

BOROUGH OF KETTERING

Committee	Full Planning Committee - 20/02/2018	Item No: 5.3
Report Originator	Alan Chapman Development Officer	Application No: KET/2017/0978
Wards Affected	Desborough Loatland	
Location	42 Gladstone Street (land adj), Desborough	
Proposal	Full Application: 1 no. dwelling	
Applicant	Mr & Mrs Smith	

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 listed below.

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 first floor window on the south elevation (serving an en-suite bathroom) shall be non-opening and glazed with obscured glass and thereafter shall be permanently retained in that form.

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

4. The second floor window in the gable end of the south elevation (serving a double bedroom) shall be installed in complete compliance with the dimensions detailed upon the approved plan 12. I.e. its full frame shall measure no greater than 50cm in width and 70cm in height. Once installed the window shall be retained at all times in accordance with the requirements of this condition.

REASON: To ensure that a degree of outlook is afforded for future occupants and to protect adjoining occupiers from unduly sensitive overlooking opportunities in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. The development hereby permitted shall not be carried out other than in accordance with the approved eaves, window, brick, tile, lintel, cill and render details as listed below:

- a) Front Elevation Roof Eaves Detail (3635 Det 1a: received 29 November 2017),
- b) Front Elevation Window Details (3635 Det 2a; received 29 November 2017),
- c) Side and Rear Elevations Window Details (3635 Det 3; received 29 November 2017),
- d) Acanthus Cast Stone Product Cills C1 Style (KET/2017/0978/1; received 29 November 2017),
- e) Acanthus Cast Stone Product Heads (KET2017/0978/2; received 29 November 2017),
- f) Material Photographs; Acanthus Portland, Redland Renown 52 Breckland Brown Roof Tile (KET/2017/0978/3; received 29 November 2017),
- g) Cheshire Common Brick (red); (KET/2017/0978/4; received 29 November 2017),
- h) Render (Cornish Cream Finish).

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

6. The development shall not be occupied until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved boundary treatment details shall be implemented prior to the first occupation of the development and then permanently retained in that condition.

REASON: In the interests of the amenity and protecting the privacy of the neighbouring property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 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 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.

9. 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 building, structure or other alteration permitted by Class A-E of Part 1 of Schedule 2 of the Order shall be erected, constructed or made on the application site.

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.

Officers Report for KET/2017/0978

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

3.0 Information

Relevant Planning History

AOC/0362/1601 APPROVED 03-04-17	Condition no. 6 (Materials) of KET/2016/0362
KET/2016/0362 APPROVED 18-08-16	1 no. dwelling

Site Visit

Officer's site inspection was carried out on 08/01/2018

Site Description

The site currently forms part of the garden area that serves No.42 Gladstone Street, which is a part red brick / part rendered end-of-terrace property within Desborough. The garden land in question is located to the side and rear of the host property and fronts Gladstone Street to its northern side. A pedestrian pathway runs the eastern and south-eastern boundaries of the site – which provides Gladstone Street access for Burghley Close properties to the south of the site.

Proposed Development

This current proposal is similar to the earlier proposal for a two-bedroom detached dwellinghouse on this site, which was granted planning permission (KET/2016/0362) on 18th August 2016. The current proposal mainly differs from the consented 2016 proposal by being approximately 1.2 metres wider such that the eastern elevation is closer to No.24 Gladstone Street.

The proposal consists of a two-bedroom detached dwellinghouse with gabled side elevations and a gabled rear elevation. The gabled rear assists in providing roof space for a loft-level bedroom and en-suite bathroom. Roof lights are proposed in both the front and rear roof slopes. As with the 2016 proposal, on-site parking is not included.

Any Constraints Affecting the Site

Desborough Conservation Area
C Road – Gladstone Street

4.0 Consultation and Customer Impact

Desborough Town Council

Response received 10/01/18: Previous objection stands. Objection – The development is out of character, no off-road parking and to the difficulties already experienced by traffic negotiating the road.

KBC Environmental Health

No objection. Recommends planning conditions to control construction working hours and measures to deal with any unexpected contaminated land. Informative notes are recommended with regard to radon gas and invasive weeds.

KBC Environmental Care

No comments received.

Neighbours

No responses received following written notification letters being sent to close proximity neighbours.

5.0 Planning Policy

National Planning Policy Framework

Paragraph 17. Core planning principles

Section 7. Requiring good design

Section 12. Conserving and enhancing the historic environment

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1: Presumption in favour of Sustainable Development

Policy 2: Historic Environment

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 29: Distribution of New Homes

Policy 30: Housing Mix and Tenure

Saved Policies of Local Plan for Kettering Borough (Adopted January 1995)

35. Housing: Within Towns

SPD/Gs

Sustainable Design SPD (adopted February 2009)

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Effect on heritage assets, character and appearance of the area
3. Impact on living conditions
4. Highways & parking

1. Principle of development

The scheme would provide a new dwelling upon residential garden land located within the town boundary of Desborough. The scheme would therefore strengthen the network of urban areas within the Borough in compliance with Policy 11 of the Joint Core Strategy. The principle of development is considered to be acceptable, subject to the following site-specific considerations.

2. Effect on heritage assets, character and appearance of the area

Paragraph 14 of the NPPF places at the heart of planning a presumption in favour of sustainable development, with good design forming a key element of this. This is further supported by Section 7 of the NPPF. Policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy (JCS) requires new development to respond to the site's immediate and wider context and local character.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on LPAs, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The site is located within the Desborough Conservation Area.

Policy 2 of the Joint Core Strategy (JCS) reflects these duties and requires that development must protect and, where appropriate enhance, the heritage asset and its setting. JCS Policy 8 is also pertinent, as development should respond to the site's context and the local character.

Chapter 12 of the NPPF requires new development to sustain and enhance the significance of heritage assets, requiring any harm to the significance of heritage assets to be weighed against the public benefits of the proposal.

The Town Council are concerned that the proposal is out of character with the area. Although Gladstone Street and nearby streets are typified by terraced properties, the newly proposed unit would be set alongside No.42 on the same building line with a separation distance of approximately 70cm. Its matching eaves and ridge heights (when compared to No.42) would allow the new property to seamlessly blend with the neighbouring built form.

The proposal includes a gabled rear elevation not too dissimilar to the property due east of the site. At approximately 50m west of the site, No.32 Gladstone Street has gabled elevations facing onto the street. This latest proposal carries forward the design detailing which was agreed through the discharging of the planning conditions (under planning reference: AOC/0362/1601) attached to the KET/2016/0362 planning permission for a detached property on this site. These details include: exterior brick; front elevation roof eaves; front elevation window details; side and rear elevations window details; roof tiles; stone lintels and cills; render finish.

As part of this planning application, the applicant is applying to have all materials and detailing (listed above) considered and approved, so that they would not be required to be approved at a later stage as was the case for KET/2016/0362. The submitted details are considered to be acceptable and are the same as those discharged under AOC/0362/1601. Otherwise, it would appear unreasonable to find these details unacceptable since there have been no development plan policy changes during the intervening period.

It is noted that the proposed southern rear elevation would incorporate an ad hoc window arrangement at upper floor level. The first floor would be afforded a single, off-centre, obscure-glazed window in the interests of safeguarding amenity (further discussed below). This elevation, whilst offering limited aesthetic value, would be discreetly sited to the rear and would not be widely visible from the public realm. It is considered acceptable in design terms in this context.

It is considered that the proposed dwelling would sit comfortably in its proposed location and that it would respect the urban grain of the area. Its development would constitute a logical use of the uncharacteristically wide garden area that currently serves the property (i.e. compared to the arrangements that serve neighbouring properties in the area). The proposals would respond to the site's local character in compliance with Policy 8 of the Joint Core Strategy and preserves the character and appearance of the Desborough Conservation Area in accordance with Policy 2 of the Joint Core Strategy.

3. Impact on living conditions

As before it is acknowledged that the site is tightly confined in terms of its immediate relationships with surrounding properties. The rear of the site is closely flanked by the rear elevations of properties that front Burghley Close to the south east; these properties face the application site at an oblique angle. The eastern and western boundaries of the site are flanked by the facing side elevations of No.42 to the west and No.24 to the east.

Notwithstanding the tight urban environment within which the site sits, it is considered that a scheme has been formulated that manages to safeguard the amenities of both future and surrounding occupiers. The orientation of the site assists in this regard – the proposed built form would be sited to the northern side of the neighbouring Burghley Street properties and would not therefore interfere with the path of the sun in terms of how it serves these properties. The proposals would also avoid any undue overshadowing upon either No.24 or No.42 – this is by virtue of being sensitively aligned to the side of these properties.

Sensitive overlooking opportunities to the detriment of residential amenity would be avoided through the careful placement of proposed window openings. A single rear-facing opening would be provided at first floor level, which would serve an en-suite shower area – a condition would be required to ensure that this is obscure glazed. A small-sized second floor opening would be positioned within the rear roof gable (to serve a bedroom area at loft level). A planning condition would also be required to secure that this particular window is installed to the dimensions that have been indicated on the plan (i.e. 50cm x 70cm). This would be to ensure that, whilst a degree of outlook would be afforded to future occupiers, this would be restricted by virtue of the limited size of the opening in the interests of safeguarding the amenities of neighbouring occupiers to the rear.

The window openings that are proposed to the eastern side-facing elevation of the property are also appropriately positioned, it is considered. They include a single ground floor window and 2no. first floor window openings – these would face the flank wall of No.24 at a distance of approximately 6m. No.24 is afforded a single secondary window opening at ground floor level that would be shielded from

potentially sensitive overlooking opportunities via the provision of a boundary treatment upon the boundary of the application site (to be secured via condition and to replace an existing fence of similar height). In contrast to the 2016 consented proposal there are no windows proposed in the western elevation.

It is acknowledged that the south-eastern corner of the proposed built form would be sited, at its closest point, approximately 5.0m from the nearest neighbouring property (No.33 Burghley Close); this results in this latest proposal being approximately 0.5m closer to No. 33 than the consented 2016 proposal. Notwithstanding this, it is still considered that an unduly overbearing relationship would not ensue. The area is typified by close proximity relationships between neighbouring properties whilst the orientation of the site, as discussed above, would mean that the new property would not block light to the rear. The oblique angle that the new property would be set on when compared to the Burghley Street properties to the rear would also assist in guarding against the provision of direct overlooking. The proposed patio doors at ground floor level would face the rear of opposing properties at an angle and at a distance of approximately 10.5m – this relationship is considered to be acceptable in amenity terms, particularly given the direct views that are already available between neighbouring Gladstone and Burghley Street properties in the vicinity of the site.

Policy 30 of the Joint Core Strategy requires the internal floor area of new dwellings to meet the National Space Standards as a minimum. The scheme, which is for a 2-bed property to house 3 persons over 3 stories of accommodation, does not directly transfer to the standards that are prescribed. Although approximately 70 sq. m of internal space would be created, which accords with the standard outlined for a 2-storey, 2-bed property for 3 persons. The internal layout, which provides individually partitioned reception, bedroom and en-suite areas is considered to be acceptable in overall terms.

It is considered that an acceptable impact upon the amenities of existing and future residential occupiers would result from the proposals in compliance with Policy 8 (e) of the Joint Core Strategy.

4. Highways & parking

Policy 8(b) of the JCS seeks to ensure a satisfactory means of access and provision of parking and resist development that prejudice highway safety.

It is acknowledged that a residential development consisting of two bedrooms would require 3 on-site parking spaces according to the Local Highway Authority's own standards, although these standards are not adopted by this Council. This proposal does not include any on-site parking, but does include provision for two cycle storage spaces.

During the determination of the preceding 2016 scheme, the Local Highway Authority (LHA) requested a Parking Beat Survey to demonstrate that there are appropriate levels of available opportunities for parking in the vicinity of the site. As recently as July 2016 the LHA concluded that the Survey demonstrated that there are available spaces within 50m of the proposed dwelling both midweek and on Saturdays. Whilst the LHA were not consulted on this latest application and no

updated Survey was requested or commissioned, site visits made by the case officer during the daytime midweek revealed availability of on-street parking spaces along Gladstone Street. It is considered that the conclusions of most recent Survey are still valid as there are fairly recent and these are perceived to be no material changes to the local on-street parking situation.

The scheme would not therefore prejudice highway safety and would be adequately served in car parking terms in compliance with the requirements of Policy 8 (b) of the Joint Core Strategy.

Conclusion

The proposed development would respect the character and appearance of its surroundings and conservation area, would safeguard surrounding residential amenity and would not prejudice highway safety in compliance with Policies 2, 8, 11 and 30 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Alan Chapman, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: