

BOROUGH OF KETTERING

Committee	Full Planning Committee - 24/09/2013	Item No: 5.2
Report Originator	Christina Riley Senior Development Officer	Application No: KET/2013/0167
Wards Affected	Burton Latimer	
Location	White Lodge Farm, Higham Road, Burton Latimer	
Proposal	Approval of Reserved Matters: Appearance, landscaping, layout and scale in respect of KET/2012/0170, residential development for 28 no. dwellings	
Applicant	Mr S Bateman Grace Homes 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. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, [together with samples,] 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.

REASON: In the interests of the visual amenities of the area in accordance with policy 13 (h and o) of the North Northamptonshire Core Spatial Strategy.

2. The first floor window on the western elevation of Plot 12 shall be glazed with obscured glass 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 13 (l) 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 or C shall be made in the western elevation or roof plane of plots 12, 20 and 21 or in the western elevation or roof plane of the garage to plot 13.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with 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 additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the southern elevation or roof plane of plot 26 or the west elevation or roof plane of plot 27.
REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with policy 13(l) of the North Northamptonshire Core Spatial Strategy.

5. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing number(s):
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Proposed Site Layout - Drawing 01 Rev P7 - received 12 September 2013
Proposed Landscaping and Boundaries - Drawing 02 Rev B - received 12 September 2013
Elevation and Floor Plan - Type A, Plots 1, 4 and 27. Drawing 03 received 11 March 2013
Elevation and Floor Plan - Type B, Plots 2, 17, 18 and 28. Drawing 04 received 11 March 2013
Elevation and Floor Plan - Type C, Plots 3 and 9 - Drawing 05 - received 11 March 2013
Floor Plan - Type D, Plot 5 - Drawing 06 - received 11 March 2013
Elevation - Type D, Plot 5 - Drawing 07 Rev A - received 14 August 2013
Elevation and Floor Plan - Type E, Plots 6, 8 and 13 - Drawing 08B - received 28 August 2013
Elevation and Floor Plan - Type F, Plot 16 - Drawing 09 - received 11 March 2013
Floor Plan - Type G1, Plot 15 - Drawing 10 - received 11 March 2013
Elevations - Type G1, Plot 15 - Drawing 11 - received 11 March 2013
Floor Plan - Type G2, Plot 14 - Drawing 12 - received 11 March 2013
Elevations - Type G2, Plot 14 - Drawing 13 - received 11 March 2013
Floor Plans - Type H, Plot 12 - Drawing 14 - received 11 March 2013
Elevations - Type H, Plot 12 - Drawing 15 - received 11 March 2013
Floor Plans - Type J1, Plot 11 - Drawing 16 - received 11 March 2013
Elevations - Type J1, Plot 11 - Drawing 17 Rev A - received 19 March 2013
Floor Plans - Type J2, Plot 7 - Drawing 18 - received 11 March 2013
Elevations - Type J2, Plot 7 - Drawing 19 - received 11 March 2013
Floor Plans - Type K, Plot 10 - Drawing 20 - received 11 March 2013
Elevations - Type K, Plot 10 - Drawing 21 - received 11 March 2013
Floor Plan and Elevations - Type L, Plots 22, 23, and 25 - Drawing 22 - received 11 March 2013
Elevations and Floor Plan - Type M1, Plots 19 and 20 - Drawing 23 - received 11 March 2013
Elevations and Floor Plan - Type M2, Plots 21, 24 and 26 - Drawing 24 - received 11 March 2013

Elevations and Floor Plan - Garages, Drawing 25 - received 11 March 2013
Streetscene Elevation - Plots 9 and 10 - Drawing 26 - received 14 August 2013
Streetscene Elevation - Plots 24, 25 and 26 - Drawing 27 - received 14 August
2013

REASON: To clarify the terms of this consent.

Officers Report for KET/2013/0167

3.0 Information

Relevant Planning History

KET/2012/0170 Outline Application - 26 no. dwellings White Lodge Farm (land at), Higham Road, Burton Latimer APPROVED, subject to a S.106 OBLIGATION

Site to south:

KET/2008/0884 - 14 no. dwellings with associated parking – REFUSED

KET/2009/0493 - Erection of 14 no. dwellings and associated parking – APPROVED

Site to west:

KET/2011/0030 – Reserved Matters for 248 dwellings and associated works – APPROVED.

KET/2007/0559 – Outline for 248 dwellings and associated works – APPROVED.

Site Description

Officer's site inspection was carried out on 26 March 2013.

The land to which this application relates is agricultural land within the settlement boundary of Burton Latimer as defined by the proposal map within the Local Plan for Kettering Borough. The site benefits from outline consent (KET/2012/0170) for residential development. The application site has a gently sloping east-west gradient and is a rough 'L' shape.

The application site is situated to the rear of a parcel of land which fronts onto Higham Road and benefits from extant permission KET/2009/0493 for 14 dwellings. Work has commenced on this site.

To the east of the site the land extends towards the boundary with the A6 bypass beyond which lies the Burton Wold Wind farm and open countryside. To the west and north, the application site adjoins land the planning permission for 248 dwellings (KET/2007/0559 and KET/2011/0030) which is currently being built out.

Proposed Development

This proposal is a Reserved Matters application for 28 dwellings. Access was determined at the outline stage, all other matters e.g. appearance, layout, landscaping fall to be considered now.

The description for the outline application was '26 dwellings' however no condition was imposed to limit the numbers applied for within any subsequent reserved matters application. The applicants have therefore applied for 28 dwellings, as the legislation allows them to do.

Any Constraints Affecting the Site
C Road

4.0 Consultation and Customer Impact

Burton Latimer Town Council

No objection.

Kettering Borough Council - Environmental Health

Satisfied with the noise assessment and would advise that no further conditions are necessary regarding environmental noise impact on this approval of reserved matters.

Kettering Borough Council – Housing

Affording Housing proposed is acceptable.

Highway Authority

Confirmation required that the turning head at the northern end of the site is of sufficient size to allow a refuse vehicle to turn safely without overrunning the footways. The applicant should provide an *Autotrack* drawing of the RCV entering the site from the south and manoeuvring within the turning head.

Northamptonshire Highways also needs to see proposals for the permanent diversion of the public footpath running through the site and confirmation that the process of applying for this is already underway.

Environment Agency

No objection.

Anglian Water

No comment to make.

Northamptonshire Wildlife Trust

Commented that the first soft landscaping scheme for the site included a great many non-native species. Any soft landscaping scheme associated with this development should incorporate the planning of appropriate native species (trees, shrubs and plants).

The applicant has amended the landscaping scheme and the Wildlife Trust has been consulted. Any response received will be reported on the Committee update.

Northamptonshire Police

No objection.

Northamptonshire County Council - Archaeology

No objection.

Northants Badger Group

No comments to make.

Neighbours

3 letters have been received, objecting to the proposal on the following grounds: -

- Plot 21 will overlook garden and reduce privacy, will reduce sunlight into garden and dwelling and create a huge brick wall right against back fence, which object to having to look at.
- Plots 13/14/15 and the trees proposed to the associated rear gardens will result in loss of light and privacy.

One neighbour has no objection to the dwellings, but objects to the trees proposed to rear of plots 14/15 which will overshadow and overhang neighbouring gardens which are lower than the application site. They also state 'We believe that our garden fence lies slightly within our plot boundaries so therefore the gardens of the proposed houses should not come up to our fence.'

5.0 Planning Policy

National Planning Policy Framework (NPPF)

Policy 6 – Delivering a Wide Choice of High Quality Homes

Policy 7 – Requiring Good Design

Policy 11 – Conserving and Enhancing the Natural Environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements

Policy 9 – Distribution and Location of Development

Policy 10 – Distribution of Housing

Policy 13 – General Sustainable Development Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Local Plan

Policy 35 – Within Towns

Emerging Policies (Local Development Framework)

Site Specific Proposals Document – Options Paper Consultation March 2012.

6.0 Financial/Resource Implications

A S106 agreement has already been agreed under the outline application for the site - KET/2012/0170.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Access
3. Amenity
4. Design and character
5. Environmental Matters
6. Ecology
7. Sustainable Construction and Design

1. Principle

The principle of development has been established by the granting of outline planning permission under application KET/2012/0170 Residential development 26 dwellings. A condition restricting development to 26 dwellings was not imposed. As a result the developer has submitted plans showing 28 dwellings. This is perfectly legitimate and the impact of the additional 2 dwellings was assessed during the consideration of the application.

2. Access

Details of the proposed access for this development were agreed under the outline application KET/2012/0170. Access to the site is from a new junction with Higham Road (on the line of a previous farm access), and runs through the White Lodge Farm residential development which lies to the front of the site and is currently under construction.

Confirmation has been sought from the applicant that the turning head is of sufficient size to permit a refuse collection vehicle to turn safely without overrunning the footways. Northamptonshire Highways will be consulted and any results reported to Committee.

Condition 16 of the outline consent (KET/2012/0170) requires the permanent diversion of the public footpath running through the site, in accordance with an approved scheme prior to the commencement of development.

The Local Highway Authority has not objected to the additional two dwellings created by this application.

3. Amenity

Due to the layout of the proposed dwellings, their scale, design and type, it is considered that an acceptable level of outdoor amenity space is provided. The layout achieves a satisfactory degree of separation between the proposed dwellings, and ensures that no dwellings within the site are detrimentally affected by any of the others by virtue of overlooking or loss of light.

To the south of the application site are dwellings granted consent under KET/2009/0493 and KET/2012/0513 (in effect Phase I of this development). The shortest distance between the existing dwellings and those proposed is 5m, which is between the blank rear elevation of proposed plot 27 and the side elevation of an existing dwelling. A condition removing permitted development rights for openings on this elevation (the west) of Plot 27 will ensure privacy between dwellings is retained.

The blank side elevation of proposed plot 26 and the rear elevation of the neighbouring existing dwelling is 14m. A condition removing permitted development rights for openings on this elevation (the south) of Plot 26 will ensure privacy between dwellings is retained. The distance between other proposed and existing dwellings is over 20m which is considered sufficient to maintain privacy.

To the west of the development site are new dwellings granted planning permission under KET/2007/0559 and KET/2011/0030. The minimum distances between the proposed and existing dwellings range from 12m to 23m. Ground levels on the application site are slightly higher. Condition 5 of the outline application requires the submission of existing and intended final ground and finished floor levels which will allow the Local Planning Authority to further control this aspect of the development and ensure that any difference in levels does not give rise to additional overlooking.

The smallest distance between dwellings is the 12.5m between the blank side elevation of plot 21 and the rear elevation of existing dwellings No. 31 and 33 Donnington Road. This distance is between a side and rear elevation, rather than a rear elevation to rear elevation and is no different to the side to rear relationship experienced elsewhere within the Borough. . A condition removing permitted development rights for openings in the western elevation of Plot 21 will ensure privacy between dwellings is retained. It is considered this relationship is acceptable in terms of overlooking. The location of this dwelling in relation to No's 31 and 33 Donnington Road will result in some minor loss of sunlight to the rear garden areas in the morning, but this is not considered to be significant enough to warrant a refusal of planning permission.

A similar distance lies between the blank side elevation of plot 20 and No's 25 and 27 Donnington Road, but in this case the bulk of plot 20 lies

opposite the car parking area to the front of plot 21 and side of plots 25. The relationship is therefore considered to be acceptable. To prevent oblique overlooking of No's 25 and 27 Donnington Road, Permitted Development Rights will also be removed for openings on the western elevations of Plot 20.

Plot 12 is 13.5m from dwellings on Donnington Road. Currently there is one first floor window to an ensuite, and at ground floor level a door and window to a utility room overlooking the rear elevations of dwellings on Donnington Road. As these are windows to non-habitable rooms they are considered acceptable. Permitted Development Rights for additional openings on the western elevations of Plot 12 will be removed to ensure that no future concerns arise from overlooking, issues of an overbearing nature or loss of privacy.

The rear elevation of the two-storey projecting 'wing' of Plot 13 is 19m from the rear elevation of No 7 Donnington Road, with 22m between the main body of the proposed house and the rear elevations of No 7 and 9. 22m separates the rear elevation of the two-storey projecting 'wing' of Plot 14 from the rear elevation of No 11 Donnington Road, with 25m between the main body of the proposed house and the rear elevation of No 11. 21m lies between the rear elevation of no 13 Donnington Rd and the rear of the single storey garage to Plot 15. The garage is closer to the boundary with Donnington Rd, the house itself is a minimum of 28m from 13 Donnington Rd. These distances are considered sufficient to prevent loss of light and preserve privacy between dwellings.

The trees proposed to the rear of plots 14/15 which were the subject of neighbour objections have been removed from the landscaping proposals. This will reduce the possibility of overshadowing. The garage to plot 13 is located to the rear of the plot and as a result is approx 11m from the rear elevation of existing dwellings. It is therefore proposed to remove Permitted Development Rights for openings in the western elevation of this building to prevent future loss of privacy.

To the north and east of the site is open countryside and offers no adverse impact on the wider area.

For the reasons outlined above it is considered that the proposal meets the requirements of Policy 13 of the North Northamptonshire Core Spatial Strategy in so far as it relates to matters of residential amenity.

4. Design and Character

Policy 7 of the NPPF states that good design is a key aspect of sustainable development; is indivisible from good planning and should contribute positively to making places better for people.

Policy 13 of the North Northamptonshire Core Spatial Strategy requires new development to i) be of a high standard of design, architecture and landscaping, which respects and enhances the character of its

surroundings and ii) creates a strong sense of place by strengthening the distinctive historic and cultural qualities and townscape of the towns and villages through its design and landscaping.

This site is in effect Phase 2 of the White Lodge Farm residential development (currently under construction) and is accessed through it. When built it will be experienced as one with the White Lodge Farm Residential development currently under construction. Due to this and the relatively small size of the development it is considered important that the layout, form, style etc of new site is similar to that of the site already under construction. Two very different styles of development on a relatively small road could create a discordant feel to the street scene and this part of Burton Latimer.

Along the eastern edge (which borders agricultural land) of the site the proposed layout follows the linear form of development established by the White Lodge Farm development. On the western edge the plans show a mix of linear and more informal groupings of dwellings, again following the form of layout adopted by the White Lodge Farm residential development to the front of the site.

This plan form matches the linear shape of the development site, and provides a boundary between the built form and the countryside to the East. The mix of formal and more informal layouts, coupled with the variety of house types (discussed below) results in a varied and interesting street scene within the site.

The site proposes 28 dwellings and 14 different house types. The proposed house types share a number of design characteristics with the earlier phase such as chimneys (internal and external), pitched roof or mono-pitched canopies over front doors and brick detailing over ground floor windows and doors. Only plot 8 has a house type which is also on the earlier site (plot 5). The shared characteristics mean the house types work well together within the application site and with the earlier residential development through which the site is accessed whilst the variety of house types results in less suburban feel to the site, reflecting its edge of settlement location.

The similarity of form and layout and shared characteristics between this and the adjacent site will result in a development which reads well with the existing, but due to the number of houses types will provide variety within the street scene. This form of development relates well to with the historical makeup of Burton Latimer's urban fringe, where different house types coexist within the street scene and there is no single dominant architectural style.

Subject to a standard materials condition being discharged, it is considered that the proposal meets the requirements of Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 7 of the NPPF in so far as they relate to matters of design, character and appearance.

5. Environmental Matters

Condition 14 of the outline application requires any subsequent Reserved Matters application to be accompanied by a noise assessment which identifies noise sources (with particular reference to the nearby A6 bypass) and propose appropriate mitigation measures to be incorporated within the building designs to ensure an acceptable living environment for future occupants. The assessment has been subject to consultation with Environmental Health who state they are satisfied with the noise assessment and would advise that no further conditions are necessary regarding environmental noise impact on this approval of reserved matters.

6. Ecology

The WT have commented that the submitted soft landscaping scheme for the site includes non-native species and that any soft landscaping scheme associated with this development should incorporate the planning of appropriate native species (trees, shrubs and plants). A revised scheme showing native species has been submitted by the applicants. This has been sent to the Wildlife Trust for comments and at the time of the writing this report a response had not been received, any update will be reported to committee.

Condition 10 of the outline consent requires the submission of a scheme to address ecological interests within and in the vicinity of the site in accordance with the 'Ecological Survey Report' (January 2012) submitted with the outline application.

7. Sustainable Design and Construction

Policy 14 of the Core Spatial Strategy requires that development meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions and that 10% of the demand for energy is met through decentralised renewable and/or low carbon sources. Development should demonstrate techniques of sustainable construction and energy efficiency, provision for waste recycling/reduction and provision for water efficiency and water recycling.

Conditions 6 and 7 of the outline application KRT/2013/0170 require the submission and approval of schemes (before development commences on site) which detail how the needs of Policy 14 will be met.

Other issues

Comments made by neighbours in relation to loss of view and comments relating to plot boundary locations are not material considerations in the determination of this application.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004

requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. Taking all the above issues into account the proposal accords with Development Plan Policies and subject to the inclusion of the recommended conditions above this application is recommended to Members for approval.

**Background
Papers**

Title of Document:

Date:

Contact Officer:

Christina Riley, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: