

BOROUGH OF KETTERING

Committee	Full Planning Committee - 23/05/2017	Item No: 5.8
Report Originator	Louisa Johnson Development Officer	Application No: KET/2017/0244
Wards Affected	Barton	
Location	3 Blackwell Road (land adj), Barton Seagrave	
Proposal	Full Application: 1 no. dwelling and associated access	
Applicant	Mrs A Hobbs	

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 amended plan numbers Location Plan KET/2017/0244/1 received by the Local Planning Authority on 21/03/17; Proposed Elevations 02A and Proposed Floor Plans 01A received by the Local Planning Authority on 26/04/17.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the adjacent building 3 Blackwell Road, Barton Seagrave.

REASON: In the interests of visual amenity in accordance policy 8 of the North Northamptonshire Joint Core 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 side elevations or roof planes of the building.

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

5. 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 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: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

REASON: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

7. If a potential risk from contamination is identified as a result of the work carried out under condition 6, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

REASON: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

8. If contamination is found by undertaking the work carried out under condition 7, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

REASON: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

9. If remedial works have been identified in condition 8, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 8. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

10. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

REASON: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/0244

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

3.0 Information

Relevant Planning History

None on site

Adjacent to site

KET/2008/0785 - Erection of up to 450 market and affordable dwellings together with associated landscaping, green space, highway works and potential mixed use development – Approved 29/06/10

KET/2011/0534 – Reserved Matters: Open space infrastructure - Approved

Site Visit

Officer's site inspection was carried out on 4 April 2017.

Site Description

The application site forms the side garden of 3 Blackwell Road; the site shares a boundary with open space. The open space will form part of a park which provides open space for the housing development permitted under KET/2008/0785.

Proposed Development

The application is for the erection of a two storey detached dwelling with parking for two cars to the front.

Any Constraints Affecting the Site

The site is adjacent to a public footpath.

4.0 Consultation and Customer Impact

Neighbours

None

Environmental Health

No objections subject to conditions

Barton Seagrave Parish Council

Objection on the following grounds:

- The proposed dwelling is built right on the boundary so that the outside wall forms the boundary.
- Access to the rear garden can only be reached by using the track to the east of the dwelling – it is not clear whether there is a right of way or easement.
- There is no room to either side of the dwelling to enable maintenance.
- There is no area shown for bins.
- The proposal is incongruous and does not fit in with the rest of the streetscene.
- Further access to the rear is in question due to the development of last to the east by Redrow.
- The windows in the east elevation would overlook future development by Redrow.

5.0 Planning Policy

National Planning Policy Framework

Policy 1: Building a strong, competitive economy

Policy 4: Promoting sustainable transport

Policy 7: Requiring Good Design

SPDs

Sustainable Design

Development Plan Policies

North Northamptonshire Joint Core Strategy

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. Impact on the character and appearance of the area
3. Amenity of future occupiers
4. Residential amenity
5. Access and Parking

1. Principle of Development

The site lies at the end of Blackwell Road adjacent to an area of open space which is part of a larger site with permission for 450 dwellings under KET/2008/0785, this development is currently being built out.

The site is garden land, which does not fall within the brown-field land definition in the NPPF. Paragraph 53 of the 'Framework' states that LPAs should consider setting policies which resist *inappropriate development of residential gardens...where development would cause harm to the local area.*

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 Burton Latimer boundary.

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

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 boundary of Barton Seagrave, in an established residential area where generally the principle of residential development is considered acceptable.

The principle of residential development is therefore considered acceptable as the site is within the town boundary and forms a side garden the development of which would be in keeping with the pattern of development in accordance with the relevant policies of the NNJCS.

2. Impact on the character and appearance of the area

The site is located on Blackwell Road Barton Seagrave, in a predominately residential area.

The proposed dwelling has an 'L' shape and would measure approximately 6.7m wide at the widest point, narrowing to 5.8m wide, 10.3m deep and 7.9m in height with a pitched roof. The proposed dwelling would present a gable with a bay window to the street and would have a second side gable.

The proposed dwelling would fit in with the existing building line, and would be in keeping with the scale of the other plots and houses within the street.

An objection has been raised on the grounds that the proposal is incongruous and does not fit in with existing dwellings.

However, 159 Manor Road on the opposite side of the road which is visible in the Blackwell road streetscene is of a different style to the other dwellings in Blackwell Road. Furthermore, it is considered that whilst the proposal is of a different style to other properties in the road, it would not be harmful to the appearance or character of the area.

Therefore it is considered that the proposal would not have a detrimental impact on character or appearance of the area and accords with the relevant parts of Policy 7 (NPPF) and Policy 8 (NNJCS).

3. Amenity of future occupiers

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 proposed dwelling provides a total floorspace of approximately 109sqm with three bedrooms, one which meets the standard for a double room and two which meet the standard for a single room; therefore the proposed dwelling on complies with the requirements of the Technical Housing Standards – nationally described space standards, March 2015.

The windows previously proposed in the side elevation facing the open space have been removed to prevent overlooking of the property from users of the public right of way and the open space which will form part of a park.

The proposal would provide a rear amenity space of approximately 80sqm; this is similar to the surrounding dwellings and larger than the footprint of the proposed dwelling. Therefore it is considered that it would be sufficient for a house of this size and would be in keeping with the pattern of development.

The proposal would be acceptable in terms of the amenity of future occupiers and in accordance with policy 8 e(i) of the NNJCS.

4. Residential amenity

Policy 8 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 site shares a side boundary with 3 Blackwell Road and currently forms the side garden of this property.

The proposal would leave no. 3 with a rear garden of approximately 100sqm including two existing outbuildings, this is considered to be adequate garden space for a property of this size.

No. 3 has one window serving the landing in the side elevation facing the site and a door in the side elevation of a single storey extension. The proposal would contain one window serving a bathroom in the first floor; this window would not be opposite the existing window at no. 3. Therefore subject to a condition preventing the insertion of any more windows in this side elevation, it is considered that the proposal would not have a detrimental impact on 3 Blackwell Road due to overlooking.

The site currently shares a boundary with a public right of way and open space beyond that which will form part of Sanctuary Park, the park forms open space provision for the housing development permitted under KET/2008/0785 which is currently being built out. The proposed dwelling would not intrude onto the public right of way or the park.

There will be no unacceptable impact on the amenity of neighbouring residents through this proposal and it is therefore considered that the development is in accordance with policy 8 of the NNJCS.

5. Access and Parking

The site would be accessed from Blackwell Road, and existing residential road and has space for two vehicles to park on the hardstanding at the front of the property. Therefore it is considered that the proposal would be acceptable in terms of access and parking and would not have a detrimental impact on highway safety in accordance with policy 8 of the NNJCS.

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: