

North Northamptonshire Area Planning (Kettering) Committee

10th August 2022

Application Reference	NK/2021/0989
Case Officer	Nicola Wheatcroft
Location	119 Rockingham Road, Kettering
Development	Full Planning Permission: Conversion of 2 no. flats to create 2 no. additional flats with fenestration amendments to rear and side ground floor
Applicant	Mr M Babad Ryan Estates Ltd
Agent	Mrs A Luksza
Ward	Northfield
Overall Expiry Date	07/02/2022
Agreed Extension of Time	

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

This application is brought to committee because the relevant town council has a material written objection.

1. Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 Full planning permission is sought to convert the of 2 no. flats to create 2 no. additional flats with fenestration amendments to rear and side ground floor, creating a total of 4 x 1 bedroom flats at the property.

2.2 The application has been amended since submission with the following changes:

- Relocating the bedrooms from the front of the building to the rear;
- Alterations to the upper staircase;

- Introduction of bins to front.

2.3 Following comments from Consultees the application is now accompanied by a Noise Assessment and a parking beat survey.

3. Site Description

3.1 The property is a semi-detached 3 storey brick built Victorian house located on the western side of Rockingham Road. The property is currently separated into 2 flats with an external staircase and a garden to the rear. There is no off-street parking and there are double yellow lines in Rockingham Road to the front.

4. Relevant Planning History

4.1 KB59/555 Conversion to 2 flats, approved 1959.

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 Kettering Town Council

Objection on the following grounds;

- a. Over development of the building leading to flats which are too small, with very constrained access to the second floor
- b. Inadequate bin storage
- c. Failure to comply with policies in the core spatial strategy in respect of the traffic and noise impact on the residents from the surrounding area.

5.2 Neighbours / Responses to Publicity

2 objections from 1 neighbouring property have been received making the following points:

1. There have been a number of serious accidents outside the property in question due to people parking too near the keep left.
2. Increasing the number of households in the property from the current 2 to the proposed 4 would increase the number of cars needing spaces and this would exacerbate the current issues.
3. We have off road parking but struggle to get into our drive way due to people parking too tightly. This is an issue for us as we have a guide dog and need to get onto the drive.

Local Highway Authority (LHA)

No objection.

Environmental Protection

The noise assessment demonstrates that an acceptable noise environment for residential use can be achieved subject to the provision of suitable mitigation measures. Specifications for suitable glazing and background ventilators have been recommended. However, there is a risk that the proposed noise mitigation strategy will result in overheating of the dwellings occurring or that the internal

noise levels may present a significant risk to health or quality of life if windows need to be opened to provide cooling ventilation for a prolonged period of time.

There is insufficient information to determine if the proposed noise mitigation strategy can be implemented without creating an overheating risk to the health of the occupants.

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)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

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

Policy 1 Presumption in Favour of Sustainable Development
Policy 8 North Northamptonshire Place Shaping Principles
Policy 11 The Network of Urban and Rural Areas

6.4 Site Specific Part 2 Local Plan

LOC1 Settlement Boundaries

6.5 Technical Housing Standards, nationally described space standard DCLG 2015.

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 Council's adopted development strategy is to direct development in a hierarchical order such that development sites are in growth towns, market towns, villages and then countryside. Kettering is a growth town in Policy 11 of the JCS directs development towards the Kettering and market towns. Which provide a strong service role for their local community with growth in housing at a scale appropriate to the character of the town. Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of new residential development provided that it complies with the place shaping principles outlined within the policy. For example, there should be no adverse impact on character and appearance, residential

amenity of existing or future occupiers and the highway network. These matters are considered further below.

7.1.2 Thus the principle of development is acceptable subject to the satisfaction of the development plan criteria.

7.2 **Visual Impact**

7.2.1 Policy 8 of the adopted JCS (July 2016) seeks a high standard of design which respects and enhances the character and visual appearance of the surrounding area. Policy 12 of the National Planning Policy Framework (2019) also recognises that good design is a key aspect of sustainable development and supports development which establishes a strong sense of place and response to the local character, reflecting the identity of local surroundings and materials.

7.2.2 The proposal will result in minimal change to the built environment as the majority of the changes are inside the building. There are some minor alterations to the fenestration at ground floor on the rear elevation to alter a window to doors and provide larger windows to provide more light. These changes will not affect the external appearance of the building nor the character of the area. Additional bins will be provided at the front of the site as well as under the external staircase. The front garden is a hard surfaced enclosed area which can accommodate additional bins without unduly affecting the character of the area.

7.2.3 As a result, in terms of visual amenity the proposal is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7.3. **Impact on Neighbouring Amenity**

7.3.1 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. Policy 8 (e) of the JCS is clear that development must not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light, overbearing or overlooking.

7.3.2 The proposed subdivision of the flats to create a further two apartments as discussed above will not result in significant external alterations and therefore will not unduly affect the amenities of the neighbouring properties. There will be some limited additional activities in terms of comings and goings from the creation of a two additional households. However, the site is located within an established residential area where such activities are to be expected. The creation of four no. 1 bedroom flats will not be significantly different to 2 x 2 bedroom flats.

7.3.3 The proposal lends itself well to the provision of 1 bedroom flats on the 1st and 2nd floors with alterations made to the internal staircase and the resulting flats with floor areas of 47m² and 53m². The subdivision of the ground floor into 2 flats is a little more contrived with the two flats being small in size with internal floor areas of 37m² and 39m² and the rear flat having no road frontage. However, the size of the ground floor flats meets the minimum sizes in the National Space Standards.

Furthermore, the site as a whole does accommodate 4 flats with amenity space, bin and cycle storage.

- 7.3.4 Concern has been raised by the Environmental Health Officer about possible noise levels in the flats from road noise. The internal layout has been changed so that the bedrooms are now located at the rear of the flats. As a result the noise issue has been addressed in principle. However, the noise levels will only be reduced to an acceptable level if mitigation measures are introduced, which include possible additional glazing and/or ventilators. The Environmental Health Officer is concerned that these measures may result in overheating of the flats and the windows being opened leading to further noise problems. The noise and heating concerns are acknowledged but the site is located within an established residential area and is already used as 2 dwellings so refusing the application on these grounds alone could not be justified. In order to reduce the noise and associated problems a condition is proposed requiring the submission and implementation of a noise mitigation strategy prior to occupation of the flats.
- 7.3.5 As such, it is considered that there are no significant adverse impacts on the amenities of neighbours or future residents and, therefore with the amended plans, the scheme complies with Policy 8 (e) of the North Northamptonshire Joint Core Strategy which requires new development not to result in an unacceptable impact on the amenities of neighbouring properties.

7.4 Highway Matters

- 7.4.1 Policy 9 of the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety. The proposal for 4 x 1-bed flats would generate a parking requirement for 4 off street parking spaces when using the parking guidance set out by the Local Highway Authority, which has not been adopted by the Planning Authority. The existing development would be expected to generate a parking requirement for 3 off streets spacing when using the same methodology. As a consequence, the proposal generates a requirement for one additional parking space.
- 7.4.2 However, the proposed development does not provide any off-street parking. Rockingham Road is a principal road and has double yellow lines outside of the site and residents have to park further along Rockingham Road or one of the surrounding roads. A parking beat survey has been carried out and the Councils Highway Engineer is satisfied that there is capacity for additional on street parking for 1 extra space within the vicinity. Consequently, no objection is raised from the Highways Authority on the parking provision for the development.
- 7.4.3 Concern has been raised by the neighbouring property about access to their drive compromised by people parking too close to their drive. However, this is an existing problem and not a material planning consideration.
- 7.4.4 The proposal is therefore considered to be acceptable with regard to its impact the highway and in accordance with section 9 of the NPPF and Policy 8 of the JCS.

8. Other Matters

8.1 None.

9. Conclusion / Planning Balance

9.1 The proposal involves the subdivision of 2 flats into 4 within the centre of Kettering which is in line with Policy 11 of the JCS and Policy HOU1 of the SSLP2. The proposal respects the character and appearance of the site's surrounding, the residential amenities of the area and highway safety in compliance with Development Plan policies and guidance contained within the National Planning Policy Framework.

10. Recommendation

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 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.

3. No development shall commence until a noise mitigation strategy to limit traffic noise on potential residents has been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme and the scheme shall be completed before any of the units of accommodation are occupied.
REASON: Measures to limit the transition of noise are necessary prior to the commencement of development to protect the amenity of occupants of the proposed flats and adjacent residential properties and because the noise measures may need to be incorporated early in the construction in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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
Location plan		RR119-05	13.12.21
Block plan		RR119-06	13.12.21
Existing elevations		RR119-02	13.12.21
Existing floor plans, roof plan		RR119-01	13.12.21
Proposed elevations		RR119-04	13.12.21
Proposed floor plans, roofplan		RR119-03A	28.01.22
Parking survey			01.03.22
Noise survey		17485	14.04.22



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