

BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/07/2013	Item No: 5.3
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2013/0288
Wards Affected	All Saints	
Location	23-27 King Street, Kettering	
Proposal	Renewal of Extant Permission (Full): KET/2010/0033 (Two storey rear and first floor side extension)	
Applicant	Sri Guru Singh Sabha Sikh Temple	

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 13 of the North Northamptonshire Core Spatial Strategy.

3. 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 additional openings permitted by Schedule 2, Part 1 Classes A shall be made in the north east elevation of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No development shall commence on site until details of a scheme for the storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The use of the building shall not commence until the

approved scheme has been fully implemented and shall be retained as approved thereafter.

REASON: In the interests of general amenity and to ensure that no obstruction is caused to the adjoining highway in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Before the development hereby permitted is begun, a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste reduction/recycling and provision for water efficiency and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: In the interests of energy efficiency and sustainable construction and in accordance with policy 14 of the North Northamptonshire Core Spatial Strategy.

6. The development hereby permitted shall not be carried out other than in accordance with the approved plans as shown on drawing numbers 0900302-300, 0900302-301, 0900301-400C and 0900302-401C received by the Local Planning Authority on 26/04/2013.

REASON: In the interest of visual amenity and the prevention of overlooking and loss of privacy in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

7. The facilities hereby approved shall not be open to the public before 09.30 hours or remain open after 16.30 hours on Mondays to Fridays, nor before 09.30 hours or after 14.30 hours on Saturdays, Sundays or any recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Policies 2, 4, 7 and 8 of the National Planning Policy Framework and Policies 9, 13 and 14 of the North Northamptonshire Core Spatial Strategy. The issues relating to parking and highway safety 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

KET/2010/0033 – Two storey rear and first floor side extension – Approved 02/08/2010

KE/1997/0487 – Ground floor extension to form new kitchen – Approved 28/10/1997

KE/1996/0583 – Ground floor extension to form kitchen – Approved 06/11/1996

KE/1992/0697 – Conversion of first floor area to hall – Approved 01/12/1992

KE/1988/0215 – Erection of sports hall – Approved 20/04/1988

KE/1980/0105 – Use of premises for religious worship – Approved 25/02/1980

Site Description

Officer's site inspection was carried out on 23/05/2013. The application site is located on the corner of King Street and Crown Street and consists of a two storey terraced property. A Sikh Temple currently occupies the site which incorporates both 23 and 25 King Street. Although No. 27 stands within the site this is currently used for residential purposes and no change is proposed to this element of the site. Development to the northeast and southeast of the site consists of residential properties while to the northwest and southwest are commercial premises. Parking on King Street and Crown Street is restricted by double yellow lines along both King Street and Crown Street in the immediate vicinity of the application site.

Proposed Development

This application seeks a renewal of extant planning permission for a two storey rear and first floor side extension which was granted under KET/2010/0033.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Highway Authority

No observations.

Environmental Health

No objection provided the previous conditions relating to storage of

refuse and hours of use are imposed.

Environmental Care

No comments received.

Neighbours

One third party representation received seeking clarification that there are no amendments or alterations to the application approved under KET/2010/0033.

Two further third party representations received with objections made on the grounds of:

- Car parking is already problematic in the area. The proposal indicates an increase in the number of people and vehicles visiting the property exacerbating the problem (2).
- Parking is dangerous with people parking on double yellow lines. If parking restrictions were enforced the objection may be withdrawn (1).

5.0 Planning Policy

National Planning Policy Framework

Policy 2 – Ensuring the Vitality of Town Centres

Policy 4 – Promoting Sustainable Transport

Policy 7 – Requiring Good Design

Policy 8 – Promoting Healthy Communities

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 9 – Distribution and Location of Development

Policy 13 – General Sustainable Development Principles

Policy 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. Design, Character and Appearance
3. Neighbouring Amenity
4. Highways and Parking
5. Environmental Matters
6. Sustainable Design and Construction

7. Comments of other points raised by the proposal

1. Principle of Development

While the proposed development is considered acceptable in principle by the granting of planning permission under KET/2010/0033 the application must, nevertheless, be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, with particular regard to development plan policies and other material considerations which may have changed significantly since the original grant of planning permission. The key change in policy since the approval of KET/2010/0033 is the introduction of the National Planning Policy Framework, which replaced the Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs) to which the original application referred. The East Midlands Regional Plan has also been revoked but as the original application did not refer to the East Midlands Regional Plan this change in policy is of less significance.

The overarching principle of the National Planning Policy Framework is a presumption in favour of sustainable development and requires that development that accords with the development plan be approved without delay. Policy 2 of the National Planning Policy Framework suggests that community uses should be located within towns where a contribution to the vitality and viability of town centres can be made. Policy 4 of the National Planning Policy Framework states that development should be located where the need to travel is minimised and the use of sustainable transport modes can be maximised. It also states that development should be located where priority can be given to pedestrian and cycle movements and have access to high quality public transport facilities. Policy 8 of the National Planning Policy Framework states that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

The application site is located approximately 35 metres from the town centre boundary as defined by the Kettering Town Centre Area Action Plan and is therefore considered to be a sustainable location which is easily accessible by a variety of modes of transport. The proposal seeks to extend the existing facilities provided at the Sikh Temple and therefore will enable the continued provision of a valued community facility. It is therefore considered that the proposal conforms to policies in the National Planning Policy Framework and the principle of development is acceptable despite the changes in planning policy since the original application was approved.

2. Design, Character and Appearance

The original application determined that although the proposal would provide a substantial two storey addition it would not be visible from the public realm and therefore would not detract from the character and appearance of the surrounding area. Since the determination of this application there has been no material change in the circumstances on

the site which would alter this judgement. As no details of materials have been provided it is appropriate to re-apply the condition requiring materials to match that of the existing building in order to secure an acceptable visual appearance. It is, therefore, considered that the proposal complies with Policy 7 of the National Planning Policy Framework which requires good design and Policy 13 (h) of the North Northamptonshire Core Spatial Strategy which requires development to be of a high standard of design, architecture and landscaping and to respect and enhance the character of its surroundings.

3. Neighbouring Amenity

It was determined in the original application that the proposal would not have a detrimental impact on neighbouring properties in terms of loss of light, overbearing or over looking. Since the determination of this application there has been no material change in circumstances on the site. The conditions relating to the removal of permitted development rights for additional openings in the north east elevation and restricting opening hours will be re-applied in order to protect neighbouring amenity. As a result it is considered the proposal complies with Policy 13 (l) of the North Northamptonshire Core Spatial Strategy which requires development not to result in an unacceptable impact on the amenity of neighbouring properties or the wider area by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

4. Parking and Highway Safety

Concerns have been raised by neighbours regarding parking and highway safety. The application site is located on the corner of King Street and Crown Street, which are traditional terraced streets where properties abut the highway. Parking, therefore, takes place on the public highway and this proposal does not include off-road parking. The Highways Department of Northamptonshire County Council were consulted on the original application and raised no objection as on-street parking is restricted in the area and is therefore enforceable. It was determined in the original application that as the application site is located close to the town centre opportunities for more sustainable modes of transport such as walking, cycling or public transport exist. The site is also located in close proximity to town centre parking facilities and as such it is considered that the proposal will not have an adverse impact on the highway network. The proposal, therefore, complies with Policy 13 (n) of the North Northamptonshire Core Spatial Strategy which requires development not to have an adverse impact on the highway network or to prejudice highway safety.

5. Environmental Matters

The proposed extension will intensify the use of the site and infill the existing courtyard. As a result the condition requiring details of refuse storage and refuse facilities to be submitted to and approved in writing prior to the commencement of the development will be re-applied.

6. Sustainable Design and Construction

Policy 14 of the North Northamptonshire Core Spatial Strategy requires

development to meet to highest viable standards of resource and energy efficiency and reduction in carbon emissions. Applications should demonstrate that the development incorporates techniques of sustainable construction and energy efficiency, provision for waste reduction and recycling along with provision for water efficiency and water recycling. No details of these techniques have been included with the application and the condition requiring these details to be submitted to and approved in writing prior to the commencement of the development will be re-applied.

7. Comments of other points raised by the proposal

One third party representation was received seeking clarification that there are no amendments or alterations to the application approved under KET/2010/0033. A condition will be added to the permission requiring development to be carried out in accordance with the approved plans which are the same as those approved under the 2010 application. One objection received in relation to parking commented that if parking restrictions were enforced the objection may be withdrawn. However, this is beyond the scope of the planning system.

Conclusion

The proposal is in accordance with national and local planning policy. There has been no change in policy or material considerations which would alter the previous recommendation for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Marie Down, Assistant Development Officer on 01536 534316