

PLANNING COMMITTEE

Tuesday 2nd February 2021 at 6.00pm
www.kettering.gov.uk/youtube

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This is a virtual meeting of the Planning Committee to be held using Zoom and live-streamed via YouTube.

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A G E N D A

1. Apologies
2. Declarations of Interest
 - (a) Personal
 - (b) Prejudicial
3. Minutes of the meetings held on 1st December 2020 to be approved as a correct record and signed by the Chair
4. Any items of business the Chair considers to be urgent
5. Planning Application Reports

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held: 1st December 2020

Present: Councillor Mark Rowley (Chair)
Councillors Linda Adams, Scott Edwards, Mark Dearing,
Clark Mitchell, Jan O'Hara, Cliff Moreton, Lesley Thurland
and Greg Titcombe,

20.PC.70 **ELECTION OF CHAIR**

It was proposed by Councillor Lesley Thurland and seconded by Councillor Greg Titcombe that Councillor Mark Rowley be elected as Chair

RESOLVED that Councillor Mark Rowley be elected Chair of the Planning Committee.

20.PC.71 **APPOINTMENT OF DEPUTY CHAIR**

It was proposed by Councillor Lesley Thurland and seconded by Councillor Linda Adams that Councillor Scott Edwards be appointed as Deputy Chair

RESOLVED that Councillor Scott Edwards be appointed Deputy Chair of the Planning Committee.

20.PC.72 **APOLOGIES**

Apologies for absence were received from Councillor David Howes
It was noted that Councillor Mark Dearing was acting as substitute for Cllr Howes.

20.PC.73 **MINUTES**

RESOLVED that the minutes of the meetings of the Planning Committee held on 20th October 2020 be approved as a correct record.

20.PC.74 **DECLARATIONS OF INTEREST**

None

20.PC.75 **ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

None.

20.PC.76 **PLANNING APPLICATION REPORTS**

The Committee considered the following applications for planning permission, which were set out in the Head of Development Control's Reports and supplemented verbally and in writing at the meeting. Two speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

<u>Proposed Development</u>	<u>Decision</u>
<p>*6.1 Full Application: 12 no. dwellings with associated landscaping and access at Hill Street (land at), Kettering for Ms S Feely, Elm Park Homes Ltd</p> <p>Application No: KET/2020/0035</p> <p><u>Speaker:</u></p> <p>Jack Appleton attended the meeting and addressed the committee as an agent on behalf of the applicant. Mr Appleton stated that the proposed development met local and national planning policies and through amendments to the design and route had resulted in an adoptable strategy. It was also stated that the application met space standards and also met the principal for residential use.</p>	<p>Members received a report which sought planning permission for a residential development of 12 no. dwellings comprising 1 no. x 2-bed and 11 no. x 3-bed units (of 2 or 2.5 storey)</p> <p>Members raised concerns regarding the detrimental effect the proposed development would have on local ecological areas including concerns regarding the increased chances of local flooding as a result of the proposed development and surface water drainage concerns.</p> <p>Members also questioned the lack of S106 contribution as a result of the proposed development and also raised concerns surrounding the lack of capacity at local healthcare facilities and educational sites.</p> <p>Following debate it was proposed by Councillor Thurland and seconded by Councillor Edwards that the application be REFUSED contrary to the officers recommendation due to the detrimental overdevelopment of the site and concerns raised regarding flooding, however the motion fell following a vote.</p> <p><i>(For Refusal: 4, Against Refusal 5) The Chair used their casting vote</i></p> <p>Following the motion members then voted on the officers recommendation to approve the application.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

3. No development above ground floor slab level shall commence on site until details of the types and colours of all external facing, roofing materials to be used, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
4. Notwithstanding the submitted details, no development above ground floor slab level shall take place on site, until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority; the submitted scheme shall not include the provision of any closed-board fencing visible within the front garden/access areas to the north of the plots as set out on approved site layout plan. The scheme shall include solid rear garden boundary treatments of at least 1.8m in height. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
5. No development above ground floor slab level shall take place until details of the materials to be used for hard paved surfacing and drainage have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining dwellinghouses are first occupied, in accordance with the approved details.
6. Prior to first occupation of the development a scheme of soft landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and any existing trees to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. 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.
7. Notwithstanding submitted details, prior to the commencement of development on site a scheme for achieving noise attenuation to the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and thereafter maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.
8. No construction shall take place on site until plan(s)/cross sections prepared to a scale of not less than 1:500 showing details of existing ground levels and proposed ground and finished floor levels both within the site and to show the relative levels of the ground and buildings heights existing on adjacent land, including at Carlton Street, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
9. Prior to occupation a detailed scheme of external illumination within the shared access road and parking area within the application site shall be submitted to and approved in writing by the Local Planning Authority. Development shall not proceed other than in accordance with the approved details.

10. No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.
11. 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 building, structure or other alteration permitted by Classes A,B,C, D, E of Part 1 of Schedule 2 of the Order shall occur.
12. In the event that the access, common areas including parking are not presented to the LHA/ LA for adoption, the management/ maintenance of these areas shall be undertaken in accordance with proposals first submitted to and approved by the LPA. Proposals shall make clear the body or company who are to look after these areas through an approved Legal set up of a management company document and also make clear the means by which concerns raised by residents are to be addressed.
13. 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.
14. The parking areas hereby approved shall be provided as set out on approved site layout plan and be fully accessible prior to the first occupation of the dwellings hereby permitted and shall be permanently retained and kept available for the parking of vehicles.
15. Prior to first occupation of any properties bin stores and collection points that shall accord with details first submitted to and approved by the LPA, shall have been provided for each dwelling. Bins shall not be left within the collection points on any day other than collection day.
16. Prior to the commencement of the development hereby permitted a CTMP (Construction and Traffic Management Plan), shall be submitted to and be approved in writing by the local planning authority. Thereafter development shall not proceed other than in accordance with approved details: The Plan is to include the following elements:
 - a. Detailed work programme / timetable.
 - b. Proposed hours for operation including HGV and other vehicles delivery.
 - c. Detailed routeing for demolition, excavation, construction and abnormal loads.
 - d. Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.

- e. Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
 - f. Breakdown of number, type, size and weight of vehicles over demolition & construction period.
 - g. Details of debris management including location of wheel wash, programme to control debris spill and prevent mud onto the highway, to also include sheeting/sealing of vehicles and dust suppression/ management.
 - h. Details of public impact and protection, signage, barriers and remediation.
 - i. name, contact details for public consultation/liaison.
 - j. Route details as required
 - k. Details of any temporary construction accesses and their remediation post project.
 - l. Provision for emergency vehicles.
17. The development shall be carried out in accordance with the submitted flood risk assessment (ref 3700 Rev 2 Dated September 2020, compiled by Scott Hughes) and the following mitigation measures it details:
- (i) Finished floor levels shall be set no lower than 69.750 metres above Ordnance Datum (AOD).
 - (ii) There shall be no increase in ground levels of the car park area which is shown in appendix A - Site Layout drawing.
 - (iii) The car park area must include bollards or fencing, which can withstand the weight of vehicles, up to the predicted 1% plus climate change flood height, and suitable signage installed to advise users of the risk of flooding.
 - (iv) These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
18. Before any above ground works commence at the site, full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy ref 3700-SHD-00-ZZ-RP-C-0001 rev 2 dated 8th September 2020 prepared by Scott Hughs will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures and soakaways (if required).
 - ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which demonstrate no surcharging for the 1 in 1 year storm, no flooding for the 1 in 30 year storm and any flooding for the 1 in 100 year plus climate change storm event is within areas safe to flood.
 - iii) Cross sections of control chambers and manufacturers hydraulic curves for the control device.
19. No development shall take place on site until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required

20. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment and Drainage Strategy ref 3700-SHD-00-ZZ-RP-C-0001 rev 2 dated 8th September 2020 prepared by Scott Hughs has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.
The details shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV Confirmation that the system is free from defects, damage and foreign objects.
21. Any proposed lighting shall not occur unless proposals that take measures to safeguard wildlife using the Slade Brook corridor have been first submitted to and approved by the LPA. Proposed lighting on the parking area shall be hooded so as not to illuminate the watercourse along Slade Brook corridor. The lighting proposals should not illuminate areas where bats which are likely to commute along the Slade Brook corridor. Any lighting at the plots adjacent the western perimeter site boundary of the development should be directional and operate on sensors so they are only on when necessary. the watercourse.
22. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a statement demonstrating how the scrub will be removed sensitively, and avoiding bird nesting season and reptile hibernation season and once the scrub has been removed a check for badgers should be done to confirm they are not using the site.
23. Prior to commencement of works on site, a landscape and ecological management plan (LEMP) shall be agreed in writing with the Local Planning Authority. The agreed details shall be implemented as approved before first occupation of the development and be retained thereafter. The content of the LEMP shall include the following:
- (i) Description and evaluation of features to be managed (a suite of bird boxes should be provided to mitigate the loss of trees and scrub; bat boxes should also be provided as outlined in the ecological survey report. Ideally these would be integral bat/bird bricks, which do not require maintenance once installed. Fences should include holes to allow the movement of hedgehogs which are likely using the site; these should be indicated on the boundary plan).

- (ii) Ecological trends and constraints on site that might influence management.
- (iii) Aims and objectives of management.
- (iv) Appropriate management options for achieving aims and objectives.
- (v) Prescriptions for management actions.
- (vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (vii) Details of the body or organization responsible for implementation of the plan.
- (viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

24. All rear facing roof lights shall be fitted so as to be above eye level taken from the floor level at the second floor, in accordance with a section first submitted to and approved by the LPA prior to insertion of such windows.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: 5, Against 4)

(The Chair used their Casting vote)

The application was therefore
APPROVED

20.PC.69.2 KET/2020/0216

<u>Proposed Development</u>	<u>Decision</u>
<p>*6.2 Full Application: Erection of residential block comprising of 25 flats with parking and associated works at The Yard, Northfield Avenue, Kettering for Mr Takhar</p> <p>Application No: KET/2020/0216</p> <p><u>Speaker:</u></p> <p>Cllr Cedwien Brown attended the meeting and addressed the committee as a third party objector to the proposed development on behalf of residents at cleaver court. Cllr Brown stated that the application would have a detrimental impact on the mental health and wellbeing of neighbouring residents as a result of the loss of visual amenity and overshadowing caused by the proposed development.</p>	<p>Members received a report which sought full planning permission for a 25 unit one- and two-bedroom apartment block arranged over five floors.</p> <p>Members raised concerns regarding the loss of light for neighbouring properties and the detrimental impact on amenity. Concerns were also raised in relation to overshadowing and safety associated with the access to the proposed development.</p> <p>It was stated by officers to members that due to the North facing stature of the proposed development that there would be minimal impact on the amenity of neighbouring properties.</p> <p>Following debate it was proposed by Councillor Dearing and seconded by Councillor Mitchell that the application be approved in line with the officers recommendation</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and information detailed below.
3. The noise mitigation measures (glazing and ventilation) outlined in the executive summary of the approved report BA NS265 dated 22/5/2019 by Blue Acoustics shall be carried out in full prior to the first occupation of the residential units hereby approved. Where the development is phased any residential units identified as providing a noise barrier for other units shall be completed first. Following completion, no alterations shall be made to the approved structure of the units including roof, doors, windows and external facades, layout of the units or noise barriers.
4. The development hereby permitted shall not be carried out other than in accordance with the approved Energy Statement, referenced 8090 Version 1, dated 17/05/2019 as compiled by EPD Group and retained in that form for the duration of the development.

5. Work associated with the construction of the proposal shall only be carried out during the following times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
6. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.
7. In accordance with the approved Technical Report - Walkover and Desk Study referenced M3350 dated May 2019 as compiled by Sub Surface Midlands Limited and unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts B to C have been complied with.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

8. Prior to the commencement of development hereby permitted, a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure shall be submitted to and approved in writing by the local planning authority.
The fire hydrants, sprinkler system and associated infrastructure shall be installed and fully functional prior to first occupation and shall thereafter be provided in accordance with the approved scheme and timetable.
9. No earthworks or groundworks shall take place until a plan showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

10. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Drainage and SuDS Design, The Yard Kettering ref 1795-C-R01 rev B dated 28th September 2020 prepared by Arcelle will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
 - i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures and soakaways (if required).
 - ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which demonstrate no surcharging for the 1 in 1 year storm, no flooding for the 1 in 30 year storm and any flooding for the 1 in 100 year plus climate change storm event is within areas safe to flood. The critical storm duration for each element of the drainage network should be determined by considering a full range of summer and winter storm durations from 15 minutes up to the 10080 minute (7 day) duration
 - iii) Cross sections of control chambers and manufacturers hydraulic curves for the flow control device.
11. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme and provision of the 'Metal Visual and Privacy Screens' to the balconies shown on the approved plans has been fully implemented in accordance with the approved details.
12. Before any above ground works commence a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.
13. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and shall be retained in that form thereafter.

14. Prior to construction above slab level a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted shall be submitted to and approved by the Local Planning Authority. In addition, details of how the 'roof garden' and 'green wall' shall be maintained shall also be provided for approval. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. 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.
15. Prior to construction above slab level a detailed external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and be retained in that form thereafter.
16. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Drainage and SuDS Design, The Yard Kettering ref 1795-C-R01 rev B dated 28th September 2020 prepared by Arcelle has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.
The details shall include:
 - a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV Confirmation that the system is free from defects, damage and foreign objects.
17. Prior to first occupation of the development hereby approved, refuse and cycle storage facilities and the Swift and Bat boxes shown on the approved plans and security arrangements stated at Section 5.7 of the approved Design and Access Statement shall be made available for use and operational. These facilities shall be retained at all times thereafter.
18. The parking spaces together with the hatching (associated with the disabled spaces) and the Electric Vehicle facilities shown on the approved plans shall be provided prior to the first occupation of the building hereby permitted and shall be permanently retained and kept available for the parking of vehicles and remain available.
19. The windows on the north-east elevation of the building hereby approved shall be glazed with obscured glass and thereafter shall be permanently retained in that form. In addition, the roof of the building (including the first floor 'roof garden') hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.
20. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only, provision of positive means of drainage provided at the site access to prevent surface water flow from the site draining onto the highway shall be provided and the vehicular gates shall be automated. The development shall be retained in those forms for thereafter.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: 5, Against 4)

(The Chair used their Casting vote)

The application was therefore
APPROVED

**(The Committee exercised its delegated powers to
act in the matters marked *)*

(The meeting started at 6.00 pm and ended at 7.50 pm)

Signed.....

Chair

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Tuesday, 2 February, 2021

No. 5 Planning Application Reports

5.1	KET/2020/0655	LJO	1 Battle Close, Cranford Full Application: Erection of single storey rear extension to replace existing. Erection of store to rear, alterations to rear first floor dormers and replace tile cladding to front first floor dormers Expiry date: 30-November-2020	1
5.2	KET/2020/0715	CGR	1 Shotwell Mill Lane, Rothwell Full Application: Change of use from C3 (dwellinghouse) to C2 (residential institution) to create a 4 no. bedroom young adult care home with conversion of garage to habitable accommodation Expiry date: 22-January-2021	8
5.3	KET/2020/0805	CPA	Ivydene Barn, Ivydene Terrace, Broughton Full Application: Two storey front extension Expiry date: 19-February-2021	18
5.4	KET/2020/0858	AJR	2 Cukow Close, Mawsley Full Application: Single storey front extension, conversion of part of garage to habitable accommodation with associated works, loft conversion with dormer window and rooflights to front elevation Expiry date: 01-February-2021	25

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

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

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.1
Report Originator	Louisa Johnson Development Officer	Application No: KET/2020/0655
Wards Affected	Queen Eleanor and Buccleuch	
Location	1 Battle Close, Cranford	
Proposal	Full Application: Erection of single storey rear extension to replace existing. Erection of store to rear, alterations to rear first floor dormers and replace tile cladding to front first floor dormers	
Applicant	Ms R Webster	

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be as submitted.

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

4. The roofs of the single storey rear extension and store hereby approved shall not at any time be used as a balcony or roof terrace.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. The windows / doors at first floor level on the Northwest elevation shall have Juliette balconies installed and permanently fixed as shown on the approved plans, and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.

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

Officers Report for KET/2020/0655

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

3.0 Information

Relevant Planning History

KET/2016/0809 (Land to rear of 1 Battle Close) - Timber framed stable block and storage – Approved 10/01/2017

KET/2015/0022 - Two storey rear extension and conversion of garage to habitable room – Approved 09/04/2015

KET/2014/0668 - Two storey rear extension - Withdrawn

KET/1987/0094 – Erection of semidetached dormer bungalows with integral garage – approved – 01/05/1987

Site Description

Battles Close is a fairly recent development of 3 properties in a cul-de-sac accessed from the High Street via a shared drive to the front. The development is set back from the main highway and so does not contribute to the historic feel of Cranford. Number 1 is the southern element of a pair of dormer semi-detached bungalows, with number 3 being detached. It is of a stone construction with brown wooden windows under a concrete tile roof. It is of a dormer design with front and rear projecting dormer window and an integrated garage. There is a single storey part stone conservatory to the rear located in the triangular shaped rear garden that is bounded by on two sides by 1.8m close boarded fencing. The remaining boundary is a single wire fence overlooking a small pasture field rented by the occupant from the Cranford Estate. The nearest residences are the listed stone cottages of 19-27 High Street that occupies higher land than those on Battles Close.

Proposed Development

The application is for the erection of single storey rear extension to replace existing, the erection of store to rear, alterations to rear first floor dormers and replace tile cladding to front first floor dormers.

The proposal has been amended to remove a balcony from the roof of the single storey rear extension at officer's request.

Any Constraints Affecting the Site

Conservation Area

Listed Building Curtilage

4.0 Consultation and Customer Impact

Neighbours

One letter of objection has been received; the following issues were raised:

- The loss of privacy from the glazed upper part of the extension.
- The extremely confined space where much of the work is to be undertaken.
- The noise, dirt and dust which will arise in such a small space.

- The location of skips and builders' vehicles in the area.

5.0 Planning Policy

National Planning Policy Framework 2019

Policy 2: Achieving a sustainable development

Policy 12: Achieving well designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy July 2016

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

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. Impact on the character and appearance of the area
3. Residential amenity

1. Principle of Development

The application seeks the erection of single storey rear extension to replace existing, the erection of store to rear, alterations to rear first floor dormers and replace tile cladding to front first floor dormers. The site is a residential property within the village boundary.

Policy 8 of the adopted NNJCS (July 2016) seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area. Paragraphs 124, 127 and 128 of the National Planning Policy Framework also recognise that good design is a key aspect of sustainable development, and supports development which establishes a strong sense of place and responds to the local character, reflecting the identity of local surroundings and materials.

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

2. Impact on the character and appearance of the area

The site is located on Battle Close Cransley, the property is within the village boundary in a residential area and backs onto a field. The host dwelling is of a dormer design with front and rear projecting dormer windows at first floor level.

The proposal involves the erection of a single storey rear extension measuring approximately 4.8m wide, 4m deep and 3.3m high with a flat roof. The proposed store is approximately 1.8m wide, 4m deep and 2m in height with a flat roof.

The rear dormers would be replaced by a box dormer measuring approximately 4.7m wide, 2.8m deep and 2.45m in height. The dormer would have two doors with glazed full height glazed panels to the side of each door, these doors would have Juliette balconies fixed on the outside, to prevent access to the roof.

The front dormers would have the tile cladding on them removed but otherwise remain unchanged.

The proposed extensions would be in keeping with the host property and would not be detrimental to the surrounding dwelling designs.

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

3. Residential Amenity

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

The site shares a side boundary with 2 Battle Close and an objection has been received on the grounds of a loss of privacy from the windows at first floor level in the rear dormer. Other issues raised relate to noise, dust, builders vehicles etc causing disturbance during construction.

The proposed store would abut the boundary with no. 2, whilst the proposed rear extension would be 1.8m off the boundary with no. 2. Given the single storey nature of these structures it is considered that they would not have a detrimental impact on 2 Battle Close.

The proposed rear dormer has two doors serving two bedrooms with full height glazed panels to the side of each door, the doors have a Juliette balcony fixed on the outside to prevent access to the roof. The proposal originally included a balcony on the roof of the single storey rear extension and the doors were intended to lead onto this. The balcony has been removed at Officer's request and the applicant now wishes to retain these doors with Juliette balconies.

The proposed windows in the box dormer are large, however they are at normal first floor window height due to the dormer design style of the house. Furthermore, the proposed windows would replace two existing dormer windows in the rear elevation, one large serving a bedroom and one small serving a bathroom.

Whilst it is acknowledged that the proposal would increase the amount of glazing, it is considered that it would not be so much of an increase as to result in a significant loss of privacy to 2 Battle Close. However, it is considered that it would be appropriate to attach a condition requiring the proposed Juliette balconies to be installed on each door and retained thereafter and a condition preventing the use of the roof of the extension or store for a balcony to protect the amenity of 2 Battle Close.

The objection also raised concerns raised regarding noise, dust, builders vehicles etc causing disturbance during construction. It is considered that a working hours condition could be attached to prevent disturbance outside normal working hours. However, it is considered given the scale of the proposals that any further measures would be unduly onerous.

Therefore subject to appropriately worded conditions it is considered that the proposal would not have a detrimental impact on 2 Battle Close.

The site shares a side boundary with 17a High Street, the proposed rear extension would be approximately 5m away from the boundary with no. 17a. The rear elevation of the host property sits further back in the plot than 17a including its garden and so the proposed dormer windows would not overlook no. 17a. Given this it is considered that the proposal would not have a detrimental impact on 17a High Street.

The site shares boundaries with 27, 27a and 29 High Street, however these properties all sit in front of the site and so would not be affected by the developments at the rear of the site. The proposed work to the dormers at the front of the site, only relates to changing the tiles. It is considered that the proposal would not have a detrimental impact on 27, 27a and 29 High Street.

The site backs onto a field and the proposed development would be within the curtilage of the residential dwelling, therefore the proposal would not have a detrimental impact on the field to the rear.

Therefore it is considered, subject to appropriate conditions, that there will be no unacceptable impact on the amenity of neighbouring residents through this proposal in accordance with policy 8 of the NNJCS.

Conclusion

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

Background Papers

Title of Document:

Date:

Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.1
Report Originator	Louisa Johnson Development Officer	Application No: KET/2020/0655
Wards Affected	Queen Eleanor and Buccleuch	
Location	1 Battle Close, Cranford	
Proposal	Full Application: Erection of single storey rear extension to replace existing. Erection of store to rear, alterations to rear first floor dormers and replace tile cladding to front first floor dormers	
Applicant	Ms R Webster	

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be as submitted.

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

4. The roofs of the single storey rear extension and store hereby approved shall not at any time be used as a balcony or roof terrace.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. The windows / doors at first floor level on the Northwest elevation shall have Juliette balconies installed and permanently fixed as shown on the approved plans, and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.

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

Officers Report for KET/2020/0655

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

3.0 Information

Relevant Planning History

KET/2016/0809 (Land to rear of 1 Battle Close) - Timber framed stable block and storage – Approved 10/01/2017

KET/2015/0022 - Two storey rear extension and conversion of garage to habitable room – Approved 09/04/2015

KET/2014/0668 - Two storey rear extension - Withdrawn

KET/1987/0094 – Erection of semidetached dormer bungalows with integral garage – approved – 01/05/1987

Site Description

Battles Close is a fairly recent development of 3 properties in a cul-de-sac accessed from the High Street via a shared drive to the front. The development is set back from the main highway and so does not contribute to the historic feel of Cranford. Number 1 is the southern element of a pair of dormer semi-detached bungalows, with number 3 being detached. It is of a stone construction with brown wooden windows under a concrete tile roof. It is of a dormer design with front and rear projecting dormer window and an integrated garage. There is a single storey part stone conservatory to the rear located in the triangular shaped rear garden that is bounded by on two sides by 1.8m close boarded fencing. The remaining boundary is a single wire fence overlooking a small pasture field rented by the occupant from the Cranford Estate. The nearest residences are the listed stone cottages of 19-27 High Street that occupies higher land than those on Battles Close.

Proposed Development

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Any Constraints Affecting the Site

Conservation Area

Listed Building Curtilage

4.0 Consultation and Customer Impact

Neighbours

One letter of objection has been received; the following issues were raised:

- The loss of privacy from the glazed upper part of the extension.
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- The location of skips and builders' vehicles in the area.

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National Planning Policy Framework 2019

Policy 2: Achieving a sustainable development

Policy 12: Achieving well designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy July 2016

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

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.

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8.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Impact on the character and appearance of the area
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1. Principle of Development

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

2. Impact on the character and appearance of the area

The site is located on Battle Close Cransley, the property is within the village boundary in a residential area and backs onto a field. The host dwelling is of a dormer design with front and rear projecting dormer windows at first floor level.

The proposal involves the erection of a single storey rear extension measuring approximately 4.8m wide, 4m deep and 3.3m high with a flat roof. The proposed store is approximately 1.8m wide, 4m deep and 2m in height with a flat roof.

The rear dormers would be replaced by a box dormer measuring approximately 4.7m wide, 2.8m deep and 2.45m in height. The dormer would have two doors with glazed full height glazed panels to the side of each door, these doors would have Juliette balconies fixed on the outside, to prevent access to the roof.

The front dormers would have the tile cladding on them removed but otherwise remain unchanged.

The proposed extensions would be in keeping with the host property and would not be detrimental to the surrounding dwelling designs.

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

3. Residential Amenity

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

The site shares a side boundary with 2 Battle Close and an objection has been received on the grounds of a loss of privacy from the windows at first floor level in the rear dormer. Other issues raised relate to noise, dust, builders vehicles etc causing disturbance during construction.

The proposed store would abut the boundary with no. 2, whilst the proposed rear extension would be 1.8m off the boundary with no. 2. Given the single storey nature of these structures it is considered that they would not have a detrimental impact on 2 Battle Close.

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The proposed windows in the box dormer are large, however they are at normal first floor window height due to the dormer design style of the house. Furthermore, the proposed windows would replace two existing dormer windows in the rear elevation, one large serving a bedroom and one small serving a bathroom.

Whilst it is acknowledged that the proposal would increase the amount of glazing, it is considered that it would not be so much of an increase as to result in a significant loss of privacy to 2 Battle Close. However, it is considered that it would be appropriate to attach a condition requiring the proposed Juliette balconies to be installed on each door and retained thereafter and a condition preventing the use of the roof of the extension or store for a balcony to protect the amenity of 2 Battle Close.

The objection also raised concerns raised regarding noise, dust, builders vehicles etc causing disturbance during construction. It is considered that a working hours condition could be attached to prevent disturbance outside normal working hours. However, it is considered given the scale of the proposals that any further measures would be unduly onerous.

Therefore subject to appropriately worded conditions it is considered that the proposal would not have a detrimental impact on 2 Battle Close.

The site shares a side boundary with 17a High Street, the proposed rear extension would be approximately 5m away from the boundary with no. 17a. The rear elevation of the host property sits further back in the plot than 17a including its garden and so the proposed dormer windows would not overlook no. 17a. Given this it is considered that the proposal would not have a detrimental impact on 17a High Street.

The site shares boundaries with 27, 27a and 29 High Street, however these properties all sit in front of the site and so would not be affected by the developments at the rear of the site. The proposed work to the dormers at the front of the site, only relates to changing the tiles. It is considered that the proposal would not have a detrimental impact on 27, 27a and 29 High Street.

The site backs onto a field and the proposed development would be within the curtilage of the residential dwelling, therefore the proposal would not have a detrimental impact on the field to the rear.

Therefore it is considered, subject to appropriate conditions, that there will be no unacceptable impact on the amenity of neighbouring residents through this proposal in accordance with policy 8 of the NNJCS.

Conclusion

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

Background Papers

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Date:

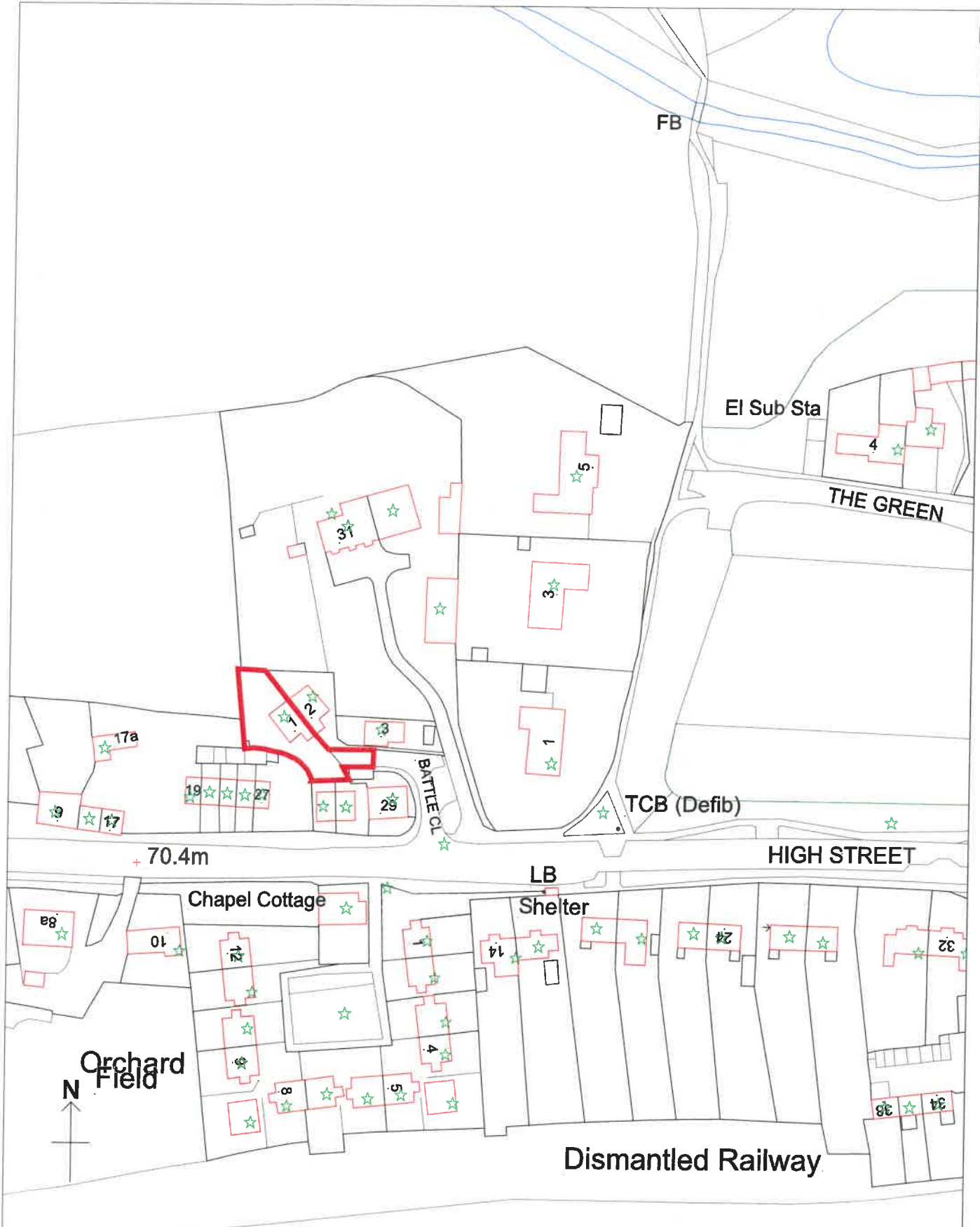
Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:



Title: 1 Battle Close, Cranford

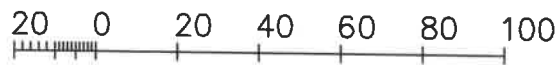
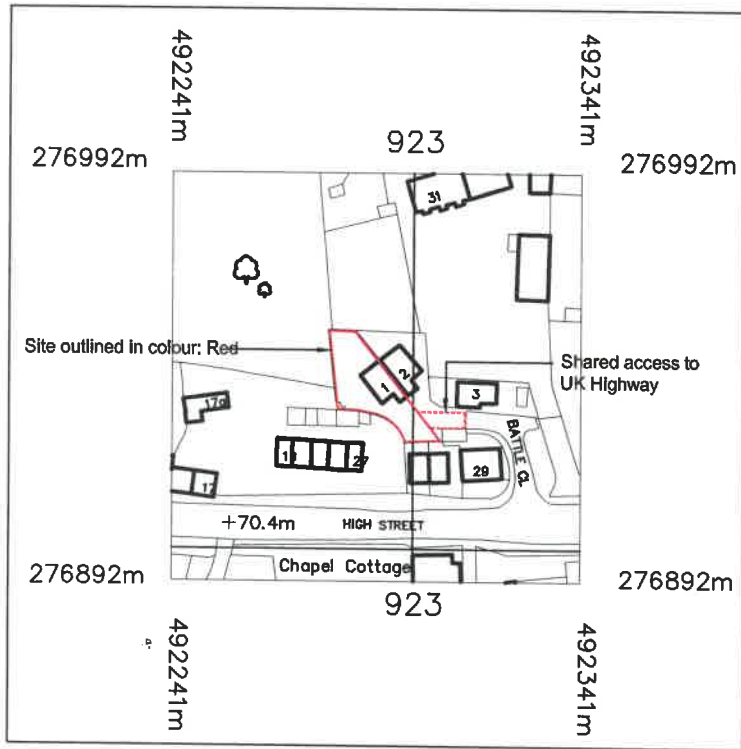
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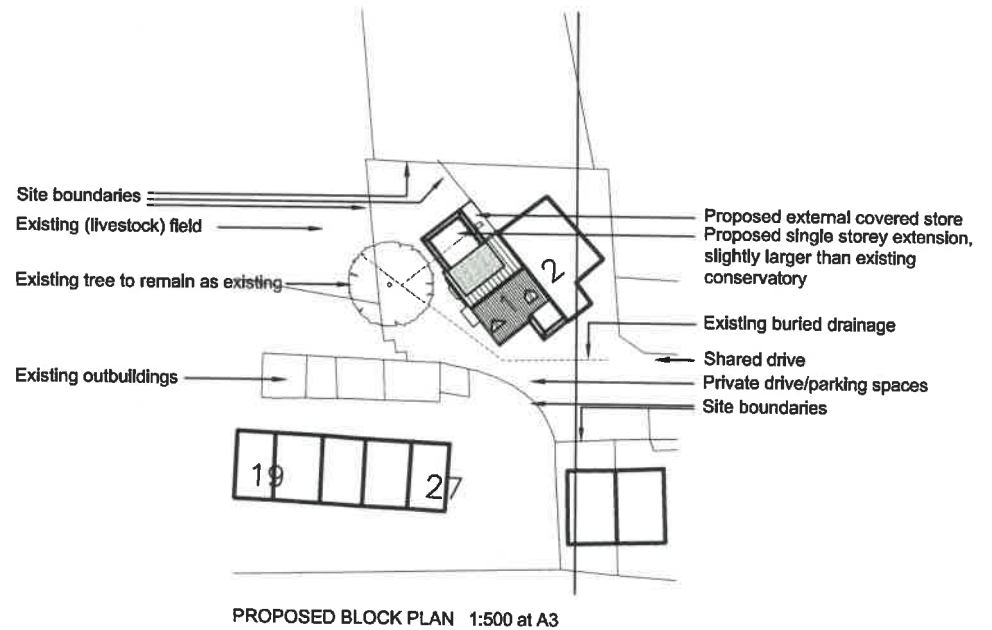


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SITE LOCATION PLAN 1:1250 at A3

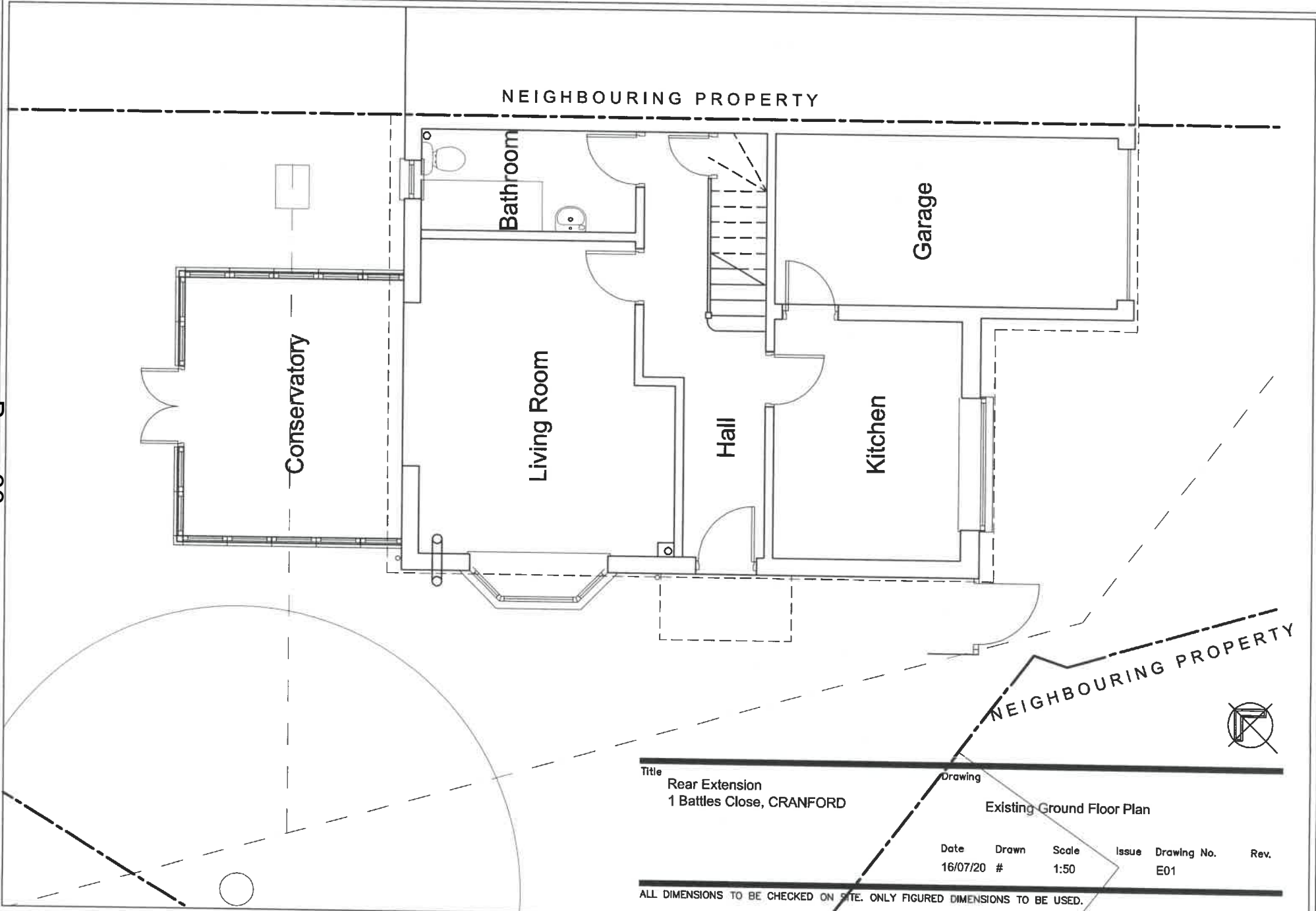


PROPOSED BLOCK PLAN 1:500 at A3



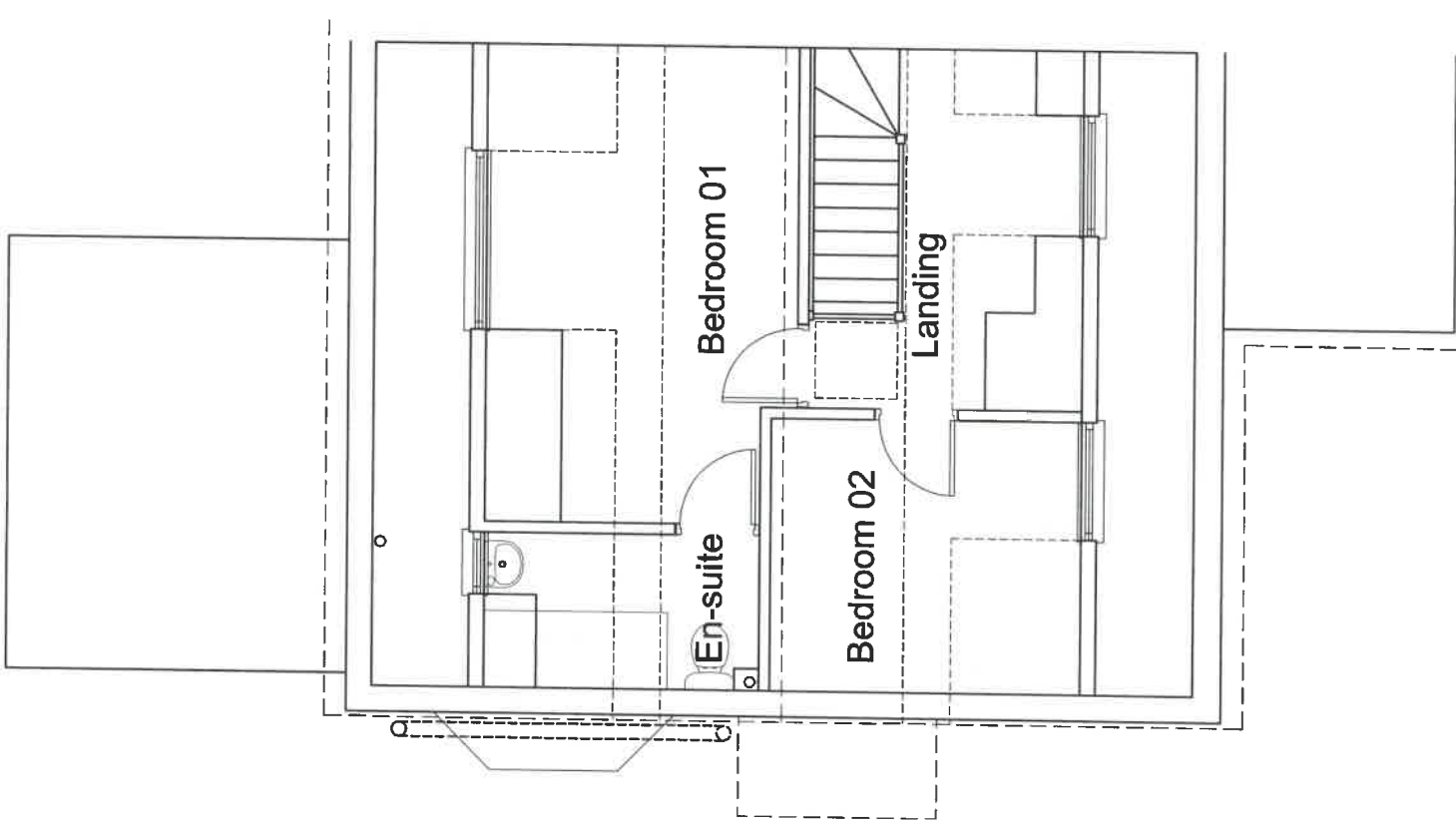
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Rear Extension 1 Battles Close, CRANFORD		Site Location Plan Proposed Block Plan				
Date	Drawn	Scale	Issue	Drawing No.	Rev.	
16/07/20	#	1:500&1250		P06		

ALL DIMENSIONS TO BE CHECKED ON SITE. ONLY FIGURED DIMENSIONS TO BE USED.



Title		Drawing			
Rear Extension		Existing Ground Floor Plan			
1 Battles Close, CRANFORD					
Date	Drawn	Scale	Issue	Drawing No.	Rev.
16/07/20	#	1:50		E01	

ALL DIMENSIONS TO BE CHECKED ON SITE. ONLY FIGURED DIMENSIONS TO BE USED.



Title		Drawing				
Rear Extension 1 Battles Close, CRANFORD		Existing First Floor Plan				
Date	Drawn	Scale	Issue	Drawing No.	Rev.	
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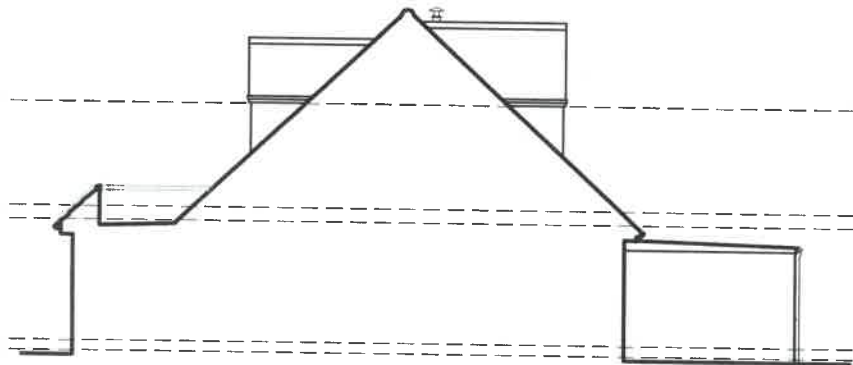
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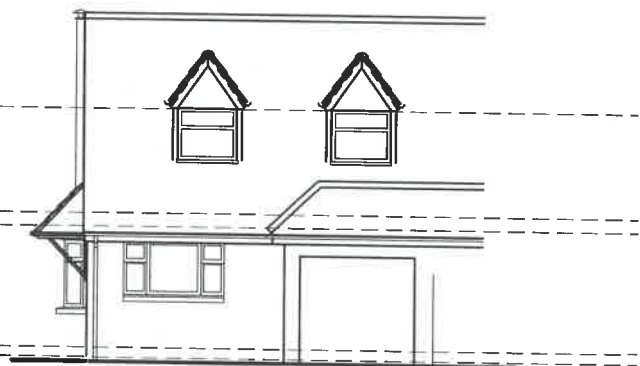
EXISTING SOUTHWEST ELEVATION



EXISTING NORTHWEST ELEVATION



EXISTING NORTHEAST ELEVATION



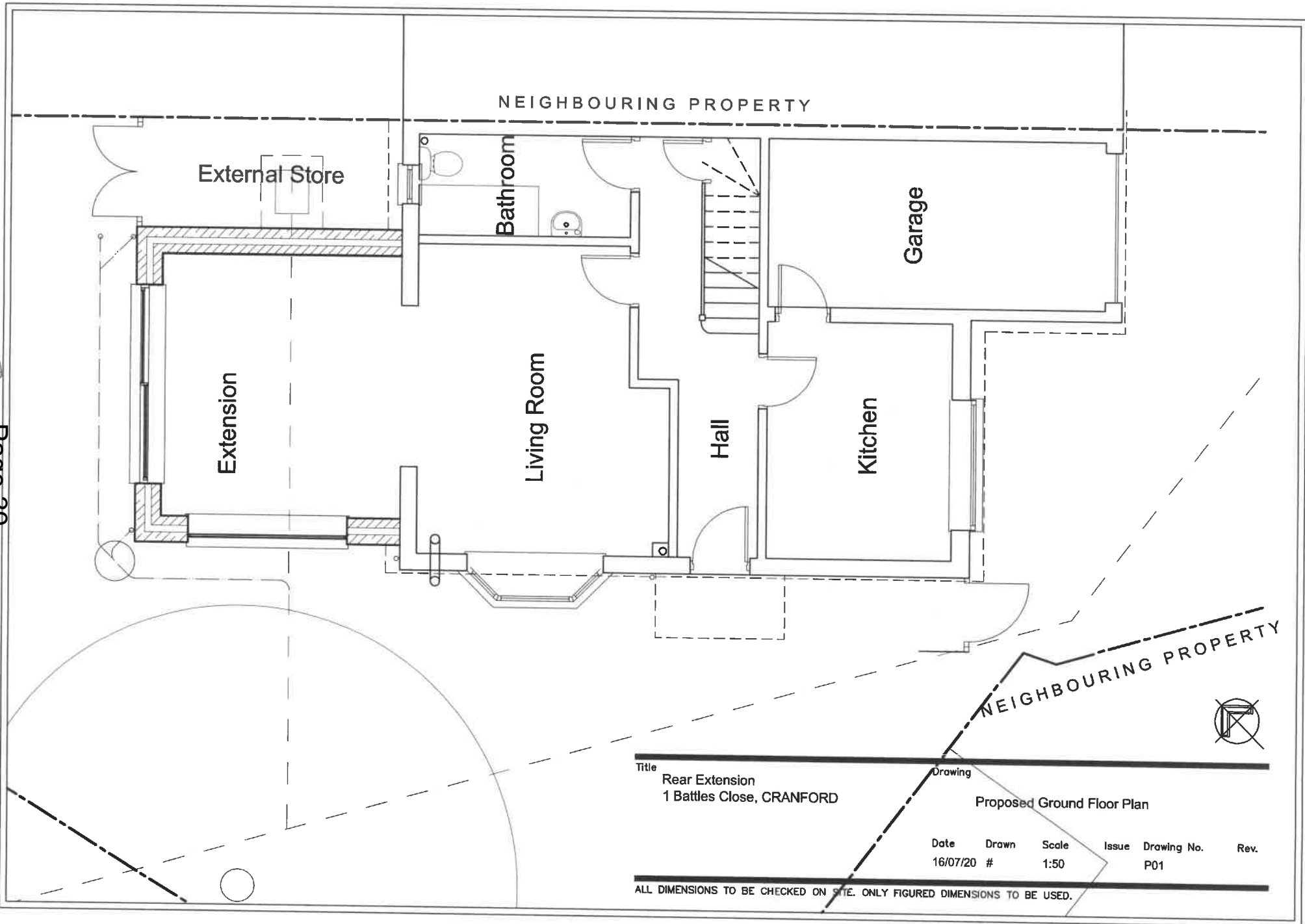
EXISTING SOUTHEAST ELEVATION

Revision A 04/10/20 Garage shown on SW & NE Elevations

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Rear Extension 1 Battles Close, CRANFORD	Existing Elevations

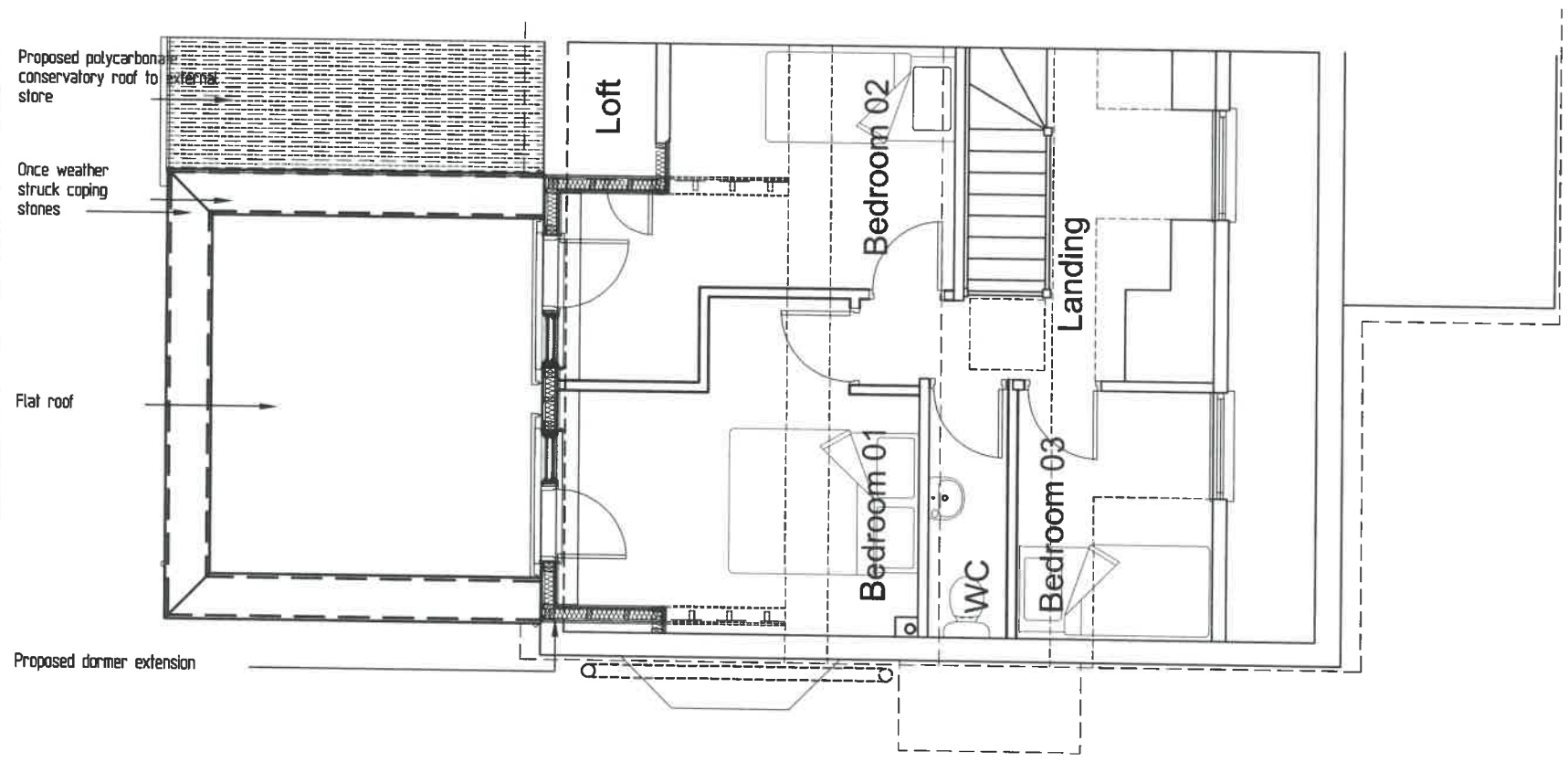
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ALL DIMENSIONS TO BE CHECKED ON SITE. ONLY FIGURED DIMENSIONS TO BE USED.



Title		Drawing			
Rear Extension		Proposed Ground Floor Plan			
1 Battles Close, CRANFORD					
Date	Drawn	Scale	Issue	Drawing No.	Rev.
16/07/20	#	1:50		P01	

ALL DIMENSIONS TO BE CHECKED ON SITE. ONLY FIGURED DIMENSIONS TO BE USED.



Revision C: 12/01/21 Juliet balcony now shown
 Revision B: 08/01/21 External doors shown to open in.
 Revision A: 12/11/20 Decking, glass balustrade and screen, on flat roof now not shown. Balustrade shown to internal side of external doors.



Title		Drawing				
Rear Extension 1 Battles Close, CRANFORD		Proposed First Floor Plan				
Date	Drawn	Scale	Issue	Drawing No.	Rev.	
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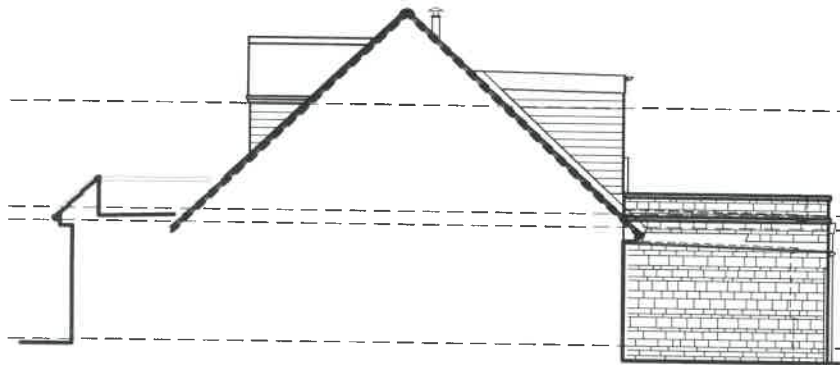
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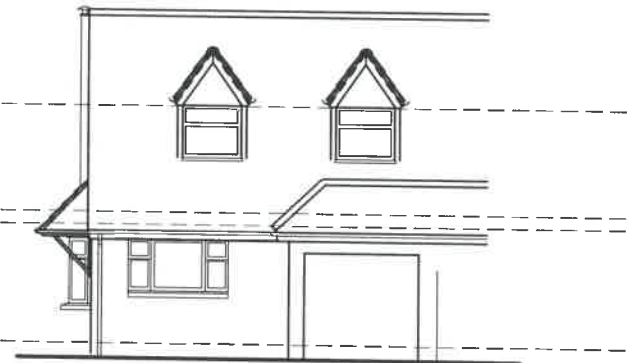
PROPOSED SOUTHWEST ELEVATION



PROPOSED NORTHWEST ELEVATION



PROPOSED NORTHEAST ELEVATION



PROPOSED SOUTHEAST ELEVATION

Revision C: 12/01/21 Juliet balcony now shown
 Revision B: 12/11/20 Decking, glass balustrade and screen, on flat roof now not shown
 Revision A 04/10/20 Garage shown on SW & NE Elevations. Annotation for proposed Balcony screen shown.

Title	Drawing					
Rear Extension 1 Battles Close, CRANFORD	Proposed Elevations					
	Date	Drawn	Scale	Issue	Drawing No.	Rev.
	16/07/20	#	1:100		P03	C

ALL DIMENSIONS TO BE CHECKED ON SITE. ONLY FIGURED DIMENSIONS TO BE USED.

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.2
Report Originator	Carol Grant Senior Development Officer	Application No: KET/2020/0715
Wards Affected	Rothwell	
Location	1 Shotwell Mill Lane, Rothwell	
Proposal	Full Application: Change of use from C3 (dwellinghouse) to C2 (residential institution) to create a 4 no. bedroom young adult care home with conversion of garage to habitable accommodation	
Applicant	Alderwood LLA Ltd	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) 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

Block plan, Proposed elevations and Floor plans, Drg no ALD/436/PA010.

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 external materials to be used for the conversion of the garage hereby permitted shall match, in type, colour and texture, those on the existing building.

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

4. The parking spaces and turning spaces so provided within the front garden area of the property shall not be obstructed and shall thereafter permanently remain available for car parking and turning.

Reason: To ensure that adequate off-street parking and turning facilities are available to accord with Policy 8 of the North Northants Joint Core Strategy.

5. No more than four residents (not including carers) shall live at the property at any one time.

REASON: To protect the amenities of neighbouring residential properties in accordance with Policy 8 of the North Northants Joint Core Strategy.

Officers Report for KET/2020/0715

The application is reported for Committee decision because there have been 3 objections by neighbouring residents and has also been called-in by Councillor Brown.

3.0 Information

Relevant Planning History

There is no relevant planning history attached to this site

Site Description

The site relates to a large detached property situated in a substantial plot on the west side of Shotwell Mill Lane. The property lies within the built-up boundary of Rothwell. Shotwell Mill Lane is a private road (unadopted) and is a designated footpath (reference UH13). To the west of the property is a detached dormer bungalow (Millway) and to the east a pair of Victorian semi-detached two-storey dwellings (99-101 Rushton Road) with a further dwelling (103 Rushton Road) within the rear garden of these properties accessed between no's 101 Rushton Road and the application property. There are open fields to the direct south of the property. To the north the rear boundary adjoins the rear gardens of dwellings within Spencer Street. The rear garden of the property is in excess of 60 metres in depth with the rear windows of the dwellings on Spencer Street approximately 80 metres from the application property.

The property has 4 bedrooms, two of which have en-suites. Internal alterations include the conversion of the garage to a further bedroom with en-suite. Although there is no parking layout provided, the property has a large front driveway which is considered to be able to provide in excess of the 5 cars parking spaces which this proposal would require

Proposed Development

The application seeks planning permission for a change of use from a dwelling to residential care home for up to 4 young adults with complex care needs, AHD and learning difficulties. Staffing ratio would be 1:1 during the day with 2/3 waking night staff. Other staff would include a manager, Assistant manager and senior shift leader and these members of staff will work shifts alongside the carers.

Although the service provider is not relevant in that the planning permission will run with the land and not the end user, in this case, the following information has been submitted to enable Members a deeper understanding of the type of care that is to be provided.

The prospective occupiers, Alderwood, provide residential care, education and therapy for people with complex needs. The company currently provide residential care at other properties across Northamptonshire and are actively looking for locations to provide an additional care home in the area for young adults with more complex needs.

The care home would accommodate up to 4 individuals. It will be secure and staffed 24 hours a day, 7 days a week. Each service user will be allocated at least 1:1 staffing, and at night this staffing ratio will be reduced to 2-3 waking night staff. Like other properties which are already operated by the Applicant, the home will have a Registered Manager, Assistant Manager and Senior Shift Leader. The Assistant Manager and Senior Shift Leader will be included as part of the staffing numbers and will work shift patterns in line with the other staff. There is also a 24 hour on call system in place throughout the year, which covers all Alderwood homes.

Alderwood will apply to the Care Quality Commission (CQC) for registration for accommodation for persons who require nursing or personal care aged 0-65, with an agreement that peer groups within the home will be within a similar age range, in this case young adults. This mirrors the current service registration structure and demographic of some of the individuals already supported by Alderwood.

The home will support individuals with ASD and learning difficulties. The staff supporting the service users will be highly trained in PROACT-SCIPr-UK® (Positive Range of Options to Avoid Crisis and use Therapies Strategies for Crisis Intervention and Prevention). The technique advocates being proactive rather than reactive, each service user will have a range of tools, techniques and individualised strategies which will be implemented to support them throughout their day and they will have constant staff support.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Rothwell Town Council raise concerns regarding the overall impact on the immediate area and increase in associated vehicle movement.

Highway Authority have no objection but request informatives relating to the adjacent Right of Way (public footpath UH13)

Kettering Borough Council Environmental Health have no comments to make

Neighbours

There have been 3 letters received from third parties with the following concerns;

Noise disruption from increased activity

Increased vehicular movement

Lack of parking on the driveway will result in vehicles parking on the roadside

Countryside views will be blocked by additional vehicles

There is a Right of Way adjacent

The application form states that the property is on a mains sewer but this is incorrect as there is a septic tank within the front drive which needs regular emptying.

5.0 Planning Policy

National Planning Policy Framework

Section 2 – Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

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Development Plan Policies

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35 – Housing: Within Towns

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Site Specific Part 2 Local Plan

This Local Plan has been through its Main Modifications with the Examination in Public to the Main Modifications held in October 2020. Adoption is anticipated to be in early 2021.

Other legislation

The Equalities Act (2010) Section 149 created the public sector equality duty which requires public authorities to have due regard where there are equality implications arising from a proposal in the determination of the application.

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. Design and impact upon the character of the area
3. Impact upon neighbouring residential amenity
4. Impact upon highway safety
5. Equality Implications
6. Comments raised by other points raised by the proposal

1. Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. As detailed above, the Development Plan consists of the North Northamptonshire Joint Core Strategy (JCS) and the Saved Policies of the Local Plan.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. In this case the relevant part of paragraph 11 is c) which states that for decision taking this means “approving development proposals that accord with an up-to-date development plan without delay.”

Paragraph 12 of the NPPF is clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where there are overriding objections with a planning application conflicting with an up-to-date development plan permission should not be granted.

The site is located inside the settlement of Rothwell. The settlement boundary for Rothwell was last defined through the 1995 Local Plan for Kettering Borough. Saved Policy 35 (Local Plan) is used to define the extent of the settlement boundary and supports housing development within it.

Policies 28-30 of the North Northants Joint Core Strategy (NNJCS) allow for the creation of sustainable, inclusive and mixed communities delivering housing for the different groups within the communities.

The Town & Country Planning (Use Classes) (amendment) (England) Order 2017 defines Class C3 dwelling houses as:

- a) *by a single person or by people living together as a family; or*
- b) *by not more than 6 residents living together as a single household (including a household where care is provided by residents).*

Children's homes run by workers on a shift pattern do not fall into either class a or b and therefore the dwelling house is not considered to be a C3 dwellinghouse.

Class C2 defines Residential institutions as:

the provision of residential accommodation and care to people in need of care, use as a hospital or nursing home, residential school, college or training centre.

In this instance, the proposal falls under Class C2 as its use is a residential care home.

The provision of residential care homes are by their very nature a residential use which, in this residential area within the settlement boundary, is an appropriate and acceptable use of this dwelling.

In this case, the proposed development would help towards meeting a specialised housing need within Kettering Borough. The proposed use of the property remains residential in nature and therefore there is no conflict with local or national planning policy in this regard.

2. Design and impact upon the character of the area

Policy 8 of the NNJCS requires all new development proposals to be high quality in design and respect and enhance the character of its surroundings through form, scale, design and materials.

The change of use of the building from a single dwelling house to a care home for up to 4 young adults will have no material impact on the surrounding area by way of its external appearance. The conversion of the existing garage to habitable accommodation alters only the fenestration on that part of the building which is not considered to be inappropriate and therefore it is considered that for all intents and purposes will remain with an outward appearance similar to that existing.

In this instance the proposal complies with Policy 8 of the NNJCS and is acceptable

3. Impact upon neighbouring residential amenity

Policy 8 of the NNJCS requires that development protects amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. Paragraph 127 (f) of the NPPF requires decisions to create places...with a high standard of amenity for existing and future users.

The property is a sizeable detached family dwelling with a large garden. Although it shares its boundaries with other dwellings, these are bounded by existing fencing

and hedging creating a very private rear garden. The proposed use would not give rise to any additional loss of privacy or overlooking to neighbouring properties than which already exists. Potential noise from the use of the garden by residents would equate to a similar use by a large family with 4 children and it is not considered that this would be so excessive that it would cause harm to neighbouring amenity.

The premises would be occupied in its existing form with no extensions proposed with the ground floor rooms remaining in use as living accommodation for the residents and staff and sleeping accommodation upstairs. The ground floor bedroom would be used by a resident with the smallest bedroom on the first floor used as sleeping accommodation for an overnight carer.

It has been confirmed that Staff work in 12 hour shift patterns and therefore it is likely that handovers would take place early morning/early evening. Although there may be some additional disturbance mostly due to vehicular movement at these times, the property is detached and some distance from its neighbours and therefore these handover periods are unlikely to give rise to such intense noise and disturbance which would cause material harm to neighbouring amenity.

It is considered that there would be no material harm caused as a result of overlooking, loss of privacy, noise or disturbance to the residential amenity of the adjacent neighbouring properties and in this regard the proposal is considered acceptable under Policy 8 of the NNJCS.

4. Impact upon Highway Safety

Policy 8 of the JCS requires all new development to create well connected places by ensuring that it integrates well with existing cycle, pedestrian, public transport and vehicular movement networks (a.ii) and makes safe and pleasant streets by; prioritising the needs of pedestrians, cyclists and public transport users and resisting developments that would prejudice highway safety (b.i) and ensures a satisfactory means of access (b.ii).

Paragraph 108 (a-c) of the NPPF reflects policy 8 to a large degree. However, paragraph 109 states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

The property has a vehicular access onto Shotwell Mill Lane which is designated as a footpath (reference UH13) although it is used for vehicular access to other properties further to the north.

There have been concerns raised in relation to additional vehicular movement and the position of the driveway on a blind bend. However, North Northamptonshire as Highways Authority have no objections to the proposal and only require informative to prevent the obstruction of Shotwell Mill Lane (footpath UH13).

The applicants state that the residents would not have access to their own vehicles and there would be one mini-bus which would be used for the residents. Visitors would include parents and relatives and occasional visits from health care professionals. All visits would be booked and planned in advance. Although staff

are likely to travel to work using their own vehicles, the driveway of the property appears to be able to accommodate in excess of 5 vehicles. Photographs have been sent in from a neighbour showing the driveway in use by the existing occupiers with at least 4 vans and 2 cars. The LPA therefore deem it unlikely from the existing usage that there would be insufficient parking for the mini-bus and for staff vehicles for the proposed use. Furthermore, the front hardstanding areas could be extended through permitted development should the need arise for additional on-site parking provision.

In this regard, the proposal is considered acceptable under Policy 8 of the NNJCS and Section 9, paragraphs 108-109 of the NPPF.

5. Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:- (1) A public authority must, in the exercise of its functions, have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

The equality implications arising from this application relate to the protected characteristics of vulnerable young adults and their on-going residential needs that need to be appropriately accommodated.

In this regard, the recommendation to approve has been addressed in the assessment of the application in regard to, and in line with both local and national planning policies.

The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

6. Comments raised by other points raised by the proposal

Neighbours bring to the attention of the LPA that the property is not on a mains sewer but benefits from a septic tank within the front driveway. Although this may have been a mistake on the application form this does not make the proposal unacceptable. As the property exists with acceptable means of disposing of surface and foul water the proposed change of use would not alter this. As the residency of the property would not exceed the number of residents that could be accommodated should it be occupied by a large family there is no requirement to question the means of drainage.

A concern has also been raised in relation to loss of countryside views. There is no right of a view across neighbouring land. However, there are no extensions proposed as part of the development then the sightlines from adjacent neighbouring windows would remain as existing.

Conclusion

The application property is a substantial property in a residential location which is a suitably large, detached property for the use proposed. The issues raised by those objecting to the application have been carefully considered, but it is concluded that there are no sound planning reasons to refuse permission on. It is therefore recommended that the application be approved. The proposal complies with Policies 1, 8, 28,29 and 30 of the North Northants Joint Core Strategy, Saved Policy 345 of the Kettering Borough Local Plan and the relevant sections within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Carol Grant, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.2
Report Originator	Carol Grant Senior Development Officer	Application No: KET/2020/0715
Wards Affected	Rothwell	
Location	1 Shotwell Mill Lane, Rothwell	
Proposal	Full Application: Change of use from C3 (dwellinghouse) to C2 (residential institution) to create a 4 no. bedroom young adult care home with conversion of garage to habitable accommodation	
Applicant	Alderwood LLA Ltd	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) 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

Block plan, Proposed elevations and Floor plans, Drg no ALD/436/PA010.

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 external materials to be used for the conversion of the garage hereby permitted shall match, in type, colour and texture, those on the existing building.

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

4. The parking spaces and turning spaces so provided within the front garden area of the property shall not be obstructed and shall thereafter permanently remain available for car parking and turning.

Reason: To ensure that adequate off-street parking and turning facilities are available to accord with Policy 8 of the North Northants Joint Core Strategy.

5. No more than four residents (not including carers) shall live at the property at any one time.

REASON: To protect the amenities of neighbouring residential properties in accordance with Policy 8 of the North Northants Joint Core Strategy.

Officers Report for KET/2020/0715

The application is reported for Committee decision because there have been 3 objections by neighbouring residents and has also been called-in by Councillor Brown.

3.0 Information

Relevant Planning History

There is no relevant planning history attached to this site

Site Description

The site relates to a large detached property situated in a substantial plot on the west side of Shotwell Mill Lane. The property lies within the built-up boundary of Rothwell. Shotwell Mill Lane is a private road (unadopted) and is a designated footpath (reference UH13). To the west of the property is a detached dormer bungalow (Millway) and to the east a pair of Victorian semi-detached two-storey dwellings (99-101 Rushton Road) with a further dwelling (103 Rushton Road) within the rear garden of these properties accessed between no's 101 Rushton Road and the application property. There are open fields to the direct south of the property. To the north the rear boundary adjoins the rear gardens of dwellings within Spencer Street. The rear garden of the property is in excess of 60 metres in depth with the rear windows of the dwellings on Spencer Street approximately 80 metres from the application property.

The property has 4 bedrooms, two of which have en-suites. Internal alterations include the conversion of the garage to a further bedroom with en-suite. Although there is no parking layout provided, the property has a large front driveway which is considered to be able to provide in excess of the 5 cars parking spaces which this proposal would require

Proposed Development

The application seeks planning permission for a change of use from a dwelling to residential care home for up to 4 young adults with complex care needs, AHD and learning difficulties. Staffing ratio would be 1:1 during the day with 2/3 waking night staff. Other staff would include a manager, Assistant manager and senior shift leader and these members of staff will work shifts alongside the carers.

Although the service provider is not relevant in that the planning permission will run with the land and not the end user, in this case, the following information has been submitted to enable Members a deeper understanding of the type of care that is to be provided.

The prospective occupiers, Alderwood, provide residential care, education and therapy for people with complex needs. The company currently provide residential care at other properties across Northamptonshire and are actively looking for locations to provide an additional care home in the area for young adults with more complex needs.

The care home would accommodate up to 4 individuals. It will be secure and staffed 24 hours a day, 7 days a week. Each service user will be allocated at least 1:1 staffing, and at night this staffing ratio will be reduced to 2-3 waking night staff. Like other properties which are already operated by the Applicant, the home will have a Registered Manager, Assistant Manager and Senior Shift Leader. The Assistant Manager and Senior Shift Leader will be included as part of the staffing numbers and will work shift patterns in line with the other staff. There is also a 24 hour on call system in place throughout the year, which covers all Alderwood homes.

Alderwood will apply to the Care Quality Commission (CQC) for registration for accommodation for persons who require nursing or personal care aged 0-65, with an agreement that peer groups within the home will be within a similar age range, in this case young adults. This mirrors the current service registration structure and demographic of some of the individuals already supported by Alderwood.

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Any Constraints Affecting the Site

None

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Rothwell Town Council raise concerns regarding the overall impact on the immediate area and increase in associated vehicle movement.

Highway Authority have no objection but request informatives relating to the adjacent Right of Way (public footpath UH13)

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There have been 3 letters received from third parties with the following concerns;

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8.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Design and impact upon the character of the area
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- a) *by a single person or by people living together as a family; or*
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2. Design and impact upon the character of the area

Policy 8 of the NNJCS requires all new development proposals to be high quality in design and respect and enhance the character of its surroundings through form, scale, design and materials.

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6. Comments raised by other points raised by the proposal

Neighbours bring to the attention of the LPA that the property is not on a mains sewer but benefits from a septic tank within the front driveway. Although this may have been a mistake on the application form this does not make the proposal unacceptable. As the property exists with acceptable means of disposing of surface and foul water the proposed change of use would not alter this. As the residency of the property would not exceed the number of residents that could be accommodated should it be occupied by a large family there is no requirement to question the means of drainage.

A concern has also been raised in relation to loss of countryside views. There is no right of a view across neighbouring land. However, there are no extensions proposed as part of the development then the sightlines from adjacent neighbouring windows would remain as existing.

Conclusion

The application property is a substantial property in a residential location which is a suitably large, detached property for the use proposed. The issues raised by those objecting to the application have been carefully considered, but it is concluded that there are no sound planning reasons to refuse permission on. It is therefore recommended that the application be approved. The proposal complies with Policies 1, 8, 28,29 and 30 of the North Northants Joint Core Strategy, Saved Policy 345 of the Kettering Borough Local Plan and the relevant sections within the National Planning Policy Framework.

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Title of Document:

Date:

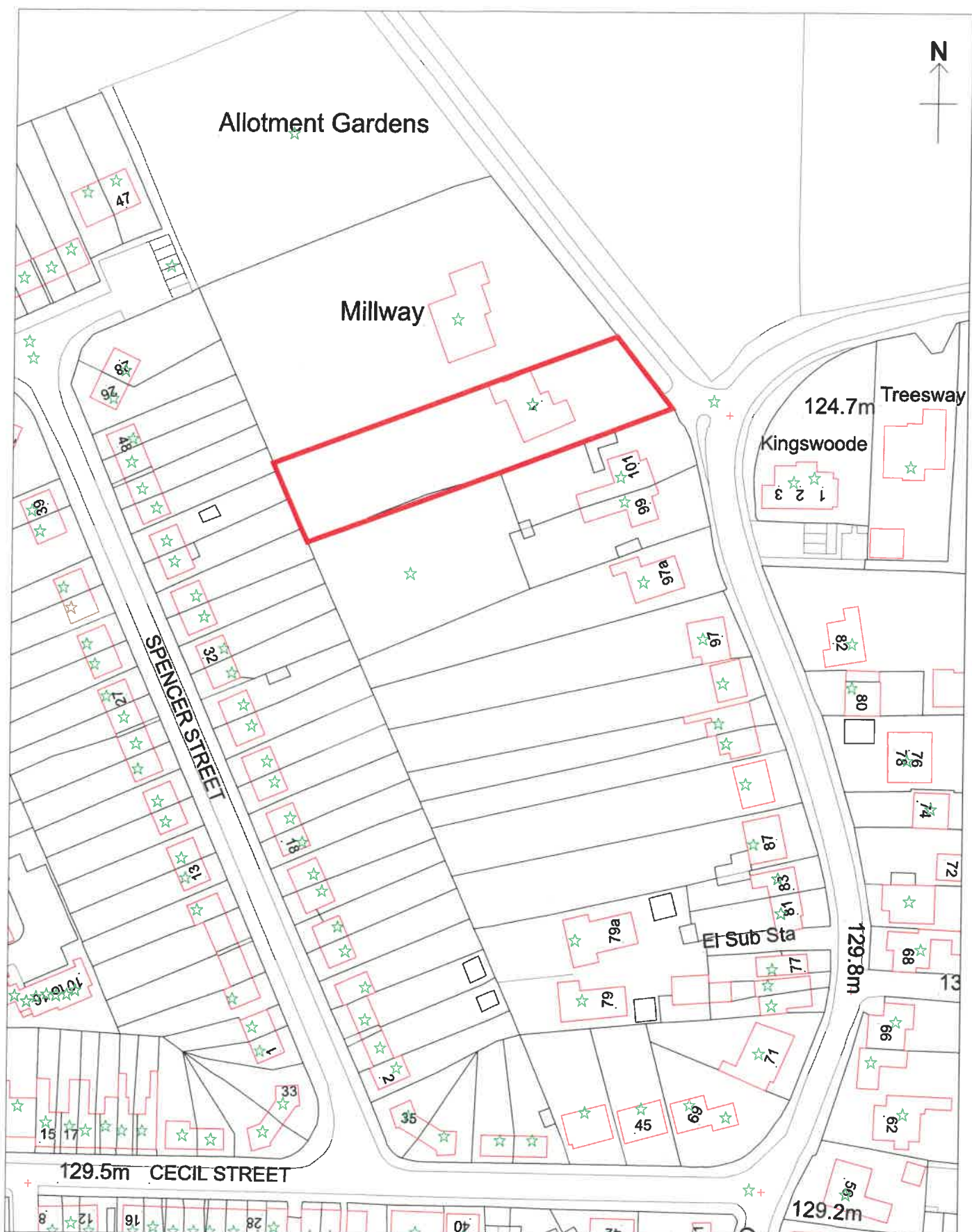
Contact Officer:

Carol Grant, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:



Title: 1 Shotwell Mill Lane

Date: 21:01:21

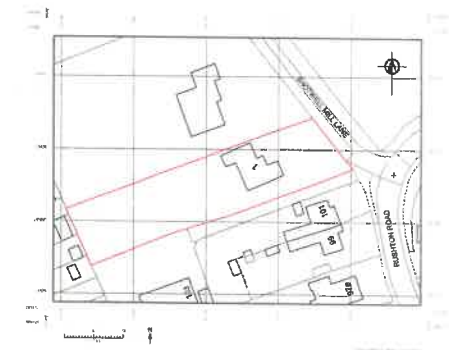
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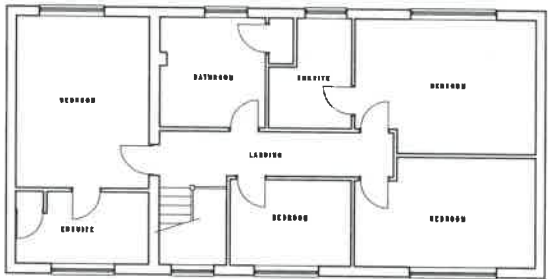
Kettering
Borough Council



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GROUND FLOOR



FIRST FLOOR

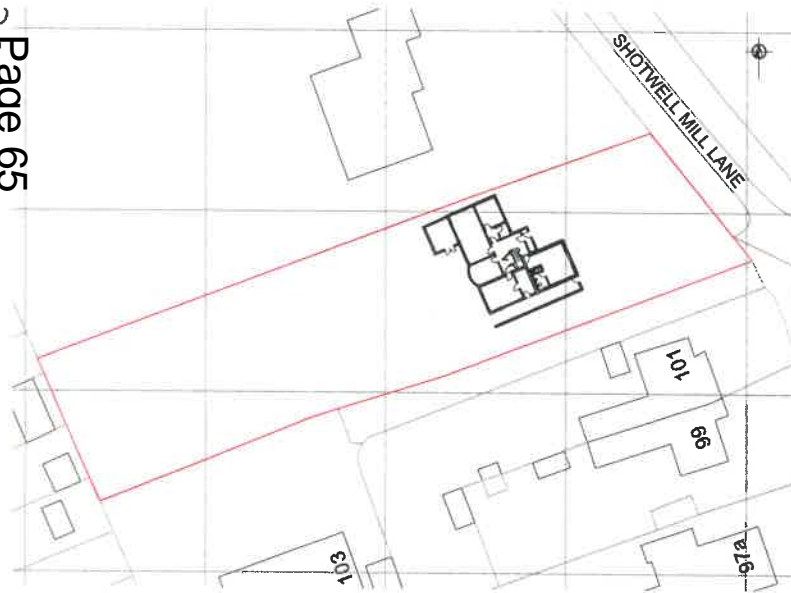
REVISION			
CLIENT	ALDERWOOD LIA LIMITED		
PROJECT	1 SHOTWELL MILL LANE ROTHWELL KETERING, NN14 6HL		
TITLE	FLOOR PLANS AND ELEVATIONS AS EXISTING SITE LOCATION PLAN		
DRWG NO	ALD	436	SUR 010
1:1250			
1:100			
DATE	10/20	SCALE	1:100/1250
1: 0772 400 8705 e: russ@rparchitect.co.uk www.rparchitect.co.uk 31 Irons Road, Telford, Northampton, NN5 6UL			



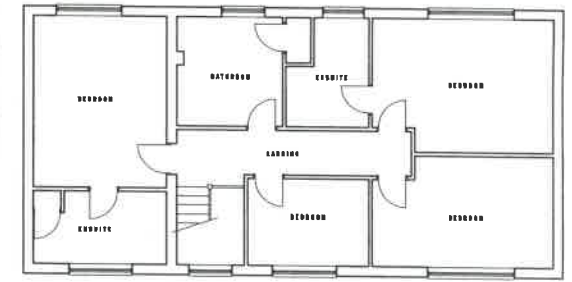
FRONT ELEVATION

SIDE ELEVATION

17 Page 65



GROUND FLOOR



FIRST FLOOR

REVISION			
CLIENT	ALDERWOOD LLA LIMITED		
PROJECT	1 SHOTWELL MILL LANE ROTHWELL KETTERING, NN14 6HL		
TITLE	FLOOR PLANS, ELEVATIONS AND SITE PLAN AS PROPOSED		
DRWG NO	ALD	436	PA 010
1:500			
1:100			
DATE	10/20	SCALE	1:100/500
t: 0772 400 8705 e: russell@rparchitect.co.uk www.rparchitect.co.uk 31 Fosse Road, Harlestone, Northampton, NN6 6HL			

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.3
Report Originator	Collette Panther Assistant Development Officer	Application No: KET/2020/0805
Wards Affected	Slade	
Location	Ivydene Barn, Ivydene Terrace Broughton	
Proposal	Full Application: Two storey front extension	
Applicant	Mr & Mrs D & S Rimmer	

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

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

3. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed in the table below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. 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 B shall be made in the south-west elevation or roof plane of the building facing No. 70 High Street, Broughton.

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.

Officers Report for KET/2020/0805

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

3.0 Information

Relevant Planning History

KET/2019/0436 – Single storey rear extension – Approved 12/08/2019.

KET/2010/0181. Single storey rear extension. Approved 17/05/2010.

KE/98/0403. Full. Conversion to single dwelling. Approved 12/02/1999.
Condition 9 of the approval removes permitted development rights as follows:

Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and/or re-enacting that Order) no development within the provisions of Classes A,B,C shall be carried out without the prior written consent of the Local Planning Authority.

KE/96/0647. Outline. Change of use of barn to private dwelling. Approved 02/01/1997.

Site Visit

Officer's site inspection was carried out on 03/12/2020.

Site Description

The application site is located on a small irregular shaped plot in the centre of Broughton to the northwest of High Street, the main road through the village.

The site was formerly occupied by a barn building which was converted to a dwellinghouse in 1999. Ivydene Terrace is a single lane private unmade road surfaced in part with gravel and some compressed hardcore, interspersed with potholes and rudimentary traffic calming measures which leads from High Street to the southeast and West Street to the northwest. Ivydene Terrace and West Street are also public footpaths connecting High Street to Cransley Hill to the west, Silver Street to the east and Cox's Lane to the north.

The dwellinghouse is two-storey and constructed of local ironstone with a slate roof and dark brown stained wood windows and doors. A set of large timber double gates and fencing with ironstone pillars interspersed faces Ivydene Terrace, leading to off-road parking and a small front garden which sits to the front of the dwelling - the front elevation faces southeast, perpendicular to Ivydene Terrace. The main area of private amenity space is to the southwest of the dwellinghouse.

Surrounding development is a mixture of Victorian and Edwardian terraced properties infilled with semi-detached and detached residential properties and some small industrial units.

Proposed Development

This application seeks full planning permission for the erection of a two-storey extension to the south-east (front) elevation including the removal of a section of boundary wall between the application site and 70 High Street to be replaced with a timber fence.

Any Constraints Affecting the Site

Within Broughton Conservation Area

Site entrance is adjacent to public footpath GD/013

4.0 Consultation and Customer Impact

A site notice was displayed within the vicinity of the application site on 02/12/2020.

Broughton Parish Council

The following comments were received on 18/12/2020:

Providing that it meets with Policy 3 of the Neighbourhood Plan and that as it is in the conservation area that any stone boundary wall is not removed, there will be no objection.

Neighbours

None received at the time of writing this report.

5.0 Planning Policy

National Planning Policy Framework 2019 (NPPF)

Policy 2. Achieving sustainable development

Policy 8. Promoting healthy and safe communities

Policy 12. Achieving well-designed places

Policy 16. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Joint Core Strategy 2016 (NNJCS)

Policy 1. Presumption in favour of Sustainable Development

Policy 2. Historic Environment

Policy 8. North Northamptonshire Place Shaping Principles

Neighbourhood Plan

P3. Development Design

Saved Policies in the Local Plan for Kettering Borough

RA3. Rural Area: Restricted Infill Villages

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. The principle of development
2. Design and impact on the street scene and conservation area
3. Impact on residential amenity
4. Highway safety

1. The principle of development

The application site is located to the north of Broughton which a restricted infill village, as defined by policy RA3 of the Local Plan for Kettering Borough, in an established residential area where policy RA3 is supportive of proposals for residential development in principle.

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

Paragraph 200 of Policy 16 of the National Planning Policy Framework requires Local Planning Authorities to look for opportunities for new development within Conservation Areas to enhance and better reveal their significance.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct

development to existing urban areas and indicate that Broughton as part of Kettering rural is a tertiary focal point for limited development, such as extensions, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

Policy 3 of the Broughton Neighbourhood Plan relates to Development Design and more specifically to new housing development.

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

2. Design and impact on the street scene and conservation area

Policies 8 and 12 of the NPPF requires development to be *well-designed* and *safe, healthy, inclusive* environments, these are echoed by respective Policies 8(d) and 8(b) of the NNJCS which require new development to *respond to the site's immediate and wider context and local character* and to *make safe and pleasant streets and spaces*. Policy 3 of the Broughton Neighbourhood Plan seeks the same objectives as the NPPF and NNJCS.

Policy 2 of the North Northamptonshire Joint Core Strategy requires new development to complement the surrounding historic environment through form, scale, design and materials.

The proposed extension would have minimal visible presence within the street scene on High Street due to its location behind existing dwellings, it may be more visible on Ivydene Terrace although the ground floor would be screened by existing boundary treatment and gates. In any case, it is considered that the proposed extension would present an appropriate addition by displaying design features including the gable ended roof, arched window/door surrounds and ironstone external walls along with a slate roof to match the existing, thereby aiding cohesion of the proposed development to the host dwelling in conjunction with respecting the historic environment. The size of the proposed extension is considered to be proportionate to the host dwelling and the wider plot, and the roof would be subordinate to that on the host thereby practicing good design. As such, it is considered that the proposed development would complement the host dwelling and would be in keeping with character of the immediate and wider surroundings and respect the Conservation Area.

The proposal to replace a 7 metre section of 1.9 metre high stone wall with 1.8 metre high timber fencing between the application site and the side of 70 High Street is considered reasonable and acceptable as it is not currently visible within any part of the public realm and would facilitate an extension which would complement the historic setting.

Provided the materials used are ironstone and slate to match those on the existing dwellinghouse the proposal will not adversely affect the character and appearance of the existing dwellinghouse and due to its location will not adversely impact upon the character and appearance of surrounding development or the wider street scene or Conservation Area.

Overall, and subject to a condition requiring materials to be matching materials to those on the existing dwelling, the proposal accords with Policies 2, 8(d) and 8(b) of the North Northamptonshire Joint Core Strategy in that the new development responds to the site's immediate and wider context, local character and historic environment.

3. Impact on residential amenity

Policy 8(e) of the North Northamptonshire Joint Core Strategy and policy 3 (c) (e) of the Neighbourhood Plan seek to protect *quality of life and safer healthier communities by ensuring new development does not result in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.*

The proposed extension would be located to the south of the site, projecting from the south-east (front) elevation adjacent to the existing boundary wall which separates the application site and the side elevation of 70 High Street.

70 High Street

The north-east side elevation of 70 High Street faces the application site and is host to 1 no. small window which serves a non-habitable space – a corridor leading to the former coal shed. The proposed extension would be set within the parameters of the front and rear elevations of No. 70 therefore, all other windows on the front and rear elevations of this neighbouring property would not be impacted by the proposal due to the resulting relationship with (where they are set away from and not facing) the extension. Furthermore, the small windows proposed to the ground and first floors of the south-east elevation would face Ivydene House and would be set at a right angle to No. 70 from which the ground floor window would be screened by the proposed 1.8 metre high timber boundary fence and the first floor would gain very little visibility due to its close proximity to the side wall of Ivydene House. As such, it is considered that the relationship between these two properties would be unharmed and as such, no adverse harm would be caused to the amenities of this neighbouring property by means of loss of light, loss of privacy or overbearing development.

In any case, in the interests of prudence and to protect the future amenities of 70 High street it is considered reasonable to impose a condition removing permitted development rights to insert first-floor openings into the south-east elevation facing No. 70 as well as dormer window(s) in the south-east roof plane.

Ivydene House

The north-west side elevation of Ivydene House faces the application site and constitutes part of the boundary between the two properties. There are no existing windows or doors on the side elevation of this neighbouring property facing the application site therefore, the ground floor window proposed to face this side

elevation of Ivydene House would not cause any overlooking or overbearing impacts. The remaining proposed windows on the south-east elevation at ground and first floor are not considered to result in a relationship different to the existing as there are already windows on the application dwelling which face the curtilage of Ivydene House. Furthermore, the proposed extension would be set within the parameters of the existing front and rear elevation of Ivydene House from which it would not project further than. As a result, it is considered that no adverse harm would be caused to the amenities of this neighbouring property by means of loss of light, loss of privacy or overbearing development.

All other neighbouring properties

All other surrounding properties are considered to be set sufficient distance away from the proposed development to ensure no adverse harm would be imposed to their amenities by means of loss of light, loss of privacy or overbearing development.

Due to the location of the proposed extension and the resulting relationship with surrounding properties, it is considered that the development accords with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon amenity to neighbouring properties.

4. Highway safety

Policy 8(b) of the North Northamptonshire Joint Core Strategy requires new development to have a *satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards*, and not to have an adverse impact on the highway network nor *prejudice highway safety*. Policy 3 of the Broughton Neighbourhood Plan seeks *off street parking solutions* or on street which *will not impact adversely on existing neighbouring and resident amenity*.

The property currently benefits from 3-4 no. off-road car parking spaces within the site boundary and off-site parking spaces are available on Ivydene Terrace. The existing access and parking arrangements are to remain unchanged by the proposal, as such the proposal is considered to be acceptable in this respect.

Conclusion

Subject to conditions as discussed above, it is considered that the proposal accords with policies set out in the Development Plan and no other material planning considerations outweigh this, therefore the proposed development is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Collette Panther, Assistant
534316

Previous Reports/Minutes

Ref:

Date:

Development Officer on 01536

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.3
Report Originator	Collette Panther Assistant Development Officer	Application No: KET/2020/0805
Wards Affected	Slade	
Location	Ivydene Barn, Ivydene Terrace Broughton	
Proposal	Full Application: Two storey front extension	
Applicant	Mr & Mrs D & S Rimmer	

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

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

3. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed in the table below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. 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 B shall be made in the south-west elevation or roof plane of the building facing No. 70 High Street, Broughton.

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.

Officers Report for KET/2020/0805

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

3.0 Information

Relevant Planning History

KET/2019/0436 – Single storey rear extension – Approved 12/08/2019.

KET/2010/0181. Single storey rear extension. Approved 17/05/2010.

KE/98/0403. Full. Conversion to single dwelling. Approved 12/02/1999.
Condition 9 of the approval removes permitted development rights as follows:

Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and/or re-enacting that Order) no development within the provisions of Classes A,B,C shall be carried out without the prior written consent of the Local Planning Authority.

KE/96/0647. Outline. Change of use of barn to private dwelling. Approved 02/01/1997.

Site Visit

Officer's site inspection was carried out on 03/12/2020.

Site Description

The application site is located on a small irregular shaped plot in the centre of Broughton to the northwest of High Street, the main road through the village.

The site was formerly occupied by a barn building which was converted to a dwellinghouse in 1999. Ivydene Terrace is a single lane private unmade road surfaced in part with gravel and some compressed hardcore, interspersed with potholes and rudimentary traffic calming measures which leads from High Street to the southeast and West Street to the northwest. Ivydene Terrace and West Street are also public footpaths connecting High Street to Cransley Hill to the west, Silver Street to the east and Cox's Lane to the north.

The dwellinghouse is two-storey and constructed of local ironstone with a slate roof and dark brown stained wood windows and doors. A set of large timber double gates and fencing with ironstone pillars interspersed faces Ivydene Terrace, leading to off-road parking and a small front garden which sits to the front of the dwelling - the front elevation faces southeast, perpendicular to Ivydene Terrace. The main area of private amenity space is to the southwest of the dwellinghouse.

Surrounding development is a mixture of Victorian and Edwardian terraced properties infilled with semi-detached and detached residential properties and some small industrial units.

Proposed Development

This application seeks full planning permission for the erection of a two-storey extension to the south-east (front) elevation including the removal of a section of boundary wall between the application site and 70 High Street to be replaced with a timber fence.

Any Constraints Affecting the Site

Within Broughton Conservation Area

Site entrance is adjacent to public footpath GD/013

4.0 Consultation and Customer Impact

A site notice was displayed within the vicinity of the application site on 02/12/2020.

Broughton Parish Council

The following comments were received on 18/12/2020:

Providing that it meets with Policy 3 of the Neighbourhood Plan and that as it is in the conservation area that any stone boundary wall is not removed, there will be no objection.

Neighbours

None received at the time of writing this report.

5.0 Planning Policy

National Planning Policy Framework 2019 (NPPF)

Policy 2. Achieving sustainable development

Policy 8. Promoting healthy and safe communities

Policy 12. Achieving well-designed places

Policy 16. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Joint Core Strategy 2016 (NNJCS)

Policy 1. Presumption in favour of Sustainable Development

Policy 2. Historic Environment

Policy 8. North Northamptonshire Place Shaping Principles

Neighbourhood Plan

P3. Development Design

Saved Policies in the Local Plan for Kettering Borough

RA3. Rural Area: Restricted Infill Villages

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. The principle of development
2. Design and impact on the street scene and conservation area
3. Impact on residential amenity
4. Highway safety

1. The principle of development

The application site is located to the north of Broughton which a restricted infill village, as defined by policy RA3 of the Local Plan for Kettering Borough, in an established residential area where policy RA3 is supportive of proposals for residential development in principle.

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

Paragraph 200 of Policy 16 of the National Planning Policy Framework requires Local Planning Authorities to look for opportunities for new development within Conservation Areas to enhance and better reveal their significance.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct

development to existing urban areas and indicate that Broughton as part of Kettering rural is a tertiary focal point for limited development, such as extensions, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

Policy 3 of the Broughton Neighbourhood Plan relates to Development Design and more specifically to new housing development.

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

2. Design and impact on the street scene and conservation area

Policies 8 and 12 of the NPPF requires development to be *well-designed* and *safe, healthy, inclusive* environments, these are echoed by respective Policies 8(d) and 8(b) of the NNJCS which require new development to *respond to the site's immediate and wider context and local character* and to *make safe and pleasant streets and spaces*. Policy 3 of the Broughton Neighbourhood Plan seeks the same objectives as the NPPF and NNJCS.

Policy 2 of the North Northamptonshire Joint Core Strategy requires new development to complement the surrounding historic environment through form, scale, design and materials.

The proposed extension would have minimal visible presence within the street scene on High Street due to its location behind existing dwellings, it may be more visible on Ivydene Terrace although the ground floor would be screened by existing boundary treatment and gates. In any case, it is considered that the proposed extension would present an appropriate addition by displaying design features including the gable ended roof, arched window/door surrounds and ironstone external walls along with a slate roof to match the existing, thereby aiding cohesion of the proposed development to the host dwelling in conjunction with respecting the historic environment. The size of the proposed extension is considered to be proportionate to the host dwelling and the wider plot, and the roof would be subordinate to that on the host thereby practicing good design. As such, it is considered that the proposed development would complement the host dwelling and would be in keeping with character of the immediate and wider surroundings and respect the Conservation Area.

The proposal to replace a 7 metre section of 1.9 metre high stone wall with 1.8 metre high timber fencing between the application site and the side of 70 High Street is considered reasonable and acceptable as it is not currently visible within any part of the public realm and would facilitate an extension which would complement the historic setting.

Provided the materials used are ironstone and slate to match those on the existing dwellinghouse the proposal will not adversely affect the character and appearance of the existing dwellinghouse and due to its location will not adversely impact upon the character and appearance of surrounding development or the wider street scene or Conservation Area.

Overall, and subject to a condition requiring materials to be matching materials to those on the existing dwelling, the proposal accords with Policies 2, 8(d) and 8(b) of the North Northamptonshire Joint Core Strategy in that the new development responds to the site's immediate and wider context, local character and historic environment.

3. Impact on residential amenity

Policy 8(e) of the North Northamptonshire Joint Core Strategy and policy 3 (c) (e) of the Neighbourhood Plan seek to protect *quality of life and safer healthier communities by ensuring new development does not result in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.*

The proposed extension would be located to the south of the site, projecting from the south-east (front) elevation adjacent to the existing boundary wall which separates the application site and the side elevation of 70 High Street.

70 High Street

The north-east side elevation of 70 High Street faces the application site and is host to 1 no. small window which serves a non-habitable space – a corridor leading to the former coal shed. The proposed extension would be set within the parameters of the front and rear elevations of No. 70 therefore, all other windows on the front and rear elevations of this neighbouring property would not be impacted by the proposal due to the resulting relationship with (where they are set away from and not facing) the extension. Furthermore, the small windows proposed to the ground and first floors of the south-east elevation would face Ivydene House and would be set at a right angle to No. 70 from which the ground floor window would be screened by the proposed 1.8 metre high timber boundary fence and the first floor would gain very little visibility due to its close proximity to the side wall of Ivydene House. As such, it is considered that the relationship between these two properties would be unharmed and as such, no adverse harm would be caused to the amenities of this neighbouring property by means of loss of light, loss of privacy or overbearing development.

In any case, in the interests of prudence and to protect the future amenities of 70 High street it is considered reasonable to impose a condition removing permitted development rights to insert first-floor openings into the south-east elevation facing No. 70 as well as dormer window(s) in the south-east roof plane.

Ivydene House

The north-west side elevation of Ivydene House faces the application site and constitutes part of the boundary between the two properties. There are no existing windows or doors on the side elevation of this neighbouring property facing the application site therefore, the ground floor window proposed to face this side

elevation of Ivydene House would not cause any overlooking or overbearing impacts. The remaining proposed windows on the south-east elevation at ground and first floor are not considered to result in a relationship different to the existing as there are already windows on the application dwelling which face the curtilage of Ivydene House. Furthermore, the proposed extension would be set within the parameters of the existing front and rear elevation of Ivydene House from which it would not project further than. As a result, it is considered that no adverse harm would be caused to the amenities of this neighbouring property by means of loss of light, loss of privacy or overbearing development.

All other neighbouring properties

All other surrounding properties are considered to be set sufficient distance away from the proposed development to ensure no adverse harm would be imposed to their amenities by means of loss of light, loss of privacy or overbearing development.

Due to the location of the proposed extension and the resulting relationship with surrounding properties, it is considered that the development accords with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon amenity to neighbouring properties.

4. Highway safety

Policy 8(b) of the North Northamptonshire Joint Core Strategy requires new development to have a *satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards*, and not to have an adverse impact on the highway network nor *prejudice highway safety*. Policy 3 of the Broughton Neighbourhood Plan seeks *off street parking solutions* or on street which *will not impact adversely on existing neighbouring and resident amenity*.

The property currently benefits from 3-4 no. off-road car parking spaces within the site boundary and off-site parking spaces are available on Ivydene Terrace. The existing access and parking arrangements are to remain unchanged by the proposal, as such the proposal is considered to be acceptable in this respect.

Conclusion

Subject to conditions as discussed above, it is considered that the proposal accords with policies set out in the Development Plan and no other material planning considerations outweigh this, therefore the proposed development is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

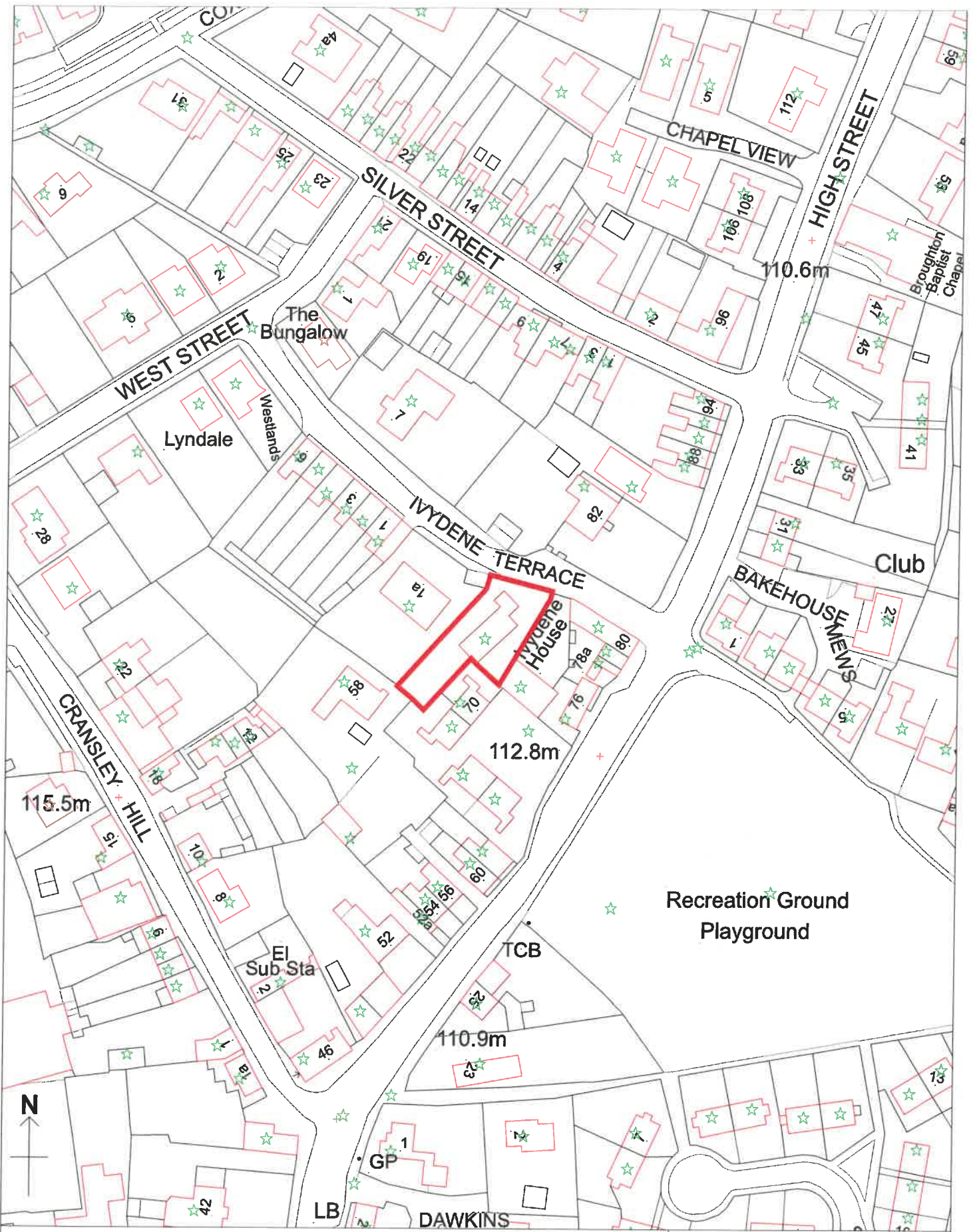
Collette Panther, Assistant
534316

Previous Reports/Minutes

Ref:

Date:

Development Officer on 01536



Title: Ivydene Barn, Broughton

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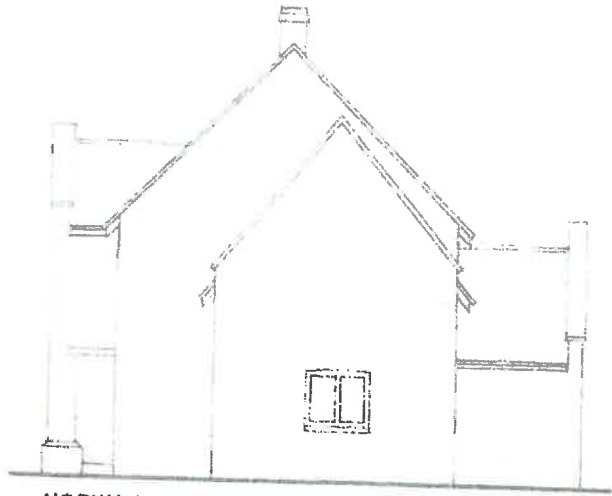
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Page 62 Drawn by:

Kettering
Borough Council

24a

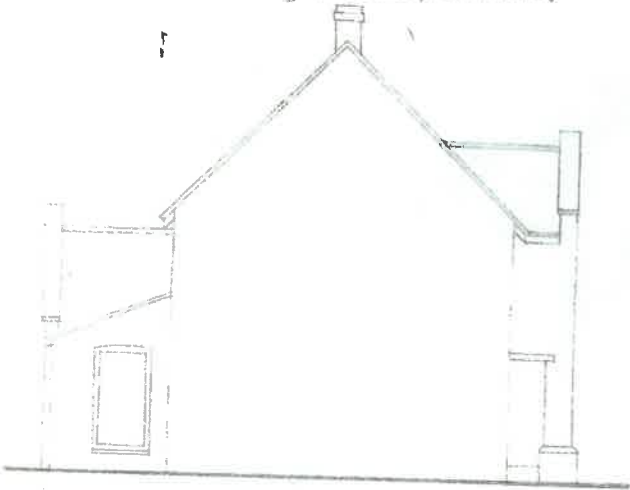


NORTH EAST ELEVATION

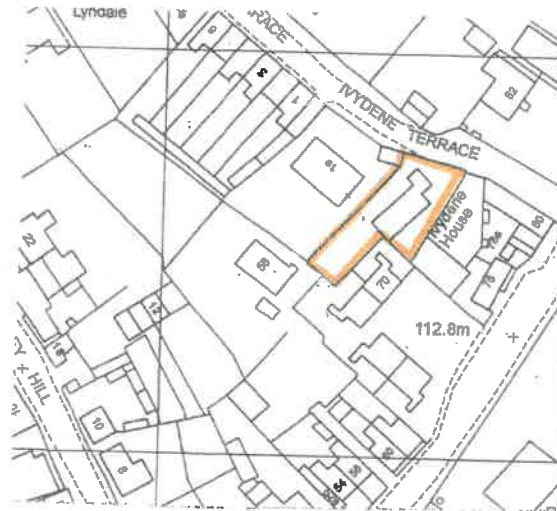
external facing materials comprising slate roof
ironstone walls, stained finish joinery with brick
architectural detailing to joinery surrounds



SOUTH EAST ELEVATION



SOUTH WEST ELEVATION



LOCATION PLAN 1:1250



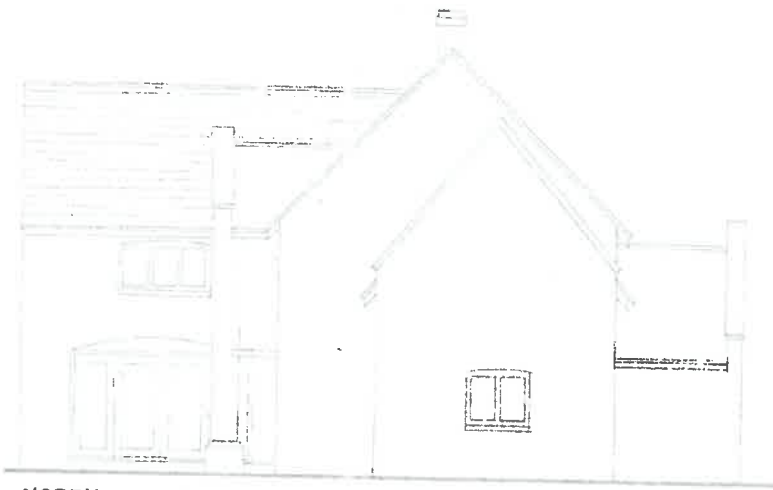
EXTENSION, IVYDENE BARN, IVYDENE TERRACE, BROUGHTON

EXISTING

OCTOBER 2020

SCALE 1:100

20/1136/02



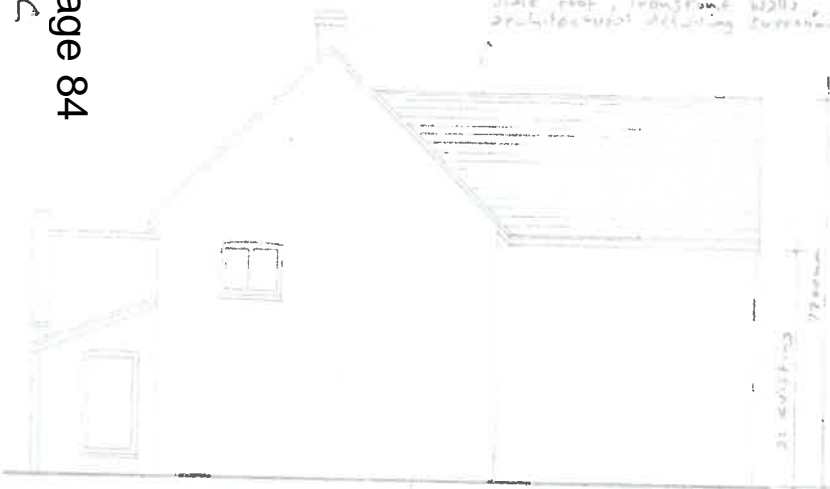
NORTH EAST ELEVATION



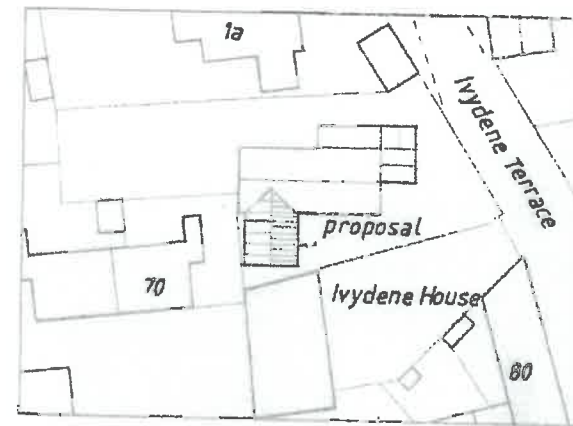
SOUTH EAST ELEVATION

Page 84
24c

All external facing materials and architectural detailing to
match existing.
Slate roof, ironstone walls, stone or brick chimney with brick
architectural detailing preferred, re-use existing windows as applicable



SOUTH WEST ELEVATION



SITE PLAN 1:500

EXTENSION, IVYDENE BARN, IVYDENE TERRACE, BROUGHTON

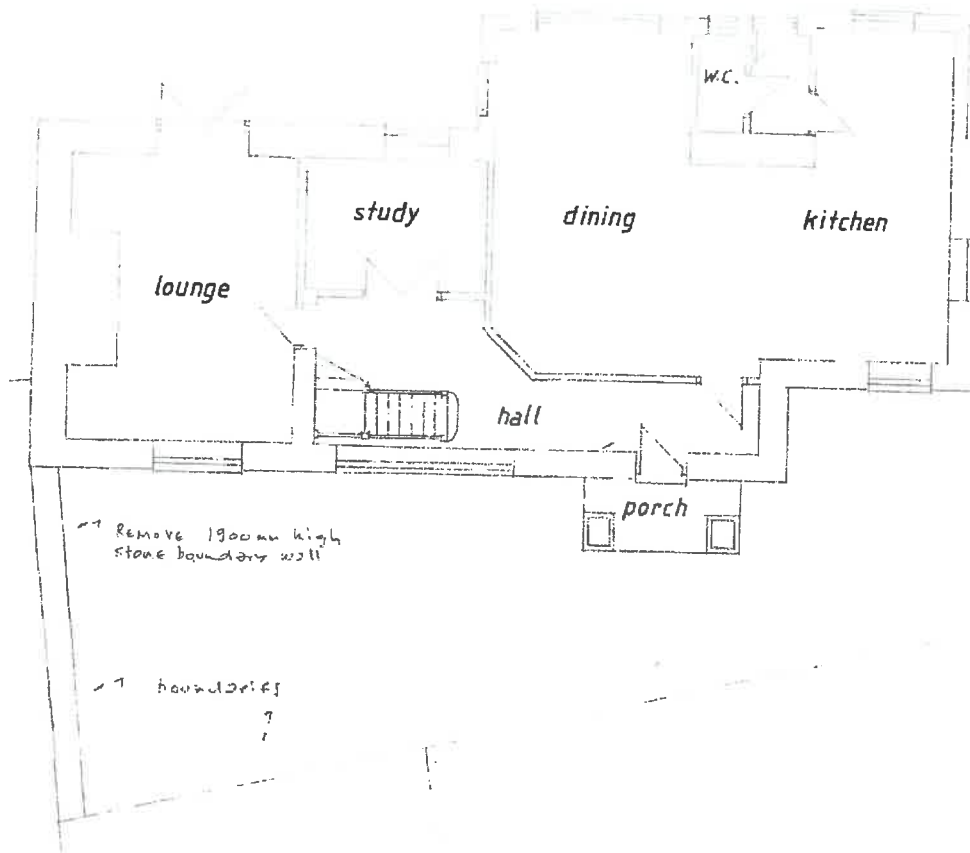
PROPOSED

OCTOBER 2020

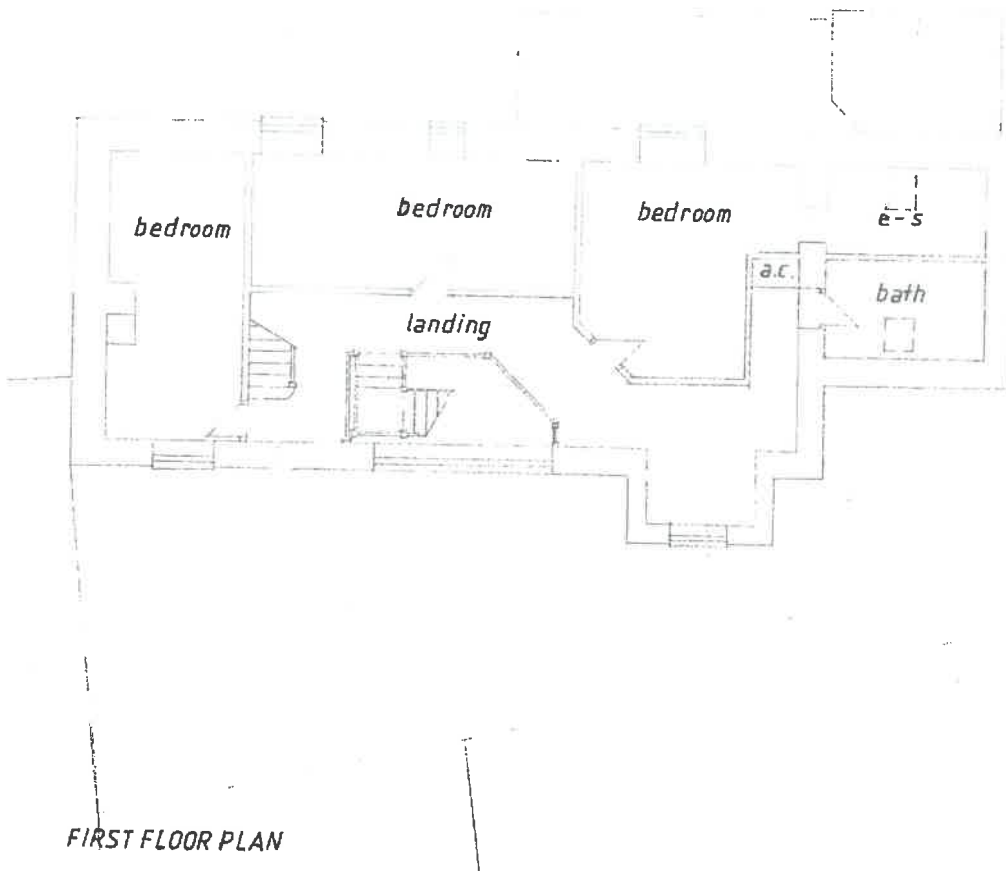
SCALE 1:100

20/1136/04

EXISTING



GROUND FLOOR PLAN



FIRST FLOOR PLAN

PROPOSED



GROUND FLOOR PLAN



FIRST FLOOR PLAN

EXTENSION, IVYDENE BARN, IVYDENE, TERRACE, BROUGHTON

OCTOBER 2020

SCALE 1:100

20/1136/03

BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.4
Report Originator	Alison Riches Development Officer	Application No: KET/2020/0858
Wards Affected	Slade	
Location	2 Cukow Close, Mawsley	
Proposal	Full Application: Single storey front extension, conversion of part of garage to habitable accommodation with associated works, loft conversion with dormer window and rooflights to front elevation	
Applicant	Mr & Mrs S Duncan	

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 visual appearance and the amenities of future and surrounding occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The materials to be used in the construction of the external surfaces and for the windows and doors, fascia, soffit and barge boards, of the development hereby permitted, shall match, in type, colour and texture, those on the existing building, and shall thereafter be retained in that form.

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

Officers Report for KET/2020/0858

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

3.0 Information

Relevant Planning History

KET/2016/0062. Single storey rear extension, solar panels to rear and boundary wall. Approved 09/03/2016.

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KE/95/0016. Outline. Proposed new village comprising of 750 dwellings, school, shop, public house, village hall, church and open space and ancillary roads, services and works. Approved 11/05/1995.

Site Visit

Officer's site inspection was carried out on 06/01/2021.

Site Description

The application site is located towards the centre of Mawsley village adjacent to a turning head at the end of a cul-de-sac off Old Gorse Way, a circular route at the south end of the village off Loddington Way. Old Gorse Way is separated from Loddington Way by an area of public open space.

The dwellinghouse is a linear detached two-storey red brick dwellinghouse with a slate tile gable roof with exposed rafter feet. The property has 2 no. active frontages

- the front (northeast) elevation faces onto the area of open space and Loddington Way, and the side (northwest) elevation faces the highway in Cukow Close. Both of these frontages contain small two-storey gable projections and bay windows, with the front elevation having a canopy above the front door and adjacent window.

The property has a double garage attached to the side (southeast) elevation. The garage faces towards the rear (southwest) and has 2 no. parking spaces in front of it. It is accessed from Cukow Close at the bottom of the rear garden and is within a parking court which also contains the garages of Nos.4 and 6 Cukow Close.

All windows are white painted wooden top-opening multi-paned casements with decorative red brick cills and lintels. The doors are all painted wood.

To the rear is a single storey hip-roofed rear extension added following planning permission granted in 2016, and a bank of solar panels on the rear (southwest) roof plane.

The front (northeast) elevation of the dwellinghouse abuts a landscaped area of public open space separating the properties in Cukow Close from Loddington Way. The front garden is open plan with a low hedge abutting the back of a path which allows pedestrian access to the front of the application site and Nos.4 and 6 Cukow Close. A low post and rail fence separates the path from the area of open space.

The rear garden is enclosed by a 1.8 metre high brick boundary wall in Cukow Close and 1.8 metre high wooden fencing within the parking court.

Surrounding properties were built as part of the same development and are similar in their design and palette of materials.

Proposed Development

The proposal is for the following:

- A single storey gable roofed front (northeast) extension with a front (northeast) bay window and a side (northwest) casement window.
- Conversion of the double garage to retain a single garage with the other garage being incorporated as an extension into the lounge.
- A loft conversion with the insertion of a dormer window and 3 no. rooflights in the front (northeast) roof plane.

Any Constraints Affecting the Site

Protected Open Space

Permitted development rights removed as follows:

KE/02/0353

Condition 4:

Before the development hereby permitted is brought into use, the vehicular access, parking and manoeuvring facilities indicated on the approved plans shall have been provided and shall, thereafter, be permanently set aside and reserved for such purposes.

REASON: To ensure that satisfactory access, parking and manoeuvring facilities are provided in the interests of the safety and convenience of

users of the adjoining highway in accordance with Policy 85 (Transportation: Car Parking and servicing for New Development) of the Local Plan for Kettering Borough and Policies T9 - T11 of the Northamptonshire County Structure Plan.

Condition 13:

Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and/or re-enacting that Order):

- 1. Enlargements, improvements or other alterations being development comprised within Class A of Part 1 of the Schedule 2 to the said order and not being development comprised within any other Class;*
- 2. Alterations and replacement of windows, doors, fascia, soffit and barge boards, porches/canopies or any associated feature or fitting being development comprised within Classes A or D of Part 1 of the Schedule 2 to the said Order and not being development comprised within any other Class;*
- 3. Installation of a satellite antenna being development within Class H of Part 1 of the Schedule 2 to the said Order and not being development comprised within any other Class;*
- 4. Alterations to the roof being development within Classes B or C of Part 1 of the Schedule 2 to the said Order and not being development comprised within any other Class; and*
- 5. Erection or alterations of any means of enclosure to the front of the property and/or that which adjoins any publicly adopted land (for example public open space or the adopted highway) being development within Class A of Part 2 of the Schedule 2 to the said Order and not being development comprised within any other Class; shall not be carried out without the prior written consent of the Local Planning Authority.*

REASON: To maintain a satisfactory external appearance of the development in the interests of visual amenity in accordance with Policy RA2 (Rural Area: New Village) of the Local Plan for Kettering Borough.

KE/95/0016

Condition 6:

There shall be provided for each dwelling either garaging and/or hardstanding for the parking of vehicles clear of the highway and details of this, including materials and construction design, shall be shown on the layout plan required by Condition No. 2 and be constructed prior to the occupation of the dwellings. Such provision shall be kept permanently available for ancillary parking purposes during the occupation of the dwellings.

REASON: To ensure that satisfactory access, parking and manoeuvring facilities are provided in the interests of the safety and convenience of the adjoining highway.

4.0 Consultation and Customer Impact

Mawsley Parish Council

- No comments received.

Neighbours

Two letters of **objection** have been received, as follows:

No.43 Loddington Way

- The applicant is directly opposite our house and we will face the new elevation in full.
- The dormer window in the roof would look directly at our house into upstairs windows and we ask that it is replaced by a sky light in line with those already incorporated into the design.
- The front single storey extension will be completely out of keeping with adjacent properties and the existing development. We ask that the depth of the single storey extension is reduced or retained within the existing building footprint.

No.4 Cukow Close

- No comments on the majority of the application.
- Our concerns only relate to the front ground floor extension which is large and will all but obscure the two existing houses (Nos.4 and 6) from the public footpath and highway, whereas the existing village layout seeks to avoid this.
- Additionally, it will create a long, narrow and dark alleyway between No.2 and No.4, which is generally undesirable in a new development. Reduction in width, depth and ridge height would mitigate the level of visual impact.
- The installation of a bay window on the front elevation and its close proximity to the footpath will impact on both the privacy of anyone visiting Nos.4 and 6 as well as those people in the playroom as the window is within a few feet of the path. The bay window would better suit the side elevation in place of the proposed small window or a smaller extension not extending as close to the footpath/as far forward would also reduce the intrusion.
- The proposed extension forward of the existing footprint is not something that appears to be in keeping with the existing style of homes in the village, which when combined with the other proposed changes means that both the front and side elevations are very 'busy' in comparison with neighbouring properties.

5.0 Planning Policy

National Planning Policy Framework

Policy 5. Delivering a sufficient supply of homes

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

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. The Principle of Development
2. Character and Appearance
3. Residential Amenity
4. Parking and Highway Safety

1. The Principle of Development

The application site is in an established residential area to the south of Mawsley village.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Mawsley as part of Kettering rural is a tertiary focal point for limited development, such as extensions, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions and alterations to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

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

2. Character and Appearance

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.

There are three parts to the proposal – the front extension, the garage conversion and the loft conversion. Each will be discussed separately.

Condition 13 of KE/02/0353 removes permitted development rights for extensions and alterations to the dwellinghouse and its roof, the installation of satellite antenna, the replacement of windows, doors, soffits, fascia's, etc. and the construction of any means of enclosure at the front of the property, in the interests of a satisfactory external appearance.

Part of the proposal is for a single storey gable roofed extension to the rear of the existing attached double garage. The garage is orientated such that its front elevation faces towards the rear of the site into a parking court, and the rear elevation, which is adjacent to and in line with the front elevation of the dwellinghouse, faces the front garden of the property, although visible from the area of open space, it is less so from Loddington Way due to landscaping at the highway edge, shielding views of the public open space and the Cukow Close properties.

The existing garage has a blank rear elevation between the application property and the adjacent neighbour at No.4 Cukow Close, and the proposal is to come forward of this, extending into the front garden.

No.4 Cukow Close is set forward of the application site and the front elevation of the proposed extension finishes roughly in line with the adjacent front elevation of No.4, with a proposed bay window on the front elevation extending no further forward than the front gable projection at No.4.

Two letters of objection have been received from the adjacent neighbour at No.4 Cukow Close and an opposite neighbour at No.43 Loddington Way, in relation to the character and appearance of this part of the proposal, stating that it as it is forward of the existing footprint it will be out of character with existing surrounding development, will obscure views of Nos.4 and 6 Cukow Close from the public footpath and highway, create a long, narrow dark alleyway between (the application

site) and No.4, and when combined with the other proposed changes results in 'busy' front and side elevations in comparison with neighbouring properties.

This part of the proposal is single storey and has been designed to be reflective of the existing dwellinghouse in terms of its design and proportions, the roof style, eaves detailing, bay and casement window style, siting and proportions, and cill detailing. Both of the public realm facing elevations of the application site contain gable projections and bay windows and it is considered that the proposal is reflective of this detailing.

Although the proposal is forward of its own front building line, it does not extend forward of the building line for the adjacent neighbour at No.4 Cukow Close and is still contained within the front garden of the property. The proposal is also located close to the blank flank wall at No.4 and it is considered that its small scale will not obscure views of Nos.4 and 6, and it will add an active frontage to a currently blank elevation, which will also break up the extent of the blank flank wall at No.4.

As such, subject to the proposal being built out in accordance with the submitted plans in materials to match those on the existing dwellinghouse, which can be secured by condition, this part of the proposal is considered to comply with Policy 8 of the North Northamptonshire Joint Core Strategy, in that it responds to the site's immediate and wider context and local character.

The proposed garage conversion involves the subdivision of the existing double garage to retain a single garage, nearest to No.4, with the second garage, nearest to the dwellinghouse, being incorporated into the existing lounge area. The only visible external change is for the garage door nearest to the dwellinghouse to be changed to a casement window. This part of the proposal will only be visible from the rear parking court, which is not in the public realm and subject to it being built out in accordance with the submitted plans in materials to match those on the existing dwellinghouse, which can be secured by condition, this part of the proposal is considered to comply with Policy 8 of the North Northamptonshire Joint Core Strategy, in that it responds to the site's immediate and wider context and local character.

The proposed loft conversion includes the insertion of a dormer window and 3 no. roof lights within the front (northeast) roof plane. Although the proposal will be visible from the area of open space, it is less so from Loddington Way due to landscaping at the highway edge, shielding views of the public open space and the Cukow Close properties.

Although a dormer window is not a feature usually seen on the properties in Cukow Close, there are dormer windows on the front roof plane in the wider surrounding area which face towards the application site. The dormer has been designed to be reflective of the proportions of the existing dwellinghouse and of those seen on the surrounding properties and as such it is considered that subject to this part of the proposal being built out in accordance with the submitted plans in materials to match those on the existing dwellinghouse, which can be secured by condition, this part of the proposal is considered to comply with Policy 8 of the North Northamptonshire

Joint Core Strategy, in that it responds to the site's immediate and wider context and local character.

The imposition of the suggested conditions will ensure the proposal reflects the intentions of Condition 13 of KE/02/0353 (which remains in perpetuity) and as such, the proposal as a whole is considered not to adversely impact on the character and appearance of the existing dwellinghouse, surrounding development or the wider street scene and is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Residential Amenity

The National Planning Policy Framework in Policy 12, paragraph 127(f) seeks to ensure that development creates places with high standards of amenity for existing and future users. (overbearing/sense of enclosure).

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.

Two letters of objection have been received from the adjacent neighbour at No.4 Cukow Close and an opposite neighbour at No.43 Loddington Way, in relation to their amenities, stating that No.43 will face the new elevation in full and the dormer window in the roof plane will look directly into their upstairs windows, and the bay window of the front elevation will impact on the privacy of Nos.4 and 6 due to the proximity to the footpath.

There are three parts to the proposal – the front extension, the garage conversion and the loft conversion. Each will be discussed separately.

The proposed front extension is single storey and is contained within the front garden of the property, set back from the garden boundary hedge by 0.9 metres at the closest point. The existing footpath is a pedestrian access to the front of the application site and Nos.4 and 6 Cukow Close only and the proposed bay window on the front elevation will not be significantly closer to the footpath than the existing windows in the front elevations of both Nos.4 and 6 Cukow Close. As such, it is considered that there will be no loss of amenity in terms of a loss of privacy or overlooking for future and surrounding occupiers, which is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

The proposed garage conversion, by virtue of its location within the application site is considered not to lead to any issues of a loss of amenity for both future and surrounding occupiers.

The proposed loft conversion includes the insertion of a dormer window and 3 no. roof lights within the front (northeast) roof plane. The occupiers of No.43 Loddington Way have objected to the inclusion of the dormer window, stating that it will look directly into their upstairs windows. However, the separation distance between the front elevations of No.43 and the application site, both of which face into the public realm, is approximately 45 metres. The proposed dormer will be set back within the roof plane and towards the top meaning that direct views are no more likely that

those experienced through the current relationship between the two properties, and as such, it is considered that there will be no loss of amenity to this neighbouring occupier.

The proposed dormer window is to serve an en-suite and the bottom of the dormer window is 1.5 metres from the eaves level of the dwellinghouse, which means that, in addition to the set back from the eaves line, it will not be possible to see into the room from street level and views out of the window will be restricted to only taller than average citizens. The applicants do not propose obscure glazing to this window due to its height above floor level and as such, it is considered that a condition requiring obscure glazing is not necessary or reasonable. A condition will be added requiring the proposal to be built out in accordance with the submitted plans.

It is not necessary to add a condition to prevent further openings in the front roof plane, as Condition 13 of KE/02/0353 remains in perpetuity to restrict permitted development rights for extensions and alterations to the dwellinghouse and its roof, the installation of satellite antenna, the replacement of windows, doors, soffits, fascia's, etc. and the construction of any means of enclosure at the front of the property. Although this condition is in the interests of a satisfactory external appearance, it also serves to act in the interests of the amenities of surrounding and future occupiers.

As such, subject to the imposition of conditions for the proposal to be built out in accordance with the submitted details, it is considered the proposal as a whole will not lead to an adverse impact on the amenities of future and surrounding occupiers which is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The existing parking provision for the site is provided by the attached double garage which has 2 no. parking spaces in front of it. The garage faces into a parking court shared with Nos.4 and 6 Cukow Close.

The parking provision at the site is set aside by Condition 4 of the Reserved Matters application KE/02/0353 and Condition 6 of the original Outline KE/95/0016.

The proposed garage conversion retains a single garage and 2 no. parking spaces for the site, and it is considered that the proposal as a whole will retain a satisfactory means of access and provision for parking, servicing and manoeuvring for future occupiers.

In addition to the on-site parking the surrounding highway in Cukow Close is unrestricted and can be used for additional parking.

The proposal is therefore in compliance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Conclusion

Subject to the proposal being built out in accordance with the submitted plans, the external materials matching those on the existing dwellinghouse with the proposed windows and doors being painted wood to match the existing, and thereafter retained, then the proposal accords with policies in the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

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BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/02/2021	Item No: 5.4
Report Originator	Alison Riches Development Officer	Application No: KET/2020/0858
Wards Affected	Slade	
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Applicant	Mr & Mrs S Duncan	

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- To identify and report on the issues arising from it
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REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2020/0858

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

3.0 Information

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Site Visit

Officer's site inspection was carried out on 06/01/2021.

Site Description

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The dwellinghouse is a linear detached two-storey red brick dwellinghouse with a slate tile gable roof with exposed rafter feet. The property has 2 no. active frontages

- the front (northeast) elevation faces onto the area of open space and Loddington Way, and the side (northwest) elevation faces the highway in Cukow Close. Both of these frontages contain small two-storey gable projections and bay windows, with the front elevation having a canopy above the front door and adjacent window.

The property has a double garage attached to the side (southeast) elevation. The garage faces towards the rear (southwest) and has 2 no. parking spaces in front of it. It is accessed from Cukow Close at the bottom of the rear garden and is within a parking court which also contains the garages of Nos.4 and 6 Cukow Close.

All windows are white painted wooden top-opening multi-paned casements with decorative red brick cills and lintels. The doors are all painted wood.

To the rear is a single storey hip-roofed rear extension added following planning permission granted in 2016, and a bank of solar panels on the rear (southwest) roof plane.

The front (northeast) elevation of the dwellinghouse abuts a landscaped area of public open space separating the properties in Cukow Close from Loddington Way. The front garden is open plan with a low hedge abutting the back of a path which allows pedestrian access to the front of the application site and Nos.4 and 6 Cukow Close. A low post and rail fence separates the path from the area of open space.

The rear garden is enclosed by a 1.8 metre high brick boundary wall in Cukow Close and 1.8 metre high wooden fencing within the parking court.

Surrounding properties were built as part of the same development and are similar in their design and palette of materials.

Proposed Development

The proposal is for the following:

- A single storey gable roofed front (northeast) extension with a front (northeast) bay window and a side (northwest) casement window.
- Conversion of the double garage to retain a single garage with the other garage being incorporated as an extension into the lounge.
- A loft conversion with the insertion of a dormer window and 3 no. rooflights in the front (northeast) roof plane.

Any Constraints Affecting the Site

Protected Open Space

Permitted development rights removed as follows:

KE/02/0353

Condition 4:

Before the development hereby permitted is brought into use, the vehicular access, parking and manoeuvring facilities indicated on the approved plans shall have been provided and shall, thereafter, be permanently set aside and reserved for such purposes.

REASON: To ensure that satisfactory access, parking and manoeuvring facilities are provided in the interests of the safety and convenience of

users of the adjoining highway in accordance with Policy 85 (Transportation: Car Parking and servicing for New Development) of the Local Plan for Kettering Borough and Policies T9 - T11 of the Northamptonshire County Structure Plan.

Condition 13:

Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, amending and/or re-enacting that Order):

- 1. Enlargements, improvements or other alterations being development comprised within Class A of Part 1 of the Schedule 2 to the said order and not being development comprised within any other Class;*
- 2. Alterations and replacement of windows, doors, fascia, soffit and barge boards, porches/canopies or any associated feature or fitting being development comprised within Classes A or D of Part 1 of the Schedule 2 to the said Order and not being development comprised within any other Class;*
- 3. Installation of a satellite antenna being development within Class H of Part 1 of the Schedule 2 to the said Order and not being development comprised within any other Class;*
- 4. Alterations to the roof being development within Classes B or C of Part 1 of the Schedule 2 to the said Order and not being development comprised within any other Class; and*
- 5. Erection or alterations of any means of enclosure to the front of the property and/or that which adjoins any publicly adopted land (for example public open space or the adopted highway) being development within Class A of Part 2 of the Schedule 2 to the said Order and not being development comprised within any other Class; shall not be carried out without the prior written consent of the Local Planning Authority.*

REASON: To maintain a satisfactory external appearance of the development in the interests of visual amenity in accordance with Policy RA2 (Rural Area: New Village) of the Local Plan for Kettering Borough.

KE/95/0016

Condition 6:

There shall be provided for each dwelling either garaging and/or hardstanding for the parking of vehicles clear of the highway and details of this, including materials and construction design, shall be shown on the layout plan required by Condition No. 2 and be constructed prior to the occupation of the dwellings. Such provision shall be kept permanently available for ancillary parking purposes during the occupation of the dwellings.

REASON: To ensure that satisfactory access, parking and manoeuvring facilities are provided in the interests of the safety and convenience of the adjoining highway.

4.0 Consultation and Customer Impact

Mawsley Parish Council

- No comments received.

Neighbours

Two letters of **objection** have been received, as follows:

No.43 Loddington Way

- The applicant is directly opposite our house and we will face the new elevation in full.
- The dormer window in the roof would look directly at our house into upstairs windows and we ask that it is replaced by a sky light in line with those already incorporated into the design.
- The front single storey extension will be completely out of keeping with adjacent properties and the existing development. We ask that the depth of the single storey extension is reduced or retained within the existing building footprint.

No.4 Cukow Close

- No comments on the majority of the application.
- Our concerns only relate to the front ground floor extension which is large and will all but obscure the two existing houses (Nos.4 and 6) from the public footpath and highway, whereas the existing village layout seeks to avoid this.
- Additionally, it will create a long, narrow and dark alleyway between No.2 and No.4, which is generally undesirable in a new development. Reduction in width, depth and ridge height would mitigate the level of visual impact.
- The installation of a bay window on the front elevation and its close proximity to the footpath will impact on both the privacy of anyone visiting Nos.4 and 6 as well as those people in the playroom as the window is within a few feet of the path. The bay window would better suit the side elevation in place of the proposed small window or a smaller extension not extending as close to the footpath/as far forward would also reduce the intrusion.
- The proposed extension forward of the existing footprint is not something that appears to be in keeping with the existing style of homes in the village, which when combined with the other proposed changes means that both the front and side elevations are very 'busy' in comparison with neighbouring properties.

5.0 Planning Policy

National Planning Policy Framework

Policy 5. Delivering a sufficient supply of homes

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

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. The Principle of Development
2. Character and Appearance
3. Residential Amenity
4. Parking and Highway Safety

1. The Principle of Development

The application site is in an established residential area to the south of Mawsley village.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Mawsley as part of Kettering rural is a tertiary focal point for limited development, such as extensions, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions and alterations to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

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

2. Character and Appearance

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.

There are three parts to the proposal – the front extension, the garage conversion and the loft conversion. Each will be discussed separately.

Condition 13 of KE/02/0353 removes permitted development rights for extensions and alterations to the dwellinghouse and its roof, the installation of satellite antenna, the replacement of windows, doors, soffits, fascia's, etc. and the construction of any means of enclosure at the front of the property, in the interests of a satisfactory external appearance.

Part of the proposal is for a single storey gable roofed extension to the rear of the existing attached double garage. The garage is orientated such that its front elevation faces towards the rear of the site into a parking court, and the rear elevation, which is adjacent to and in line with the front elevation of the dwellinghouse, faces the front garden of the property, although visible from the area of open space, it is less so from Loddington Way due to landscaping at the highway edge, shielding views of the public open space and the Cukow Close properties.

The existing garage has a blank rear elevation between the application property and the adjacent neighbour at No.4 Cukow Close, and the proposal is to come forward of this, extending into the front garden.

No.4 Cukow Close is set forward of the application site and the front elevation of the proposed extension finishes roughly in line with the adjacent front elevation of No.4, with a proposed bay window on the front elevation extending no further forward than the front gable projection at No.4.

Two letters of objection have been received from the adjacent neighbour at No.4 Cukow Close and an opposite neighbour at No.43 Loddington Way, in relation to the character and appearance of this part of the proposal, stating that it as it is forward of the existing footprint it will be out of character with existing surrounding development, will obscure views of Nos.4 and 6 Cukow Close from the public footpath and highway, create a long, narrow dark alleyway between (the application

site) and No.4, and when combined with the other proposed changes results in 'busy' front and side elevations in comparison with neighbouring properties.

This part of the proposal is single storey and has been designed to be reflective of the existing dwellinghouse in terms of its design and proportions, the roof style, eaves detailing, bay and casement window style, siting and proportions, and cill detailing. Both of the public realm facing elevations of the application site contain gable projections and bay windows and it is considered that the proposal is reflective of this detailing.

Although the proposal is forward of its own front building line, it does not extend forward of the building line for the adjacent neighbour at No.4 Cukow Close and is still contained within the front garden of the property. The proposal is also located close to the blank flank wall at No.4 and it is considered that its small scale will not obscure views of Nos.4 and 6, and it will add an active frontage to a currently blank elevation, which will also break up the extent of the blank flank wall at No.4.

As such, subject to the proposal being built out in accordance with the submitted plans in materials to match those on the existing dwellinghouse, which can be secured by condition, this part of the proposal is considered to comply with Policy 8 of the North Northamptonshire Joint Core Strategy, in that it responds to the site's immediate and wider context and local character.

The proposed garage conversion involves the subdivision of the existing double garage to retain a single garage, nearest to No.4, with the second garage, nearest to the dwellinghouse, being incorporated into the existing lounge area. The only visible external change is for the garage door nearest to the dwellinghouse to be changed to a casement window. This part of the proposal will only be visible from the rear parking court, which is not in the public realm and subject to it being built out in accordance with the submitted plans in materials to match those on the existing dwellinghouse, which can be secured by condition, this part of the proposal is considered to comply with Policy 8 of the North Northamptonshire Joint Core Strategy, in that it responds to the site's immediate and wider context and local character.

The proposed loft conversion includes the insertion of a dormer window and 3 no. roof lights within the front (northeast) roof plane. Although the proposal will be visible from the area of open space, it is less so from Loddington Way due to landscaping at the highway edge, shielding views of the public open space and the Cukow Close properties.

Although a dormer window is not a feature usually seen on the properties in Cukow Close, there are dormer windows on the front roof plane in the wider surrounding area which face towards the application site. The dormer has been designed to be reflective of the proportions of the existing dwellinghouse and of those seen on the surrounding properties and as such it is considered that subject to this part of the proposal being built out in accordance with the submitted plans in materials to match those on the existing dwellinghouse, which can be secured by condition, this part of the proposal is considered to comply with Policy 8 of the North Northamptonshire

Joint Core Strategy, in that it responds to the site's immediate and wider context and local character.

The imposition of the suggested conditions will ensure the proposal reflects the intentions of Condition 13 of KE/02/0353 (which remains in perpetuity) and as such, the proposal as a whole is considered not to adversely impact on the character and appearance of the existing dwellinghouse, surrounding development or the wider street scene and is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Residential Amenity

The National Planning Policy Framework in Policy 12, paragraph 127(f) seeks to ensure that development creates places with high standards of amenity for existing and future users. (overbearing/sense of enclosure).

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.

Two letters of objection have been received from the adjacent neighbour at No.4 Cukow Close and an opposite neighbour at No.43 Loddington Way, in relation to their amenities, stating that No.43 will face the new elevation in full and the dormer window in the roof plane will look directly into their upstairs windows, and the bay window of the front elevation will impact on the privacy of Nos.4 and 6 due to the proximity to the footpath.

There are three parts to the proposal – the front extension, the garage conversion and the loft conversion. Each will be discussed separately.

The proposed front extension is single storey and is contained within the front garden of the property, set back from the garden boundary hedge by 0.9 metres at the closest point. The existing footpath is a pedestrian access to the front of the application site and Nos.4 and 6 Cukow Close only and the proposed bay window on the front elevation will not be significantly closer to the footpath than the existing windows in the front elevations of both Nos.4 and 6 Cukow Close. As such, it is considered that there will be no loss of amenity in terms of a loss of privacy or overlooking for future and surrounding occupiers, which is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

The proposed garage conversion, by virtue of its location within the application site is considered not to lead to any issues of a loss of amenity for both future and surrounding occupiers.

The proposed loft conversion includes the insertion of a dormer window and 3 no. roof lights within the front (northeast) roof plane. The occupiers of No.43 Loddington Way have objected to the inclusion of the dormer window, stating that it will look directly into their upstairs windows. However, the separation distance between the front elevations of No.43 and the application site, both of which face into the public realm, is approximately 45 metres. The proposed dormer will be set back within the roof plane and towards the top meaning that direct views are no more likely that

those experienced through the current relationship between the two properties, and as such, it is considered that there will be no loss of amenity to this neighbouring occupier.

The proposed dormer window is to serve an en-suite and the bottom of the dormer window is 1.5 metres from the eaves level of the dwellinghouse, which means that, in addition to the set back from the eaves line, it will not be possible to see into the room from street level and views out of the window will be restricted to only taller than average citizens. The applicants do not propose obscure glazing to this window due to its height above floor level and as such, it is considered that a condition requiring obscure glazing is not necessary or reasonable. A condition will be added requiring the proposal to be built out in accordance with the submitted plans.

It is not necessary to add a condition to prevent further openings in the front roof plane, as Condition 13 of KE/02/0353 remains in perpetuity to restrict permitted development rights for extensions and alterations to the dwellinghouse and its roof, the installation of satellite antenna, the replacement of windows, doors, soffits, fascia's, etc. and the construction of any means of enclosure at the front of the property. Although this condition is in the interests of a satisfactory external appearance, it also serves to act in the interests of the amenities of surrounding and future occupiers.

As such, subject to the imposition of conditions for the proposal to be built out in accordance with the submitted details, it is considered the proposal as a whole will not lead to an adverse impact on the amenities of future and surrounding occupiers which is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The existing parking provision for the site is provided by the attached double garage which has 2 no. parking spaces in front of it. The garage faces into a parking court shared with Nos.4 and 6 Cukow Close.

The parking provision at the site is set aside by Condition 4 of the Reserved Matters application KE/02/0353 and Condition 6 of the original Outline KE/95/0016.

The proposed garage conversion retains a single garage and 2 no. parking spaces for the site, and it is considered that the proposal as a whole will retain a satisfactory means of access and provision for parking, servicing and manoeuvring for future occupiers.

In addition to the on-site parking the surrounding highway in Cukow Close is unrestricted and can be used for additional parking.

The proposal is therefore in compliance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Conclusion

Subject to the proposal being built out in accordance with the submitted plans, the external materials matching those on the existing dwellinghouse with the proposed windows and doors being painted wood to match the existing, and thereafter retained, then the proposal accords with policies in the Development Plan and is recommended for approval.

Background Papers

Title of Document:

Date:

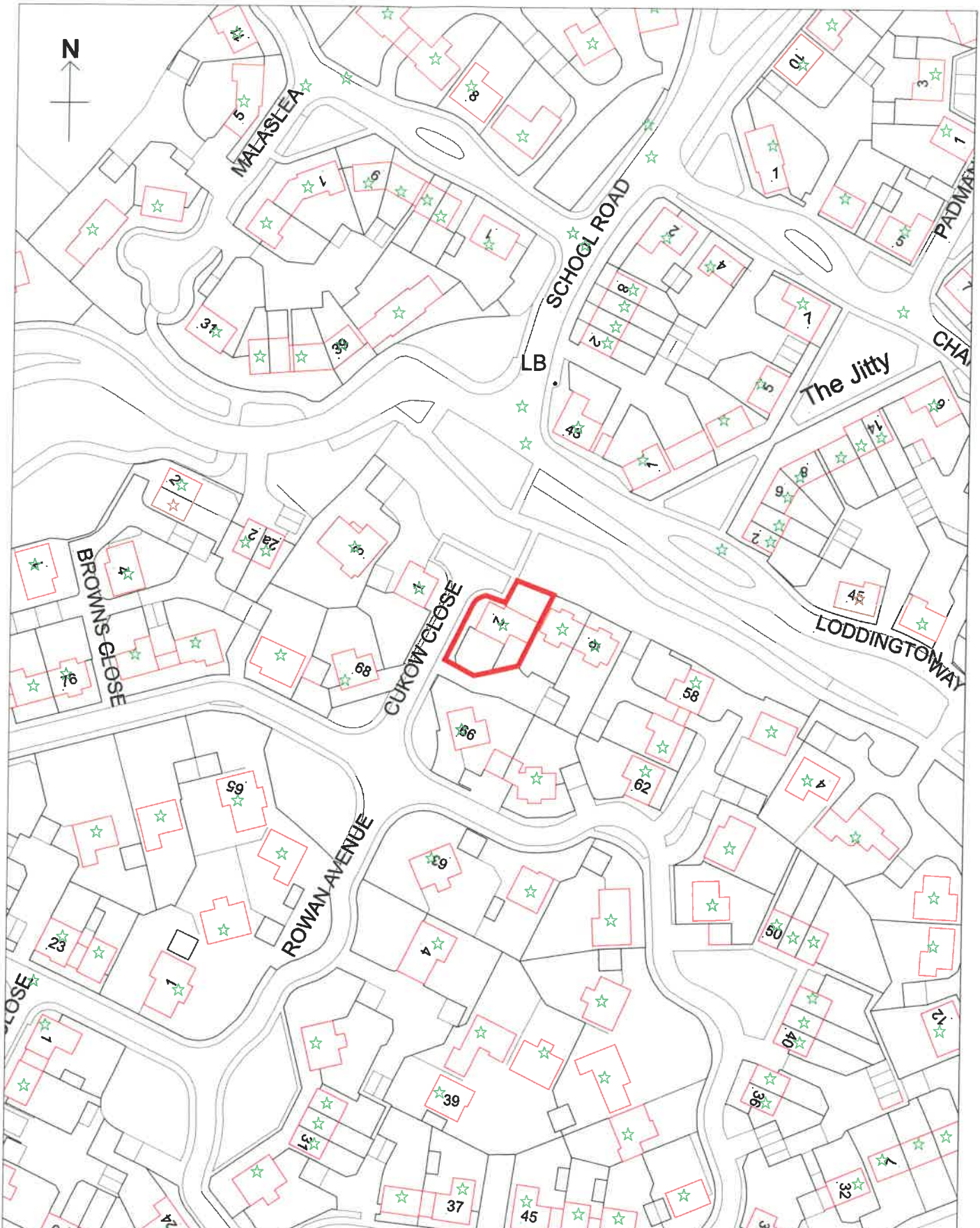
Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:



Title: 2 Cukow Close, Mawsley

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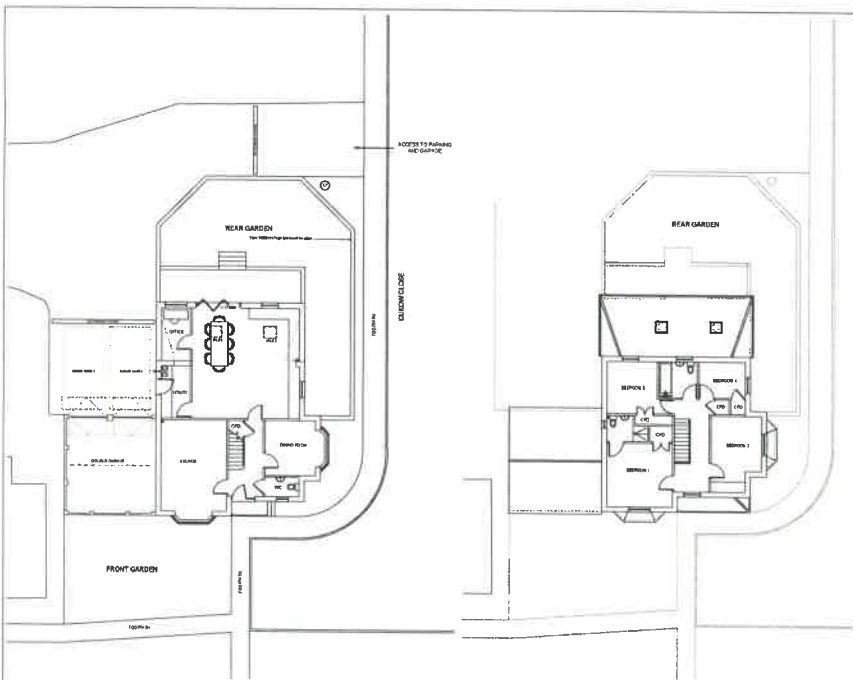
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Kettering
Borough Council

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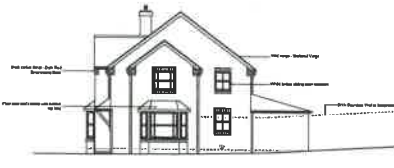
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5 Existing Side Elevation
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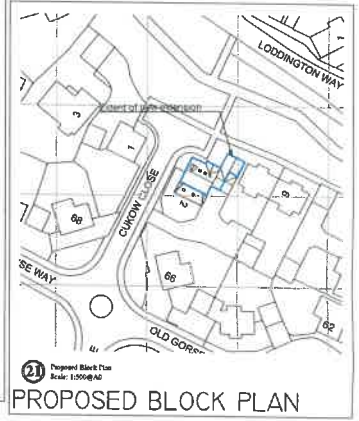
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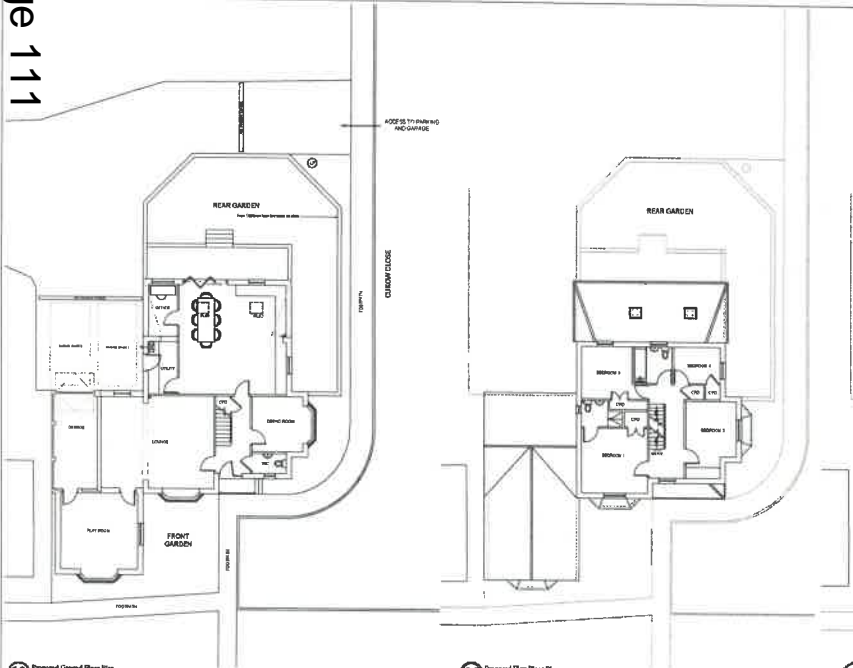
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21 Existing Site Elevation
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SITE LOCATION PLAN

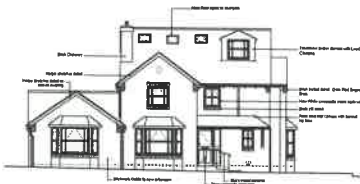


21 Proposed Block Plan
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PROPOSED BLOCK PLAN



11 Proposed First Floor Plan
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11a Proposed Second Floor Plan
Scale: 1:100@A0



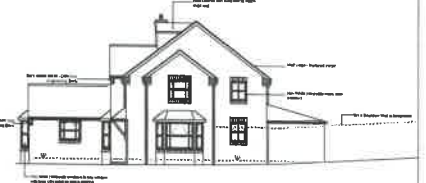
13 Proposed Front Elevation
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14 Proposed Side Elevation
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15 Proposed Rear Elevation
Scale: 1:100@A0



16 Proposed Side Elevation
Scale: 1:100@A0

10 Proposed Ground Floor Plan
Scale: 1:100@A0
PROPOSED PLANS & ELEVATIONS

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