

BOROUGH OF KETTERING

Committee	Full Planning Committee - 14/03/2017	Item No: 5.2
Report Originator	Louisa Johnson Development Officer	Application No: KET/2016/0872
Wards Affected	William Knibb	
Location	25 Harcourt Street, Kettering	
Proposal	Full Application: Re-development of site to create 9 no. residential units	
Applicant	Mr Allen	

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 drawing numbers Location & Block Plans JJ16-0025-003 received by the local planning authority on 05/12/2016 and Proposed Elevations & Floor Plans JJ16-0025-002 Rev D received by the local planning authority on 08/02/2017.

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. Before development commences an air quality assessment shall be undertaken to assess the impact of local air quality on occupiers of the proposed

development against the National Air Quality Standards and Objectives. The assessment shall be submitted to the local planning authority for approval and shall identify exceedances of the air quality objectives in addition to any mitigation measures required to reduce exposure. Once approved the mitigation measures shall be implemented in full before occupation of the development.

REASON: In the interest of residential amenity and to protect public health in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority. The Statement shall detail the following:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works;
- design of construction access if appropriate;
- measures to control overspill of light from security lighting.

The approved method statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

REASON: In the interests of highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority. Monday to Friday 08.00 to 18.00 hrs, 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: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

7. Any gates / doors provided for the bin and cycle store shall be hung so as to open inwards into the site only.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

8. Prior to the occupation of any of the dwellings hereby approved the refuse store and collection point, as shown on the approved plans, shall be provided. The development shall not be carried out other than in accordance with the approved details and such provision shall be retained thereafter and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

9. Prior to the commencement of the development hereby permitted a detailed plan showing a cycle store with space for at least one cycle per bedroom shall be submitted to and approved in writing by the Local Planning Authority. The cycle store shall be provided prior to occupation of any of the dwellings hereby approved. The development shall not be carried out other than in accordance with the approved details and such provision shall be retained thereafter and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

10. No development or demolition shall take place until a Bat, Bird and Honey Bee Survey and details of any required mitigation measures and timing of implementation of these measures has been submitted to and approved 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 ecology in accordance with policy 8 of The North Northamptonshire Joint Core Strategy

Officers Report for KET/2016/0872

This application is reported for Committee decision because of the number of objections received.

3.0 Information

Relevant Planning History

None

Site Description

Officer's site inspection was carried out on the 19 December 2016.

The application site is a disused factory located on the edge of the town centre the site is located on a slope. The building has three elements, two x two storey elements with standard pitched roofs and a linking element which is two storey with a lower double pitched roof.

Proposed Development

The full application is for the conversion of the existing factory building with a roof extension to provide 9 flats. The proposal also includes a cycle store and a refuse store.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

Environmental Care

No objection

Environmental Health

No objection subject to conditions

Northamptonshire Police

No objection subject to comments regarding security measures

Highways

Objection – The parking beat survey is un-acceptable as it has counted vehicles with 2 wheels on the footway. Footways are not for parking or driving on and a vehicle so doing is obstructing the highway. It also creates a false carriageway width and a false image of the obstruction issues on the street. Where vehicles park like this is usually means that there is actually only carriageway width to park on one side of the carriageway allowing width for vehicles to use a single lane of the carriageway.

Neighbours

Nine objections have been received regarding this proposal, the points raised in these objections are:

- The proposal would worsen the existing parking situation, parking in the street and surrounding area is already very difficult and it is difficult for residents to park near their own properties. It is also difficult for services such as refuse collection, emergency services and delivery vehicles to access the area due to the tight parking.
- The existing building has a fire exit that crosses the garden of 23 Harcourt Street, the owner of this property would like this to be removed.
- The height of the building would block what little light is received to the rear garden of 23 Harcourt Street.
- During construction the development would create significant noise and dust.
- The proposal would result in overlooking of the front sitting room, front bedroom and garden of 44 Shaftesbury Street.
- The existing building may have a bat roost and does have a colony of honey bees which would be harmed by the proposed scheme.
- The proposal for nine flats would increase overall levels of noise in the area.
- An adequate bin store would need to be guaranteed and would have to be kept clean. The doors for the bin store would cause a problem for parking.

5.0 Planning Policy

National Planning Policy Framework (NPPF)

Policy 1: Building a strong, competitive economy

Policy 4: Promoting sustainable transport

Policy 7: Requiring Good Design

Technical Housing Standards – nationally described space standards, March 2015

Development Plan Policies

North Northamptonshire Joint Core Strategy July 2016

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 22: Delivering Economic Prosperity

Policy 28: Housing Requirements

Policy 29: Distribution of New Homes

Policy 30: Housing Mix and Tenure

Saved Local Plan Policies

Policy 35: Housing – Within Towns

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:

1. Principle of Development
2. Design and Character
3. Amenity
4. Parking, Cycle & Bin Stores
5. Biodiversity

1. Principle of Development

The application site is a disused factory building on the edge of the town centre, the site is located on a hill and the building is on a slope.

The proposal is to convert the existing building and erect a roof extension to provide 9 flats; the proposal also includes a refuse store and a cycle store.

The National Planning Policy Framework sets out the principles for sustainable development which seek to ensure that places to live are created in locations which make the best and most efficient use of land, adopt high quality design standards respecting and enhancing the character of their surroundings, not result in unacceptable impact on the amenities of neighbouring properties or the wider area and not adversely impact on highway safety or the highway network.

Paragraph 49 of the National Planning Policy Framework states that applications for housing should be considered in the context of the presumption in favour of sustainable development.

Paragraphs 56, 58 and 64 of the National Planning Policy Framework also recognise that good design is a key aspect of sustainable development, and supports development which establishes a strong sense of place and responds to the local character, reflecting the identity of local surroundings and materials.

Saved policy 35 of the Local Plan states that 'Planning permission will normally be granted for proposals for residential development within the towns, defined by the Town Inset boundaries shown on the Proposals Map, where the proposal is compatible with other policies and proposals in this Plan.' The site is located within the Kettering town boundary.

Policy 8 of the NNJCS seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area.

Policy 22 of the NNJCS requires existing and committed employment sites to be safeguarded for employment use unless it can be demonstrated that there is no reasonable prospect of the site being used for that purpose and that an alternative use would resolve existing conflicts between land uses.

Policy 29 of the NNJCS states that 'New housing will be accommodated in line with the Spatial Strategy with a strong focus at the Growth Towns as the most

sustainable locations for development, followed by the Market Towns. The re-use of suitable previously developed land and buildings in the Growth Towns and the Market Towns will be encouraged.'

Policy 30 of the NNJCS states that 'the mix of house types within a development should reflect: The need to accommodate smaller households with an emphasis on the provision of small and medium sized dwellings (1-3 bedrooms) including, where appropriate, dwellings designed for older people.'

The site is located within the Kettering Town boundary, in an area where generally the principle of residential development is considered acceptable. The historic use of the application site is as a factory which is considered to be employment land. The applicant has not provided any information demonstrating that the site cannot be used as employment land. However the site is surrounded by terraced residential properties and it is considered that the proposal would resolve existing conflicts between land uses.

In conclusion the principle of residential development on the site has been established and is in accordance with the relevant policies of the NNJCS.

2. Design and Character

The proposal includes a roof extension; the proposed roof extension would increase the height of the existing building by approximately 1.6m in height from 7.6m to 9.2m. The roof extension would be approximately 19.7m wide and would have five pitched roof dormers in the front elevation which would provide windows for the first floor flats.

The proposed roof extension whilst not entirely in keeping with the style of the existing building and the surrounding area is not considered to be so harmful as to be unacceptable. The proposal includes a new window within the lower ground floor of the front (south) elevation which matches the style of existing windows.

Therefore it is considered that proposal would be acceptable in design terms in accordance with policy 8 of the NNJCS.

3. Amenity

Residential Amenity

Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking. The proposal provides 9 flats, 6 x 2 bed flats and 2 x 1 bed flats and 1 x studio flat.

Amenity of Future Occupiers

All the flats meet the requirements of policy 30 of the NNJCS and the Technical Housing Standards – nationally described space standards.

The proposal does not provide any external amenity space, however this is considered to be acceptable for the proposed flats.

It is considered that as it stands the proposal would be in accordance with policy 8 of the NNJCS and saved policy RA3 of the Local Plan.

Amenity of surrounding residential dwellings

The site shares a rear boundary with 23 Harcourt Street and 26 Rosebery Street and due to the small size of the terraced properties it is considered that 21 Harcourt Street and 24 Rosebery Street could be affected by the proposals and therefore the impact on these properties has been assessed. The existing building forms the boundary with no's 23 and 26. The proposal would not change the height of the two end elements of the factory but would increase the height of the middle element which is adjacent to the gardens of these properties.

The existing building has a fire exit which opens onto the rear garden of 23 Harcourt Street and the escape route crosses the garden no. 23. The proposal would remove this fire escape. The proposal would not have any windows or doors in the rear elevation facing these properties.

The site is south of these properties and so already takes some daylight and sunlight from the gardens of these properties, however the proposed roof extension would significantly increase the height of the building from 7.6m to 9.2m in height.

The applicant has provided an assessment of the impact of the proposals on daylight / sunlight received by 21 and 23 Harcourt Street and 24 and 26 Rosebery Street in accordance with the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011).

The assessment has been reviewed and it is considered that the proposal would not significantly worsen the existing situation; therefore the proposal would not have a significant impact on the amenity of these properties in terms of the loss of daylight / sunlight.

The site does not share boundaries with any other residential properties; all other residential properties are separated from the site by a road. An objection has been received on the grounds that the proposal would result in overlooking of the front elevation of 44 Shaftesbury Street, however this property is on the opposite side of the street and it is considered that this would be a normal relationship, therefore it is considered that proposal would not have a detrimental impact on other nearby residential properties including 44 Shaftesbury Street.

An objection has been received regarding noise and dust during construction; however this could be dealt with by an appropriately worded planning condition. An objection has been received on the grounds that the proposal for nine flats would increase overall levels of noise in the area. It is acknowledged that the proposal would increase the number of dwellings in the area; however the site is located in a relatively high density residential area and it is considered that nine dwellings would not significantly worsen the existing situation so as to be detrimental to the amenity of neighbouring residents.

Therefore the proposal would not have a detrimental impact on the amenity of future occupiers or neighbouring residents subject to clarification of the daylight / sunlight assessment in accordance with policy 8 e(i) of the NNJCS.

4. Parking, Cycle and Bin Stores

The proposal does not provide any off-street parking and does not have access for vehicles.

Bin Store

The proposal provides 1 x 1100 litre bin for general waste and 2 x 1100 litres bins for recycling, the Council's Environmental Care team have confirmed that this provision is adequate for a development of this size.

Cycle Store

The development contains 15 bedrooms; the proposal includes a cycle store providing space for 16 cycles which is in excess of the one cycle space per bedroom standard required by the Local Highway Authority.

Parking

A parking beat survey has been provided by the applicant. The survey assumes a car ownership rate of 1.2 cars per flat with a total of 11 cars for the proposed nine flats. It is considered that 1 space per dwelling is reasonable given that the dwellings are flats and the location of the site close to the town centre and public transport links.

The Local Highway Authority has objected on the grounds that the parking beat survey counted vehicles with 2 wheels on the footway; and that doing so is obstructing the highway and creates a false carriageway width and a false image of the obstruction issues on the street.

Whilst it is acknowledged that this is the case, practically speaking cars are parked in this manner by existing residents and therefore the real world situation must also be considered. The Parking Beats survey demonstrates that there would be 423 parking spaces and 117 available parking spaces located within 200m (2-3min walking distance) of the site and 12 parking spaces within 50m of the site.

On balance it is considered given the proximity of the proposal to the town centre and public transport links, that there is adequate on street parking provision within 200m of the site. As set out above there were 423 parking spaces within 200m of the site and 306 parked cars, it is likely that a proportion of these will have parked partially on the footpath. It is considered that the addition of 11 cars would not significantly worsen the existing situation or cause cars to park illegally given the number of available spaces within 200m of the site.

Therefore it is considered that the applicant has demonstrated that the parking load from the proposal would not have a detrimental impact on highway safety in accordance with policy 8 of the NNJCS.

5. Biodiversity

Paragraph 99 of Circular 06/05 states that: it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Likewise section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: every public authority must in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity.

An objection has been raised on the grounds that the existing building may have a bat roost and does have a colony of honey bees which would be harmed by the proposed scheme. Both bats and honey bees are protected species.

Whilst it has not been demonstrated whether there are either bats or a honey bee colony on the site, it is considered that this could be addressed by appropriately worded conditions.

Conclusion

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area and on residential amenity. Subject to conditions the proposed development is acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: