

BOROUGH OF KETTERING

| | | |
|--------------------------|---|--|
| Committee | Full Planning Committee - 17/11/2015 | Item No: 5.5 |
| Report Originator | Richard Marlow Senior Development Officer | Application No: KET/2015/0672 |
| Wards Affected | Slade | |
| Location | Whitehill Farm (land at), Loddington Road, Cransley | |
| Proposal | Full Application: Conversion of traditional buildings to 3 no. dwellings, construction of 2 no. dwellings with associated works and demolition of modern buildings | |
| Applicant | Mr D Knight | |

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 including windows, 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 of the North Northamptonshire Core Spatial Strategy.

3. Prior to first occupation of the development a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. 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.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 north east elevation or roof plane of the building to be used for plots 1 and 2 or the south east elevation or roof plane of plot 5 as shown on plan number WIL178PA001 Rev B received 1 October 2015 by the Local Planning Authority.

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

5. Due to the previous potentially contaminative use of the site and the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out.

Development on land affected by contamination:

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition c.

REASON: A contamination survey prior to commencement is necessary to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 11 of the NPPF and 13 of the CSS.

6. No development shall commence on site until details of the materials to be used for hard and paved surfacing, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

REASON: Details of materials are necessary prior to the commencement of development in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. Prior to the first occupation of the development hereby permitted the shared private access and visibility splays shall be provided in accordance with the details shown on drawing number WIL178PA001 Rev B received 1 October 2015 by the Local Planning Authority. The access point hereby approved shall be retained in its approved form thereafter.

REASON: In the interests of highway safety in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

8. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of intended final ground and finished floor levels of plot 4 and 5 has 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: To preserve the character of the area and to protect the privacy of the occupiers of adjoining properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

9. The window at first floor level on the south east elevation of plot 5 shall be glazed with obscured glass (no less than level 4 Pilkington Standard, or equivalent) and any portion of the window that is within 1.7m of the floor of the room where the window is installed shall be non openable. The window shall thereafter be maintained in that form.

REASON: To protect the privacy of the adjoining properties and to prevent overlooking in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

10. Prior to the commencement of development, a scheme for the provision of bird boxes for the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of maintaining and improving habitats and biodiversity in accordance with policy 11 of the National Planning Policy Framework and policies 5 and 13 (o) of the North Northamptonshire Core Spatial Strategy.

11. No demolition work hereby approved shall be undertaken between the 1st March and 31st July (bird nesting season) in any calendar year unless it has first been demonstrated through the undertaking of an appropriate bird survey, which shall have been submitted to and approved in writing by the Local Planning Authority, that no building is occupied by nesting birds. In the event nesting birds are present demolition work will only be permitted during the aforementioned period subject to the prior written approval of the Local Planning Authority of a mitigation survey.

REASON: In the interests of safeguarding biodiversity in compliance with policy 13 of the North Northamptonshire Core Spatial Strategy

Officers Report for KET/2015/0672

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

None relevant

Site Description

Officer's site inspection was carried out on 1 October 2015.

Whitehill Farm comprises a part arable, part pastoral agricultural holding situated to the north and east of Cransley. The land is used for a mixture of arable and pastoral farming and currently various buildings are situated at and near the farmstead which is situated in the south-west of the farm, beside Loddington Road and Bridle Way.

The farmstead comprises Whitehill Farm Farmhouse which is a Grade II listed building, a number of traditional single and two storey brick barns, a modern built wooden clad building used as a microbrewery, and open fronted barn

The application site is accessed off Bridle Way between a stone walled entrance. The access runs beside the traditional buildings to the east until the access turns to the right to run alongside the barns to the north. A 20th century garage is located on the west side of the entrance.

The application site comprises the traditional brick buildings together with the farmyard and the modern buildings to the eastern part the site. The application site is 'L' shaped and sits between the farmstead to the west and the row of dwellings on Bridle Way to the east and south.

There is a modest change in levels with the site rising from south to north away from the access point with Bridle Way. The traditional buildings are constructed of a combination of stone and brick under slate and profiled sheeting roofs. The 20th century buildings are constructed of a variety of materials including timber boarding, steel roof sheeting and steel pole barns.

Proposed Development

The application seeks permission for the demolition of the open fronted barn and the modern wooden clad building housing the micro-brewery, the conversion of the traditional buildings to three dwellings, the erection of two houses at the farmstead and the associated works.

The listed building consent is considered separately through application KET/2015/0675.

Any Constraints Affecting The Site

Listed Building - Grade II
Adjacent Public Right of Way
Cransley Conservation Area

4.0 Consultation and Customer Impact

Cransley Parish Council

- Supports the application in principle and considers this a long overdue improvement for the site.
- Councillors have concerns about the parking arrangements. If anyone parks on the north side of Bridle Way, to the south of Whitehill Farmhouse, there is already a problem for vehicles exiting Holly Lane as the road is so narrow and close to the Loddington Road junction.
- Visibility on leaving the site and turning right into Bridle Way is inadequate and the front of any car has to be across the pavement before the driver is able to see any oncoming traffic.

Environmental Health

No objection and have recommended conditions regarding contaminated land and acousting separation

Natural England

No comments

Northamptonshire Archaeology

No objection and have recommended a condition to secure a programme of archaeological works

Highway Authority

- No objection The Speed Survey carried out gave 85th percentile speeds of 20mph for westbound traffic and 28mph for eastbound traffic. With reference to Manual for Streets this requires visibility splays with 'y' distances of 25m to the east and 39m to the west.
- Since the current barriers to these splays are within the applicants ownership it must be decreed to be within their powers to attain the visibility and so an objection cannot be upheld. If it was third party land hindering the splays it would be outside of the applicants control and so an objection could be made to stand.
- Since the supplied plan does not meet our requirements on access, we must add conditions so that the revised access arrangements may fully meet the Highway Authorities standards.

Neighbours

3 Bridle Way

Objection:

- Regarding the two stone barns to the west of our property, restrictions should be imposed regarding overlooking our garden and property. This is to include roof light style windows.
- Overflow pipes or exhaust flues should not overhang our property
- Proposed parking is insufficient to accommodate visitors
- The new buildings would be approximately 2 metres from our boundary and would encroach on our privacy, outlook and light.

- Bats are present in the vicinity and may reside within the existing outbuildings.

3, 5 and 7 Bridle Way

- Loss of privacy and overlooking
- Our garden, a raised terrace with seating, would be severely overlooked from the top rooms of the development resulting in a serious invasion of privacy.
- The design does not afford adequate privacy for future occupiers or adjacent residential properties, particularly the right to the quiet enjoyment of garden activities.
- The scale of the development would have an oppressive impact on nos. 3, 5 and 7 Bridle Way and we would like to have restriction imposed on the permitted planning regarding windows overlooking our garden including roof light style windows.
- The height and proximity of the development would unreasonable overshadow nos, 3, 5 and 7 Bridle Way
- There would be unacceptable intrusion in the form of noise nuisance given the proximity of the development.
- The development may lead to a significant impact upon road safety with the current access arrangements given the number of proposed dwellings. The access could lead to significant road safety issues. There would be an increase in vehicles and a danger to people walking along the footpath. The proposed access is opposite Holly Lane from where residents already often have difficulty turning onto Bridle Way.

Holly Lane

- Without an adequate and new access road into the redevelopment the resulting traffic problems that already exist in Bridle Way will be unreasonably proliferated, to the detriment of the existing users of Bridle but particularly to those driving in Holly Lane.
- The application must be amended to describe a new access road, laid out to current highway standards.

5.0 Planning Policy

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements

Policy 5 – Green Infrastructure

Policy 7 – Delivering Housing

Policy 9 – Distribution and the location of development

Policy 10 – Distribution of Housing

Policy 13 – General Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Local Plan

Policy 7. Development in the open countryside

RA3. Rural Area: Restricted Infill Villages

SPDs

Sustainable Design SPD
Biodiversity 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. Design and Visual Impact
3. Impact upon Neighbours
4. Access, Movement and Connectivity
5. Sustainable Construction and Design
6. Contaminated Land
7. Ecology

1. Principle of Development

The application site is located in an established residential area within the village boundary of Great Cransley as defined by Policy RA3 of the Local Plan. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development and for decision-making this means approving development proposals that accord with the development plan without delay. Paragraph 49 of Policy 6 of the NPPF requires applications for residential development to be considered in the context of the presumption in favour of sustainable development. The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

The key policy in respect of the principle of the proposal for residential development is saved Policy RA3 of the Kettering Borough Local Plan which sets out the policy for new residential within restricted infill villages including Great Cransley. The site is situated within the village confines and the proposal accords with the criterion of the Policy. In respect of criterion (ii) the proposal is of small modest scale, appropriate to the site, the character of the setting and the village. In terms of criterion (iii), the proposal does not involve the development of open land, the site is a farm yard occupied by a number of buildings and laid with hardstanding. In respect of criterion (iv), the proposal is compatible with the other policies of the Local Plan in relation to the access, layout, conservation and open space. Finally, in respect of criterion (v), the proposal incorporates means by which each dwelling will incorporate energy saving measures. Accordingly, the proposal accords with Policy RA3.

2. Design and Visual Impact

The application seeks planning permission and listed building consent for the demolition of 20th century farm buildings and structures, along with the conversion of traditional buildings and the construction of two houses. The proposed demolition includes the modern structures within the site including the micro-brewery and open barn to the north of the site.

The traditional range of buildings within the site will be converted to provide three dwellings comprising two no. 2 bedroom dwellings (plots 1 and 2) within the building situated on the eastern side of the access drive, and one no. 3 bedroom dwelling comprising the 'L' shaped building on the north side of the courtyard. The conversion involves utilising the existing openings and including a new window on the western (front) elevation of Barn 1 which will be converted to create the first two-bedroom dwelling. The entrance to the building and the first floor windows will use the openings available, ensuring the building appears much the same as it does currently.

The second dwelling, plot 2, will be created through the conversion of the part two storey and single storey barns near the entrance. Existing openings will be used within the single storey part and the roof will be replaced with appropriate tiles, which can be secured through condition, instead of the current steel sheeting. Within the two storey element of Unit 2, windows will be inserted into the front elevation to provide light to the rooms inside. The existing first floor opening will be utilised as a window and the roof replaced with appropriate tiles. The application has deliberately avoided introducing windows into the rear elevation of plots 1 and 2 to avoid privacy and amenity impacts for the adjacent property at 3 Bridle Way. Plots 1 and 2 present gardens, external amenity space and vehicular parking to the west of the dwellings and incorporate provision for bin storage within plots.

To the north west of the site the single storey barn will be converted into a 3 bedroom dwelling. The adjacent lean-to covering will be removed allowing the full extent of the barn to be visible. The barn has a number of openings in its front elevation which will be used for the windows and doors, creating a light property facing south-eastwards. Windows will also be inserted into the existing openings on the southwestern and north-western elevations. The existing roof is slate tile which will be repaired where necessary and appropriate conditions can be secured by condition.

Two new houses are proposed on the remainder of the farmyard comprising the yard space to the eastern end of the yard, partly occupied currently by the modern steel and timber buildings. These houses would be of traditional design and finished in a mixture of stone, brick under slate roofs. Appropriate materials and samples can be secured by condition to ensure that the finish of the buildings proposed respect the character and appearance of surrounding development including the listed farmhouse and the Conservation Area. Private amenity space, refuse storage and car parking is provided for both plots with plot 4 benefitting from an attached car port. The two properties would be viewed from the public footpath to the east and would provide a coherent and sympathetic design.

The scheme has been designed to respect the historic farm context of the site and utilises an internal courtyard to provide turning facilities within the site. The internal courtyard within the site also helps to mark the transition between the historic elements of the site which are to be retained and converted, and the new development to the north east of the site. Importantly the existing wall alongside the western boundary bordering the garden of the farmhouse will be retained given its historic interest and its importance in providing a clear demarcation between the

application site and the neighbouring listed building. The existing stone walls along the southern boundaries, which are noted as being of significance within the conservation area appraisal, will be retained and repaired where necessary as part of the development.

The submitted site plan includes both hard and soft landscaping to demonstrate how the site will sit with surrounding development. The plans indicate that boundary treatments have been given consideration including a 2m closeboarded fence that will separate the new dwellings from the existing properties at nos 3 – 7 Bridle Way. Subject to conditions which secure hard and soft landscaping details, and samples where appropriate, prior to development the proposal presents a high quality design that is consistent with policy 7 of the NPPF.

Overall the proposal respects the prevailing character, will preserve and enhance the Conservation Area and setting of the Listed Building, and represents high quality design consistent with policy 13 of the CSS.

3. Impact upon Neighbours

Paragraph 17 of the NPPF states that development must secure a good standard of amenity for all existing and future occupants of land and buildings. Policy 13(I) of the CSS is clear that development must 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.

Objections on amenity grounds have been received from the neighbouring properties at nos. 3 – 7 Bridle Way which feature a minimum 18 metre deep rear gardens.

The converted farm building to the east of the site, comprising plots 1 and 2, has been designed so that no windows or openings are presented within its rear elevation which sits adjacent to the garden of no. 3 Bridle Way. A condition should be imposed that prevents future windows and openings within this elevation will ensure that neighbouring amenity is maintained and no detriment is caused. Plot 5 sits to the northwest of the properties at nos. 3 – 7 Bridle Way which have all been extended over time but maintain gardens of between 18 and 20 metres in depth. At first floor plot 5 presents one obscured bathroom window facing the neighbouring properties and subject to conditions which secure this window as obscure glazed and non-opening below 1.7 metres above floor level and prevent future opening being inserted, no detriment will be caused to neighbours.

Plot 5 would sit higher than the neighbouring dwellings to the south due to the existing topography. The dwelling is set 1 metre beyond the boundary and would therefore be set a minimum of 19 metres from neighbouring properties. Having visited the site it is not considered that plot 5 would present an oppressive form of development that would cause unacceptable amenity impacts to neighbouring properties. The siting of the proposal ensures that no overshadowing will result, due to the path of the sun and separation distances are acceptable. A floor levels condition for plots 4 and 5 will ensure that the dwellings are constructed as indicated and no overbearing impacts result.

In summary the proposal accords with the requirements of Policy 13(l) of the North Northamptonshire Core Spatial Strategy.

4. Access, Movement and Connectivity

Policy 13(d) and (n) of the North Northamptonshire CSS requires that developments have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards and do not have an adverse impact on the highway network.

The scheme provides 13 parking spaces including 2 spaces for the use of the existing farmhouse and is accessed from a shared private drive that links with Bridle Way to the south. Objections have been received to the proposed access and concerns regarding highway safety when entering and exiting the site. These include concerns about the conflict with vehicles using Holly Lane to the south.

The Highways Authority requested that a speed survey be undertaken in Bridle Way to inform their response to the application. The speed survey was undertaken for a seven day period and with reference to its findings and Manual for Streets requires visibility splays with unobstructed views for distances of 25m to the east and 39m to the west.

A revised site plan has been submitted which indicates the visibility splays produced at the proposed access point. These visibility splays are below the standards achieving 17.2m to the west and 9.6m to the east. To the east the visibility is restricted by the farm building which is to be retained for plots 1 and 2, whilst to the west the curtilage listed stone wall limits visibility. Analysis by Highway Authority indicates a small increase in the visibility splay to the west could be achieved by removing or severely reducing the height of the curtilage listed stone wall. The Highway Authority has not objected to the proposal as the space for appropriate visibility splays are within the applicant's ownership.

The visibility splay produced is substandard and does not meet highways standards. In this case the visibility splays must be balanced against other material considerations and in particular the designation of the site and wall as curtilage listed. A scheme on the site which achieved the required visibility as stated above would require large portions of the most important architectural and historically significant buildings and structures to be removed from the site. Such a development would not preserve or enhance the conservation area nor have special regard to the desirability of preserving the listed buildings or its setting.

The speed survey indicated that vehicles are travelling within the legal speed limit and it is evident that the existing farm access could be used by a number of vehicles visiting the existing site without recourse from the Local Planning Authority. There is also no evidence that conflict with vehicles using Holly Lane to the south would result from this proposal and highways authority have raised no concerns about this aspect.

The proposal provides for parking, servicing and manoeuvring in accordance with adopted standards. The access and visibility does not meet adopted standards however this needs to be considered against all other material planning

considerations.

5. Sustainable Construction & Design

Policy 14 of the CSS requires new development to meet the highest standards of resource and energy efficiency and a reduction in carbon emissions. All proposals for new development should demonstrate how they are intending to incorporate techniques of sustainable construction and energy efficiency; make provision for waste reduction and recycling; and for water efficiency and water recycling.

A Sustainability Appraisal and Sustainable Design SPD checklist has been produced in support of the application which demonstrates how the conversion units will maximise energy and water efficiency, as will the new dwellings to be constructed. A condition to secure development in accordance with the submitted details will ensure that the proposal accords with policy 14.

6. Contaminated Land

Due to the underlying geology present throughout Northamptonshire, a full ground investigation will be required to prevent unacceptable risks to future occupants of the site. Subject to this, the proposal is considered acceptable in terms of risk of contaminants and in accordance with policy 11 of the NPPF.

7. Ecology

Policy 13(o) requires new development to conserve and enhance biodiversity. The application site was subject of Protected Species Survey in June 2015 which found no evidence of bats in any of the buildings nor were any recorded roosting as part of two bat detector surveys. The report concluded that a licence from Natural England would not be required for the proposed works to proceed. A number of barns supported nesting swallows and the report suggests measures be undertaken to provide nesting for swallows as part of the proposal. Measures to provide the necessary nesting space within the site, or adjacent land within the same ownership, can be secured by condition.

Conclusion

The proposed development is consistent with both national and local planning policy comprising the Development Plan. There is some conflict with policy 13 d of the CSS resulting from the visibility splays provided for the shared private access drive. This is outweighed by all other materials planning considerations in this case and importantly the need to preserve and enhance the heritage assets within the site through appropriate reuse and redevelopment of the site. Planning permission should therefore be granted subject to conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Richard Marlow, Senior Development Officer on 01536 534316