

BOROUGH OF KETTERING

Committee	Full Planning Committee - 05/06/2018	Item No: 5.2
Report Originator	Gavin Ferries Senior Development Officer	Application No: KET/2017/0839
Wards Affected	All Saints	
Location	81 Stamford Road, Kettering	
Proposal	Full Application: Redevelopment of site to create 4 no. dwellings and 6 no. apartments	
Applicant	Mr A Macauley	

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 materials to be used in the exterior of the new buildings to the rear of the site shall be constructed of Contessa Slate and Weinerberger Reclaimed Shire Sovereign Stock bricks unless alternative materials are submitted to approve in writing in advance of the commencement of development by the Local Planning Authority.

No materials may be used in the exterior work to the existing building (conversion to front of site) other than the matching materials detailed within condition 6 unless the alternative materials are provided on site and details including photographs of the alternative materials are submitted to and approved in writing in advance by the Local Planning Authority.

REASON: In the interests of the visual amenities of the area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. Prior to the commencement of construction of the new buildings hereby approved full details of the materials to be used for the construction of the access road and parking areas shall be submitted for the written approval of the Local Planning Authority. The development shall be completed in accordance in the approved details prior to the first residential occupation on the site.

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

4. The development shall be undertaken in accordance with the recommendation within the approved contamination report Proposed residential development Stamford Road Kettering Ground Investigation Report Report:STN3601D-G01 Revision 0 July 2016 by Soiltechnics received 18 August 2016 under AOC/0081/1501.

Prior to the first residential occupation of the site, a verification report demonstrating compliance with the approved report shall be submitted for the written approval of the Local Planning Authority.

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 and where remediation is necessary a remediation scheme shall be prepared and submitted for the approval in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved report as amended by the unexpected contamination remediation scheme.

REASON: 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 6 of the North Northamptonshire Joint Core Strategy.

5. This consent does not permit the demolition and rebuilding of any part of the building except that indicated on the amended plan drawing number 79-17-13 revision B received 16/15/2018 and 79-17-11 received on 30/11/2017. The remaining part shall be retained and incorporated in the new structure in accordance with the submitted and approved plans.

REASON: To protect the architectural/historic interest of the building in accordance with policy 12 of the NPPF and policy 2 of the North Northamptonshire Joint Core Strategy.

6. All works of repair, rebuilding, restoration and replacement to the existing building being converted (at the front of the site) are to exactly match the original features including using materials to match exactly the existing, unless otherwise approved in writing by the Local Planning Authority.

REASON: To protect the architectural and historical interest of the building in accordance with policy 12 of the NPPF and Policy 2 of the North Northamptonshire Joint Core Strategy.

7. No development shall commence on the demolition of the western side elevation of the existing factory until a scheme to secure the safety and stability of that part of the building which is to be retained has been submitted to and approved in writing by the Local Planning Authority. The scheme shall, where appropriate, include measures to strengthen any wall or vertical surface; to support any floor, roof or horizontal surface; to provide protection for the building against the weather during the progress of the works; and a schedule for the re-use of materials in the repair of the remaining building. Thereafter the works shall not be carried out other than in accordance with the approved details.

REASON: To protect the character of the area in accordance with Policies 2 & 8 of the North Northamptonshire Joint Core Strategy and policies 7 and 12 of the NPPF.

8. Prior to the commencement of any work relating to the demolition of the western side elevation, a copy of the contract for carrying out the completion of all external and structural works for the conversion of the existing building shall be submitted to the Local

Planning Authority. The external and/or structural conversion works shall be commenced concurrently with the demolition or in accordance with written details agreed in writing in advance by the Local Planning Authority.

REASON: To protect the character of the area in accordance with Policies 2 & 8 of the North Northamptonshire Joint Core Strategy and policies 7 and 12 of the NPPF.

9. Notwithstanding the submitted plans, no alterations to any openings within the existing building (to the front of the site) until full details of all windows and doors including glazing bar details at a scale of 1:5 have been submitted to and approved in writing by the Local Planning Authority. Any rainwater goods to the front of the building shall be painted black cast iron. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of preserving the architectural/historic interest of this historic building in accordance with policy 12 of the NPPF and Policy 2 of the North Northamptonshire Joint Core Strategy.

10. Prior to the first occupation of any of the units hereby approved a scheme for boundary treatment including a 1:500 plan showing the position of the boundaries shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

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

11. All materials obtained from demolition shall be permanently removed from the site prior to the occupation of any of the dwellings hereby approved.

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

12. The parking spaces hereby approved as shown on plan reference 79-17-11 received on 30/11/2017 shall be provided prior to the first occupation of any dwelling within the site and shall be permanently retained and kept available for the parking of vehicles thereafter.

REASON: To ensure adequate on-site parking provision for the approved building and to discourage parking on the adjoining highway in the interests of local amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. Notwithstanding the provisions 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 new openings (windows or doors), extensions or outbuildings permitted by Schedule 2, Part 1, Classes A, B, C or E shall be created or erected within the site without the prior written approval of the Local Planning Authority.

REASON: In order to protect the amenity and privacy of existing and new occupiers in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

14. Prior to the commencement of development, a detailed scheme including a plan showing where materials will be stored and the worker parking area along with measures for access during the approved demolition shall be submitted for the written approval of the Local Planning Authority.

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

15. No vehicles (for the construction, demolition or the first fitting out of the properties) making deliveries to or from the site shall enter or leave the site and no plant or machinery shall be operated, except between the hours of 0800 and 1800 hours Mondays to Fridays and between 0900 and 1600 hours on Saturdays. There shall be no deliveries, or operation of plant or machinery, on Sundays or recognised public holidays.

REASON: To minimise noise disturbance to neighbouring residents in the interests of amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

16. Prior to the first residential occupation of the relevant unit, details of the bike storage within the gardens of units 1,2, 7-10 and details of the bike store for units 3-6 shall be submitted for the written approval of the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the units.

REASON: In the interests of general amenity and help assist a modal shift in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

17. Prior to the first occupation the pedestrian visibility splays shown on plan Drg. 79-17-11 received 30 November 2017 shall be provided and these splays shall permanently kept clear of all obstacles to visibility over 0.6m in height above footway level unless an alternative plan including visibility splays is submitted to and approved in writing by the Local Planning Authority in advance of the first occupation of the development hereby permitted.

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

18. Prior the first residential occupation of the site, details of the management and maintenance of the access road up to the lines marked ""extent of adopted highway"" on approved plan 79-17-11 demonstrating that the access is/will be constructed to and will remain suitable for the proposed use including unobstructed access and turning within these areas by bin lorries along with a lighting strategy for the access road and parking area shall be submitted for the written approval of the Local Planning Authority. The access and parking areas shall thereafter be completed in accordance with the approved details and approved plan 79-17-11. The approved details shall be fully implemented before the any of the dwellings are occupied and shall thereafter be maintained.

REASON: To ensure that the roads are constructed to a satisfactory standard in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

19. A method statement for the proposed infilling of windows in the eastern side elevation including materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of this work. The development shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the architectural/historic interest of the building in accordance with Policy 2 of the North Northamptonshire Joint Core Strategy.

20. Prior to the first occupation of any of the apartments within the existing building hereby permitted or the commencement of any works to provide the balconies, full details of all the balcony screening to be erected shall be submitted to and approved and in writing

by the Local Planning Authority. The balcony screening shall be erected in accordance with the approved details and shall thereafter be retained in that form.

REASON: To protect the amenity of neighbouring properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

21. Prior to the first occupation of the development, a scheme detailing the security measures/standards and lighting scheme to be incorporated within the development with reference to ""Secured by Design"" shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: To reduce the potential for crime in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

22. Prior to the commencement of the use hereby approved, a detailed scheme of surface water management at the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall be operated in full accordance with the approved scheme at all times thereafter.

REASON: To ensure the appropriate management of surface water at the site in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/0839

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

3.0 Information

Relevant Planning History

KET/2015/0081 Erection of 4 dwellings and conversion of factory into 5 apartments **approved** 4 June 2015

KET/2016/0591 Variation of conditions 5 (demolition limitation), 12 (parking spaces), 14 (approved plans), 17 (bins), 19 (visibility requirements) and 20 (highway design) of KET/2015/0081 **approved** 31 October 2016

Site Visit

Officer's site inspection was carried out on 21 May 2018.

The site is located to the north of Stamford Road and comprises of a two storey Victorian industrial building which fronts the highway. There are terraced properties to the north and east. To the north west there are 3 no. 3 storey terraced properties with a private drive off Stamford Road which also forms the access point for the proposed new dwellings.

Stamford Road includes a variety of residential and commercial uses. The site is located in a mixed character area where residential properties are punctuated by commercial and industrial buildings. There are examples of high quality Victorian buildings interspersed within the wider street scene and reflective of the local character including of particular note No.115 Stamford Road and the former Buccleuch hotel at no. 56 Stamford Road.

The existing building is an attractive two storey red-brick industrial building with a slate roof fronting the public highway and includes large windows in a mixture of wood and UPVC and a range of brick and stone detailing.

This area has more recently been punctuated with modern infill development but the historic relationships between industry and residential still exist with the redbrick Victorian buildings remaining the most prominent and important features within the street scene.

The closest property to the rear of the application site, has a 2 metre brick wall surrounding the rear garden and an existing single storey rear extension. There are newish properties constructed to the rear of the application site under planning permission KET/2004/0063.

Proposed Development

This application seeks consent for the redevelopment of the site to create 4 no. dwellings and 6 no. apartments. The main change from the previous approvals is that 1x2 bed flat is now proposed as 2x 1bed flats.

Any Constraints Affecting the Site

A Road

4.0 Consultation and Customer Impact

Highway Authority:

Objection – Fails several NCC policies, proposal not to adoptable standards, exceeds private drive limits, does not evidence safe usage of the site, insufficient information.

Northamptonshire County Council Infrastructure

No contributions are requested in relation to Education, Fire & Rescue or Libraries from this development.

Environmental Protection:

Request conditions on contamination and hours along with informatives.

Police Crime Design Advisor:

Request condition on security and lighting (as per previous permission) is applied.

Lead Local Flood Authority:

Insufficient information available to comment on the acceptability of the surface water drainage scheme for the proposed development. References that the NPPF requires applications for planning permission to submit an FRA when development of this scale in Flood Zone 1.

Officers Comment: the requirement within the NPPF for FRAs within Flood Zone 1 is 1ha and the site area is 0.18ha. Therefore the NPPF does not require the submission of an FRA.

Anglian Water:

Request surface water management strategy condition

Refuse and Recycling Officer

Bin store location for the flats is adequate and advise that the houses will need to pull bins to kerbside for collection.

Neighbour: 1 neighbour letter was received which asked about the removal of the gates.

5.0 Planning Policy

National Planning Policy Framework

Paragraph 17 – Core planning principles

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Policy 12. Conserving and enhancing the historic environment

North Northamptonshire Joint Core Strategy

Policy 2 Historic Environment

Policy 6 Development on Brownfield Land and Land affected by contamination

Policy 8 North Northamptonshire Place Shaping Principles

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 Appearance
3. Parking and Highways
4. Neighbour Amenity
5. Conditions

1. Principle of Development

The principle of the redevelopment of the site for residential use has already been approved under the previous approvals on site both KET/2015/0081 and KET/2016/0591. This application differs from the previous approvals in terms of the number of units, proposed within the conversion of the main building but retains the same number of units to the rear with the new buildings. The application now seeks 10 units compared to the previously approved 9 dwellings but does not raise new principle issues regarding the development.

2. Design and appearance

The existing frontage building is an attractive Kettering Red Brick building dating from 1897 (the date stone is on the front of the building) within the street scene. The retention of the building due to its historic character and appearance was an important consideration in the original permission KET/2015/0081.

The existing fenestration on the frontage of the building is generally considered to be of a high standard with mostly vertically emphasised wooden windows at ground floor which comprise of diagonal wooden glazing bars adding to the visual interest and aesthetic quality of the host building. To the first floor a number of replacement UPVC windows have been installed which detract slightly from appearance of the industrial building but not detrimentally so. The building is of local historical and architectural significance, with the carefully proportioned and decorative exterior making a very positive contribution to the street scene.

An amended elevation plan was received during the application which includes windows details, whilst conditions for the precise details of the windows should still be imposed it is more reflective of the detailing for them and no longer includes the size changes that were restricted by condition previously.

As per the previous approvals, the proposal includes the removal of part of the building to create a vehicular access suitable to develop the proposed properties to the rear of the site. This proposal involves removing the end bay of the existing building and rebuilding this end of the building. This works is as a result of the requirement for improving the vehicular access for the site. The demolition of the section of the building is partially justified due to the need to balance Highways requirement and partly because on site evidence shows that the western end wall of the building was previously demolished and rebuilt to deliver the existing access.

3. Parking and Highways

The parking and access arrangement plan is the same as the previously approved plan except that it now includes the position of the bike store within the car park. The access as would be the method of access to the units to the 4 proposed new houses to the rear of the site (as per the approval) and the 3 Crystal Court properties (as existing), this is not changed from the existing approvals. Whilst the parking is for an additional unit, the change relates to the main building which has direct pedestrian access to and can be served by bin collection and fire services from Stamford Road.

The Highways Authority have objected to the proposal on the basis that it fails several NCC policies, proposal not to adoptable standards, exceeds private drive limits, does not evidence safe usage of the site, insufficient information.

The NCC policies have not been adopted by Kettering Borough Council and unless related to highway safety issues are not material planning considerations. The private drive limits is a NCC policy.

The proposed access layout has not changed from the previous approval and the requirement to be to adoptable standard is in relation to adoption of roads which is an additional requirement to planning, as the road is not proposed to be adopted and does not create a trafficked through route this is not material to the application. As there are no changes from the previous approval, where it was also proposed that the development be served by a private drive, additional information is not considered to be required.

The usage of the site for residential is approved and the main change is as a result of proposed 2x1bed flats instead of 1x2bed flat. The limited extent of this change is not considered to justify that the usage of the site would not be safe compared to the previously approved position.

Further changes to the access including widening would result in further demolition of the main frontage building which would be unacceptable in terms of the character and appearance of the area. The access is being upgraded to the extent that it can reasonably be delivered and the proposal results in the best layout that can be achieved whilst protecting the main frontage building.

4. Amenity

The proposed units are considered to provide sufficient levels of amenity for the new occupiers and the position of the new dwellings does not result in a level of overlooking or dominance that would adversely affect the amenity of the nearby

properties.

The new 1 bed units are 37.5m² and 40.2m² respectively and comply with the National Space Standards, the other units are as previously approved.

There is potential for noise to arise during the construction and therefore an hours condition for construction and delivery is recommended.

5. Conditions

It is recommended that the conditions reflect those on the previous permissions with relevant updates to reflect the amended plans with conditions including crime prevention, noise, contamination and maintenance of the access.

It is considered that as the proposal is the same site area as previously approved, the request for a surface water drainage strategy prior to determination that the request cannot be supported but in the interests of prudence a condition is considered to be appropriate to secure full details of surface water management at the site in this instance.

Conclusion

The application still seeks to largely retain and convert an important locally significant historic building. The conversion and development to the rear does not have an unacceptable impact on the character of the area or the amenity of neighbouring properties. An appropriate highways access is still achieved through the removal of the end bay of the existing building. Subject to conditions the proposal is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Gavin Ferries, Senior Development Officer on 01536 534316