

BOROUGH OF KETTERING

Committee	Full Planning Committee - 31/01/2012	Item No: 5.5
Report Originator	Louise Holland Development Officer	Application No: KET/2011/0693
Wards Affected	Burton Latimer	
Location	1 Spring Gardens, Burton Latimer	
Proposal	Full Application: Change of use from shop to one bedroom annex	
Applicant	Mr R Sharp	

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 PPS 1, PPS 3, PPS 5, Policy 2 of the East Midlands Regional Plan and Policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

3. The annexe hereby permitted shall not be occupied at any time other than for the purposes ancillary to the single residential use of the dwelling known as 1 Spring Gardens, Burton Latimer.

REASON: The unit of accommodation has insufficient private amenity space to be occupied separately from the main dwelling in the interests of amenity in accordance with PPS 3, Policy 2 of the East Midlands Regional Plan and Policy 13 (l) 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 structure or other alteration permitted by Class A of Part 2 of Schedule 2 of the Order shall be erected within the application site between the main dwellinghouse and the hereby approved annexe.

REASON: To ensure the appearance and association with the main dwellinghouse is retained in accordance with Policy 2 of the East Midlands Regional Plan and Policy 13 (h) and (o) of the North Northamptonshire Core Spatial Strategy.

5. The development shall not be carried out other than in accordance with the submitted Sustainability Appraisal and Energy Statement received 8th November 2011.

REASON: In the interests of sustainable development and energy efficiency in accordance with PPS 1 and the supplement to PPS 1, Policy 2 of the East Midlands Regional Plan and Policy 14 (b) of the North Northamptonshire Core Spatial Strategy.

6. The development hereby permitted shall not be carried out other than in accordance with the approved plan 'Proposed Change of Use A1 to to One Bedroom Annexe' received 25th October 2011.

REASON: To ensure the hereby approved car port is constructed in accordance with the details shown on the submitted plan in interests of preserving the appearance of the conservation area and the streetscene in accordance with PPS 5, Policies 2 and 27 of the East Midlands Regional Plan and Policy 13 (h) and (o) of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- NONE

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Planning Policy Statement 1 Delivering Sustainable Development, the Supplement to PPS 1 Planning and Climate Change and PPS 3 Housing, Policies 2, 27 and 48 of the East Midlands Regional Plan and Policies 13 and 14 of the North Northamptonshire Core Spatial Strategy. There are no material considerations that indicate against the proposal.

Officers Report

3.0 Information

Relevant Planning History

KET/2003/0885 – Double garage – approved with conditions.

KET/2004/0303 – Increase pitch and height to approved garage – refused.
Allowed on appeal.

KET/2009/0150 – Change of use from domestic garage to retail unit (A1) – approved with conditions.

Site Description

Officer's site inspection was carried out on 28/11/11. The site is located within the town boundary of Burton Latimer and its Conservation Area. It is also within close walking distance of the main shopping area of the town. The single storey building has most recently been used as a shop with a change of use from a double detached garage to a retail unit being approved under application KET/2009/0150.

The site is surrounded by a mix of uses including residential, a hairdressers (south east of the site) and public house (north east). The area is however predominantly residential. The site is also in proximity to a public car park which is accessed from Bakehouse Lane. The existing building is located at the corner of Bakehouse Lane and Spring Gardens. Vehicular access to the building is currently shared with No. 1 Spring Gardens. A footpath (no vehicular access) runs to the south of the site, connecting Bakehouse Lane to High Street. The ground level on which the building sits is higher relative to this footpath.

A roof light is positioned in the rear of the existing building. No windows are present in the side elevation facing toward the footpath. The front curtilage of a dwelling on Bakehouse Lane is found to the rear of the site. Timber palisade fencing, approximately 1 metre high, currently runs along the boundaries to the front and side (adjacent to the footpath) of the building. The building is constructed from a mix of limestone and red brick with timber framed fenestration. Properties within the area surrounding the site have been constructed from a variety of facing and roofing materials. There are properties within the vicinity of the site on Church Street, also within the conservation area, that have dormer windows to the front that visible from the public realm.

Proposed Development

This application proposes a change of use of an existing building from retail to a residential annexe to No. 1 Spring Gardens. There will be no change to either the footprint or height of the existing building. Proposed ground floor accommodation comprises living room/kitchen and separate WC. Floor first accommodation to be created comprises one bedroom and a shower room. A dormer window is proposed to the front roof slope of the building. The rear roof light will be retained. A timber framed car port will be erected adjoining the northern (side) elevation of the building (the elevation facing No. 1 Spring

Gardens).

Any Constraints Affecting the Site
Burton Latimer Conservation Area.

4.0 Consultation and Customer Impact

Burton Latimer Town Council – objection raised on the following grounds:

The proposed development is not an annexe but a 1 bedroom house as per the applicant's statement. This leads to great overdevelopment of the site. The 1 bedroom houses referred to are adjacent to the Barbers shop and are flats rather than houses.

Highway Authority – no observations.

Environmental Health (KBC) – no objection/comment.

Neighbours – no letters received.

5.0 Planning Policy

National Policies

PPS 1 Delivering Sustainable Development
PPS1 Supplement Planning and Climate Change
PPS 3 Housing
PPS 5 Planning for the Historic Environment

Development Plan Policies

East Midlands Regional Plan

2 Promoting Better Design
27 Regional Priorities for the Historic Environment
48 Regional Car Parking Standards

Sub-Regional Policy

MKSM Strategic Policy 3 Sustainable Communities

North Northamptonshire Core Spatial Strategy

13 General Sustainable Development Principles
14 Energy Efficiency and Sustainable Construction

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Access and Parking
3. Amenity
4. Design and Impact on the Streetscene and Conservation Area
5. Sustainability
6. Use as an Annexe

1. Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the Development Plan comprises the East Midlands Regional Plan 2009, the North Northamptonshire Core Spatial Strategy 2008, the Northamptonshire Minerals and Waste Core Strategy 2010 and the saved policies of the Kettering Borough Local Plan 1995 and Northamptonshire County Structure Plan 2001.

Core Spatial Strategy (CSS) Policy 1 identifies Kettering as a growth town, an area where development will be principally directed. Burton Latimer is one of the smaller towns identified within the CSS and provides a secondary focal point for development. The proposed development within an existing residential area and within a smaller town is considered to be acceptable in principle subject to it meeting other policies of the Development Plan. Such proposals should not result in any unacceptable impacts on residential amenity, should not prejudice highway safety, should be of a high standard of design, have adequate access and parking, and in this case given its location, it must preserve or enhance the conservation area. Subject to meeting these policy requirements the proposal would be acceptable in principle.

2. Access and Parking

An existing vehicular access will be utilised for the proposed annexe and No.1 Spring Gardens. There is considered to be sufficient parking on site to accommodate the development and there is a public car park within the vicinity of the site. It is considered that the proposal will not prejudice highway safety.

The local highway authority has not raised any objection to this application.

3. Amenity

Sustainable development is the core principle underpinning planning. PPS 1 states that at the heart of sustainable development is the idea of ensuring a better quality of life for everyone, now and for future generations.

Policy 13 of the CSS seeks development which meets the needs of both present and future generations. Development should not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking (CSS Policy 13 (l)). Regional Plan Policy 2 states how the layout, design and construction of new development will be continuously improved. One way is through design which maintains amenity and privacy and benefits the quality of life of local people.

There are will be no change to the footprint or height of the existing building and no insertion of new openings in the rear. The proposed dormer window to the front roof slope and car port to the side are not considered to have any impact on residential amenity. It is considered that the proposal will not result in any noise issues or any other forms of pollution and it will not cause any loss of light or privacy.

4. Design and Impact on the Streetscene and the Conservation Area

Good design is an essential part of good planning and building sustainable communities. Design should take the opportunities available for improving the character and quality of an area. PPS 3 also reinforces this approach and states that design which is inappropriate in its context, or fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. Policy 2 of the East Midlands Regional Plan (EMRP) promotes better design whilst Policy 27 of the EMRP requires that the historic environment be conserved and enhanced, in recognition of its own intrinsic value.

Policy 13 (h) of the CSS states that development should be of a high standard of design and respect and enhance the character of its surroundings; (i) create a strong sense of place by strengthening distinctiveness, historical and cultural qualities; (o) conserve and enhance historic landscape designated built environmental assets and their settings.

The carport and the front dormer window are the only proposed external changes to the building. The car port is considered to be a modest addition which has been sensitively designed. There are a number of properties within the conservation area and within the vicinity of the site that have dormer windows visible from the public realm. It is considered that these additions will not adversely affect the streetscene. Materials should match the existing building and a planning condition is recommended to secure this.

The building falls within a designated conservation area; Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

PPS 5 Planning for the Historic Environment requires that historic assets are conserved in a manner appropriate to their significance. Policy HE 7.5 requires that in considering the impact of proposals on a heritage asset (which includes conservation areas), local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. Policy HE 10.1 also applies in this case; local planning authorities should treat favourably applications that preserve those elements of the setting (of a designated heritage asset) that make a positive contribution to or better reveal the significance of that asset.

It is considered that the proposed external changes have been sympathetically designed and will preserve the character and appearance of the conservation

area.

It is considered that the proposal, change of use from retail to residential annexe and external changes, will not adversely affect the streetscene or the character and appearance of the Conservation Area, a designated heritage asset as defined by PPS 5.

5. Sustainability

The supplement to PPS 1 (Planning and Climate Change) states that new development should comply with local requirements for decentralised energy supply and for sustainable buildings set out in adopted Development Plan Document policies. The PPS 1 supplement also reiterates the need to take advantage of opportunities to minimise energy consumption. Policies of the Regional and Sub-Regional Plan support this. Policy 14 of the CSS sets out the requirements for energy efficiency and sustainable construction. Part (b) of this policy applies in this case. It is considered that the application provides sufficient information on this issue to demonstrate that the development is capable of meeting these policy requirements i.e. energy efficiency can be incorporated and there can be provision made for waste reduction/recycling and water efficiency/recycling. An appropriate planning condition is recommended in this regard.

6. Use as an Annexe

CSS Policy 13 allows for development providing it is compatible with the character and appearance of the area. In terms of considering the principal of permitting annexes to existing houses, it is not uncommon to allow annexes with full services to be provided either adjoining or adjacent to dwellings, provided that their use is tied to and remains ancillary to that dwelling. A condition is normally attached to any planning permission in order to ensure their continued association with the dwelling and to prevent them being sold off or rented out as an independent residential unit. Also, to ensure the appearance and association with the main house is retained a condition removing permitted development rights for additional boundary treatment is recommended.

Conclusion

The development is considered to be in accordance with the policies of the Development Plan and there are no other material planning considerations in this case that would outweigh this.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Louise Holland, Development Officer on 01536 534316

SITE LOCATION PLAN

1 Spring Gardens, Burton Latimer
Application No.: KET/2011/0693



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