

BOROUGH OF KETTERING

Committee	Full Planning Committee - 02/07/2013	Item No: 5.6
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2013/0320
Wards Affected	Brambleside	
Location	1 Bramshill Avenue, Kettering	
Proposal	Full Application: Change of use from residential to residential and use of front family room only as hair salon. Single storey rear extension.	
Applicant	Mr L Fox	

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 schedule of Conditions to be attached to the Update Report.

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Policy 7 of the National Planning Policy Framework, Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 35 of the Local Plan for Kettering Borough. The issues relating to over shadowing and parking 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

No relevant planning history.

Site Description

Officer's site inspection was carried out on 29/05/2013 and 18/06/2013. The application site is located on Bramshill Avenue, a residential area to the north of Kettering town centre. The application site is a two storey detached dwelling constructed of cotswold facing brick, concrete roof tiles and white uPVC windows and doors. The rear garden of the application site slopes gently to the south and is bounded to the east and west by a 1.8 metre high close boarded fence. The southern rear boundary consists of a 1.6 metre high brick wall. To the north of the application site lies an area of protected amenity greenspace. The application site and its neighbouring dwelling, No. 3 Bramshill Avenue, share an access off Bramshill Avenue. There is a difference of approximately 0.5 metres in levels between the application site and No.3, with the application site on higher ground. There is a driveway in front of the application dwelling with off-street parking for two vehicles. No. 3 has off-street parking for three vehicles. A third vehicle can be parked clear of the highway directly north of the applicant's driveway.

Proposed Development

The application seeks consent for a change of use from family room to salon and a single storey rear extension to accommodate a new family room. The salon will be operated by one member of staff who is resident in the dwelling and will occupy approximately 7.92 square metres of the residential property.

Any Constraints Affecting The Site

Protected Open Space
Nene Valley NIA Boundary

4.0 Consultation and Customer Impact

Highway Authority

No observations.

Environmental Health

No comments received.

Environmental Care

No comments received.

Kettering Borough Council Community Services

No comments received.

Neighbours

One objection received on the grounds that:

- Operating a business from residential premises will generate additional traffic and impact on the access shared with the objector.
- Many vacant shops in the town centre and businesses should not be encouraged in private residential estates.
- Rear extension will overshadow the objector's property due to the difference in levels and heights.

5.0 Planning Policy

National Planning Policy Framework

Policy 1 – Building a Strong, Competitive Economy

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 8

Policy 9

Policy 13 – General Sustainable Development Principles

Local Plan

Policy 35 – Housing: Within Towns

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 and Impact on Character
3. Impact on Neighbouring Amenity
4. Parking and Highway Safety
5. Other

1. Principle of Development

The application site is located within the town boundary of Kettering as defined by Policy 35 of the Local Plan. Policies in the development plan support extensions to residential properties subject to the satisfaction of certain criteria. Policy 13 of the North Northamptonshire Core Spatial Strategy supports extensions to residential properties provided there is no adverse impact on character and appearance and neighbouring amenity.

In addition to the single storey rear extension the proposal involves the conversion of a room in the existing residential property to a hair salon,

which is an A1 retail use class. The National Planning Policy Framework classifies a hair salon as a main town centre use. The application site is located in a residential area to the north of Kettering, some distance from the town centre as defined by Policy 3 of the Kettering Town Centre Area Action Plan. Paragraph 24 of the National Planning Policy Framework states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. One third party representation received suggests that there are many vacant units in the town centre where businesses should be encouraged to locate rather than in residential areas. However, the hair salon use proposed under this application site would occupy less than 8 square metres of the existing residential property and would provide only one basin and one chair for customers. Considering the scale of the operation proposed and the limited times at which the use would operate it is considered the proposal would not have a detrimental impact on the vitality and viability of the town centre. Policy 13 of the North Northamptonshire Core Spatial Strategy supports the form of development proposed provided there is no adverse impact on the character of the area, residential amenity or the highway network. Furthermore, Paragraph 21 of Policy 1 of the National Planning Policy Framework encourages local authorities to facilitate flexible working practices such as the integration of residential and commercial uses within the same unit. Therefore, it is considered that the principle of development is established subject to the satisfaction of the development plan criteria as discussed below.

2. Design and Impact on Character

The proposal involves the change of use of a family room to a hair salon and a single storey rear extension to accommodate a new family room otherwise the residential use remains. The proposed rear extension will be marginally visible in the street scene to the south west of the application site, when travelling north along Bramshill Avenue. However, provided materials match those of the existing dwelling as stated in the planning application it is considered that the proposed extension will not have an adverse impact on the character and appearance of the existing dwelling, neighbouring dwellings or the wider street scene.

A side entrance will be created to provide external access to the salon; however the salon will also be accessible from within the dwelling such that it remains part and parcel of the dwellinghouse. While the proposed hair salon use will differ from residential use in the surrounding properties it is considered the nature and scale of the use proposed will not have a significantly adverse impact on the character of the surrounding area which will retain a residential feel. The proposal, therefore, 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. Impact on Neighbouring Amenity

The proposal involves a single storey rear extension and change of use of family room to hair salon. No windows are proposed in the western side elevation of the proposed extension facing No. 3 Bramshill Avenue and therefore there will be no impact in terms of overlooking. A window is proposed in the eastern side elevation of the proposed extension, the side door in the existing dwelling will be replaced with a window and a new side door will be inserted to provide external access to the proposed hair salon. However, existing boundary treatment consists of close boarded fencing, 1.8 metres in height at its lowest point, which prevents any overlooking or loss of privacy to the dwelling to the east, No. 15 Ettrick Close. There will be no impact on the dwelling to the south west, No. 5 Bramshill Avenue, given the orientation of the dwelling in relation to the application site.

One objection has been received from the neighbour at No. 3 Bramshill Avenue on the grounds that the proposed extension will overshadow No. 3 due to the difference in levels. There is a difference of approximately 0.5 metres in levels between the properties, with the application site on higher ground. The proposed extension will be set back 0.2 metres from the shared boundary with No. 3 Bramshill Avenue and will extend 4.2 metres from the existing rear building line. No. 3 is located 1 metre from the shared boundary. The element of the dwelling closest to the boundary with the application site accommodates a garage and is single storey in height. There is a door, glazed with obscure glass in the rear elevation of this element. When measured from the vertical perspective the 45 degree test indicates that the proposal will marginally impact on light levels to this opening. The 45 degree test measured from the horizontal perspective indicates that the impact on light levels will be greater. However, this opening is glazed with obscure glass which in itself impacts on light levels and as it appears the door does not provide light to a habitable room it is considered that the impact is not significantly adverse to warrant a refusal of planning permission in this instance. A similar 45 degree test applied to the nearest principal windows to the rear of No. 3 reveals a minor impact of approximately 0.2 metres on the horizontal but no impact on the vertical. Thus, objectively the impact is considered to result in no loss of residential amenity. Furthermore, given the orientation of the dwellings in relation to the path of the sun it is considered that the proposal will not result in loss of light or overshadowing to No. 3 Bramshill Avenue.

While the proposed salon use will differ from the residential use in the surrounding properties, given the nature and scale of the use proposed it is considered the proposal would not cause a loss of amenity in respect of noise pollution or other types of disturbances. A condition will

be added to the permission limiting the staffing numbers to the applicant alone which will ensure that noise does not become a concern in the future. A condition will also be added limiting the opening hours of the business from 09.00 to 18.00, Monday to Friday to ensure the use does not operate outside of appropriate hours. The proposal, therefore, complies with Policy 13 (l) of the North Northamptonshire Core Spatial Strategy which requires development not to 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.

4. Parking and Highway Safety

The application site is located off Bramshill Avenue and shares an access with its neighbouring dwelling, No. 3 Bramshill Avenue. There is a driveway in front of the application dwelling with off-street parking for two vehicles, while No. 3 has off-street parking for three vehicles. A third vehicle can be parked clear of the highway directly north of the applicant's driveway. An objection has been received from the neighbour on the grounds that the operation of a business from residential premises will generate additional traffic and impact on the shared access. Given the nature and scale of the activity it is considered that the salon will not generate significant traffic movement and there is sufficient capacity within the curtilage of the application site to accommodate any additional traffic generated. The Highways Department of Northamptonshire County Council have been consulted on the application and have no observations on the matter. As a result it is considered there will be no adverse impact on the highway network or prejudice highway safety in accordance with Policy 13 (n) of the North Northamptonshire Core Spatial Strategy.

5. Other

The plan is being clarified to reflect on site conditions and will be attached to the Update Report.

Conclusion

The proposal conforms to policies in the development plan and there are no material considerations that would indicate against the proposal. The proposal will not adversely impact on design and character, residential amenity and highway safety and is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Marie Down, Assistant Development Officer on 01536 534316