

BOROUGH OF KETTERING

Committee	Full Planning Committee - 23/09/2014	Item No: 5.3
Report Originator	Alan Davies Development Officer	Application No: KET/2014/0300
Wards Affected	Rothwell	
Location	High Street Newsagents, 9 High Street, Rothwell	
Proposal	Full Application: Demolition of timber outbuildings and construction of 2 no. dwellings (resubmission of KET/2013/0704)	
Applicant	Mr & Mrs A Mills	

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. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used 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 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 any of the elevations or roof planes of the buildings hereby approved.

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 take place on site until a scheme for internal boundary treatment between the two dwellings has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented and permanently retained thereafter in accordance with the details hereby approved.

REASON: In the interests of the amenities and privacy of the neighbouring property in the interests of amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. No work shall be undertaken on the site until details of measures to be taken to protect the boundary wall within the curtilage of the site have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out other than in accordance with the approved details.

REASON: To protect the architectural interest and setting of the building in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the recording of any items of archaeological interest in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. 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 in addition to areas of hardsurfacing and materials proposed. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the dwellings. 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 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0300

This application is reported for Committee decision because the applicant or agent is a Council member or is a friend or relative of a Council member.

3.0 Information

Relevant Planning History

KET/2013/0704 – Demolition of timber outbuildings and construction of 2 no. dwellings. Withdrawn 02/01/2014.

Site Description

Officer's site inspection was carried out on 15/05/2014.

The application site is to the rear of 11 High Street, Rothwell. The site lies within Rothwell Conservation Area and to the north of the Charter Inn, a Grade II listed public house. At present the site is accessed from the High Street through a small passage formed by a 'flying bedroom' at first floor level of 11 High Street. There is a set of 2 metre high timber gates that in turn accesses a rear yard. The rear yard consists of two rudimentary single storey sheds/storage buildings constructed of timber and corrugated metal/asbestos sheets. The first part of the yard is surfaced with bricks and the rest is a mix of grass or compressed stone and tarmac. On the right boundary is a 2 metre high brick wall and on the left, behind the sheds, is a substantial ironstone wall approximately 4 metres high.

Proposed Development

It is proposed to demolish the existing timber outbuildings on site and replace them with a 1 bedroom dwelling and a 2 bedroom dwelling. Both will be two stories in height and will make use of the existing ironstone boundary walls on site to form some of the external elevations.

Any Constraints Affecting the Site

Rothwell Conservation Area
Setting of a Grade II Listed Building
B Road

4.0 Consultation and Customer Impact

Town Council

No objection as vehicular access is not proposed.

Northants County Council Archaeology

The proposal involves the construction of two new dwellings, utilising the shell of a stone barn which appears, from historic maps, to have been on site since 1886. The significance of the barn lies in its spatial and functional relationships with the other buildings on the site as well as its former uses. The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development

provided that adequate provision is made for the investigation and recording of any remains that are affected and thus a condition should be imposed, should permission be granted.

Neighbours

One objection from the neighbouring public house has been received. It raises the following concerns:

- The area directly behind the proposed dwellings is the designated smoking area of the public house. The proximity of the dwellings to the smoking area may be a health and safety issue.
- Likely noise pollution due to the proximity to the car park of the public house.
- These new dwellings could have a direct impact upon the way the public house is run, such as outdoor events etc in future.
- We are concerned about overlooking/overbearing or external fixtures and fittings such as down pipes etc.
- The lack of identified parking spaces could have a detrimental impact upon our own parking spaces.

5.0 Planning Policy

National Planning Policy Framework

6. Delivering a wide choice of high quality homes

7. Requiring good design

12. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements

Policy 7. Delivering housing

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 35. Residential Development within Towns

SPGs

Sustainable Design and Construction SPD

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Residential amenity
3. Heritage
4. Access
5. Sustainability
6. Design, character and appearance

1. Principle of development

Saved Policy 35 of the 1995 Local Plan for Kettering Borough and Policies 7, 9 and 10 of the North Northamptonshire Core Spatial Strategy provide for residential development within existing town boundaries. As a result the principle of this proposal is firmly established by the development plan, provided that it accords with all other relevant policies. Material planning considerations including impact upon amenity, heritage, access to the dwellings and their design are discussed in further detail in the subsequent sections of this report, but at a local plan level the principle is considered to be acceptable. Nationally Sections 6, 7 and 12 of the National Planning Policy Framework also support this proposal as it re-uses an existing urban site to deliver additional housing that is considered to be well-designed and appropriate for the character of the area. As demonstrated below the scheme also accords with both national and local planning policy in respect of conserving the historic built environment.

2. Residential amenity

The proposed dwellings will be located in what is effectively a rear yard to 11 High Street, Rothwell. As a result to the direct north of the site is the rear garden of the White House, Rothwell and to the south and west is the pub garden of the Charter Inn, Rothwell. To the southeast is 11 High Street. The proposal is therefore on a complex site that could be overlooked or result in overlooking, were it not for a high standard of design, as required by Section 7 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

The proposed windows are to be primarily located on the east elevation of unit 1 and the northeast elevation of unit 2. The majority of the windows on unit 1 will therefore face onto the blank gable elevation of unit 2. Most of the windows on unit 2 will face towards the rear garden of the White House. However, there is an existing 2 metre high brick

boundary wall topped with a row of mature coniferous trees that will prevent any overlooking of this garden throughout the year. However, even if all of the trees were to be removed the distance between unit 2 and the boundary wall, its height and the fact that it would only be two first floor windows from where a small section of the neighbouring garden would be visible means that the resultant level of overlooking of the neighbouring garden would not be at a level to result in a significant loss of privacy of the rear garden for the occupants of the White House so as to justify refusal of this application. As such the impact upon the amenity of the residents of the White House, including whether the design will have an overbearing impact or result in loss of light, is therefore considered to be acceptable.

The design of the proposal and its orientation will ensure that there is no detrimental impact upon the residents of 11 High Street to the southwest. An objection to the proposal regarding the impact upon the public house has been received concerning the proposed first floor windows overlooking the beer garden. Consideration has been given to condition these windows to be obscure glazed and fixed shut (four in total, two from each unit) to ensure privacy for both the residents of the proposed dwellings and for patrons of the public house. However, it is considered that such a condition is unjustified as the very nature of a public house is that the building and its environs are public and lack privacy. As such no condition will be imposed. It is therefore considered that the proposal will accord with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of amenity, both for surrounding properties and for the future occupants of the two units proposed.

3. Heritage

The proposed dwellings will be located within Rothwell Conservation Area. To the immediate southwest the Charter Inn is a Grade II Listed Building. The design of the dwellings, which will result in two small ironstone wall two storey dwellings to the rear of existing ironstone properties, will, where visible from the public realm, preserve the character and appearance of the Conservation Area. In terms of the listed building the existing stone boundary wall, which was built to separate 11 High Street from the public house, will prevent the proposal from detrimentally impacting upon the setting of the Grade II listed building.

Consideration has also been given as to whether the boundary wall is curtilage listed. It is considered that this wall has a relationship not with the public house, but with 11 High Street. In addition it does not meet with any part of the listed building and therefore it cannot be considered to be curtilage listed. The only impact the proposal will therefore have upon heritage is the additional roof height above the existing ironstone boundary wall between 11 High Street and the Charter Inn. The amount of fenestration proposed for the elevations facing onto the beer garden of the Charter Inn is limited, amounting to no more than 4 small

windows, and thus the proposal is considered to accord with Section 12 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of heritage.

4. Access

No parking is proposed for this development. Whilst currently vehicular access to this rear yard is possible from the High Street it is through a substandard access onto a busy road. It is not proposed to provide any parking with either dwelling and the access will be pedestrian only. The proposed dwellings are close to all necessary services, shops and bus routes and therefore on site parking is not considered essential for a town centre site. In addition there is sufficient on street parking in the local area for the parking of vehicles. Added to this the two dwellings will have a maximum of 3 bedrooms between them and therefore are unlikely to create a high demand for parking spaces. As such the lack of provision of parking spaces is considered to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of highway safety. To ensure future occupants do not attempt to park within the yard a condition requiring the creation of an internal boundary scheme will ensure that the ability to park to the rear of 11 High Street is no longer possible.

5. Sustainability

The proposal, by virtue of its central location within Rothwell Town Centre, the proposed external materials and the inclusion of an existing boundary wall to form a large part of the boundary walls is considered to be a sustainable use of this complex site. A Sustainability and Energy Statement has been submitted with the application which details how both the method of construction and the use of rainwater collection and low energy LED lighting will be incorporated into the dwelling will ensure that the proposal accords with Policy 14 of the North Northamptonshire Core Spatial Strategy.

6. Design, character and appearance

The proposal will essentially lead to the creation of two small, traditionally-designed dwellings within an existing rear yard in the town centre of Rothwell. The materials proposed are vernacular materials – ironstone walls and slate for the roof. The roof of both dwellings will be pitched and the windows will be relatively small, resulting in two unassuming properties that do not catch the eye. They will seek to preserve, rather than enhance the character of the surrounding area by blending in with the existing development. The design therefore is considered to be appropriate and will not detrimentally affect the appearance of the area. As such the proposal is considered to accord with Sections 6 and 7 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy

Conclusion

The proposal accords with national and local planning policy, will not

have a detrimental impact upon the amenity or character of the area and will provide two small dwellings in a unique site in the heart of Rothwell Town Centre. It is therefore recommended that permission is granted.

**Background
Papers**

Title of Document:

Date:

Contact Officer:

Alan Davies, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: