity, the relatively modest form of annexe accommodation on this site is consider acceptable in principle.

2. Whether the site is suitable to accommodate the development

(a) The impact on character and appearance of the Conservation Area

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires Local Planning Authorities have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

The government at chapter 12 of the NPPF says it attaches great importance to the design of the built environment. It goes on to advise that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

The JCS at policy 8 describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area

The applicant has made reference to a Rural Master planning SPD (2012) which contained details of a conservation area appraisal concerning Stoke Albany. "It states that Stoke Albany is an attractive blend of building constructed over the last three centuries, together with small open spaces and narrow lanes which have all considerable charm and character, and its designation as a Conservation Area will help safeguard its special qualities".

The Design and Access statement submits that 'the design of the application has been dictated both by policy concerning design and heritage, the Rural Master planning SPD and the site's location within the Stoke Albany Conservation Area and that as a result the applicant states that proposed conversion and extension can be considered to enhance the historic environment in line with the aims of Policy 2 of the NNJCS; e.g. it "will conceal a breezeblock wall with a design more akin to the surrounding materials matching both the existing materials and vastly improving the existing site which, at present could be considered incongruous with the surrounding area"

From the summary of the form and design of the proposal provided earlier in this report and evident from examining the (revised) submitted plans, it is reasonable for the Officer to conclude that the applicant's claims about the proposals (generally) fitting in with the character of what exists around, are justified. For example, regarding the form and use of materials.

However, the objection to the scale of the development is considered further. Part of the concerns expressed by third parties it seems arise from previous additions to buildings in the village. In this case, the site of the development is largely a private space, and not overly dominant to the public realm. Despite the amount of accommodation, the single-storey nature of the build and its ancillary relationship close to the host dwelling, helps to limit its wider impact.

Building of an annexe in these circumstances is not considered harmful to character of the adjoining area or context, subject to the conditions recommended.

(b) Residential annexe

The essential expectation for annexe accommodation is that, for it to be acceptable, any accommodation provided on site should be reliant upon the main residential use of the site. Only on this basis can it be regarded as not forming a separate residential unit.

The (revised) proposal is for an annexe accommodation for the applicant's sister who at present is one of the occupants of the host dwelling house. The agent's letter dated 11/03/2020 in responding to issues raised by objectors, state "*This application is for the conversion and extension of an existing outbuilding to form an annex to*

provide a private living area for the applicant's dependent sister." The agent's letter of 11/03/2020 also states *"The proposed plan has also been amended to remove the kitchen and retain the current storage room. The annex will therefore remain dependent on the main dwelling for kitchen, dining and laundry facilities."*

The proposal for the annexe would be in the same ownership as the principal dwelling; within the curtilage of the principal dwelling and share its access;

It has also been designed in such a manner to easily enable the annexe at a later date to remain as an integral part of the principal dwelling; (subject outbuilding/extension is in close proximity of main house);

There is no boundary demarcation or sub-division of garden areas between the curtilage annex and principal dwelling;

It has adequate parking and amenity facilities (areas for bin storage, drying clothes, garden space etc.) for the needs of the annexe occupant and existing residents; (proposed annexe has no kitchen and is not self-contained; parking arrangements set out in agent's letter of 11/03/2020)

It is noted that proposed residential annexe would be occupied by the applicant's sister. The garden would be used jointly by both properties, as would the access to the forecourt area of the site. These factors indicate a strong connection between the occupancy of the main house and the proposed residential annexe. The occupier of the annexe would be dependent on the occupiers of the main dwelling (i.e. The annex will remain dependent on the main dwelling for kitchen, dining and laundry facilities).

For these reasons, it is considered that the proposed residential annexe would function as ancillary to the main house.

As noted above, ancillary residential accommodation should be designed in such a manner; easily to enable the annexe to be used at a later date as an integral part of the principal dwelling. With respect to the residential annexe, it is considered that the proposal constitutes modest living accommodation (i.e. ancillary use) into the rear garden; and is suitably related to the host dwelling. The proposed extension is not dominant from the street scene. It is considered the proposed extension would not be harmful to the street scene or locality. The design is consistent with Policy 8 of the North Northamptonshire Joint Core Strategy (2011-2031); and Chapter 12 (Achieving well-designed places) of the NPPF (2019).

3. The impact on adjoining properties/neighbouring Amenity

The objections by local residents have been summarised and examined. The existing outbuilding/extension would be modest in scale and single-storey high and along with appreciation of site factors and existing or proposed site boundary treatments would not result in loss of residential amenity unacceptable in planning terms.

4. Car Parking and Amenity space

No new independent dwelling would be created and no alterations to the existing parking arrangement is proposed. Therefore, highways issues raised by neighbours can only be given limited weight in this instance. Remaining amenity space if current proposal is implemented would be modest but usable.

5. Housing Supply

The proposal would create no independent accommodation.

6. Standard of accommodation

Policy 30 (Housing Mix and Tenure) of NNJCS refers to Nationally Described Spaced Standards for assessing housing development. The general arrangement of the dwelling is considered acceptable in terms of internal layout. Although, the outlook from the lounge is limited, the annexe has internal space of 51.12sqm; the nationally described space standard stipulates 39sqm (for 1-bedroom/1-person/bathroom). The dwelling unit therefore has sufficient internal space provision; and is NNJCS Policy 30 compliant.

Conclusions

The proposal has been assessed against the relevant policies including the impact on the locality which is part of a conservation area. As an annexe of modest size is considered acceptable in principle for the reasons explained. Whilst the occupants of no. 3 Middle Lane, Stoke Albany would provide assistance to occupier of the annexe if need be; so the occupier of the annexe would be ancillary to the main dwelling. This includes the change to the proposal; the proposed floor plan will have no kitchen, dining room or separate laundry facilities. Accordingly, it is considered that the occupant of the proposed residential annexe would be reliant on accommodation or facilities in the main house. For these reasons, it is considered that the proposed residential annexe would be ancillary to the main house and not constitute the creation of a separate dwelling. Relevant condition is recommended.

NB Were the intended use to be a separate dwelling unconnected with the existing parent dwelling, it would be a separate planning consent for such a purpose.

Taking into account the accommodation proposed and its spatial/functional relationship with the main house, it is considered that the proposal would be well related to main house.

The proposal by virtue of its size and design is considered an acceptable form of development. The proposed development would be unlikely to cause any significant harm to the residential amenity of the adjacent occupiers or result in overdevelopment of the site. The proposal is therefore considered to comply with relevant policies of the North Northamptonshire Joint Core Strategy, National Planning Policy Framework and no other material considerations indicated outweigh the recommendation for conditional approval.

Background Papers

Title of Document:

Contact Officer:

Koko Ekanem, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/05/2020	Item No: 4.5
Report Originator	Alan Chapman Development Officer	Application No: KET/2020/0049
Wards Affected	Rothwell	
Location	20 - 24 Underwood Road (land between), Rothwell	
Proposal	Full Application: Demolition of garages and erection of a dwelling	
Applicant	Mr A Elliott	

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. The development hereby permitted shall be carried out using the following approved external facing and roofing materials:

- a) Marley slate - Edgemere smooth grey concrete interlocking roof tile
- b) Weber Weberpral M Monocouche Render 'Chalk'
- c) Ibstock Red Brick.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to first occupation, the parking areas should be provided on site in accordance with Plan L.10A and shall thereafter be set aside and retained for those purposes.

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

5. The window at first floor level on the east side elevation shall be glazed with obscured glass and any portion of the windows that is within 1.7m of the floor of the room where the

window is installed shall be non-openable. The window shall thereafter be maintained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking.

6. 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 or C shall be made in any side elevation or roof plane 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.

7. 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 extension or alteration to the roof permitted by Classes A, B or C of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

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.

8. The approved landscaping scheme, as shown on Plan MS1030 (received on the 12th March 2020) shall be carried out in the first planting and seeding seasons following the first occupation of the dwelling house. Any newly approved 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.

9. Demolition or construction works shall not occur outside of the times Monday to Friday 08.00 to 17.00 hrs and at no time whatsoever on Saturdays, 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.

10. The proposed removal of asbestos shall be undertaken in full accordance with the measures specified within the Proactive Asbestos Control Limited's 'Plan of Work Asbestos Removal' document (Reference number: PAC32640, received on the 6th March 2020).

REASON: To ensure that risks from asbestos are minimised in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary.

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

Officers Report for KET/2020/0049

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

3.0 Information

Relevant Planning History

KET/2017/0151: Demolition of garages and construction of 2 no. semi-detached dwellings – Refused – Dismissed at Appeal

KET/2013/0189: 2 no. dwellings – Refused

KET/2019/0175, Approved, 05/07/2017, Demolition of garages and erection of a dwelling

Site Visit

Officer's site inspection was carried out on 30/01/2020

Site Description

The site is a single plot of land on the northern side of Underwood Road located between No. 20 to the east and No. 24 to the west. It is a residential street situated to the west of Rothwell town centre. The site is 10m wide and 35-37m long. The site is currently occupied by a garage block consisting of four single garages with parking to the front, behind which there is an unmanaged area of grass and overgrown vegetation/bush.

The street has an eclectic mix of dwellings, primarily two storeys but also several bungalows. Facing materials of the dwellings surrounding the site include brick, render and pebbledash. There is no strong architectural style, however there is regularity to parts of the street created by terraces of dwellings and in other parts there are a regular building line, a regular scale and form and the predominant gable end roof style.

The site is situated between a single storey bungalow with a front facing pitched roof (No. 24) and a two-storey gable fronted detached house (No. 20).

Proposed Development

Planning permission KET/2019/0175 was granted by Planning Committee for the following proposal on this site:

'The proposed development is demolition of a garage block consisting of four single garages and the construction of a part single storey and part two-storey detached dwelling. The proposed dwelling would be a 3-bedroom property. The proposed dwelling would measure 8.4m wide by 10.1 - 13m deep and a maximum height of 6.7m. There would be two on-site parking spaces to the front of the dwelling. There would be a long deep rear garden.'

This (KET/2020/0049) proposal seeks planning permission for the erection of that already approved above, except for an increase in height only to the building's

western (side) elevation facing No. 24 Underwood Close. The height, width and length of the main two-storey eastern elevation of the building is to remain unaltered from that of the KET/2019/0175 approved proposal.

The differences between the KET/2019/0175 proposal and this KET/2020/0049 are:

KET/2019/0175

The western flank of the building is single storey with a pitched roof and side facing gable. Maximum ridge height of 4.10m and eaves height of 2.75m. This single storey element would have a width of 3.00m and a length of 9.50m. There would be a gap of 2.00m from its side elevation to the side elevation of No.24.

KET/2020/0049

The western flank of the building is one-and-a-half storey with a pitched roof and a half-hipped side facing gable. Maximum ridge height of 6.35m and eaves height of 2.75m. The hipped part of the roof commences at a height of 4.50m. Two roof lights are proposed in the rear roof slope. A small bedroom would be contained on the first floor, however, it should be noted that the proposal would remain as a 3-bedroom dwelling as there would no longer be a bedroom on the ground-floor as the ground-floor is to be internally re-configured to provide a large open plan kitchen/dinner/living room and a separate living room. This one-and-a-half storey element would have a width of 3.00m and a length of 9.50m. There would be a gap of 2.00m from its side elevation to the side elevation of No.24.

As the KET/2019/0175 contained pre-commencement/occupation conditions for external materials, hard/soft landscaping details and a method statement for asbestos removal to be submitted and agreed, the applicant has chosen to submit these details with this 2020 proposal such they can be agreed in advance.

The submitted external facing and roofing materials are:

- Marley slate - Edgemere smooth grey concrete interlocking roof tile
- Weber Weberpral M Monocouche Render 'Chalk'
- Ibstock Red Brick

Any Constraints Affecting the Site

PD Removed (no additional windows / no enlargements to roof) (Conditions 6 & 7 of KET/2019/0175)

4.0 Consultation and Customer Impact

Rothwell Town Council: RTC have no objection

KBC Environmental Care (Refuse matters): No comments received

KBC Environmental Protection (Health matters):

No concerns providing the company stated in the submitted Asbestos Report are used and the contents of this document are adhered to. Conditions be imposed for reasonable working hours and to deal with any unexpected contamination.

Neighbours

Objections (x3) from the neighbouring properties; Nos. 20 and 24 Underwood Road, 21 Charles Street. The concerns were:

- No. 20 UR:
- The large building will overshadow my property (conservatory and windows to side and rear)
- Amended roof has many different angles and gables
- Proposed 3 rooflights would impact on privacy
- Proposed footprint is not similar to neighbouring properties
- It is overbearing
- Moving the proposed dwelling closer to the road would reduce the amount of light lost at the rear of my property – on-site parking spaces won't be affected
- Concerns regarding safe handling/removal of asbestos on/off site
- Health & safety concerns of how scaffolding will be erected
- No. 24 UR:
- The proposed dwelling has a significant increase in height from that of the approved dwelling
- Increase in height will be detrimental by way of being overbearing and would block all natural light from the perspective of my kitchen window, a room I spend a lot of time in
- No. 21 CS:
- Concerns regarding safe handling/removal of asbestos on/off site

5.0 Planning Policy

National Planning Policy Framework

Policy 2 – Achieving Sustainable Development

Policy 5 – Delivering a Sufficient Supply of Homes

Policy 9 – Promoting Sustainable Transport

Policy 12 – Achieving well-designed Places

Policy 15 – Conserving and Enhancing the Natural Environment

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1: Presumption in Favour of Sustainable Development

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 28: Housing Requirements

Policy 29: Distribution of New Homes

Policy 30: Housing Mix & Tenure

Saved Policies in the Local Plan for Kettering Borough

Policy 35: Housing: Within Towns

Emerging Policies (Local Development Framework)

Site Specific Part 2 Local Plan

6.0 Financial/Resource Implications

None

7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

8.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Design and impact on the character of the area
3. Impact upon residential amenity
4. Highway safety and parking

1. Principle of development

The site is located within the town boundary of Rothwell, as defined in the Local Plan for Kettering Borough, in an established residential area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for

Kettering Borough currently comprises the adopted North Northamptonshire Joint Core Strategy and saved policies of the Kettering Borough Local Plan 1995.

Saved Policy 35 of the Kettering Borough Local Plan states that planning permission will normally be granted for proposals for residential development within the Town boundaries where the proposal is compatible with other policies and proposals in the Plan.

The Council's adopted development strategy is to direct development in a hierarchal order such that development sites are within the growth towns, market towns, villages and then the open countryside.

Policy 11 of the North Northamptonshire Joint Core Strategy directs development towards the Growth Town of Kettering and market towns. Rothwell is defined as a market town in Policy 11 of the North Northamptonshire Joint Core Strategy. Market towns will provide a strong service role for their local community with growth in housing at a scale appropriate to the character of the town.

Policy 29 of the North Northamptonshire Joint Core Strategy asserts that priority will be given to the reuse of suitable previously developed land, followed by other suitable land in urban areas.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of new residential development providing it complies with the place shaping principles outlined within the policy. For example, there should be no adverse impact on character and appearance, residential amenity of existing or future occupiers and the highway network. These matters are considered further below.

The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria coming below.

2. Design and impact on the character of the area

Section 12 of the National Planning Policy Framework requires good design from development proposals. Policy 8 d) (i) of the North Northamptonshire Joint Core Strategy requires development to respond to the site's immediate and wider context, to be of a high standard of design and landscaping, and development to respect and enhance the character of its surroundings.

The application site is a long deep plot located in between the dwellings at No's.20 and 24 Underwood Road (respectively two storey and single storey dwellings). The application site plot measures 10m in width that is similar to other single plots within the vicinity. The eaves level of the western element of the proposal would be the same as at No.24. The dwelling would be set off the common boundary to No.20 by 0.8m and 1.2m to No.24 so there would not be a terracing effect upon the street scene. The height of the main two-storey element of the proposed building would be 0.5m lower than the adjacent two storey dwelling, No.20 Underwood Road and would have same eaves level as No.20. The adjacent property (No. 20) is a side-gabled dwelling. The proposed dwelling would be in line with the front of No.20 so it would be in keeping with the established building line of the street scene.

The general appearance of the proposed dwelling from the street is sympathetic to the mixture of house types in the locality. There are design cues of ground floor bay window and front facing pitched roof slopes which are evident elsewhere within the street. The proposed windows are in keeping with size of windows within the locality. The submitted external facing and roofing material samples (listed below) are acceptable for this location and a condition is to be imposed as such.

- Marley slate - Edgemere smooth grey concrete interlocking roof tile
- Weber Weberpral M Monocouche Render 'Chalk'
- Ibstock Red Brick

There are trees within the site but given they are not significant species worthy of Tree Preservation Order and the site is not within the Conservation Area, their loss would not be objectionable. To mitigate this tree loss a Landscaping Scheme (MS1030 – received 12th March 2020) has been submitted that not only shows the hard and soft landscaped areas, but also proposals for the planting of 5 new trees on-site. On consideration of these landscaping details they are acceptable and a condition be imposed for their implementation.

For the reasons given above the proposal is not considered to impact adversely upon the character of the local area to any significant extent and is in accordance with Policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

3. Impact upon residential amenity

Policy 8 e) (i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

The primary properties that would be impacted upon are the neighbouring properties located to each side of the application site. As with the KET/2019/0175 proposal this current application has attracted objection comments. With regards to those made by No.20 (to the east), as the main two-storey element of the proposal remains unaltered then the previous officer's assessment of the situation also remains unaltered and fully relevant and is repeated below:

“The dwelling would be set off the common boundary to No.20 by 0.8m and there would be a separation distance between the dwellings of 1.9m. The ridge roof height of the proposed building is 0.5m lower than the ridge height of the two-storey building to No. 20. No.20 benefits from a rear conservatory which would let some light in from the top of the glazing on the conservatory. During consideration of this application and to address concerns raised by neighbours, the depth of the proposed two storey was reduced so it would be less than 0.2m deep than the rear of the extension at No.20 and therefore sited within the 45 degree sunlight rule to reduce the loss of light to No.20.

There would remain adequate 1.8m fences surrounding the site. The side windows on No.20 facing the proposed dwelling are secondary windows and the proposed first floor side window facing No.20 would serve a landing so could be conditioned to be obscure glazed so there would not be a loss of privacy. Given the separation distances, siting of the proposed two storey element and adequate boundary

treatment then this would not give rise for sense of enclosure to the detriment of the occupiers at No.20.”

Regarding the slight increase in height to the western element of proposed dwelling then reconsideration of the amenity impacts upon No.24 are discussed below.

The dwelling would be set off the common boundary to No.24 by 1m and there would be a separation distance between the dwellings of 2.1m. This proposal has raised the highest roof ridge height from 4.1m to 5.9m, and its profile has changed from a shallow pitched gable end to a half-hipped gable. The effect of this half-hipped design helps to off-set any additional impacts upon light received or outlook for No.24. No.24 has ground floor window in its side elevation facing towards the western elevation of the proposed dwelling. It is observed that this side facing window serves a small kitchen/dinner which extends through to the rear with an internal opening into a small living area which is served by a window to the western side, a set of double patio glazed doors to the rear and an obscure glazed external door to its eastern side. Collectively, all these glazed windows (x2) and glazed doors (x2) and the open internal room layout would provide a reasonably good level of light and outlook. Another determining factor that limits any harmful amenity impacts upon the occupiers of No.24 is the fact that their side facing window would be centred on the front elevation building line of the proposed development, and not centred on the blank solid wall of the proposal. Accordingly, No.24 would still enjoy a good level of outlook and light. Indeed, a similar conclusion was reached by the case officer dealing with the KET/2019/0175 proposal.

The proposed dwelling would provide adequate amenity space with a long deep rear garden. There is an adequate space for refuse area within the site.

Given the closeness of the development to surrounding residential development then attached is a condition of reasonable working hours for the proposed works. Given the concerns on potential of asbestos at the site an Asbestos Report was submitted upon which the Environmental Health Officer has advised that they are satisfied with documented procedures and practices for the safe handling of asbestos subject to them being adhered to. A condition shall be imposed to this affect.

Concerns regarding scaffolding is a matter that falls outside the control of the planning system, but is a private matter between the parties partially controlled by the Party Wall Act and health and safety concerns would fall under the control of the Health and Safety Executive.

It is therefore considered that the proposed development is in accordance 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 the amenities of neighbouring properties and to the future occupants.

4. Highways safety and parking

Policy 8 (b) (ii) of the JCS requires development to make safe and pleasant streets by ensuring a satisfactory means of access and provision for parking, serving and manoeuvring.

The site could currently be used for the provision of parking up to 4 vehicles and benefits from an existing access point. 2.0 m by 2.0 m visibility splays can be adequately achieved either side of the proposed parking spaces.

It is proposed to provide two on-site car parking spaces in front of the proposed dwelling, which is in line with current local highway authority car parking standards which require a 3-bedroom dwelling to provide 2 car parking spaces. It is recognised that the site is well served by buses stopping nearby.

The proposed scheme would not prejudice highway safety and there would be adequate parking within the site so the proposed development would be in accordance with Policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

Conclusion

Subject to the attached relevant conditions, the proposal complies with policies in the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Chapman, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: