

BOROUGH OF KETTERING

Committee	Full Planning Committee - 04/10/2016	Item No: 5.1
Report Originator	Duncan Law Development Officer	Application No: KET/2016/0372
Wards Affected	Queen Eleanor and Buccleuch	
Location	Mill Barn, High Street, Cranford	
Proposal	Full Application: 2 no. dwellings	
Applicant	Mrs S Jackson	

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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application.

REASON: In the interest of securing an appropriate form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. 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: Details of materials are necessary prior to the commencement of development in the interests of the visual amenities of the area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

4. No development shall take place on site until full details of all windows, doors, timber finishes, verge detailing, rainwater goods and stone finishes 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: Details are required prior to commencement of development in the interests of protecting the character and appearance of the Conservation Area in accordance with policies 2 and 8 of the North Northamptonshire Joint Core Strategy.

5. All external walls shall be constructed in natural stone and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

REASON: In the interests of the character and appearance of the Conservation Area in accordance with policy 2 of the North Northamptonshire Joint Core Strategy.

6. No development shall take place until a Woodland Creation and Management Plan comprising measures for biodiversity enhancements within the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plans and details.

REASON: Details of the Woodland Creation and Management Plan are necessary prior to the commencement of development in the interests of biodiversity in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

7. Prior to construction of the dwelling, there shall be submitted to and approved in writing by the Local Planning Authority a report identifying how the dwelling is to be constructed in order to achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional criteria 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition). Thereafter and before first occupation, evidence is to be submitted to and approved in writing by the Local Planning Authority to demonstrate that this requirement has been incorporated.

REASON: In the interests of water efficiency in a designated area of water stress in accordance with Policy 9 of the North Northamptonshire Joint Core Strategy.

8. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08:00 to 18:00 hours, Saturday 08:30 to 13:30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of residential amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy

9. 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: Contaminated land investigation is required prior to the commencement of development 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 policy 8 of the North Northamptonshire Joint Core Strategy.

10. 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 elevations or roof plane of the building.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. The development hereby permitted shall not be carried out other than in accordance with the approved access and refuse presentation point details shown on drawing number SK11 Rev A received by the Local Planning Authority on 8th August 2016, which shall be retained as approved at all times thereafter.

REASON: In the interest of securing an appropriate form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

12. The garaging and parking shall not be carried out other than in accordance with the approved plans and details shown on drawing number SK11 Rev C received by the Local Planning Authority on 11th August 2016, which shall be retained as approved at all times thereafter.

REASON: In the interest of securing an appropriate form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2016/0372

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

3.0 Information

Relevant Planning History

KET/2015/0215 – Detached dwelling– Approved

KET/2012/0271 – Renewal of Extant Permission (Full) – Approved

KET/2009/0306 - 1 no. detached dwelling – Approved

KET/2008/0288 – 1 no. detached dwelling – Withdrawn

KET/2007/0676 – 2 no. detached dwellings with detached garages – Refused

Site Description

Officer's site inspection was carried out on 29/07/2016

Under KET/2015/0215 the application site was described as being located within the village boundary of Cranford and that it also falls within Cranford's Conservation Area. The site is located to the rear of Mill Barn which was granted permission for residential conversion in 1980. Although Mill Barn is not a listed building it is located to the rear of a number of listed properties which front onto the High Street. The application site appears to form part of the residential curtilage of Mill Barn. This dwelling comprises both two storey and single storey elements in a 'U' shape with the eastern section which will be closest to the proposed dwelling comprising single storey garaging and outbuildings. The site is relatively flat and is screened from the south by existing trees. There is a paddock to the east of the site. The site is accessed off High Street via an access point shared by Mill Barn and No. 2 High Street. To the south is the former Kettering to Huntingdon railway line that delineates the southern extent of the village boundary and Conservation Area.

Proposed Development

2 no. semi-detached dwellings

Any Constraints Affecting The Site

C Road

Cranford Conservation Area

4.0 Consultation and Customer Impact

Parish Council

No objection.

Highway Authority

No objection subject to the applicant laying out the access in accordance with drawing SK11 revision A dated 21/07/2016 by HSH Architecture Ltd and the garaging and parking in accordance with drawing SK05 revision C by HSH Architecture Ltd. The applicant has supplied documentation regarding the fire suppression system to overcome access by fire tender.

Neighbours

One objection received based on loss of woodland and density being too high for village location.

5.0 Planning Policy

National Planning Policy Framework

National Planning Policy Framework (NPPF)

Policy 7 – Requiring good design

Paragraph 14 – The presumption in favour of sustainable development

Paragraph 17 – Core planning principles

Development Plan Policies

North Northamptonshire Joint core strategy 2011–2031

Policy 1 – Presumption in favour of sustainable development

Policy 2 – Historic Environment

Policy 4 – Biodiversity and Geodiversity

Policy 8 – North Northamptonshire place shaping principles

Policy 11 – The network of urban and rural areas

Policy 15 – Well-connected towns, villages and neighbourhoods

Policy 29 – Distribution of new homes

Local Plan

Policy RA3 – Restricted Infill Village

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The principle of development
2. Design and impact on the street scene
3. Heritage Assets (Conservation Areas and setting of listed buildings)
4. Impact on Residential Amenity
5. Highways and parking
6. Biodiversity
7. Refuse
8. Sustainable construction & design
9. Contaminated Land

1. The principle of development

The proposal involves the erection of a pair of semi-detached dwellings and associated garaging. Previous planning permissions on the site have established that the principle of development is acceptable as the application site is located within the village boundary of Cranford, in a residential area.

Paragraph 17 of the National Planning Policy Framework (NPPF) seeks to secure a high standard of design and a good standard of amenity for existing and future occupiers of land and buildings. Section 7 of the NPPF identifies the key role design plays in the delivery of sustainable development. Policy 29 of the JCS directs development to existing settlements within the Borough to strengthen the existing network of settlements whereas Policy 11 permits small scale infill development on suitable sites if no resultant harm to character, residential amenity or infrastructure.

Policy RA3 of the Local Plan defines Cranford as a Restricted Infill Village. The policy states that planning permission will only be granted for residential development in Restricted Infill Villages where the proposal is within the defined village limits, it is appropriate in terms of size, form, character and setting of the village, where it does not involve the development of open land which is important to the form and character of the village and where it is compatible with all other policies. The site is within the defined village boundary on a secluded site that is not considered to be important to the character of the village and the appropriateness of the size and form is to be discussed further below.

Policy 8 of the North Northamptonshire Joint core strategy 2011–2031 states that development should ensure quality of life and safer and healthier communities by protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking and be of high quality of design. It is considered that subject to the satisfaction of the Development Plan criteria, the principle of residential development on this site is acceptable.

2. Design and impact on the street scene

Policy 8 d) of the JCS requires development to respond to the sites immediate and wider contexts such as the overall form, character and landscape setting, a view reinforced by policy 7 of the NPPF.

Regarding views from the High Street, the location of the proposal is somewhat discreet being set behind the High Street frontages and only obliquely visible from the public realm. The design of the proposal has been amended throughout the application from a pair of detached properties with an overly urban appearance to a pair of semi-detached properties with design elements and material choices taken from surrounding development to help the proposal merge into the rural location.

Although the proposal has a larger footprint than the previous permissions, it is to be located forward (north) in the plot thereby much of the rural edge of settlement feel will be retained and enhanced with an improved woodland mix replacing the species poor existing wooded area with a species rich native wooded buffer to the south whilst maintaining the relationship with the built form of Cranford. As stated in the description, to the immediate south is the former Kettering to Huntingdon railway line that demarcates the southern extent of the village boundary and Conservation Area. There is development in

this buffer between the High Street and former railway lane as the Orchard Field development of 12 properties to the east of the current site is built right up to the southern village boundary. An objection was received stating that the site density of the development site should be kept low. As the site is 0.26 ha and the proposal is for two dwelling, this is a density of 7.7d/ha which is extremely low and suitable for a village development.

The dwellings respect the scale and mass of the buildings within the locality and the elevational treatments and materials complement the historic and architectural character of the village in accordance with policy 8 of the JCS and 7 of the NPPF.

3. Heritage Assets (Conservation Areas and setting of listed buildings)

The property falls within the Cranford conservation area; section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "special attention" shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Previous approvals have established that the site is considered suitable for limited residential infill, it is important that the scale form and materials are appropriate, repeating or echoing the values already established in the conservation area. The proposal as submitted has a larger footprint than previous permitted schemes although the positioning to the rear of Mill Barn avoids any direct conflict with the setting of the Grade II listed properties of 2-8 High Street and the scale of the proposal remains suitable to the location and surrounding development (principally Mill Barn).

The development will not impinge on the described assessment of special interest which is noted as being the meadow and pasture land that separates the two Cranfords. The proposal are 2 stories and the materials proposed are coursed natural stonework under a slate roof, timber fenestration and doors, reclaimed red brick chimney with feature stone lintels and cills that will be secured through condition.

Overall, it is considered that the proposal would make a positive contribution to the Conservation Area. The proposal is in accordance with Section 12 of the National Planning Policy Framework and Policy 2 of the JCS which encourage proposals that respect and enhance the historic environment and character by strengthening distinctive historic qualities. The proposal, therefore, can be said to preserve the character of its surroundings in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the adopted Broughton Conservation Area

4. Impact on Residential Amenity

Policy 8 of the JCS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. Paragraph 17 of the National Planning Policy Framework states that development must secure a good standard of amenity for all existing and future occupants of land and buildings.

The main issues are loss of light and overlooking. There are no residential properties that have the prospective for adverse impacts from the development

to the south or west and a meadow to the east separates the nearest properties of Orchard Field by over 65m. The potential for adverse impact is on the southern windows of Mill Barn itself though the proposed two storey dwellings, at a distance of over 20m, should not result in any overshadowing or loss of light to Mill Barn.

The southern extent of Mill Barn to the east is unoccupied garaging with no habitable rooms however the western extent to the south does contain a habitable room at first floor level where there was the prospect of overlooking. Consequently, through negotiations with the agent, the orientation of the two dwellings has been skewed so that there is now a separation distance of 21.8m to the western dwelling and 23.6m to the eastern plot that is considered an adequate separation distance to avoid direct unopposable views between dwellings.

Therefore in terms of physical impact and loss of light, the proposed 2 storey dwellings are considered to be of appropriate scale and mass for the location and there is no resultant propensity for overshadowing or significant overlooking to Mill Barn in an adverse way which thereby accords with policy 8 of the JCS and 17 of the NPPF.

5. Highways and parking

Policy 8 b) ii) of the JCS requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety. Through negotiations with Northants Highways engineers an acceptable entrance onto the High Street that conforms to the standing advice has been designed and a condition will be attached to any permission to ensure its delivery. The existing access to Mill Barn will be utilised and the plans show the vehicular access being constructed in accordance showing the minimum width of 4.5m and hard paved surface for the first 5m from the highway boundary and visibility splays implemented. In addition details of a positive means of drainage to ensure surface water from the vehicular access does not discharge onto the highway shall be submitted to and approved in writing by the Local Planning Authority.

With regard to parking, the application makes provision for car parking within the red line in the form of 2 double garages and 6 x parking spaces. The application conforms to the pertinent elements of Policy 8 b) ii) of the JCS.

6. Biodiversity

Policy 11 of the NPPF (paragraph 118) requires Local Planning Authorities to aim to conserve and enhance biodiversity by permitting development only where significant harm can be avoided. This is enforced through Policy 4 of the North Northamptonshire Joint Core Strategy that states development should be refused if significant harm cannot be avoided, mitigated or compensated. The proposal does involve the removal of a wooded area to the south of the site which prompted a neighbour comment concerning loss of habitat. The

area to be removed is currently a species poor mix of Acers and non-native conifers which albeit covering a smaller area, are to be replaced with new native species rich planting that will be secured through condition. As a result the loss of existing woodland that would not be particularly harmful as species poor has been mitigated and enhanced in accordance with the above quoted policies.

7. Refuse

A condition will be applied to secure the siting of suitable receptacles for the storage and collection of domestic waste.

8. Sustainable construction & design

JCS policy 9 requires development to incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential development should incorporate measures to limit use to no more than 105 litres/person/day and external water use of no more than 5 litres/person/day which will be secured through condition

9. Contaminated Land

The site has potential for contamination as there are underlying geology conditions 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. This risk requires a full investigation to be carried out and at least a desk top study to be submitted with any subsequent planning application.

Comments on other points raised by proposal - none

Conclusion

The application is considered to accord with the Development Plan. The extant permissions and the NPPF are material considerations in favour of the application. The application is recommended to members for approval subject to conditions

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Duncan Law, Development Officer on 01536 534316

