



**North
Northamptonshire
Council**

Meeting: Area Planning Committee Kettering
Date: Thursday 26th August, 2021
Time: 7.00 pm
Venue: Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

To members of the Area Planning Committee Kettering

Councillors Mark Rowley (Chair), Cedwien Brown (Vice-Chair), Carter, Dell, Jelley, Marks, Prentice, Smyth and Thurland

Substitute Members : Councillors Henson, Tebbutt, Hakewill and Tubbs

Agenda			
Item	Subject	Officer Presenting Report	Page No
01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Minutes of the meeting held on 29th July 2021		5 - 12
Items requiring a decision			
04	Applications for planning permission, listed building consent and appeal information*		
	I) KET/2020/0303: Outline Application: Erection of an industrial manufacturing and warehouse building (Use Class B2 and B8) together with ancillary office accommodation and associated access	Planning Officer	15 – 38
	II) NK/2021/0036: Full Planning Permission: Change of use from C3 dwelling house to 11 bedroom HMO with single storey side extension to create triple garage. Conversion of first floor roof space to habitable accommodation with dormers to front and rear - Part retrospective	Planning Officer	39 – 52

	<p>III) NK/2021/0140 Full Planning Permission: Retaining wall to driveway and revised parking area</p> <p>IV) NK/2021/0434 Full Planning Permission: Single storey garden annex to replace garage/store</p>	<p>Planning Officer</p> <p>Planning Officer</p>	<p>53 – 66</p> <p>67 - 78</p>
Items to note			
04	<p>Delegated officers report</p> <hr/> <p>None</p>		
Exempt Items			
05	None Notified		
06	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 18th August 2021</p>		

*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon Wednesday 25 th August 2021
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon Wednesday 25 th August 2021

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Members' Declarations of Interest

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Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

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If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – monitoringofficer@northnorthants.gov.uk

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NORTH NORTHAMPTONSHIRE COUNCIL

AREA PLANNING COMMITTEE (KETTERING)

Meeting held: 29th July 2021

Present: Councillor Mark Rowley (Chair)

Councillors Dez Dell, Paul Marks, Elliott Prentice, Kevin Thurland and Joseph Smyth

21.APCK.06 APOLOGIES

Apologies for absence were received from Cllrs Cedwien Brown and Robin Carter

21.APCK.07 DECLARATIONS OF INTEREST

None

21.APCK.08 PLANNING APPLICATION REPORTS

The Committee considered the following applications for planning permission, which were set out in the Development Control's Reports and supplemented verbally and in writing at the meeting. Six speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 Full Planning Permission: Redevelopment of farmyard to horse rehabilitation centre and livery. Erection of temporary dwelling at Loddington Coppice, Harrington Road, Loddington for Miss S Tibbetts</p> <p>Application No: KET/2020/0610</p> <p><u>Speakers:</u></p> <p>The agent for the applicant attended to address the Committee and stated that this was a unique venture offering a genuine rural facility. In response to concerns from Loddington Parish Council regarding access, it was noted that there would be no additional traffic over and above that ordinarily associated with the site and it was in the applicant's interests to ensure visibility splays at the entrance to the site were kept clear.</p>	<p>Members received a report that sought planning permission for change of use of the farmyard to provide a horse rehabilitation centre and livery and the erection of a temporary dwelling. The existing access track and access connection with the highway would be widened where specified and upgraded as part of the proposed development to facilitate the proposed use.</p> <p>It was noted that a request to condition maintenance of hedgerows that could affect visibility splays at the site access was not enforceable as the relevant land fell outside of the site.</p> <p>Following debate, it was proposed by Councillor Marks and seconded by Councillor Smyth that the application be approved in line with the officers' recommendation.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. 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.
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 building, structure or other alteration permitted by any class or part of Schedule 2 of the Order shall be erected, constructed, or made on the application site.
5. 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 change of use permitted by Class L of Part 3 of Schedule 2 of the Order shall take place on the application site.
6. No development shall commence unless and until the local planning authority has been provided with either:
 - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
 - b) Written confirmation from Natural England that the application site has been registered with the Great Crested Newt Low Impact Class Licence scheme; or
 - c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.
 7. Prior to commencement of the use hereby approved a scheme for the protection and enhancement of biodiversity within the site shall be submitted and approved in writing by the Local Planning Authority. The submitted scheme shall include details relating to the source and control of external lighting including hours of operation, provision of hibernacula/suite of bat boxes/ wood piles, access surfacing, and drainage. Development shall thereafter be carried out in strict accordance with the approved scheme with any proposed biodiversity enhancements to be installed retained thereafter.
 8. The use hereby approved shall not commence until the proposed vehicular access (including gradient, width, surfacing type, surface water control, visibility splays, position and opening mechanism of gates) has been implemented in accordance with drawing no. PL111A Rev 1 received by the Local Planning Authority on 27th November 2020 and retained in that form thereafter unless otherwise agreed in writing by the Local Planning Authority.
 9. Notwithstanding the requirements of condition 8, the proposed vehicular access and visibility splays shall be surfaced with a hardbound surface for the first 15 metres as measured from the highway boundary to the proposed access gates, beyond which the vehicular access shall only be surfaced with a loose gravel (where required) and retained in that form thereafter.
 10. Notwithstanding the requirements of condition 8, no development shall commence on-site unless and until a scheme for the disposal of foul and surface water drainage associated with the development hereby approved has been submitted and approved in writing by the Local Planning Authority. The submitted drainage scheme shall demonstrate a preference towards the use of Sustainable Drainage Systems (SuDS) with respect of surface water which protects existing biodiversity habits (including Great Crested Newt Habitat and their populations) and includes details relating to flow rate/management, and on-going maintenance of the drainage scheme. These details shall also include drainage provision associated with the proposed aco-drain at the point of access which abuts the highway as shown on drawing no. PL111A Rev 1 received by the Local Planning Authority on 27th November 2020. The proposed use shall not commence until the approved drainage scheme has been implemented in full, which shall be retained and maintained thereafter in accordance with the approved details.

11. The dwelling house hereby approved shall at all times remain ancillary to the use of the site as a horse rehabilitation centre hereby approved and shall not be occupied by anyone other than the operator of the horse rehabilitation centre use. On cessation of the horse rehabilitation centre use, occupation of the dwelling-house shall permanently cease and the building shall be permanently removed from the site.
12. All works to trees shall only be carried out in accordance with the RJ Tree Services Ltd 'Tree Survey, Impact Assessment and Method Statement' dated August 2020.
13. Notwithstanding the details shown on drawing no. PL108C received by the Local Planning Authority on 27th November 2020, the use hereby approved shall not commence unless and until a passing place in the same location as that shown on the aforementioned plan has been provided to the dimensions of 12 metres long by 2.3 metres wide (minimum) and constructed to a standard capable of supporting a fire engine (approximately 12 tonnes) which shall be retained in that form thereafter throughout the operation of the use hereby approved.
14. No development above building slab level 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.
15. Prior to the commencement of the development hereby permitted, a full, non-verbose or repetitive, Construction Management Plan shall be submitted to and be approved in writing by the local planning authority. The submitted plan shall include the following elements;
 - Delivery / removal hours to be limited to between 10:00 - 16:00.
 - Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors. To include a map suitable for printing and being distributed to drivers visiting the site during the works.
 - Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.
 - Details of temporary construction accesses and their remediation post project.
 - Provision for emergency vehicles.
 - Measures to control noise/and or vibration during the development.
 - Full details of measures to protect existing trees located within the highway from damage during site clearance, demolition and construction phases, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction'.

The approved Construction Management Plan shall be adhered to throughout the demolition and construction period and the approved measures shall be retained for the duration of the demolition and construction works hereby approved.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: Unanimous)
The application was therefore
APPROVED

21.APCK.08.2 KET/2020/0755

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 Full Planning Permission: 2 no. dwellings at 247 Havelock Street (garages adj), Kettering for Mr P Drage.</p> <p>Application No: KET/2020/0755</p> <p><u>Speaker:</u></p> <p>Colin Balch attended the meeting and addressed the committee as a third-party objector. He stated that parking provision was extremely limited in the local area and questioned the validity of the parking survey undertaken during lockdown. Further concerns were raised in relation to the impact of loss of privacy to existing residents and that approval of the proposal would set a precedent for the area.</p> <p>The applicant attended the meeting and advised that the proposal sought to match the street scene in terms of design. The parking survey was sufficiently robust to answer questions posed, resulting in no objection from the Highways Authority. Street furniture relocation would take place, if necessary, at the applicant's own expense.</p>	<p>Members received a report which sought planning permission for pair of semi-detached houses following the removal of the vacant garages on the site. The houses would be of a comparable height and depth to the adjacent houses along Havelock Street with gardens to the rear. No off-street parking would be provided as part of the proposal.</p> <p>Members discussed the potential parking issues at length and also queried timescales for the potential removal of double yellow lines and the relocation of a lamppost in front of one of the proposed dwellings.</p> <p>Following debate, it was proposed by Councillor Smyth and seconded by Councillor Marks that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. 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 extension, building, structure or other alteration permitted by Classes A, B and E of Part 1 of Schedule 2 of the Order shall be erected on the application site.
3. No development above building slab level 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.

4. The dwellings hereby permitted shall not be occupied until cycle parking facilities have been provided within the rear gardens in accordance with the details to be submitted to and approved by the Local Planning Authority.
5. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
6. 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.

(Members voted on the officers' recommendation to approve the application)

(Voting: For 4; Against 1)

The application was therefore

APPROVED

21.APCK.08.3 NK/2021/0170

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 Full Planning Permission: Double garage with home office above in rear garden at 43 Northampton Road, Broughton for Mr T Allen</p> <p>Application No: NK/2021/0170</p> <p><u>Speaker:</u></p> <p>Mr Mirek Urban attended the meeting and addressed the committee as a third-party objector, stating that the proposal was not in keeping with its surroundings, constituted visual intrusion and overdevelopment and would result in a loss of privacy for neighbouring properties if approved. He further stated that approval would set a precedent for future development to allow other neighbours to build similar constructions on either side.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for a double garage with home office above.</p> <p>Members heard that the initial application had been revised due to concerns over its height and design, the revised application having resolved these issues. Rooflights would be located 1.8m above the finished floor level so overlooking would not be an issue. It was noted that there were a range of outbuildings and garages locally with no set style and the proposal would not be readily visible from the public realm.</p> <p>In response to a question, it was noted that a change of use would need to be applied for to allow for use of the construction as a business or dwelling and a condition of the application made the proposal ancillary to</p>

<p>Cllr Pat Scouse attended and spoke on behalf of Broughton Parish Council which had concerns regarding site access and size of the proposal. It was the view of Council that the construction would dominate the surrounding area and did not comply with Broughton's Neighbourhood Plan.</p> <p>The agent for the applicant, Casey Errington, attended to address the Committee and stated that while the 1.5 storey height of the proposal would stand taller than some neighbouring garages, the location was some way from the highway and would not provide a detrimental impact to the street scene. No objections had been received from neighbours directly adjacent to the site and separation distances between the site and neighbouring buildings exceeded recommendations. He considered that any impact on loss of daylight as a result of the building was negligible and that the proposal did not constitute overdevelopment as the site was substantial in size.</p>	<p>the occupation of the existing house at 43 Northampton Road.</p> <p>Following debate it was proposed by Councillor Thurland and seconded by Councillor Smyth that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>
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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. 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 E of Part 1 of Schedule 2 of the Order shall be erected, constructed or made on the application site.
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 existing dwelling-house at 43 Northampton Road, Broughton.
4. The building hereby approved shall remain ancillary to the occupation of 43 Northampton Road, Broughton, NN14 1NR and shall only be used for the parking of vehicles or domestic storage associated with the host property and/or a home office for sole use by the occupiers of 43 Northampton Road, Broughton, NN14 1NR.
5. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: Unanimous)

The application was therefore
APPROVED

21.APCK.09 DELEGATED OFFICERS REPORT

None

21.APCK.10 EXEMPT ITEMS

None

**(The Committee exercised its delegated powers to
act in the matters marked *)*

(The meeting started at 7.00 pm and ended at 7.48pm)

Signed.....

Chair

**North Northamptonshire Area Planning
Committee (Kettering)
Thursday, 26 August, 2021 at 7.00pm
Council Chamber, Municipal Office**

INDEX

Application	Location
4.1 KET/2020/0303	Weekley Wood Avenue (land at), Kettering
4.2 NK/2021/0036	Westview, 43 Kettering Road, Rothwell
4.3 NK/2021/0140	9 Bridle Way, Cransley
4.4 NK/2021/0434	5 Rose Close, Little Cransley

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North Northamptonshire Area Planning (Kettering) Committee 26/08/2021

Application Reference	KET/2020/0303
Case Officer	Craig Miles
Location	Weekley Wood Avenue (land at), Kettering
Development	Outline Application: Erection of an industrial manufacturing and warehouse building (Use Class B2 and B8) together with ancillary office accommodation and associated access
Applicant	I M Kelly Holdings Limited & The Buccleuch Estates Limited
Agent	Mr C Carlisle Decorum Estates Limited
Ward	Queen Eleanor and Buccleuch
Overall Expiry Date	01/09/2020
Agreed Extension of Time	31/03/2021

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there are more than three written material objections to the proposals.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement within 4 months of the date of committee.
- 1.2 That should the Section 106 Legal Agreement not be completed by the above date that it be delegated to Officers to REFUSE planning permission.

2. The Proposal

- 2.1 Outline: Erection of an industrial manufacturing and warehouse building (Use Class B2 and B8) together with ancillary office accommodation and associated access.
- 2.2 **The proposals are made in outline form with all matters reserved except for access.** This means consideration of this application only relates to the principle of developing land for the purposes of a production facility forming part of Use Classes B2 (General Industrial) and B8 (Warehousing) together with the suitability of the proposed access. Other reserved matters relating to layout, appearance, scale and landscaping would only be considered as part of a subsequent reserved matters application.
- 2.3 The proposals therefore relate to the erection of a production / warehouse building to be used for general industrial purposes (Use Class B2). The application is made on behalf of IM Kelly who explain in their Design and Access Statement that “This proposal for IM Kelly (Phase 2) would provide a new building with dedicated facilities to allow expansion of services from existing premises adjacent and the broadening and reinforcement of their current automotive-based operation. The building will form part of the IM Kelly business operation from this site and will operate in tandem with the existing facility. The proposals [would] include associated external car parking for staff and visitors and a service area at the rear of the building accessed off an internal service road which will be shared with the existing IM Kelly facility.” They state that the proposal would create 150 new jobs.
- 2.4 A purely indicative site layout plan has been submitted which details how the site could be developed.
- 2.5 The indicative layout shows the proposed building to be rectangular in footprint and set back from Weekley Wood Avenue behind the car parking to the front of the building. A 2.5m landscape strip is proposed along the southern boundary. A total of 180 car parking spaces are shown including disabled spaces and vehicle charging points together with 9 motorcycle spaces, 48 covered cycle spaces and 18 HGV spaces. All the HGV parking/ loading/unloading areas would be to the rear.
- 2.6 The indicative design of the building is largely based on IM Kelly’s existing building in terms of height, scale, materials, detailed design features and fenestration. It would have a gross external floorspace to be 8,795 sqm (8,590 sqm gross internal floor area) with 908 sqm of this to be used for ancillary office space over two floors and the remaining floorspace for operational / warehousing.
- 2.7 In terms of access, it is proposed that the application site be primarily accessed by an existing industrial access from the southern side of Weekley Wood Avenue which already serves the IM Kelly site. It runs along the eastern side of the existing building, between the existing building and the main part of the application site. And presently leads to a service / delivery area and car parking to the rear of the existing IM Kelly building. It is shown on the indicative layout drawings that an internal access spur is proposed off this access to serve the rear of the proposed building

for a service area. The indicative layout plans also show that the existing staff car park would be expanded.

- 2.8 A new site access would also be formed from the south side of Weekley Wood Avenue that would lead to the frontage of the site where it is shown on the indicative layout plan that there would be an area for visitor car parking and some staff parking, amounting to 102 spaces.
- 2.9 The existing IM Kelly site is subject to an Access Management Plan prepared to control vehicular movements to and from the site's access points on Weekly Wood Avenue then firstly to ensure that any potential conflict between service and staff vehicles is appropriately managed and secondly that HGVs cannot enter and exit the main site access simultaneously. The applicants have confirmed their willingness to secure such an agreement on this site.
- 2.10 Separately, the applicant has confirmed their willingness to enter into a S106 Agreement to secure the provision of (a) a financial contribution towards junction improvements on the A43; (b) the provision of four weekly Travelcards for all employees; and (c) the provision of two new bus shelters.
- 2.11 **Any Constraints Affecting the Site**
North Northamptonshire Joint Core Strategy - Policy 36: Land at Kettering North.
- 2.12 Former S106 Agreement pursuant to a former application Ref: KET/2017/0253 that related to the "Extension of Weekley Wood Avenue, site levelling and surface water drainage to facilitate future development (Approved, July 2017) that requires landscaping and ecological mitigation scheme to be provided, approved and implemented on the wider Kettering North allocated site.

3. Site Description

- 3.1 The application site is located on the northern part of Kettering. It is to the north of the A6183 and to the east of the A43 public roads. Part of the site is located within North Kettering Business Park and the remainder forms part of a land allocation within the Joint Core Strategy (Policy 36), known as Kettering North. The site is located at the end of Weekly Wood Avenue which forms the main vehicular route through North Kettering Business Park.
- 3.2 The site is roughly rectangular in shape and covers 2.14 hectares. It constitutes an area of formerly quarried semi-improved grassland which has since been cleared and levelled to provide for surface water drainage in accordance with a previous planning permission (Ref: KET/2017/0253) that provides an extension to Weekley Wood Avenue and facilitate future development.
- 3.3 Immediately to the west of the site is the existing IM Kelly manufacturing facility. IM Kelly are involved in the manufacture, production and delivery of leather, technical fabrics and manmade material for the motor, rail, and aerospace industries. Planning permission was approved in May 2018 for the development of a 9,278 sqm production / warehouse building (with associated parking and access) that has been implemented and presently employs around 220 staff.

- 3.4 The proposal is set within an area of mixed uses which include large warehouse and industrial buildings, a hotel, petrol station, a public house, and a coffee drive-thru retail unit. These buildings range in scale and size from single storey to the four - five storey hotel to the west of the proposal site.
- 3.5 Beyond the existing Business Park, there is a Public Right of Way (PRoW) that runs along the southern boundary of the site, beyond which lies the A6183. There is a pair of semi-detached dwellings, 43 and 44 Weekley Wood Lane located in the area between the PRoW and the A6183 to the south of the site. Semi-improved grassland is located to the north and east, beyond which is located a mix of woodland and arable fields.

4. Relevant Planning History

- 4.1 KE/02/0943 - Outline: Mixed B1, B2 and B8 employment uses with ancillary retail, Commercial and leisure (A1, A3 and D2) uses; hotel (C1); associated infrastructure and landscaping (Approved)
- KET/2007/0052 - For 14,670 sq. m of offices (Class B1) and 4,645 sq. m of leisure uses (Class D2) on sites 10 and 11 comprising 6.57ha previously granted under ref: KE/02/0943 for the North of Kettering Business Park (Approved)
- KET/2015/0261 - Extension of existing road and levelling of site for future building plots (Approved)
- KET/2015/0720 - Extension of existing road and levelling of site for future building plots: alterations to road layout approved under KET/2015/0261 (Approved)
- KET/2017/0253 - Extension of Weekley Wood Avenue, site levelling and surface water drainage to facilitate future development (Approved, subject to S106A to secure ecological mitigation in the form of 1.87Ha of replacement grassland and 185m of replacement hedgerow, envisaged to come forward as part of the wider Kettering North business park allocation).
- KET/2017/0703 – Production / warehouse building (Use Class B2), new vehicular accesses, service yard, parking, fencing, landscaping and substation (Approved)
The existing IM Kelly site
- KET/2018/0591 – Non material amendment KET/2017/0703 (Production / warehouse building (Use Class B2), new vehicular accesses, service yard, parking, fencing, landscaping and substation): Removal of 2 no. roller shutter doors, panels to north elevation, 3 no. replacement doors, canopies to south elevation, replacement panels, change of cladding details and adjustment to layout of car park (Approved)
- A Screening opinion in pursuant to Regulation 6(1) of the Town and Country Planning Act (Environmental Impact Assessment) Regulations 2017 was carried out for the development proposed under this application (KET/2020/0303) following its

submission. It was considered that the proposals do not represent EIA development.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

5.1 Weekley Parish Council No objections

5.2 Neighbours / Responses to Publicity

45 objections have been received and of these, 23 objectors have made individual but identical comments.

- Planning permission granted for site clearance subject to a Section 106 agreement to mitigate the environmental damage that would be caused.
- This included the planting of a substantial length of hedgerow and the replacement of the species rich grassland that would be destroyed. No indication that this has been made or mitigation forthcoming. This should be in place before any further application on the site is considered.
- The size of the warehouse will dominate the lower section of the grassland which is the gateway to Weekley Hall Wood. This grassland is effectively part of the nearest section of Rockingham Forest to Kettering and needs protection Policy 21 of the N Northants JCS.
- The design of the warehouse is to be similar to the other warehouses on the site, which are apparently meant to blend in with the landscape. This is not the case and no attempt has been made to landscape them.
- This application will result in a reduction in green space contrary to policy 19 of the JCS.
- Insufficient space currently for HGV parking in Kettering, and additional lorry movement contrary to policy 18 of the JCS
- Weekly Woods is a lovely place for walking with much wildlife, Kettering needs a place like this for people to walk and feel safe. This is a popular place.
- This application should not be looked at until obligations from their previous application have been met. Refer to the 185m species-rich hedgerow and 1.87 hectares of new species rich grassland, where are these?
- Not enough surveys have been done, the last survey done in 2017 is out of date. An up to date survey is needed urgently on this land.
- The area is used regularly. The impact of further warehouse development on the health and wellbeing of this community should be measured.
- There doesn't appear to be a proper Environmental Impact Assessment on the effects of this development in terms of traffic congestion, increased carbon emissions and air pollution. The Council is committed to be carbon neutral by 2030.
- The area provides a wildlife rich environment we need to protect
- The positive gains of jobs are likely to be reduced with ongoing automation of this industry meaning there is little of any local gain
- There are other Brownfield sites which could be used.

- The last ecological survey for this specific area was done in 2017. The Save Weekley Hall Wood Campaign has evidence to suggest the resurgence of certain species in the area. An up to date survey must be performed.
- An Environmental Impact Assessment is yet to be carried out to see what effects this further development will have on factors of traffic congestion and increased carbon emissions.
- As this is part of the wildflower meadow and indeed could be again (as it would only take a couple of years for it to reseed and be restored to nature), it is important that I object.
- This area is widely used for recreational activities such as Cycling, Walking and Running. The impact of further warehouse development in the area is likely to impact on the mental health and wellbeing of the community.
- Planning application KET/2017/0253 has not been mitigated. The location is a haven for ground nesting birds and a number of rare butterflies have been sighted at the site.
- Blight on the landscape and devaluing a very popular recreational facility. site is a widely used recreational facility
- We were assured by developers that habitat would be replaced when existing warehouses were built in 2017 and it hasn't been done
- Remain very concerned that the overall development, of which this application is a major part, still appears to be progressing in something of a piecemeal fashion
- The current application will take the new premises even closer to the footpath and again does not even consider the possibility of introducing some more pleasant landscaping or screening to make the use of this path more enjoyable.
- A vegetation screen to the north of our property, which could mitigate the impact on us substantially.
- If approved, this planning application will contravene Kettering Borough Council's Climate Emergency declaration which it made on the 24th July 2019 – a policy which states that there is a commitment from the council to reach net zero emissions and carbon neutrality.
- An increase of air and noise pollution from heavy goods vehicles to this new small industrial area both during construction and after.

5.3 Ward Member (Cllr Anne Lee – Pipers Hill Ward)

This should not be a delegated decision. Queries why the Section 106 conditions for the earlier application 2017/0253 are no longer applicable and if they ever were applied. It is very important that the original Section 106 conditions are not disregarded and should be added to. Since Kettering BC has declared a climate emergency, we cannot afford to lose the green areas around Kettering.

Strongly object that one application can be replaced by another until the Council drops the Section 106 conditions. Strongly object to this application under these circumstances.

5.4 NNC as Highways Authority

An assessment has been made as to the capacity at junctions 1 and 2 of the A43 to establish traffic impact with committed developments at a future date of 2031. In line with previous methodology associated with the adjacent phase 1 development, the LHA would accept financial contributions toward the mitigation

schemes as identified in the A43 Study associated with Junction 1 (A43/Weekley Wood Ave/Glendon Road) and Junction 2 (A43/Rockingham Road). A total contribution of £23,000 is required based on the proportional increases in flows through these junctions associated with the development, against the total cost of the respective mitigation schemes (*Officer Note: The applicant has expressed their willingness to provide such a contribution*)

Require alterations to be carried out to the proposed building and layout in terms of requiring a covered walkway from the rear to the front of the building and a tracking plan to ensure vehicles can manoeuvre within the site as well as adequate parking provision.

No objections raised to the Travel Plan or to the junction spacing and vehicle and pedestrian visibility splays shown and request that this is secured by condition.

There should be a suitably worded condition as an amendment to the Access Management Plan for the neighbouring IM Kelly development outlining the measures to be carried out in ensuring there are no HGV/staff vehicle conflicts and that HGVs do not enter/exit at the same time, as well as reporting of this information to the LPA/LHA is required. It is noted this condition is agreed by the site promoter as is the prospect of a bond mechanism should the measures be breached. The applicant is requested to submit a proposal for the value of the bond.

Also request the provision of pedestrian/cycle crossing points either side of Weekley Wood Avenue in front of the existing IM Kelly building, the provision of two bus stops at a total cost of £10,000 i.e. £5,000 each and the provision of a Transport Card for each employee.

The Proposed Site Plan (1328-1001-P3) does not detail the 3m CFC on the northern side of Weekley Wood Avenue nor any pedestrian / cyclist crossing points into the site from the northern side. It is acknowledged the provision of the CFC along the northern side of Weekley Wood Avenue is dependent on Phase 1 of North Kettering Business Park. This was raised as part of the adjacent scheme's application. The LPA should take a view on this.

5.5 Police CPDA

Northamptonshire Police is unable to provide specific comment to the proposed application due to a lack of information at this time. The D&A Statement does not demonstrate what measures have been utilised to mitigate against crime and we have reservations whether **designing out crime has been fully considered and therefore if the scheme does comply with National planning policy or the North Northamptonshire Joint Core Strategy (2016) which states - Policy 8 (e iv), 'Seeking to Design out antisocial behaviour and crime and reduce the fear of crime through the creation of safe environments that benefit from natural surveillance, defensible spaces and other security measures having regard to the principles of Secured by Design'**. Recommends measures to reduce the likelihood of crime, disorder and anti-social behaviour.

- 5.6 NNC Fire and Rescue
Recommends a condition requiring a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure.
- 5.7 NNC as Minerals and Waste Authority
No response received
- 5.8 NNC as Local Lead Flood Authority
No objections subject to a condition requiring details of a surface water drainage scheme for the site based on the submitted Flood Risk Assessment and Drainage Strategy.
- 5.9 Anglian Water
The foul drainage from this development is in the catchment of Broadholme Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water will take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. The foul water discharge point for this phase of the development is not clear from the submitted Drainage Plan. Therefore, request a condition requiring an on-site drainage strategy. Approval and consent will be required by Anglian Water to connect to the public sewer. It appears that development proposals will affect existing public sewers. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. A statutory easement width of 3 metres from the pipeline is required. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. The surface water discharge location and rate is not clear from the submitted drainage plan. Request conditions requiring a scheme for on-site foul water drainage and a surface water management strategy.
- 5.10 Environmental Health Officer
No objections subject to conditions regarding noise, unexpected contamination, and the need for a construction method statement to be approved and implemented.
- 5.11 NNC Ecology
No objection. The site has already been cleared and levelled under application KET/2017/0253.
- 5.12 NNC's Landscape Consultant
When assessing the proposal, it is clear that due to the existing landscape baseline condition both on site and in the surrounding area, the development will only have a marginal impact on both visual amenity and landscape character. For this reason, it is important to ensure that what is being proposed is of a high quality that enhances the landscape qualities of the landscape character that still exist and that these are managed and maintained appropriately. Recommend conditions to provide sufficient landscape mitigation and visual screening on the eastern and southern boundaries of at least 6m and for a method of SUDs integration to be provided, specifically on the boundaries of car parks and within the green open space.

5.13 Wildlife Trust

No ecological assessments are included within application KET/2020/0303, they were carried out for KET/2020/0121 and for KET/2017/0253 (although this survey would be considered out-of-date) and covered the relevant area. Both previous surveys recognised the quality of the grassland and considered it to be a Lowland Meadow Priority Habitat which is listed in Section 41 of the Natural Environment and Rural Communities Act, 2006. The older survey also considered the application site to be of Local Wildlife Site standard. It is, therefore, of concern that a clear plan to protect the grassland and/or provide suitable compensation is not included in KET/2020/0303. This plan should not be dependent on other proposals unless they are already consented. If a consented plan does exist it still needs to be clearly linked to this application to demonstrate how a measurable net gain in biodiversity could be achieved as required by the National Planning Policy Framework.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Planning Policy Framework

Section 1: Building a strong, competitive economy
Section 4: Promoting sustainable transport
Section 7: Requiring good design

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 3: Landscape Character
Policy 4: Biodiversity and Geodiversity
Policy 5: Water Environment, Resources and Flood Risk Management
Policy 6: Development on brownfield land and land affected by contamination
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 22: Delivering Economic Prosperity
Policy 36: Land at Kettering North

6.4 Saved Policies in the Local Plan for Kettering Borough

Policy 58: Employment within Towns

6.5 Emerging Site Specific Part 2 Local Plan Policies

The Inspector's recommended Main Modifications to the plan are considered to be sound. It is now required to be reported to committee for a decision to be made on adoption. The policies as modified can now be given significant weight.

EMP1 – Safeguarding Employment Land
NEH2 – Green Infrastructure

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Design and Visual Appearance
- Access and impact on Highways
- Residential Amenity
- Ecology and Biodiversity
- Crime Prevention
- Drainage
- Contamination

7.1 Principle of Development

- 7.1.1 The main consideration of this application is to determine in principle whether the proposed uses (Use Class B1 and B8), and the means of accessing the site are acceptable.
- 7.1.2 The proposed development would form part of the current IM Kelly business. The applicant's existing production and office facility (phase 1) is sited immediately to the west of the application site and outside the 'allocated' site but inside Kettering Business Park. Their existing site was granted planning permission under application KET/2017/0703 in May 2018 and is fully operational.
- 7.1.3 In terms of land allocations, the site straddles the boundary between the previously consented Kettering Business Park to the north and west and the allocation within the Joint Core Strategy (Policy 36), known as Kettering North, which lies predominantly to the east.
- 7.1.4 Policy 36 of the North Northamptonshire Joint Core Strategy allocates a minimum of 40ha business park 'Land at North Kettering' for a variety of business uses including B1 (now use class E(g)), B2 and B8 together with approximately 3ha of leisure related uses.
- 7.1.5 Policy 36 also requires a comprehensive masterplan to be agreed as part of the bringing forward of the business park. Whilst a masterplan has not yet been formulated for Kettering North, it is not considered that the delivery of the proposed development would prejudice in any way the delivery of a master-planned Kettering North. It would not prejudice the access to it.
- 7.1.6 Planning permission was previously granted on the site for the extension of Weekley Wood Avenue, the provision of site levelling works and the installation of additional surface water drainage infrastructure in July 2017 (Ref: KET/2017/0253). The site has since been levelled in accordance with the permission. The principle of the proposed development has (in part) been already established by virtue of the works granted under application KET/2017/0253 to facilitate the development of this site.
- 7.1.7 The proposals would form a logical expansion to the existing premises. The proposed unit would provide additional accommodation for offices, production space and warehouse and storage facilities to reinforce and expand the existing operations

of the IM Kelly business, accordance with the overall intention of Policy 36 of the North Northamptonshire Joint Core Strategy.

- 7.1.8 Considerations with respect of the proposed means of access are covered within the Access & Sustainability section below.
- 7.1.9 Subject to the considerations with respect to the details of the proposal as assessed below, it is considered that the principle of the proposed development would accord with the aspirations of Policy 36 of the North Northamptonshire Joint Core Strategy.

7.2 Design and Visual Appearance

- 7.2.1 Section 12 of the NPPF requires all proposals to ensure they help to provide well-designed places. Policy 8 of the JCS requires new development to respond to the site's immediate and wider context and local character.
- 7.2.2 Layout, scale and appearance are reserved matters and therefore these are not for consideration under this outline application.
- 7.2.3 The Design and Access Statement and the indicative site plans layout plans detail that a building of a similar design, scale, design features and materials as the existing IM Kelly building (together with the associated parking and serving areas) could be appropriately positioned on the site without representing over-development of it. The indicative elevations within the Design and Access Statement indicate the building could follow a similar design of the existing IM Kelly premises.
- 7.2.4 A contemporary design would complement the existing contemporary building and would be identified as part of the corporate identity of the IM Kelly company. The overall suggested design approach would be appropriate in the context of the site and the wider allocated North Kettering Business Park. As such the outline proposal in this respect would accord with Policy 8 of the Joint Core Strategy.
- 7.2.5 In terms of the wider visual impact, the Council's Landscape Consultant considers that the development would only have a marginal impact on both visual amenity and landscape character taking account of the existing mature hedge that bounds the southern boundary of the site and the Public Rights of Way (PRoW) that runs beyond the southern boundary in an east west direction behind both sites.
- 7.2.6 Along both the southern and eastern boundaries, the indicative layout plans show that the existing hedgerow would be retained to soften the appearance of future development on the site and to provide a natural buffer between the site and the PRoW to the south.
- 7.2.7 Landscaping within the site and along is a reserved matter that would be considered as part of any subsequent application. However, a condition could be attached to this outline consent requiring the retention and details of future maintenance of these hedgerows.

7.2.8 This would be in addition to the 1.87Ha of replacement grassland and 185m of replacement hedgerow, required by the previous S106A and envisaged to come forward as part of the wider Kettering North business park allocation.

7.2.9 Subject to this condition it is considered that the proposal would accord with Policy 8 of the Joint Core Strategy.

7.3 **Access and Impact on Highways**

7.3.1 Access is the only matter not reserved by this application which means the means of access is therefore a consideration as part of this outline application.

7.3.2 Policy 8 of the JCS also seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards. Policy 15 of the JCS seeks to promote sustainable forms of transport.

7.3.3 As previously discussed, it is proposed that the application site be served by two separate vehicle accesses from Weekley Wood Avenue. One entrance would be located to the front of the building to serve the parking area proposed on the site frontage and the second would utilise the existing access (HGVs) into the existing IM Kelly site to access the servicing area to the rear. NNC as Highways Authority raise no objections to the proposed accesses and are content that adequate vehicular and pedestrian visibility splays can be provided and this is to be secured by condition.

7.3.4 The application is accompanied by a Transport Assessment (TA) and Travel Plan (TP). Subject to sufficient car parking spaces being provided within the development no objections are raised to either of these documents by NNC as Highways Authority.

7.3.5 An assessment has been made as to the capacity at junctions 1 and 2 of the A43 to establish traffic impact with committed developments at a future date of 2031. In line with previous methodology associated with the adjacent phase 1 development, the Highway Authority has confirmed that they would be happy to accept a financial contribution toward the mitigation schemes as identified in the A43 Study associated with Junction 1 (A43/Weekley Wood Ave/Glendon Road) and Junction 2 (A43/Rockingham Road). Based on the proportional increases in flows through these junctions, a total contribution of £23,000 is required based on the proportional increases in flows through these junctions associated with the development, against the total cost of the respective mitigation schemes. This would be secured through a S106 Agreement.

7.3.6 It is considered that based on the traffic generated by this proposal and the additional traffic likely to use these junctions, there are sufficient grounds in terms of the impact of the development on the wider highway network in accordance with Policy 15 of the JCS to request this level of contribution. This is therefore considered to be CIL compliant.

7.3.7 In order to ensure that there is no conflict if HGVs seek to enter and exit the site simultaneously an Access Management Plan is currently in place on the existing IM

Kelly site. It is therefore proposed that this is extended to include the site the subject of this application and the applicant has confirmed their agreement to this. A Grampian condition similar to that imposed on the existing IM Kelly site is therefore proposed as part of this application.

- 7.3.8 NNC as Highways Authority have requested amendments to the building and layout in terms of the provision of a covered walkway between the rear and the front of the building as well as confirmation that sufficient car parking and manoeuvring space is provided within the site. However, as matters relating to Layout and Appearance of the building are reserved matters for consideration as part of a separate application.
- 7.3.9 The request from Highways to require the applicant to extend the combined footway/cycleway (CFC) on the northern side of Weekley Wood Avenue is dependent on Phase 1 of North Kettering Business Park and Highways have acknowledged this. In addition, the applicants do not own the land where the CFC would be provided and so this could not be achieved under the current proposal. However, the applicants have expressed their willingness to provide a crossing point in the form of dropped kerbs to allow cyclists and pedestrians to cross in front of the existing IM Kelly building. As the site would add to any existing cycle movements from developments on the southern side of Weekley Wood Avenue, a pedestrian/cyclist crossing point across the site frontage of the adjacent approved IMK site is considered appropriate. The exact location and the provision of this would be secured through a planning condition.
- 7.3.10 Highways have also requested that the applicant enters into a S106 Agreement to secure the provision of a financial contribution towards two bus shelters at £5,000 each and four-weekly KC Megarider Travelcards at a cost of £84.60 for each member of staff. This is considered to be justified as part of a sustainable modal shift to encourage the use of public transport in accordance with policy 15 of the JCS. Based on the increased numbers of employees likely to be generated by this development this is considered to be CIL compliant.
- 7.3.11 Subject to the conditions proposed and the applicant entering into a S106 Agreement, it is considered that this application pays adequate regard to promoting sustainable forms of transportation in accordance with Policy 15 of the JCS, to ensuring that the local highway network has appropriate capacity to serve the development and therefore to ensuring that highway safety would not be prejudiced in accordance with Policy 8 of the JCS.

7.4 **Residential Amenity**

- 7.4.1 Policy 8 of the JCS seeks to ensure quality of life by protecting amenity by not resulting in any unacceptable impact on the amenities of neighbours/future occupiers by way of noise, vibration, smell, loss of light or overlooking. Policy 12 (paragraph 127) of the NPPF states that development must secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.4.2 The nearest residential properties to the site are 43 and 44 Weekley Wood Lane to the south east. Due to the separation distance and the degree of landscape

screening, it is not anticipated that the development would create any overshadowing or overbearing relationship with these properties.

- 7.4.3 The proposal has the potential to create noise and disturbance through both the industrial activities that are to be carried out internally and also by virtue of the vehicular movements associated with the servicing of the site and staff car parking. The Council's Environmental Health Officer (EHO) has been consulted and has stated no objection subject to a planning condition being applied to secure the submission of a Noise Scheme. This would assess the potential impact upon neighbouring residents based upon the full details of the proposed operation and would require any associated and required mitigation measures to be implemented.
- 7.4.4 It is considered that such a condition is appropriate, particularly given the presence of an external service area to the rear of the building securing a noise scheme via condition would allow the noise implications of the proposals to be properly considered and for appropriate and reasonable associated mitigation measures (such as defining hours of operation) to be set and secured.
- 7.4.5 Given the relatively discreet location of the site, particularly in terms of potentially sensitive nearby uses (including residential), it is not considered necessary to condition a Construction Management Plan. However, in the interests of prudence and in recognition that a hotel is located nearby, a condition should be added to any consent that controls the hours of construction to 8am-6pm Monday to Friday, 8:30am-13:30pm on Saturdays and at no time whatsoever on Sundays and Bank Holidays. A similar condition was imposed on the existing IM Kelly site and it is considered appropriate that it is also included on this site.
- 7.4.6 The indicative site layout plan shows the service yard area to the rear of the site. This area would be bound by a mature hedge and boundary treatment. It is not considered that any further details are required at this stage because the design and layout is not being considered. However, it is acknowledged that this approach would help towards ensuring that the general amenity of the area would be safeguarded.
- 7.4.7 As in the previous application for the existing IM Kelly site the Environmental Protection Officer has not raised any concerns with respect to the lighting associated with the development, i.e., they have not requested any kind of lighting scheme by way of condition. It is considered that it would be onerous to require this given the predominantly commercial character of the site's surroundings. This would nevertheless be considered as part of the reserved matters application.
- 7.4.8 Subject to the imposition of a Noise Scheme condition, the proposals would appropriate safeguard the amenities of the area of nearby residential occupiers' non-compliance with the requirements of Policy 8 of the JCS.

7.5 Ecology and Bio Diversity

- 7.5.1 The former approved application (Ref: KET/2017/0253) provided consent to extend Weekley Wood Avenue by 145m, the provision of site levelling works and the installation of additional surface water drainage infrastructure to facilitate

development. This application was subject to a section 106 Unilateral Undertaking which required securing ecological mitigation in the form of 1.87 ha of replacement grassland and 185m of replacement hedgerow to compensate for the loss on this site, envisaged to come forward as part of the wider Kettering North business park allocation or to be provided on an alternative site owned by the applicants (within a 6-year timeframe to 2023). The site levelling and clearance works have already been completed and the permission remains extant.

- 7.5.2 There is no statutory requirement for these details to be provided prior to the determination of this application.
- 7.5.3 The Council's Ecological Consultant has confirmed they have no objection to this outline application as the site has already been cleared following the granting of planning permission under KET/2017/0353.
- 7.5.4 The current application site area is slightly larger than the approved site area because it includes the extended part of Weekley Wood Avenue that was already approved and overlaps the existing access road into the IM Kelly site. As no additional existing grassland would be lost (compared to what has already been consented) there is no requirement to enter into a further s106 agreement to seek further mitigation.
- 7.5.5 Many objections have been received raising concerns about the impact of the proposal on the biodiversity of the wider area and in particular Weekley Wood, which is a well-used woodland area located to the east of the site. The Council's Ecological Consultant has raised no objections in terms of the impact on the biodiversity of the wider area as a result of the proposed development. Following clearance/levelling of the site, the land does not currently provide a suitable habitat for biodiversity and this was mitigated under the s106 agreement attached to planning permission KET/2017/0353.
- 7.5.6 This mitigation, together with the retention of the existing hedges around the southern perimeter of the site are considered to be sufficient to satisfy Policy 8 of the Joint Core Strategy.

7.6 **Crime Prevention**

- 7.6.1 Section 12 of the NPPF requires all proposals to ensure they help to provide well-designed places. In particular, paragraph 127 (f) seeks for decisions to ensure that development create places that are safe and secure which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.6.2 Policy 8 of the JCS, amongst other things, seeks to make safe and pleasant streets and in particular in its part (e)(i) aims to '...design out antisocial behaviour and crime and reduce the fear of crime through the creation of safe environments...'

- 7.6.3 Northamptonshire Police have requested additional information to demonstrate that the proposal has taken into account measures to mitigate against crime within the design of the proposal.
- 7.6.4 Consideration of this application only relates to the principle of development and access. The proposed layout and appearance are reserved matters, these matters will be dealt with at the Reserved Matters stage when the design of the building will need to comply with Policy 8 of the Joint Core Strategy in terms of crime prevention and the fear of crime.
- 7.7 Drainage**
- 7.7.1 The application is supported by a Flood Risk Assessment and Drainage Strategy which assesses all aspects of flood risk as well as consideration of the surface water runoff management of the proposed site.
- 7.7.2 This report acknowledges that the existing Business Park has already been provided with adequate surface water drainage infrastructure and attenuation basin for 1 in 100 year events including climate change.
- 7.7.3 As the site is in flood zone 1 and given the topography of the site and the existing drainage system it is understood that the site is considered to be at a low risk from surface water flooding.
- 7.7.4 The Lead Local Flood Authority has confirmed it has no objections to the technical information and conclusions provided in the Flood Risk Assessment and Drainage Strategy. It is considered that adequate information has been submitted to demonstrate that (in principle) the proposals would not increase flood risk to the site or surrounding areas and that appropriate drainage mechanisms could be installed so as to ensure compliance with Policy 5 of the JCS.
- 7.7.5 The Local Lead Flood Authority has also recommended planning conditions to secure and agree further details of the surface water drainage scheme as well as details of the ownership and future maintenance and verification report prior to the first occupation of the development.
- 7.7.6 Anglian Water have also been consulted and whilst they have confirmed that there is insufficient capacity in the existing system to accommodate this development, Anglian Water are statutorily obliged to ensure that there is sufficient treatment capacity before the development is occupied. Anglian Water has also advised that the surface water discharge location and rate is not clear from the submitted drainage plan and has therefore requested conditions requiring a scheme for on-site foul water drainage and a surface water management strategy.
- 7.7.7 Subject to the above conditions being imposed should planning permission be approved, the proposal would satisfy Policy 5 of the Joint Core Strategy.

7.8 Contamination

- 7.8.1 The site was once a former quarry although ground works and site levelling have already been carried out under application KET/2017/0353. The Environmental Protection Officer has been consulted on the proposal and does not recommend any conditions with respect to investigating for contamination. It is therefore considered that the proposal would not require any further investigation in terms of ground conditions and would therefore satisfy policy 8 of the Joint Core Strategy.

8. Other Matters

- 8.1 The Northamptonshire Fire and Rescue Service have requested a condition requiring sprinkler systems. Sprinkler systems are normally covered by building control when they are installed but they are not always required to be installed by the Building Regulations, unless a high-rise building (top storey 30m high or more).
- 8.2 The Regulations do not specifically request a sprinkler system unless there is a design reason as to why they would be required. In this case, as the layout and appearance are reserved matters, this can be dealt with under the Reserved Matters application. For the purposes of the outline permission, it is proposed to deal with this as an informative should permission be granted to remind the applicant of their obligations in this regard when designing the building.

9. Conclusion / Planning Balance

- 9.1 This outline application would provide commercial development as a logical expansion of the existing IM Kelly facility, creating 150 new jobs. The site is identified in the JCS for commercial development and would be viewed as an extension to an existing site on the North Kettering Business Park. The development would have an acceptable visual impact, would safeguard residential amenity, would have an appropriate ecological impact, and would not prejudice highway safety in accordance with relevant policies contained within the Development Plan and the National Planning Policy Framework.
- 9.2 The application is therefore recommended for approval subject to the above conditions and the applicant entering into a S106 agreement to secure the following:
- Financial contribution towards junction improvements on the A43;
 - The provision of four weekly Travelcards for all employees;
 - The provision of two bus shelters

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement within **4 months** of the date of this Planning Committee.
- 10.2 That should the Section 106 Legal Agreement not be completed by the above date that it be delegated to Officers to REFUSE planning permission.

11. Conditions

1. This is a grant of outline consent only and before the development is commenced details of the appearance, landscaping, layout, and scale of the proposal (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority.

REASON: This is a grant of outline planning permission only and in order to secure satisfactory development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: In order to secure a satisfactory development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented planning permissions.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented planning permissions.

5. Any reserved matters application for landscaping shall be accompanied by details of any existing hedgerows, trees and any other landscaping to be retained or removed.

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

6. This permission relates to the originally submitted details and specification and to drawings,

Location Plan, Plan Reference : 1328-1000 received 28.05.2020

Proposed Car Park access plan, Plan Reference 1328-1002 received 28/05/2020

Flood Risk and Drainage Strategy , Reference 19-080-MK received 01/10/2020,

Travel Plan received 07/05/2020,

Transportation Assessment received 07/05/2020

REASON: To define the permission.

7. The site shall not be occupied until such time as the site access hereby approved as detailed on the proposed car park access drawing (Ref: 1328-1002) received 28/05/2020 has been fully formed. Prior to the formation of the site

access full engineering, construction and drainage plans which include any on and off-site works (including pedestrian and cycle crossing) shall be submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with the approved plans.

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

8. No development shall commence until an amended Access Management Plan has been submitted to and approved in writing by the Local Planning Authority regarding the shared access between the existing and the proposed manufacturing facility. The amended Access Management Plan shall include measures to ensure that any potential conflict between service and staff vehicles is appropriately managed and that HGVs do not enter/exit at the same time, reporting of this information to the Local Highways Authority and the mechanisms should the measures be breached.

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

9. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, 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 in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. No development above slab level shall take place on site until a scheme for boundary treatment has been 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. The approved boundary treatment shall be retained as such thereafter.

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.

11. No development above slab level shall commence until details of a positive means of drainage to ensure that surface water from the vehicular access, or private land, does not discharge onto the highway shall be submitted to and be approved in writing by the Local Planning Authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.

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

12. 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.

13. No construction, deliveries of plant and materials for construction shall occur outside of the following times. 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 subcontractors.

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

14. Prior to the commencement of development a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.

REASON: Details are required prior to the commencement of development because any necessary noise measures will be an integral part of the design and in the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

15. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

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

16. No above ground development shall take place until full details of the surface water drainage scheme for the site, based on the Flood Risk Assessment & Drainage Strategy ref. no. 19-080 IMK, dated 30th September 2020 prepared by Bradbrook Consulting Ltd have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:

a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

c) Details of proposed overland flood flow routes in the event of system exceedance or failure (to include depth volume and direction), with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Joint Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

17. No development above ground shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used; a site plan including access points, maintenance access easements and outfalls; maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site; and details of expected design life of all assets with a schedule of when replacement assets may be required.

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Joint Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

18. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Drainage Strategy ref. no. 19-080 IMK, dated 30th September 2020 prepared by Bradbrook Consulting Ltd has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority. The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV confirmation that the system is free from defects, damage and foreign objects.

REASON: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

19. No development above slab level shall commence until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning

Authority. No occupation shall take place until the works have been carried out in accordance with the approved foul water drainage scheme.

REASON: To ensure the adequate drainage of the development in accordance with the Policy 5 of the Joint Core Strategy for North Northamptonshire.

12. Informatives

fire authority consultation response

Crime prevention

existing S106A

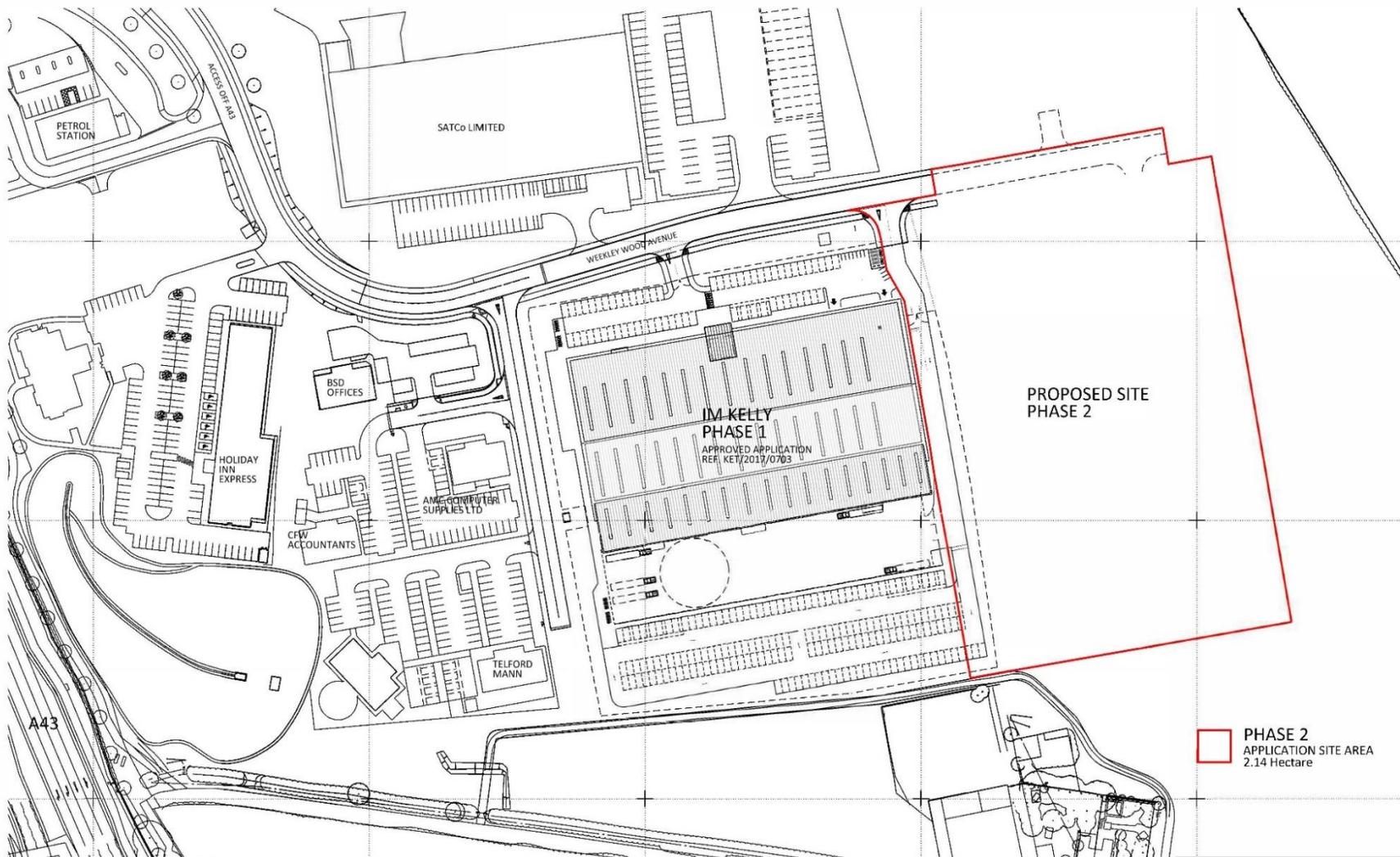
Noise - External Plant/Solar farms/Air Source Heat Pumps

Positive/Proactive - amendments

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

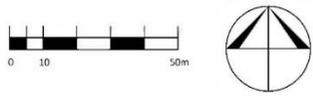
Title	KET Ref.	Agent's Ref	Received Date
Location plan		1328-1000	28/05/20
Proposed car park access		1328-1002	28/05/20
Drainage plan		19-080-300-P1	07/05/20
Transport assessment part 1	KET/2020/0303/1		07/05/20
Transport assessment part 2	KET/2020/0303/2		07/05/20
Travel plan	KET/2020/0303/3		07/05/20
Design & Access Statement	KET/2020/0303/4		28/05/20
Proposed site plan		1328-1001 Rev P3	29/09/20
Response to Highways and Transport Comments - Part 1: Layout - Document prepared by Transport, Planning & Highways Solutions			28/09/20
Flood Risk Assessment and Drainage Strategy		19-080-MK	01/10/20
Response to Highways and Transport Comments (October 2020) - Document prepared by Transport, Planning & Highways Solutions			03/02/21




PHASE 2
 APPLICATION SITE AREA
 2.14 Hectare

NOTES REVISIONS

checked before implementation.
 Any discrepancies are to be
 advised immediately.
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IM KELLY PHASE 2
WEEKLEY WOOD AVENUE . KETTERING BUSINESS PARK
SITE LOCATION PLAN
 DATE SCALE STATUS
 MAR 2020 1:1250 @ A3 **PLANNING**
 DRAWING NUMBER REVISION
 1328-1000

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North Northamptonshire Area Planning (Kettering) Committee 26/08/2021

Application Reference	NK/2021/0036
Case Officer	Kirk Denton
Location	Westview, 43 Kettering Road, Rothwell
Development	Full Planning Permission: Change of use from C3 dwelling house to 11 bedroom HMO with single storey side extension to create triple garage. Conversion of first floor roof space to habitable accommodation with dormers to front and rear - Part retrospective
Applicant	Mr K Jones
Agent	Mr K Jones
Ward	Rothwell
Overall Expiry Date	29/03/2021
Agreed Extension of Time	18/06/2021

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

Scheme of Delegation

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

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 Full Planning Permission: Change of use from C3 dwelling house to 11 bedroom HMO with single storey side extension to create triple garage. Conversion of first floor roof space to habitable accommodation with dormers to front and rear - Part retrospective

- 2.2 The application seeks permission for a change of use of a detached dwelling into an 11 bedroom HMO (sui generis use) involving front and rear dormers to the roofplane of the single-storey side projection on the north side of the building. Attached to this would be a triple garage.
- 2.3 The floor plans show a communal kitchen/dining area with 4 en-suite rooms on the ground floor, a further four en-suite rooms on the first floor and 3 en-suite rooms on the second floor. The basement area is to be used as a communal laundry.
- 2.4 The existing timber outbuilding is to be removed and the majority of the garden will form on-site parking for the proposed HMO including 3 x visitor spaces and a dedicated secure cycle storage area with Sheffield stands inside the garage. There would be a total of 14 car parking spaces.
- 2.5 The Kettering Road street elevation (west) would retain the existing trees and green bank which would provide relief from the hard landscaped areas to the north-east. The existing brick wall that runs alongside the north boundary fronting Gordon Street will be reduced in height adjacent to the vehicular access and the existing double gates are to be removed allowing for improved visibility when exiting the site. A dedicated refuse store area is annotated on the plans to the south of the building accessed from Kettering Road.
- 2.6 The application is a re-submission of the previously refused application KET/2020/0501 which addresses the reasons for refusal.
- 2.7 **Constraints Affecting the Site**
Nene Valley NIA Boundary

3. Site Description

- 3.1 The application site is located to the south of Rothwell town centre on the main road through this market town. It lies within the settlement boundary and an established residential area. No. 43 Kettering Road is comprised of a substantial detached dwelling within a large plot on the corner of Kettering Road and Gordon Street. The building is Victorian in style and stands at the end of a row of semi-detached and terraced Victorian dwellings which front Kettering Road. The plot is bounded by a tall red brick wall to Gordon Street with a lower wall with railings above towards Kettering Road. A large timber outbuilding/summerhouse is sited on the western boundary wall.
- 3.2 Vehicular access into the site is from Gordon Street to the north of the site frontage on the western boundary. There is also pedestrian access from Kettering Road to the dwelling.

4. Relevant Planning History

- 4.1 KET/2009/0165 - Change of use from residential to childcare/day nursery - WITHDRAWN 08/06/2009

KET/2009/0447 – Change of use from residential to childcare/day nursery - APPROVED 02/10/09

KET/2011/0813 - Conversion of single dwelling to five apartments APPROVED 21/06/12

KET/2018/0114 - 2 no. detached single storey outbuildings consisting of five garden rooms REFUSED 11/04/18

KET/2018/0384 – Certificate of Lawfulness for two no. detached single storey outbuildings – GRANTED 25/07/18

KET/2020/0501 – Change of use form C3 dwelling house to 9 bedroom HMO with raised roof to single storey element to create an additional en-suite bedroom - REFUSED – 23/11/20 FOR THE FOLLOWING REASONS:

- 4.2 *The proposed development makes insufficient provision for on-site car parking and manoeuvring space to serve the proposed use. Without further evidence to demonstrate that a lesser number of car parking spaces is appropriate in this instance or that sufficient on street parking exists, this is likely to lead to vehicles reversing into the highway if unable to park within the site and generating further parking congestion in the nearby streets contrary to policy 8 (b) (ii) of the Joint Core Strategy and the NPPF which seek to ensure that there is sufficient car parking to serve new development.*
- 4.3 *The existing access into the site is insufficient in width to allow two vehicles to pass which would mean vehicles having to wait on the carriageway to enter the site if another was exiting, causing traffic to stop in the highway. In addition, due to the restricted visibility in both directions, the existing access does not provide sufficient pedestrian and vehicular visibility onto Gordon Street. The proposal is therefore likely to lead to a highway danger contrary to policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy and the NPPF which seek to ensure that there is a safe and convenient access to serve all new development.*
- 4.4 *The proposal includes the use of part of the timber 'garden room' as a site office with no details as to its proposed use or who would occupy it. Without sufficient justification based on the requirements of the proposed HMO, the use of this office could create an intensification on the use of the premises, generating further demands on the already inadequate parking provision and an intensification of the use of the substandard access. The proposal would therefore be contrary to policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy and the NPPF which seek to ensure that new development provides a safe access and car parking to serve the needs of the site.*
- 4.5. *The proposal makes no provision for the storage of waste/recycling to serve the proposed use with suitable access for collection. Without such provision the proposed development is contrary to policy 8 (i) of the North Northamptonshire Joint Core Strategy, the Sustainable Development SPD and the NPPF.*
- 4.6 *Due to its relationship and close proximity to the boundary with 2 Gordon Street, the proposed balcony on the first floor of the proposed extension would cause overlooking into this property resulting in a loss of privacy and enjoyment of the use of the garden for its occupants. This is contrary to policy 8 (e) (i) of the North*

Northamptonshire Joint Core Strategy and the NPPF which seeks to ensure a satisfactory level of amenity is maintained for nearby occupiers.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website at:
<https://www.kettering.gov.uk/planningApplication/search>

5.1 Rothwell Town Council

No objections to the proposal

5.2 Neighbours / Responses to Publicity

There have been a total of 7 third party representations with the following concerns:

- Lack of on-site parking will lead to further demand for on-street parking which currently cannot withstand additional vehicles;
- Over-development - too many bedrooms;
- Loss of light to neighbouring adjoining properties due to first floor roof extensions;
- Overlooking/loss of privacy from new windows in first floor roof extension;
- Potential for garage building to be used for further living accommodation.

5.3 NNC Highways

No objections subject to requested further information being provided and conditions (NB officer comments – all information sought by NNC Highways has been provided to the satisfaction of the LPA).

5.4 NNC Ecologist

No objections. Having reviewed the bat survey reports submitted I am satisfied that neither a licence nor mitigation will be required in this case.

5.5 NNC Environmental Protection

No objections subject to conditions

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land

- 12. Achieving well design places
- 14. Meeting the challenge of climate change, flooding and coastal change

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

- 1. Presumption in favour of Sustainable Development
- 2. Historic Environment
- 4. Biodiversity
- 5. Water environment
- 8. North Northamptonshire Place Shaping Principles
- 9. Sustainable buildings
- 22. Delivering economic prosperity
- 28. Housing requirements
- 29. Distribution of new homes
- 30. Housing mix and tenure

6.4 Saved Policies in the Local Plan for Kettering Borough

- 35. Housing: Within Towns

7. Evaluation

The key issues for consideration are:

- Principle of development
- Character and appearance of the area
- Residential amenities - existing and future occupiers
- Impact on neighbouring occupiers
- Future occupiers
- Refuse storage
- Parking and highways

7.1 Principle of Development

7.1.1 The NPPF seeks to make the most effective use of land and to provide for a sufficient supply of homes and a range of accommodation to meet specific needs. Policies 29 of the JCS and saved policy 35 of the Local Plan seek to concentrate development in towns and Policy 30 of the JCS seeks to ensure that there is a mix of dwelling sizes and tenures to cater for current and forecast accommodation needs and to assist in the creation of sustainable mixed and inclusive communities.

7.1.2 As the site lies within the built boundary of Rothwell it is considered to be a suitable location in principle for the proposed development.

7.2 Character and appearance of the area

7.2.1 The property is a detached Victorian Villa set within a large plot. The building stands with some prominence at a raised level compared to the highway and its main frontage faces onto Kettering Road.

7.2.2 The building is not listed nor is it within a Conservation Area.

- 7.2.3 The building is in a state of disrepair and it is considered that by granting planning permission the works required to bring the living accommodation up to standard including the works to the car park and the removal of the timber outbuilding would improve the overall appearance of the property within the street scene.
- 7.2.4 The minor works to the existing single-storey projection comprising front and rear dormers plus the construction of the garage building are relatively minor alterations and additions which are not considered to have such an overall impact on the appearance of the dwelling to alter its character.
- 7.2.5 In this regard, the proposed change of use and external alterations are considered to improve the building and preserve its integrity. Therefore it is not considered that the proposal would cause undue harm to the character and/or appearance of the property in this respect.

7.3 Residential Amenities - existing and future occupiers

- 7.3.1 The NPPF requires that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area and create places that are safe inclusive and accessible, and which promote health and wellbeing, with a high standard of amenity for existing and future users.
- 7.3.2 Policy 8(e) of the JCS seeks to ensure that development prevents harm to the residential amenities of neighbouring properties such as by reason of overbearing, loss of light or overlooking.

7.4 Impact on Neighbouring occupiers

- 7.4.1 Reason 5 of the previous refusal stated:
- 7.4.2 *Due to its relationship and close proximity to the boundary with 2 Gordon Street, the proposed balcony on the first floor of the proposed extension would cause overlooking into this property resulting in a loss of privacy and enjoyment of the use of the garden for its occupants. This is contrary to policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy and the NPPF which seeks to ensure a satisfactory level of amenity is maintained for nearby occupiers.*
- 7.4.3 The balcony has been removed from the proposed scheme and therefore this reason for refusal has been addressed.
- 7.4.4 Although the proposed rear dormer to the single-storey element of the building would be constructed on the roof plane adjacent to the eastern boundary, the windows to the rear are annotated on the drawing as being high-level. The room to which these high-level windows would serve is proposed to be a bathroom and the windows could therefore be conditioned to be obscurely glazed if Members were minded to. It is not considered that the windows as proposed would give rise to overlooking or loss of privacy to the occupiers of the adjacent property no 47 Kettering Road.

- 7.4.5 The rear dormer would not project further than the elevation of the main building on this eastern elevation and would not give rise to any overshadowing or loss of light.
- 7.4.6 Similarly, the garage would be a single-storey structure. There is a drop in the land levels between the rear garden of the application property and the garden of no 47 Kettering road. However, as the garage building is proposed to be single-storey with a roof form which hips away from the boundary it is considered unlikely that this would have such an overwhelming impact on the amenities of the occupiers of no 47 to warrant a refusal of permission. As the garden and the rear rooms of no 47 face in a westerly direction, the garage is not considered to block sunlight/daylight to these rooms causing harm to residential amenity

7.5 **Future Occupiers**

- 7.5.1 With regard to the residential amenities of the future occupiers of the proposed HMO, sufficient communal living space is being provided for the occupants in the form of a large kitchen/diner as well as laundry facilities in the basement of the building. In addition, a variety of bedroom sizes are proposed and all utilise the bedrooms of the original house which are all of a generous size and allow for seating areas and private en-suite facilities. The existing large windows provide adequate light and ventilation to each room. In October 2018, the Government introduced minimum room sizes for HMOs. This stipulates that rooms used for sleeping accommodation should be no smaller than 6.51 square metres or 10.22 square metres if used by two people. All the rooms would exceed this.

7.6 **Refuse storage**

- 7.6.1 Reason 4 of the previous application stated:
- 7.6.2 *The proposal makes no provision for the storage of waste/recycling to serve the proposed use with suitable access for collection. Without such provision the proposed development is contrary to policy 8 (i) of the North Northamptonshire Joint Core Strategy, the Sustainable Development SPD and the NPPF.*
- 7.6.3 A dedicated refuse storage area is shown on the drawings alongside the southern boundary of the property accessed via Kettering Road. This is considered an appropriate area for the refuse storage and would be accessible for kerb side collection by operators.
- 7.6.4 In regard to the safeguarding of the residential amenities of both existing neighbours and future occupiers, the proposal is considered to address the previous reasons 4 and 5 of KET/2020/0501 and is acceptable under Policy 8 (e) of the JCS.

7.7 **Parking and highway safety**

- 7.7.1 Policy 8(b) of the JCS and section 9 of the NPPF seeks to ensure a satisfactory means of access and provision for parking and resists development that would prejudice highway safety.

- 7.7.2 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.7.3 The previous application was refused on the following grounds relating to parking and highway safety:
- 7.7.4 *The proposed development makes insufficient provision for on-site car parking and manoeuvring space to serve the proposed use. Without further evidence to demonstrate that a lesser number of car parking spaces is appropriate in this instance or that sufficient on street parking exists, this is likely to lead to vehicles reversing into the highway if unable to park within the site and generating further parking congestion in the nearby streets contrary to policy 8 (b) (ii) of the Joint Core Strategy and the NPPF which seek to ensure that there is sufficient car parking to serve new development.*
- 7.7.5 *The existing access into the site is insufficient in width to allow two vehicles to pass which would mean vehicles having to wait on the carriageway to enter the site if another was exiting, causing traffic to stop in the highway. In addition, due to the restricted visibility in both directions, the existing access does not provide sufficient pedestrian and vehicular visibility onto Gordon Street. The proposal is therefore likely to lead to a highway danger contrary to policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy and the NPPF which seek to ensure that there is a safe and convenient access to serve all new development.*
- 7.7.6 *The proposal includes the use of part of the timber 'garden room' as a site office with no details as to its proposed use or who would occupy it. Without sufficient justification based on the requirements of the proposed HMO, the use of this office could create an intensification on the use of the premises, generating further demands on the already inadequate parking provision and an intensification of the use of the substandard access. The proposal would therefore be contrary to policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy and the NPPF which seek to ensure that new development provides a safe access and car parking to serve new development.*
- 7.7.7 The Highways Authority (LHA) have made the following comments;
- 7.7.8 From a parking aspect the LHA do not have significant concerns as the bays and numbers are in line with standards. As regards the access, the revised Proposed Site Plan details an improvement adhering to the majority of the requirements previously outlined.
- 7.7.9 The access shown in Proposed Site Plan details a hard bound surfacing for a minimum of the first 5m from the highway boundary as required and has a width of 5.5m.
- 7.7.10 Pedestrian visibility splays are detailed. As mentioned in the LHA's prior response, these splays would likely to not be achievable on the eastern side of the access due to the proximity of the neighbouring development. To the west of the access the splays are adequate.

- 7.7.11 A means of drainage across the back of the highway boundary (linear drain), across the proposed site access draining to soakaways contained within the applicant's own land is required. It is unlawful for surface water to drain from private property onto the public highway.
- 7.7.12 It is noted the existing wall/rail boundary treatments would be reduced in height. The heights shown on Proposed Site Plan are adequate in respect to visibility splays.
- 7.7.13 To address the reasons for refusal, the double gates have been removed from the entrance and the wall is to be reduced in height to 0.6metres to ensure visibility both ways along Gordon Street. The access would also be widened to 5.5 metres to the satisfaction of the LHA.
- 7.7.14 The car parking bays (including the two in the garage) are the requisite dimension and the applicant has confirmed that a linear drain will be inserted to prevent surface water entering into the street.
- 7.7.15 The parking standards for large HMOs (i.e above 6 bedrooms) requires 1 space per bedroom, plus two visitor parking spaces and one covered secure cycle space per bedroom. Therefore, to satisfy these standards, 13 on site car parking spaces and 13 covered secured cycle spaces are required to serve the development.
- 7.7.16 The proposal provides a total of 14 car parking spaces which is one more than the minimum standards require. There would be 12 cycle spaces which is one less than the minimum standards require.
- 7.7.17 Given that there is anecdotal evidence that there is existing parking congestion within the area, the applicant has over-provided parking space within the site and it is considered that the proposal would not lead to further intensification of demand for on-street parking within Gordon Street. Although there is one less cycle space provided than the minimum standards provide for it is not considered that this would warrant a reason for refusal on parking grounds or lead to the over-intensification of the need for additional on-street parking to the detriment of the local area.
- 7.7.18 The concerns relating to the timber cabin have been alleviated by this building being omitted from the scheme and removed from the site.
- 7.7.19 Therefore, it is considered that the proposal addresses the reasons for the previous refusal KET/2020/0591 on parking and highway safety grounds.

8. Other Matters

Bats

- 8.1 Policy 4 of the JCS requires protection of key assets for wildlife, protect the natural environment from adverse effects from noise, air and light pollution, to increase connectivity of habitats amongst other matters. The NPPF, at paragraph 170(b), recognises the wider benefits from natural capital and ecosystems. The weight to be applied to considerations concerning the natural environment depends on the

hierarchy of protection afforded the asset be they large areas of land protected for natural beauty or scientific purposes to local wildlife sites and protected flora and fauna and particular animal habitat.

8.2 The site has no statutory or local designations.

8.3 The applicant has carried out bat surveys at the request of NNC's Ecologist to assess the potential for bats to be roosting within the roof space of which is to be converted to an additional bedroom. NNC's Ecologist has reviewed the surveys and is satisfied that no licence or mitigation are necessary in this case. The application would accord with Policy 4 of the JCS.

9. Conclusion / Planning Balance

9.1 The application is for the change of use of a dwelling to a 11-bedroom HMO with associated on-site car parking/cycle storage and refuse storage.

9.2 The previous application for a similar use was refused in November 2020 on 5 grounds. This application has addressed all 5 reasons for refusal to the satisfaction of the LPA.

9.3 The proposal is a sustainable development within a sustainable location and will provide the type of housing which there is a demonstrable need for within the NN area.

9.4 The proposal complies with Policies 1, 8, 29 and 30 of the NN Joint Core Strategy and the relevant sections within the NPPF and is recommended for approval.

10. Recommendation

10.1 APPROVED subject to Conditions

11. Conditions

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

4. The development hereby permitted, shall not be occupied until the boundary treatments as shown on approved site plan no: 9541.PP.001 Rev. D received by the Local Planning Authority on 18 March 2021, have been reduced in height in accordance with the details as shown on the approved plan unless otherwise approved in writing by the Local Planning Authority.

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

5. The development hereby permitted, shall not be occupied until such a time as the access driveway and parking area have been surfaced and laid out in accordance with the approved details on drawing no: 9541.PP.001 Rev D received by the Local Planning Authority on 18 March 2021 and once provided shall be maintained in perpetuity

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

6. Prior to the first occupation of the development hereby approved, refuse storage and collection facilities for the proposed dwellings shall have been provided on site and retained in accordance with details as set out on drawing no 9541.PP.001. Rev D received by the Local Planning Authority on 18 March 2021 unless otherwise agreed in writing by the Local Planning Authority and thereafter shall be made available for use. The collection facilities shall be positioned so as not to impede access or visibility.

REASON: In the interest of public health and safeguarding residential and visual amenity and highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. Construction works shall not occur outside of the times Monday to Friday 08.00 to 18.00 hrs and 08:00-13:30 on Saturdays and at no time at all 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.

8. Prior to occupation of the development a means of drainage to prevent surface water draining onto the highway shall be provided within the site.

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

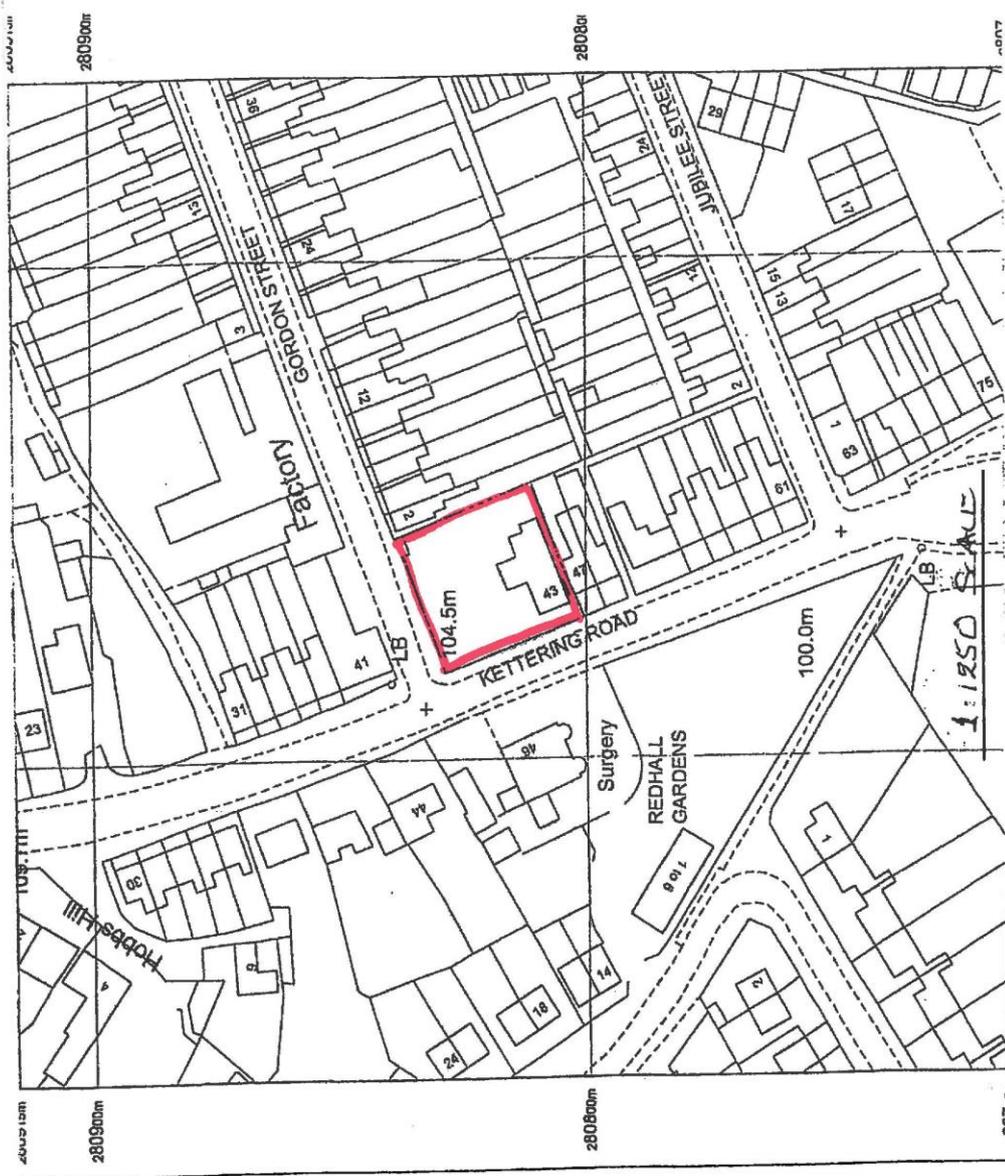
12. Informatives

Building Regulations consent required
Works within the highway
Safeguarding of protected species

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	KET Ref.	Agent's Ref	Received Date
Location plan	NK/2021/0036/1		15/01/21
Existing elevations	NK/2021/0036/2		15/01/21
Existing basement floor plan	NK/2021/0036/3		15/01/21
Existing ground floor plan	NK/2021/0036/4		15/01/21
Existing first floor plan	NK/2021/0036/5		15/01/21
Existing second floor plan	NK/2021/0036/6		15/01/21
Proposed elevations	NK/2021/0036/7		15/01/21
Proposed ground floor plan	NK/2021/0036/8	02	26.04.21
Proposed first floor plan	NK/2021/0036/9		15/01/21
Proposed second floor plan	NK/2021/0036/10		15/01/21
Site plan		9541.PP.001-D	18.03.21
Dusk and Dawn Bat Activity Surveys	NK/2021/0036/11		11/06/2021
Preliminary Roost Assessment Survey	NK/2021/0036/12		14/06/21
Bat Emergency And Re-entry Surveys	NK/2021/0036/13		29/06/21



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North Northamptonshire Area Planning (Kettering) Committee 26/08/2021

Application Reference	NK/2021/0140
Case Officer	Alison Riches
Location	9 Bridle Way, Cransley
Development	Full Planning Permission: Retaining wall to driveway and revised parking area
Applicant	Mr J Marsh
Agent	Mr J Bissell Urban Colour Architects
Ward	Slade
Overall Expiry Date	22/04/2021
Agreed Extension of Time	27/08/2021

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there are unresolved material objections to the proposal.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposal as originally submitted was for the conversion of the garage with external alterations to form an annexe/holiday let, and for the excavation and retaining of the front garden to provide 3 no. parking spaces to be used by both the existing dwellinghouse and the annexe.

2.2 Following objections and concerns regarding the adverse impact of the proposal on the character of the area and the amenities of future and surrounding occupiers, and parking at the site the proposal was amended as follows:

- Annexe removed from the proposal. Retaining wall to driveway added. Description amended to include the conversion of the garage to ancillary residential accommodation.
- Parking space sizes amended and gradient of drive added.
- Conversion of the garage removed from the proposal. Plans amended and additional information provided to clarify the proposal.

Each amendment was reconsulted on for 7 days.

2.3 The revised proposal for which planning permission is being sought is therefore for engineering works to provide a retaining garden wall for the retention and improvement of the parking provision within the site boundary.

3. Site Description

3.1 The application site is located in an established residential area to the northeast of Cransley village, adjacent to the Conservation Area and to public footpath GG/013, both of which abut the side (southwest boundary) of the site.

3.2 The application site comprises a reasonably large square plot of land and contains a semi-detached two-storey T-shaped render covered dwellinghouse with a terracotta tile gable roof. The windows are replacement white PVCu.

3.3 In the southwest corner of the site, close to the back of the highway edge is a detached render covered double garage with a terracotta tile gable roof and a driveway in front leading to the highway.

3.4 The dwellinghouse is set back in the site and sits at an elevated land level. The site is accessed by a set of steps from the back of the highway edge which also serve the adjoining semi-detached property at No.11 Bridle Way. The garage is also at an elevated land level, although less so than the dwellinghouse, and the driveway slopes up from highway level to it.

3.5 The rear garden is also at an elevated land level and there are steps down to the garage.

3.6 Surrounding development ranges from late 18th century properties within the Conservation Area to later infill development from the 1940s onwards and comprises single and two-storey dwellinghouses in a range of designs and palette of materials.

4. Relevant Planning History

4.1 None.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website at:
<https://www.kettering.gov.uk/planningApplication/search>

5.1 Great Cransley Parish Council

- **Objection.**
- On parking grounds.
- By converting what is a double garage with parking for at least one car on the access drive, just for the house, this would deprive the owners of any off road parking resulting on only road parking for them.
- Any users of the proposed conversion could also need parking possibly for more than one car.
- The Bridle Way is narrow, parking is always a problem along its length and this presumably would increase if the application was approved.

Reconsultation 1

- **Objection.**
- Apply views stated in the original application to the amended plans.
- Loss of road parking for the main house together with the cars associated with this 'ancillary' habitable accommodation' are not advisable in a narrow road which already has parking problems for its whole length.

Reconsultation 2

- **Objection.**
- Reasons given in the previous applications still apply.
- The issue of the gradient is a moot point.
- A wider dropped kerb means reduced road parking for existing residents of Bridle Way.
- The intensified use of the property seems far too much for this small site and does appear to over-populate this plot to the detriment of neighbouring properties.
- Objections in the letter from No.7 Bridle Way still apply.

Reconsultation 3

- **Objection.**
- The objections from Number 7 do still apply and have not been adequately addressed.
- In addition, the 3D rendered images dated 11/07/21 still show a raised area which was previously to provide sleeping accommodation. It is not clear from the further plans this has been removed, in which case the existing objection that "the intensified use of the property seems far too much for this small site and does appear to overpopulate this plot to the detriment of neighbouring properties" still stands. This is also not addressed by the mention of "studio space" as this implies it has the potential to be used for purposes which also intensify the use of the site.
- With regard to parking, this application does not improve on street parking.
- The existing site is shown by the applicants as sufficient to accommodate two parked vehicles.

- NNC Highways observation number two notes that at least two residential spaces must be provided on site. The amended site plans provide no great increase in this provision and only at the detriment to other residents of Bridle Way.
- Should the use of this site intensify, then more parking spaces must be provided.
- The extra parking alluded to in the revised plans is unusable as access is blocked by the other two parking spaces and should therefore be disregarded as an increase in parking space.
- The on street parking is already extremely congested and the proposed plans only seek to reduce the area of on street parking available to residents. It is an unarguable point that reducing the area available to park will put additional stress on residents' ability to park on a street which is already overpopulated with cars.
- Considering the above, it is clear that the application should be rejected.

5.2 Local Highway Authority (LHA)

- **No Objection.**
- Subject to conditions tying the annexe as ancillary to the existing dwellinghouse and operational vehicles will be appropriately sealed or covered to prevent material spillage, wind blow and odour nuisance.
- Ensure applicant is fully aware of their responsibilities in respect of public footpath GG013 which runs adjacent to the proposed development.

Reconsultation 1

- **Cannot Support.**
- Confirm gradient of access will be no more than 1 in 15 for the first 5m from the highway boundary and that it has a solid side boundary across this distance too.
- The revised Proposed Site Plan shows a reduction in the level of off-street parking being proposed. In addition, the parking bays are substandard dimensionally. They must be a minimum 3m wide by 5m in length. They should be widened to 3.3m where adjacent to a solid side boundary (e.g. wall/fence/hedge) and lengthened to 5.5m where immediately off the rear of the public highway.
- If the existing dwelling no. 9 Bridleway is a 2 or 3-bedroom dwelling, then it requires at least 2 residential car parking spaces. If it is a 4+bedroom dwelling, it requires at least 3 residential car parking spaces. The habitable accommodation would require 1. Both would require 1 visitor parking space. Hence, a further 3 or 4 spaces would be required and they would need likely need to be on-street. Bridleway is narrow with on-street parking on one side further reducing the drivable width.
- Parking Beats Survey suggested.

Reconsultation 2

- **Cannot Accept.**
- Further information required.
- The revised Proposed Site Plan details the parking bays to the required dimensions along with the gradient of the access.

- There would be little space to provide pedestrian visibility splays to the northern side as it stands unless the access is moved further south. The LPA should take a view on this. They could be provided to the south.
- Pedestrian visibility splays at least 2.0m x 2.0m shall be provided on each side of the vehicular access. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access/footway level. The land should be contained entirely within land in the control of the developer.
- A means of drainage across the back of the highway boundary (linear drain), across the proposed site access draining to soakaways contained within the applicant's own land is required. It is unlawful for surface water to drain from private property onto the public highway.
- If the existing dwelling (i.e. 9 Bridleway) has 2 or 3-bedrooms, it requires at least 2 residential car parking spaces. If it is a 4+bed dwelling, it requires at least 3 spaces. The habitable accommodation would require 1. Both would require 1 visitor parking space. Hence, a further 3 or 4 spaces would be required and they would need to be on-street. Bridleway is narrow with on-street parking on one side further reducing the drivable width.
- Parking Beat Survey suggested.

Reconsultation 3

- **No Objection.**
- Revision C of the Proposed Site Plan details pedestrian visibility splays and states boundary treatments are no more than 0.6m above ground level. To the north, the splay extends beyond the site's red line boundary i.e. land likely to be in control of the developer. The LPA will need to take a view on this.
- A means of drainage across the back of the highway boundary (linear drain), across the proposed site access draining to soakaways contained within the applicant's own land is detailed.
- It is noted the proposals are for the garage conversion to no longer be a habitable space i.e. incorporate bedroom(s). As such, it has no car parking requirements. From Revision C of the Proposed Site Plan, it is understood the existing dwelling has 3 bedrooms. 2 car parking spaces are therefore sufficient. The third space shown is dimensionally substandard.
- Please ensure that the applicant is made fully aware of their responsibilities in respect of Public Footpath GG/013

5.3 Environmental Health

- **No objection.**
- Recommend standard conditions for working hours.

Reconsultation 1

- Nothing to add to previous comments.

Reconsultation 2

- Nothing to add to previous comments.

Reconsultation 3

- Nothing to add to previous comments.

5.4 Neighbours / Responses to Publicity

4 letters of objection received. The material planning considerations are summarised as follows:

3 Bridle Way

- **Objection.**
- Existing parking problem in Bridle Way which has escalated.
- Existing garages should be used for that purpose.
- Holidaymakers vehicles will only make parking worse.

4 Bridle Way

- **Objection.**
- Comments identical to No.7 Bridle Way, below.

6 Bridle Way

- **Objection.**
- Parking issues have increasingly worsened.
- Too many vehicles and nowhere to park.
- Council tenants have already been warned not to park on the grass.

7 Bridle Way

- **Objection.**
- *Original objections were superseded following advice that the site is within the settlement boundary.*
- The proposal is tantamount to the formation of a new dwelling, is in conflict with saved policy RA3, and should be assessed as such.
- The site immediately adjoins the Cransley village Conservation Area affecting its setting and the undesignated heritage assets, represented by our house, within it. This is contrary to section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special regard to be had to positively preserving or enhancing the character or appearance of conservation areas. The proposal does neither and nor is this constraint identified or addressed in the application.
- Paragraphs 195 or 196 of the NPPF appear to be conflicted in that, if the harm to the heritage asset is adjudged substantial through the negative impacts identified here, then it should be refused consent given none of the conditions at 195 (a) to (d) apply and that no substantial public benefit accrues from the proposal; alternatively, if the harm is adjudged less than substantial within the meaning of paragraph 196, there is still no ascertainable public benefit to outweigh that harm, and, certainly, none that relates to the viability of the use of number 9 as a dwelling, which is plainly not in doubt being long established and continuous.
- There is potential for occupiers to increase traffic movements and volumes in Bridle Way. The road is already congested with inadequate on-street parking available to existing residents without access to dedicated driveways.
- KBC has to write to its tenants, opposite the site, to stop parking on the grassed amenity areas which has displaced these vehicles back onto the road, worsening the pressure upon the limited on-street parking.

- Although off-road parking is provided in the application, the constraints and topography of the site mean this is unlikely to be used or even usable.
- The existing occupants usually park on-street and it is believed visitor cars will do the same, exacerbating an already difficult situation.
- Lack of manoeuvring space will add to congestion and noise disturbance.
- Cransley village is hardly a sustainable location in terms of transport connections and alternatives to use of private vehicles. This conflicts with Policy 1 of the North Northamptonshire Joint Core Strategy and paragraph 108 of the National Planning Policy Framework.
- The proposal will result in intensified domestic activity with consequent noise and disturbance, closer to our own house and private amenity space, leading to a fundamental degradation of our current amenity.
- The proposed patio area to the west of the garage building and immediately adjacent to the public right of way is likely to cause disturbance far closer to our existing living and amenity space. This is contrary to Policy 8 (e) of the JCS and paragraph 127(f) of the NPPF.
- The proposed accommodation supports 2 additional double bed spaces which has the potential to triple the current occupancy impact, representing an over-dense and unsustainable form of development diminishing the amenity for neighbours and those occupying the extended accommodation.
- If the LPA wants to approve the scheme, then a S106 agreement should be required and/or planning conditions preventing the converted garage being functionally, beneficially, or legally separated from the principal dwelling, it being occupied as the sole or principal residence for any individual, and a register kept of all occupying guests.

Reconsultation 1

11 Bridle Way

- **Support.**
- We are the closest neighbour to 9 Bridle Way as we are the attached semi detached house. We have discussed all aspects of the application and are happy to support it fully.
- Understand objections were raised due to increased parking in Bridle Way and that these have been addressed by a proposal to remove the existing retaining wall, level that area and provide parking for 3 cars.
- When looking at the plans they appear to have been switched: the plan titled as the original is showing a larger area (the new retaining wall being pushed back further) and 3 parking spaces, whereas the plan titled revised is showing a smaller area and only 2 parking spaces. It looks to us as if the 2 plans have been transposed.

Reconsultation 2

- No comments received.

Reconsultation 3

- No comments received.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

Policy 5. Delivering a sufficient supply of homes

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

Policy 16. Conserving and enhancing the historic environment

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 2. Historic Environment

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

6.4 Saved Policies in the Local Plan for Kettering Borough

RA3. Rural Area: Restricted Infill Villages

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters

7.1 Principle of Development

7.1.1 The application site is in an established residential area to the northeast of Cransley Village, adjacent to the Conservation Area.

7.1.2 Cransley is defined as a restricted infill village by Policy RA3 of the Local Plan for Kettering Borough, in an established residential area where Policy RA3 is supportive of proposals for residential development in principle, provided they are appropriate in terms of size, form, character and setting of the village, and in terms of the local community and its environment.

7.1.3 Section 72(1) of the Act requires Local Planning Authorities have special regard to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

7.1.4 Policy 16 of the National Planning Policy Framework requires new development to sustain and enhance the significance of heritage assets in order to avoid or minimise conflict between conservation of the heritage asset and any aspect of the proposal.

- 7.1.5 Policy 16 of the National Planning Policy Framework 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, including securing the optimum viable use of the heritage asset.
- 7.1.6 Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Cransley as part of Kettering rural is a tertiary focal point for limited development, such as extensions, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell.
- 7.1.7 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.
- 7.1.8 The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

7.2 **Visual Impact**

- 7.2.1 Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.
- 7.2.2 Policy 2 of the North Northamptonshire Joint Core Strategy requires new development to complement the surrounding historic environment through form, scale, design and materials.
- 7.2.3 The proposal is for engineering works to extend and alter an existing retaining front garden wall for the retention and improvement of the parking provision within the site boundary.
- 7.2.4 The existing retaining driveway wall is a low render covered wall. The proposed retaining front wall is set back further into the site and will be no higher than the height of the top of the existing shared steps, which lead up to dwellinghouses at the application site and the adjoining semi-detached property at No.11 Bridle Way. The materials proposed for it are render covered gabion walls.
- 7.2.5 The existing driveway is sloped and is concrete. The proposed driveway will be flat at entrance of the site then sloping upwards to the existing garage and is proposed to be concrete with pavements.
- 7.2.6 It is considered that the design and materials proposed for the retaining wall and driveway are consistent with the existing driveway and retaining wall and will not appear materially different in relation to the character and appearance of the existing dwellinghouse, surrounding development, the Conservation Area and the wider street scene.

7.2.7 As such, subject to a condition for the proposal to be built out in accordance with the submitted details, the proposal complies with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy.

7.3 Impact on Neighbouring Amenity

7.3.1 The National Planning Policy Framework in Policy 12, paragraph 127(f) seeks to ensure that development creates places with high standards of amenity for existing and future users. (overbearing/sense of enclosure).

7.3.2 Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

7.3.3 The proposal is for engineering works to extend and alter an existing retaining front garden wall for the retention and improvement of the parking provision within the site boundary.

7.3.4 The proposed works will lead to an increase in the available parking area at street level with a taller retaining wall set back into the site. The engineering works do not affect the central set of steps which provide pedestrian access to the dwellinghouses at both the application site and the adjoining semi-detached property at No.11 Bridle Way.

7.3.5 As such, subject to the proposal to be carried out in accordance with the submitted plans, which can be secured by condition, it is considered the proposed works will not adversely impact on the amenities of future or surrounding occupiers. This is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and Policy 12 of the National Planning Policy Framework.

7.4 Highway Matters

7.4.1 Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

7.4.2 The current parking provision at the site is provided by the existing curved, sloping driveway leading to the garage, with tandem off-road parking for 2 no. vehicles clear of the highway. Parking 2 no. vehicles within the site is currently difficult to achieve due to the current layout. Additional parking is provided on-street in the unrestricted highway in Bridle Way.

7.4.3 The proposal is for engineering works to reconfigure the driveway parking within the site to provide 2 no. fully accessible and usable parking spaces at street level. This is being facilitated by excavating the front garden to set back the retaining wall and to flatten the slope of the driveway in this area. A small length of the existing front boundary wall is to be removed to allow for the provision of a pedestrian visibility splay, and the retaining wall is reduced to 0.6 metres high where it is adjacent to the bottom of the steps, to allow for pedestrian visibility in this area. An Aco drain, to prevent surface water run-off, is provided within the site along the front boundary of

the proposed parking area, at the back of the highway edge. There is some additional space on the driveway leading up to the garage for an additional vehicle.

- 7.4.4 Following amendment to the proposal to remove the conversion of the garage, provide details of the parking space sizes and the gradient of the drive immediately adjacent the back of the highway (footpath), the Local Highway Authority has no objection stating that, as there is no conversion of the garage to a habitable space, 2 no. car parking spaces are sufficient.
- 7.4.5 The Local Highway Authority has commented regarding the visibility splay across the stepped area; however, this is a shared access for the applicants and their neighbours which has a low 0.6 metre high wall proposed at the bottom to allow for visibility. As any vehicles adjacent to the steps will have restricted movement, it is therefore considered the provision of the low wall will give sufficient views of persons using the steps and the footpath beyond to the northeast to prevent any highway safety issues. The removal of part of the front boundary wall to allow for a visibility splay to the southwest, means there will be no highway safety issues in relation to this part of the proposal.
- 7.4.6 The Local Highway Authority states the third parking space is substandard, however, this is an additional space in excess of the Local Highway Authority requirements as set out in the Local Highway Authority Parking Standards (September 2016) for a 2- to 3-bedroom dwellinghouse.
- 7.4.7 Despite the amendments to the scheme to remove the conversion of the garage from the proposal, the Parish Council have maintained an objection in terms of parking problems in the area.
- 7.4.8 The proposal does not include any loss to the current parking provision, which the Local Highway Authority consider is an acceptable amount for the dwellinghouse and for the revisions to the parking area proposed. The small increase to the dropped kerb area, means that the proposed parking area is more accessible to, and usable by, the applicants and will remove one of their vehicles off the highway and onto the driveway. As such, as there is no change to the parking provision, there will be no increase in the requirement for on-street parking and therefore no adverse impact on the highway network or highway safety.
- 7.4.9 Subject to a condition requiring the proposal to be built out in accordance with the submitted plans, it is considered to be in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Other Matters

- 8.1 None.

9. Conclusion / Planning Balance

- 9.1 Subject to a condition for the proposal to be built out in accordance with the submitted plans, in the interests of visual and residential amenity and highway

safety, there are no material planning considerations to indicate against the proposal which is considered to be in accordance with the Development Plan.

10. Recommendation

10.1 The proposal is recommended for conditional approval.

11. Conditions

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

3. The materials to be used in the construction of the retaining wall of the development hereby permitted shall match, in type, colour and texture, those on the existing building.
REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The gradient of the drive shall not exceed 1 in 15 within 5 metres of the edge of the carriageway of the adjoining highway.
REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. Visibility splays of 2 metres by 2 metres shall be provided as shown on approved plan UCA069-A-201C, received by the Local Planning Authority on 2nd August 2021. Once provided, these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.6 metres in height above carriageway level.
REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Informatives

Positive/Proactive - amendments
Public Right of Way

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	KET Ref.	Agent's Ref	Received Date
Location plan / Block plan		UCA069-A-100A	02/08/2021
Proposed elevations / Floor plans		UCA069-A-200B	12/07/2021
Proposed site plan		UCA069-A-201C	02/08/2021
Existing elevations / Floor plans		UCA069-A-101	25.02.21
Planning Statement	NK/2021/0140/2		02/08/2021

Great Cransley



Title: 9 Bridle Way, Cransley

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North Northamptonshire Area Planning (Kettering) Committee 26/08/2021

Application Reference	NK/2021/0434
Case Officer	Mark Coleman
Location	5 Rose Close, Little Cransley
Development	Full Planning Permission: Single storey garden annex to replace garage/store
Applicant	Ms S Smith
Agent	Mr M Rahman Design Board-Architectural Services
Ward	Slade
Overall Expiry Date	15/07/2021
Agreed Extension of Time	19/07/2021

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there are more than three written material objections to the proposals.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 Full Planning Permission: Single storey garden annex to replace garage/store
- 2.2 The proposed building is located to the rear end of the existing garden and comprises a lounge/bedroom and bathroom only. The existing garage overlaps part

of the footprint of the proposed building and will be removed to facilitate delivery of the proposal.

3. Site Description

- 3.1 The site is located within the settlement boundary of Broughton but is technically within the Parish of Little Cransley which co-joins it. The site is occupied by a semi-detached bungalow located at the end of a cul-de-sac and benefiting from a larger than normal corner plot. The dwelling is constructed from buff brick with canterbury spa relief panel to the front elevation; the roof is covered with brown concrete tiles. Windows and soffits are white UPVC. A small garden is located to the front and an average garden to the rear, both of which are mainly laid to lawn. A concrete driveway extends from the front, side to rear and leads to a single storey, mono-pitched brick built garage. To the rear of the garage is a timber shed. A new concrete base has been laid elsewhere in the rear garden to the north of the proposed annexe. The rear garden is enclosed by approximately 6ft close boarded fencing. The driveway provides parking for approximately 4 vehicles; this has been extended to the side/front by a gravelled area which provides additional parking for approximately 2 vehicles. A large UPVC framed conservatory is located to the rear. Kettering Road and The Banks (private track) run the length of the southern boundary and is separated by mature planting. To the rear (west) is a two storey semi-detached dwelling. Attached to the north, is the other bungalow to the pair. To the east on the opposite side of the road are two storey semi-detached dwellings.

4. Relevant Planning History

- 4.1 KR/1963/0126 – Outline - Housing Development (Approved, 15.12.1963)
- KR/1967/0084 – Reserved Matters - Estate road layout and 57 Dwellings (Approved, 15.08.1967)

5. Consultation Responses

A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

5.1 Broughton Parish Council

22.06.2021 – Objection on the grounds of over development for a 2 bedroom bungalow with a small garden. Creating more bedrooms and taking away garage where parking is already over congested for a dead end close with no on drive parking facilities.

5.2 Neighbours / Responses to Publicity

A total of 4 number of third party representations have been received. The issues raised are summarised below:

17.06.2021 – Occupier of 4 Thurburn Close, Little Cransley – Annexe does not join the host property or include kitchen facilities. Query whether it could be used as an

AIRBNB Letting. Appears the bungalow is used as a House in Multiple Occupancy. Issue raised about maintaining the shared boundary at the rear of the garden. The proposal will create additional demand for parking which will generate traffic and noise. The design, layout and appearance will impact on the appearance of the area.

16.06.2021 – Occupier of 6 Rose Close, Little Cransley – Objection raised. At 3.9 metres high and an conservatory already present within the site, the proposal will result in over development which will have an adverse impact on visual amenity; noise disturbance, reduction in privacy and increase in car parking caused by more people living at the property.

16.06.2021 – Occupier of 21 Kettering Road, Broughton – Objection to a detached building which could be used as a separate dwelling. Additional cars parked in the area will cause parking and congestion issues.

14.06.2021 - Occupier of 4 Rose Close, Little Cransley – Comment received stating that the proposal results in overdevelopment of a small bungalow garden with the possibility of extra vehicle movements in an often congestion dead end close.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 8: North Northamptonshire Place Shaping Principles
Policy 11: The Network of Urban and Rural Areas

6.4 Saved Local Plan for Kettering Borough (1995)

Policy RA3: Rural Area: Restricted Infill Villages

6.5 Broughton Neighbourhood Plan (17th October 2018)

Policy 1: Village Boundary
Policy 3: Development Design

6.6 Emerging Site Specific Part 2 Local Plan

Policy LOC1: Settlement Boundaries
Policy RS1: Category A Villages
Policy RS5: General Development Principles in the Rural Area

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Parking and Highway Safety

7.1 Principle of Development

- 7.1.1 At the heart of the NPPF is a presumption in favour of sustainable development as set out in Section 2, paragraph 10 (NPPF), based around three overarching objectives (economic, social and environmental). Section 12, paragraph 124 (NPPF) states that 'good design is a key aspect of sustainable development'.
- 7.1.2 Saved Policy RA3 defines Broughton as a Restricted Infill Village, providing support for new residential development where specific criteria is met, including impacts on character, appearance, design, impact on conservation, etc. Although the main focus of this policy is on new residential dwellings, these material considerations are considered further throughout this report (paragraphs 2 – 4 of the policy). The site is also within the draft settlement boundary set out within the emerging SSP2 Local Plan. This plan is at Publication stage and gone through examination with main modifications now published by the inspector. As a result, relevant policies are given significant weight in the decision making process.
- 7.1.3 Policy 11 of the North Northamptonshire Joint Core Strategy also directs development to existing urban areas and indicates that Broughton as part of Kettering rural is a tertiary focal point for limited development, such as extensions and incidental buildings, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell. Policy 1 of the Broughton Neighbourhood Plan and emerging Policy LOC1 of the emerging SSP2 Local Plan defines the extent of the settlement within which the application site is located and where development is supported by these policies and Policy RS1 of the emerging SSP2 Local Plan subject to compliance with other policies contained within Part 1 Local Plan, Emerging SSP2 Local Plan and Broughton Neighbourhood Plan.
- 7.1.4 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of residential development provided there is no adverse impact on character and appearance, residential amenity and the highway network. Policy 3 of the Broughton Neighbourhood Plan also requires that the visual impact of development is acceptable and relates sensitively, respects and gives consideration to its immediate surroundings. In addition, the development of gardens will only be supported where it respects the amenity of neighbouring properties in terms of privacy, daylight, visual intrusion, appropriate levels of parking and retention of mature vegetation/landscape screening. Emerging Policy RS5 of the SSP2 Local Plan states that development in the rural area will reflect the height, scale and mass of neighbouring properties; involve the protection and enhancement of the character of all settlements. Emerging Policy RS1 of the SSP Local Plan also requires for new development to show consideration and be sympathetic to the existing size, form, character and setting of the village and be compatible with other relevant policies

within the Part 1 and 2 Local Plans and Neighbourhood Plans. As discussed in sections 7.2-7.4 of this report, the development is not considered to have a significant impact on these matters subject to planning conditions.

7.1.5 The existing dwelling also establishes the principle of residential development at the site. Whilst third party objections highlight concern over the proposed use of the building, an annexe to an existing dwelling house of this scale would be acceptable subject to a planning condition securing its use to be ancillary to the host property in order to prevent the establishment of a new dwellinghouse. Objections also received with respect of overdevelopment of the site are material, but it is considered that the site does have the capacity to accommodate the proposal without resulting in overdevelopment (taking into account retention of the existing conservatory and removal of the existing garage). As discussed within section 7.3 of this report, a planning condition is recommended which will remove permitted development rights from the building to protect neighbouring amenity, which will also ensure that the building is not enlarged over time help safeguard against overdevelopment in the future. As a result, subject to planning conditions to secure this and other matters discussed and further on in this report, the proposal is acceptable in principle.

7.2 Visual Impact

7.2.1 Section 2 (Paragraph 10) of the NPPF places at the heart of planning a presumption in favour of sustainable development. Section 12, paragraphs 124 and 127 set out that good design is a key aspect of sustainable development.

7.2.2 Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

7.2.3 Saved Policy RA3 of the Local Plan for Kettering Borough states that new development should amongst other things, be appropriate in terms of size, form, character and setting of the village and in terms of the local community and its environment and be compatible with other policies relating to design.

7.2.4 Policy 3 of the Broughton Neighbourhood Plan also requires that the visual impact of development is acceptable and relates sensitively, respects and gives consideration to its immediate surroundings. In addition, the development of gardens will only be supported where it respects the amenity of neighbouring properties in terms of visual intrusion and retention of mature vegetation/landscape screening. In this instance, the existing garden is laid to lawn and no mature vegetation/ landscape screening will be harmed. Other impacts are discussed below.

7.2.5 Emerging Policy RS1 of the SSP Local Plan also requires for new development to show consideration and be sympathetic to the existing size, form, character and setting of the village and be compatible with other relevant policies within the Part 1 and 2 Local Plans and Neighbourhood Plans. Emerging Policy RS5 of the SSP2 Local Plan also states that development in the rural area will reflect the height, scale

and mass of neighbouring properties; involve the protection and enhancement of the character of all settlements.

7.2.6 Third party objection raises concerns about the height of the proposed annexe together with the principle of an annexe in this location which will result in overdevelopment of the site which will be out of character with the area and harm visual amenity. As discussed in section 7.1 above, the existing site is of sufficient size to accommodate the proposal, particularly once the existing garage building has been removed, and will deliver a form of development which is not cramped or overdeveloped. The height of the proposed building at 3.9 metres to the highest ridge is not considered to be so significant that it will detrimentally impact on the character and appearance of the area and will largely be out of view from the public realm due to intervening features such as landscaping, the host property and its neighbour and two storey dwellings to the west/southwest. As a result, the design, layout and appearance are acceptable, with the building remaining subservient in scale to the host property. It is noted that the rear garden is also mainly laid to lawn, meaning that the proposed building will not result in the loss of significant mature planting which may contribute to the visual amenity of the area. Notwithstanding this, in order to achieve a satisfactory form of development it is recommended that a planning condition be required to secure external materials used in the construction of the development to match those used in the construction of the host property.

7.2.7 Subject to the conditions referred to, the proposal is considered acceptable in terms of its impact on visual amenity and in accordance with the relevant parts of Sections 2 and 12 of the National Planning Policy Framework, Policy 8 of the North Northamptonshire Joint Core Strategy, saved Policy RA3 of the Local Plan for Kettering Borough, Policy 3 of the Broughton Neighbourhood Plan, emerging Policies RS1 and RS5 of the SSP2 Local Plan.

7.3 **Impact on Neighbouring Amenity**

7.3.1 Section 12, paragraph 127 (f) of the National Planning Policy Framework seeks for developments to create places that are safe, inclusive and accessible and which promotes health and well-being, with a high standard of amenity for existing and future users.

7.3.2 Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area. Policy 3 of the Broughton Neighbourhood Plan also requires that new development respects the amenity of neighbouring properties in terms of privacy and daylight.

7.3.3 Objections and comments received raise concerns regarding increase in noise from increased occupation of the site and associated vehicle movements as well as loss of privacy resulting from the proposed development. Due to the single storey nature of the proposal, windows are limited to ground floor and those openings which are proposed will not be able to directly look into neighbouring properties due to existing boundary treatments despite the proposed bedroom/lounge glazed double doors directly facing the shared boundary with 6 Rose Close. In order to prevent new

openings/alterations to the proposed building to protect future privacy, permitted development rights will be removed by planning condition. In terms of noise associated with additional vehicle movements, as discussed in section 7.4 of this report, the additional vehicle/parking demand caused by the creation of an additional habitable room is not considered significant and noise associated with this will be proportional and not unacceptable. As a habitable building, there will be a requirement for the building to be constructed in accordance with the relevant Building Regulations which should safeguard noise associated with its typical domestic use to an acceptable level. Objection was also received in relation to the height of the building which is stated to measure 3.9 metres at its highest point. Whilst this is the case, there are no properties within close proximity to the south which is closest to the highest ridge; the ridge is lower at approximately 3.55 metres where it is closer to neighbouring properties. The proposed building will be built on the rear garden boundary shared with 4 Thurburn Close which has a rear garden measuring approximately 17 metres deep, and approximately 5.5 metres from the boundary shared with 6 Rose Close. These are sufficient distances away to ensure that neighbouring amenity impacts in terms of overbearing, loss of access to natural light and overshadowing are preserved to an acceptable level. The site is also considered large enough to accommodate the proposal development, particularly after the existing garage building has been removed, whilst retaining sufficient private amenity space for the existing and future occupiers of the site.

7.3.4 As a result, subject to conditions already referred to, the proposal is considered acceptable in terms of its impact on neighbouring amenity and accords with the relevant parts of Section 12 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy and Policy 3 of the Broughton Neighbourhood Plan.

7.4 **Parking and Highway Safety**

7.4.1 Section 9, paragraph 108(b) (NPPF) states that when considering applications for development, it should be ensured that *'safe and suitable access to the site can be achieved for all users'*.

7.4.2 Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards. Policy 3 of the Broughton Neighbourhood Plan also requires that new development secures appropriate levels of parking.

7.4.3 Objections received raise concerns regarding the impact on parking demand, vehicle movements and associated noise as a result of increasing the capacity of living accommodation within the site is a material consideration. However, the proposal is for a single habitable room in the form of an annexe to the host property which already benefits from ample tandem parking provision within the site (approx. 4 spaces on the formal drive and 2 spaces on a gravel extension to this). This small increase in room numbers will not significantly increase the demand for parking within the site/area. The retained driveway parking will provide sufficient capacity for the parking of vehicles similar to that currently available and is in excess of requirements set out within the Northamptonshire Parking Standards (Sept 2016). In addition, the location of the site at the end of a cul-de-sac (which was quiet at the

time of the case officers site visit) will limit the potential for impact on the highway network to north of the site only. The loss of garaged parking is not a significant loss given the dimensions of the garage which fall short of those set out within the Northamptonshire Parking Standards (September 2016). As a result, the proposal is considered acceptable with respect of parking and highway safety and accords with the relevant parts of Section 9 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Place Shaping Principles and Policy 3 of the Broughton Neighbourhood Plan.

8. Other Matters

- 8.1 Timing of comments: Objection was received from Broughton Parish Council beyond the 21 days required for statutory consultees – a deadline stated in the relevant consultation letter (it was received on day 27). This application is therefore not reported to Planning Committee on the basis on the Parish objection but due to the other third party objections received.
- 8.2 Third party comments relating to covenant restrictions on the site or concerns about future use of the development which require planning permission or maintenance of boundary features are not material planning considerations which can be considered further.

9. Conclusion / Planning Balance

- 9.1 The proposal is acceptable in principle and in terms of its impact on neighbouring amenity, visual impact, parking and highway safety subject to implementation of planning conditions which remove permitted development rights which could otherwise allow for alterations/enlargement of the building and control over the external materials used in the construction of the building. Whilst objections received with respect of noise from increased occupation of the site and associated vehicles, loss of privacy, impact on parking and congestion, impact on the character of the area and general objection in principle due to overdevelopment of the site are material considerations, the impacts caused by the proposed development on the issues raised is not considered to be significantly unacceptable and the general policy support given in favour of the development outweighs these concerns. A planning condition is also recommended to secure the use of the annexe as ancillary to the host property in order to prevent the establishment of a new dwellinghouse. The proposal is considered acceptable and in accordance with the statutory duty of Section 38 (6) of the Planning and Compensation Act 2004 Act, the proposed development is recommended for approval.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions.

APPROVED subject to the following Condition(s):-

11. Conditions

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 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 existing dwellinghouse.
REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy, Policy 3 of the Broughton Neighbourhood Plan and Saved Policy RA3 of the Local Plan for Kettering Borough.
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 building, structure or other alteration permitted by Class E of Part 1 of Schedule 2 of the Order shall be erected, constructed, made on the application site.
REASON: To protect the amenity and privacy of the occupiers of adjoining property and occupiers of the site and to prevent overdevelopment of the site in the future in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy and Policy 3 of the Broughton Neighbourhood Plan and saved Policy RA3 of the Local Plan for Kettering Borough.
5. The development hereby approved shall only be used by occupiers of 5 Rose Close, Little Cransley, NN14 1PL as a building ancillary to the occupation of the main dwellinghouse and for no other purpose whatsoever.
REASON: For the avoidance of doubt and to prevent the establishment of a separate dwellinghouse which would have a harmful impact on neighbouring amenity, parking and highway safety and be unacceptable in principle in accordance with Policies 8 and 11 of the North Northamptonshire Joint Core Strategy and Policy 3 of the Broughton Neighbourhood Plan and saved Policy RA3 of the Local Plan for Kettering Borough.

12. Informatives

Positive/Proactive - amendments

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received Date
Existing and proposed ground floor plan, elevations, location and site plan		A21-54-01a	20.05.21



Title: 5 Rose Close		Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown Copyright 2021. All rights reserved. Licence 100063687  North Northamptonshire Council
Date: 12:08:21	Scale: 1:1250	Drawn by: Drawn by:

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