

BOROUGH OF KETTERING

Committee	Full Planning Committee - 06/12/2011	Item No: 5.5
Report Originator	Mark Coleman Assistant Development Officer	Application No: KET/2011/0699
Wards Affected	Slade	
Location	11 Grange Road, Cransley	
Proposal	Full Application: 1 no. dwelling. Modified vehicular access and parking to existing house	
Applicant	Mr C Goodall	

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 adjacent dwelling known as no. 11 Grange Road, in accordance with drawing no. 82.126.23 received on 26th October 2011.

REASON: In the interests of visual amenity in accordance with policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no hard surface shall be constructed to the front (northwest) or the new dwelling hereby approved as permitted by Class F of Part 1 of Schedule 2 of the Order.

REASON: In the interests of protecting highway safety in the area in accordance with Policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. The use of the new vehicular access located to the rear of the dwelling hereby approved (accessed from Rose Close) shall not commence until works have been completed to permanently remove the existing vehicular access leading from Grange Road to the front (northwest) of the new dwelling and the raised kerb reinstated in accordance with drawing no. 82.126.22 Rev A received on 24th November 2011.

REASON: To protect highway safety in accordance with Policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. The new dwelling hereby approved shall not be occupied until it has been completed in full accordance with the submitted Sustainability Appraisal & Energy Statement received by the Local Planning Authority on 26th October 2011.

REASON: In the interests of achieving a sustainable and energy efficient form of development in accordance with Policy 2 of the East Midlands Regional Plan and Policy 14 of the North Northamptonshire Core Spatial Strategy.

7. Prior to first use or occupation of the new dwelling hereby approved, the new vehicular access and dropped kerb serving no. 11 Grange Road shall be provided in accordance with drawing no. 82.126.22 Rev A and shall include pedestrian visibility splays of 2.4m x 2.4m either side of the access and shall be permanently retained in that form thereafter. These measurements are taken from and along the highway boundary. Any features within or affecting the resultant triangular areas shall not exceed 0.6m above access/footway level.

REASON: In the interest of protecting highway safety in accordance with Policy 2 of the East Midlands Regional Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. 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 A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent

persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)'.

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 (referred to in PPS23 as a validation 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.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in

accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway and should make contact with the Highway Authority at Northamptonshire County Council, tel. 01604 654358.

Informative: Due to the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site therefore the required investigations must take naturally occurring contaminants into consideration. Further guidance on Contaminated Land investigations can be found in the Northants Contaminated Land Group Developers Guide. This document is downloadable at http://www.kettering.gov.uk/downloads/developers_guide_may_04.pdf

If you wish to discuss the requirements of the investigations further please contact Mrs Alex Gratrix, Team Leader (Environmental Protection) on (01536) 534348; or email at contaminatedland@kettering.gov.uk

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Planning Policy Statements/Guidance Notes 1, 3, 13, Policies 2, 11, 48 of The East Midlands Regional Plan, Policies 1, 9, 10, 13, 14 of the North Northamptonshire Core Spatial Strategy and Policy RA3 of the Local Plan for Kettering Borough. The proposal is also in accordance with adopted Supplementary Planning Document Sustainable Design. The issues relating to impact on character, highway safety, parking and drainage are material planning considerations and, in reaching the decision to approve the proposal, have been carefully weighed against all relevant policy considerations.

Officers Report

3.0 Information

Relevant Planning History

KE/1998/0595 – Perimeter fence to side and rear of property, 2m high gates across in line with front of garage (approved – 08.12.98)

Site Description

Officer's site inspection was carried out on 11.11.11. It is noted that the address of the application is 'Cransley', although for planning purposes it is described as being within the settlement boundary of Broughton as shown on the adopted proposal maps contained within the Local Plan.

The corner site is located towards the northeast of the village on a small 1960's housing estate, occupying a corner position with Grange Road and Rose Close. A single, semi-detached, two storey dwelling is located within the site. The dwelling is constructed from brown brick with Canterbury spar relief panel to first floor (front elevation) and timber clad relief to ground floor; the roof is covered with grey concrete interlocking tiles. A central chimney is shared by the adjoining properties. To the side (west) is a single storey, flat roofed tandem garage with driveway; behind this is a timber shed. Further west is a side garden which is separated from the highway and enclosed by 6ft close boarded timber. To the rear (southeast) of the site is a small electricity sub-station beyond which is no.1 Rose Close which sides on to the site. Within the garden of the site are three established trees (Buddelia; Japanese Cherry; and Maple) and a number of conifers.

Proposed Development

The proposed development involves demolition of the existing garage, and the erection of a two storey dwelling, detached dwelling with detached garage to the rear. Off road parking is provided to the front and rear.

Any Constraints Affecting The Site

None

4.0 Consultation and Customer Impact

Parish/Town Council

Objection on grounds of adverse impact on the character of the area; increase in on-street parking; adverse impact on highway safety; and adverse impact on existing sewer system.

Highway Authority

Comment of no objection subject to removal of access to the new dwelling off served from Grange Road.

Environmental Health, Kettering Borough Council.

No Objection, subject to contaminated land condition and associated informative.

Neighbours

No objection, but concerns raised by the occupiers of no. 42 Grange Road, Cransley. Areas of concern relate to congestion resulting from the proposal; increase in parked vehicles on the highway; highway safety; and impact on the existing sewer system which is believed to be inadequate.

Objection from the occupiers of no. 8 Rose Close on the grounds of increased congestion resulting from the new access connected to Rose Close and its adverse impact on highway safety. Further grounds of objection are based on impact on the character of the area, and adverse impact on the existing sewer network.

Objection from the occupiers of no. 4 Rose Close. Grounds of objection include adverse impact on character of the area; increase in parked vehicles on the highway; and adverse impact on the existing sewer network.

5.0 Planning Policy

National Policies

PPS1. Delivering Sustainable Development

PPS3: Housing

PPG13. Transport

PPS23: Planning and Pollution Control

Development Plan Policies

East Midlands Regional Plan

Policy 2. Promoting Better Design

Policy 11: Development in the Southern Sub-Area

Policy 48. Regional Car Parking Standards

North Northamptonshire Core Spatial Strategy

Policy 1: Strengthening the Network of Settlements

Policy 9. Distribution & Location of Development

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Local Plan

Policy RA3. Rural Area: Restricted Infill Villages

SPGs

Sustainable Design

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The principle of development

Policies within the North Northamptonshire Core Spatial Strategy provide for the erection of new dwellings, subject to detailed criteria being satisfied. In particular, Policy 13 (CSS) seeks that the proposed development must be of a high standard of design; it must respect and enhance the character of the surroundings; and it must not result in an unacceptable impact on the amenities of existing or future occupiers of neighbouring properties or the wider area by virtue of noise, vibration, smell, light or other pollutions, loss of light or overlooking. Policy 2 (EMRP) also seeks for the continuous improvement of design in relation to these issues, which will result in improving the quality of life of local people.

National policy in PPS1 promotes the sustainable use of existing land and buildings, focussing on the importance design and amenity, whilst PPS3 reiterates this approach to design, and seeks to achieve a mix of housing which will strengthen communities.

The design of the proposed development broadly meets these requirements and will increase variety of housing provision within the area. Whilst the development is within a restricted infill village, it complies with the principal issues referred to in Policy RA3 (Local Plan), and as the location of the proposed development is within an existing settlement area, it is also supported by policies 1, 9 and 10 (CSS) and Policy 1 and 11 (EMRP). As a result, subject to other material considerations being considered accepted, the proposed development is acceptable in principle.

2. Character and appearance

The character of the area is best described as open plan, and the provision of an additional dwelling on the corner plot will erode this character to some degree. However, in this instance, it is considered that the site is big enough to absorb the proposed development and retain sufficient front and side garden area to preserve this open character of the area. This will be facilitated further by the removal of part of the existing boundary treatment which currently detracts from the open character of the area.

The proposal takes direct design reference from the neighbouring semi-detached dwelling located within the site, albeit detached in form. As a result, the scale, layout and appearance responds to existing development in the area, and continues the established building line; the close positioning of the proposed dwelling to no. 11 Grange Road reflects the semi-varied rhythm of development within the street.

Whilst the building is shown to be slightly taller than its neighbour, it is not considered that this will be visually incongruent within the street scene as the finished height of the building responds to slightly higher ground levels. The proposal will result in the loss of a number of trees, although submitted landscape details indicate that these will be replaced by further planting. As a result, subject to condition to control materials used in the construction of the dwelling and landscaping, the proposal is considered to have an acceptable impact on visual

amenity, and accords with the relevant parts of PPS1, Policy 2 (EMRP), and criteria (h) and (i) of Policy 13 (CSS).

3. Residential amenity

The siting of the proposed development on the established building line does not generate new impacts on residential amenity which would affect properties to the northwest or west. The nearest dwelling to the southeast is no. 1 Rose Close which faces side on to the rear of the proposed dwelling. The only windows present on the side elevation are to first floor, which serve a landing area and bathroom. As these windows do not serve a habitable room, it is considered that loss of amenity due to direct overlooking is limited.

The proposed roof lights to the second floor sit 1.2m above finished floor level (at its lowest point) and whilst they have the potential to give rise to overlooking this is likely to be limited to the flank wall of no. 1 Rose Close and its front garden; furthermore, head clearance is limited in the room which would restrict the use to storage. As a result, it is not considered necessary to condition use of the room or the roof lights. Furthermore, a separation distance of approximately 17m is maintained, which is also considered adequate to protect amenity in terms of overlooking and loss of access to natural light.

Infill of the site will leave sufficient amenity space for the existing dwelling, and the proposed dwelling. No other residential amenity issues are identified. The proposal is therefore considered to be in compliance with relevant parts of policy 2 (EMRP) and criteria (l) of Policy 13 (CSS).

4. Parking and highway safety

The original proposal included parking for the proposed dwelling to both front and rear, with off-road parking provided to the front for the existing dwelling. Comment from NCC Highways objected to two vehicular accesses serving a single property, but, subject to the front access being removed from the proposed new dwelling, had no objection to the proposal in terms of its impacts on parking and highway safety despite pedestrian visibility splays being substandard with respect of the rear access serving the new property; where a visibility splay has been provided, this has been included within the wider verge area adjacent the site off Rose Close which remains under the control of NCC Highways.

As a result of the above comments, the scheme has been amended to remove the vehicular access from the front of the proposed new dwelling. Both properties now benefit from two parking spaces each which are clear of the highway.

It is noted that to the front of no. 11 Grange Road the verge is narrower; it is therefore considered appropriate to seek control over pedestrian visibility splays. Whilst this will also exert control over land falling within the curtilage of the new dwelling, the land currently remains under the ownership of the applicant. Such a condition is therefore considered reasonable.

Whilst there have been objections raised with respect of the impact of the proposal on highway safety and congestion, it is considered that the aforementioned parking provision is sufficient. Together with the aforementioned condition and condition

controlling the use of new accesses until such time that secondary accesses have been removed, highway safety will be protected.

In the absence of sustained objection from NCC Highways, it is considered that the proposal will not have a significant impact on parking or highway safety, subject to the aforementioned conditions and condition removing permitted development rights for laying of hard standing to the front. Subject to this, the proposal accords with the relevant parts of PPG13, Policies 2 and 48 (EMRP) and criteria (d) and (n) of Policy 13 (CSS).

5. Sustainable construction and energy efficiency

Policy 14 of the North Northamptonshire Core Spatial Strategy states that development should meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. The submitted sustainability appraisal and energy statement demonstrates that the proposal will achieve a code level 3 rating, by using energy monitoring equipment, efficient white goods, cycle storage, photovoltaic's, water efficiency devices, etc. This is considered acceptable, and subject to condition requiring the development to be carried out in accordance with the submitted statement, the proposal is considered acceptable and in accordance with relevant parts of policy 2 (EMRP) and Policy 14 (CSS)

6. Impact on drainage/sewer network

Planning controls should not seek to duplicate other control regimes, and should assume that these will be properly applied and enforced. In this instance, the connection of any new dwelling to an existing sewer system will require the agreement and permission from the Water Authority (Anglian Water). Whilst comments received from Broughton Parish Council state that the existing sewer system is unadopted, this should remain subject of automatic adoption in accordance with Anglian Water advice. As a result, objections relating to the impact of the proposed dwelling on the existing sewer network are not considered to provide a defensible reason for refusal, and are not considered further.

Conclusion

The proposal is acceptable in principle and in terms of its impact on neighbouring/visual amenity, parking and highway safety, and sustainability. The impact of the development on the drainage network is not considered to provide sufficient reason for refusal and will be controlled by the relevant water authority. Subject to conditions referred to above, the proposal is considered acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

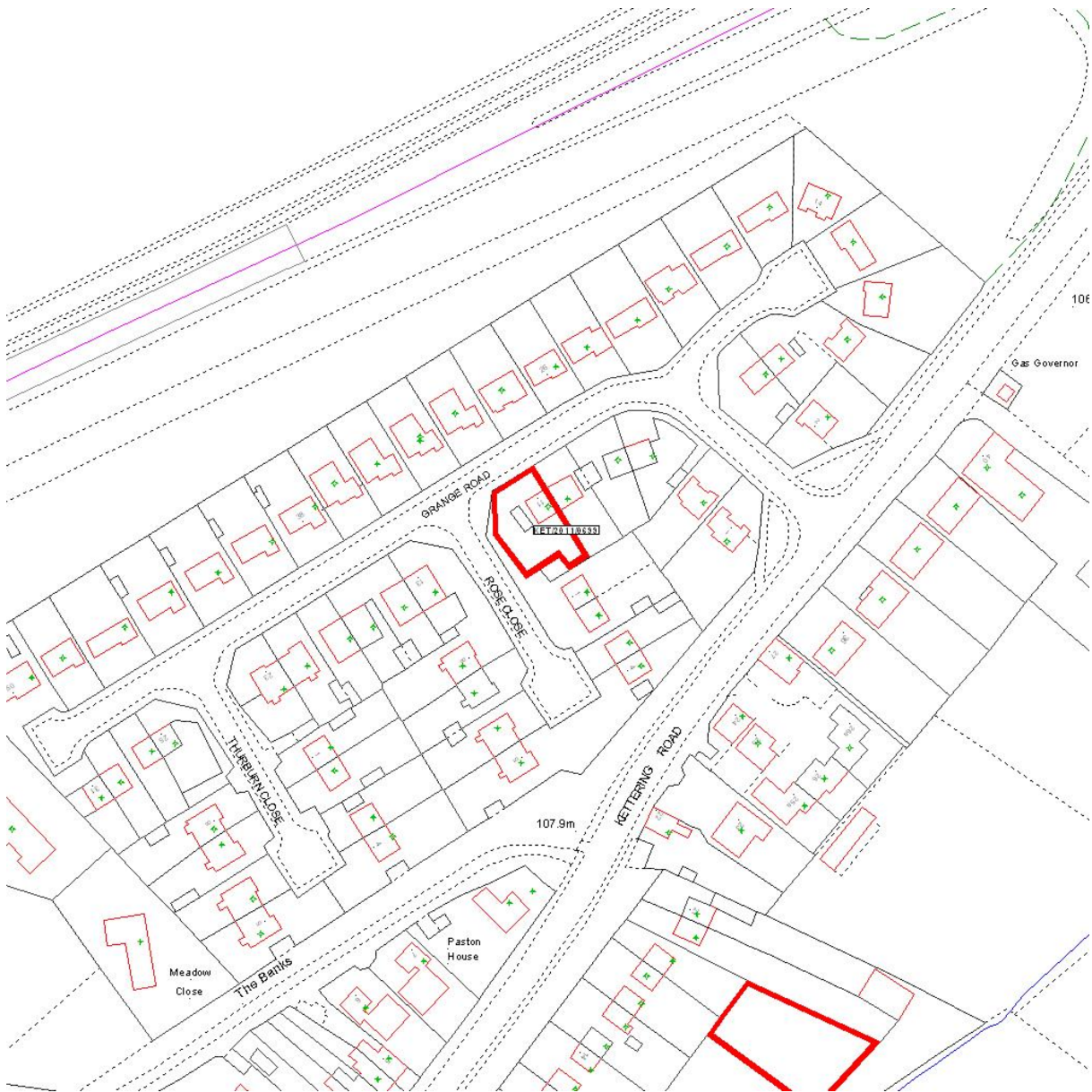
Ref:

Date:

Mark Coleman, Assistant Development Officer on 01536 534316

SITE LOCATION PLAN

11 Grange Road, Cransley
Application No.: KET/2011/0699



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