

North Northamptonshire Area Planning Committee (North) 6th March 2024

Application Reference	NC/23/00273/COU
Case Officer	Vicki Burdett
Location	Land Adjacent 15 Kettering Road, Stanion.
Development	Change of use from B1 office to residential, one bedroomed dwelling - single storey
Applicant	Mrs Joy Smith
Agent	Mr T Sandy
Ward	Corby Rural Ward
Original Expiry Date	09.11.2023
Agreed Extension of Time	07.03.2024

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because it falls outside of the Council's Scheme of Delegation as the proposal has received more than 5 neighbour objections that constitute substantive material planning considerations and the Chair and Vice Chair of the Committee agree that the objections received contain a substantive material planning consideration determination of which cannot be resolved outside of a committee resolution.

1. Recommendation

- 1.1. That planning permission be GRANTED subject to conditions listed in the report.

2. The Proposal

- 2.1 Planning permission is sought for the change of use from B1 office to residential – a single storey, one-bedroom dwelling.

- 2.2 No changes are proposed to the existing footprint or height of the building. It is proposed to render the building using monocouche coloured render and to also replace the existing windows and doors with white UPVC.
- 2.3 A garden area is proposed to the south-east of the proposed dwelling with parking situated to the north (2 car parking spaces and a small shed to accommodate cycle storage).

3. Site Description

- 3.1 The application site is situated to the south of Kettering Road, on the edge of a residential development, accessed by a track which serves the application site and 15, 17 and 19 Kettering Road.
- 3.2 Planning permission was granted for the erection of a horticultural workshop and equipment store at the site in September 1992. In 2012 Planning permission was granted under REF: 12/00287/COU for a change of use from a horticultural store and workshop to an office.
- 3.3 The existing building is a disused office and currently sits vacant within the application site.
- 3.4 The applicant has confirmed that part of the building was converted to an office but due to personal circumstances and the COVID-19 pandemic, the permission was not fully implemented. Part of the building was converted to an office, with the rest of the building remaining as a horticultural building.
- 3.5 The existing building comprises of a single storey block-built building with a low-pitched roof, covered with concrete interlocking tiles. The existing windows and doors are soft wood. A steel framed lean-to building is currently on part of the site and is proposed to be removed as part of this application.

4. Relevant Planning History

- 4.1 12/00287/COU - Change of use from Horticultural store and workshop to B1 office and demolition of tin sheet lean-to – Approved – 13.09.2012
- 4.2 CO/92/C117 – Erection of a horticulture workshop and equipment store – Approved – 09.09.1992

5. Consultation Responses

A full copy of all comments received can be found on the Council's website

- 5.1 Parish/Town Council
None received.
- 5.2 Neighbours/Responses to Publicity
24 letters have been received (13 in objection and 11 in support). The issues raised are summarised below:

Objection:

- Presence of high voltage power lines
- Not sure the 2012 permission was ever implemented
- No discharge of conditions for rendering
- Site is outside of the village envelope
- Inadequate access for fire vehicles
- Lack of privacy for future occupants of the proposed dwelling
- Inadequate refuse collection
- Shed is out of keeping
- Lack of visitor parking and inadequate manoeuvring space within the site
- Insufficient consideration given to pedestrian access
- Noise and light pollution

Support:

- Planning permission to a business use didn't transpire due to COVID
- Building is barely visible from the road due to existing screening
- Building is in a poor state of repair and the proposal would improve what it looks like
- Driveway can accommodate traffic for five properties where there is currently three
- All bins are put on the road side
- Perfect set up for a new dwelling
- No overlooking would occur
- The building would not be increased in size
- Pylons do slightly cross it, but they cross other properties too
- No impact on highway safety or access

5.3 Local Highway Authority (LHA)

The LHA have no comments to make.

Northants Police

No objections, subject to advice given to the LPA including proposed boundary treatments, safety of windows and doors, and fitting of an intruder alarm.

Northants County Fire Officer

No comments to make.

Northants Environmental Health

No objections, subject to condition as recommended in comments dated 21st November 2023.

NNC Waste

No comments to make.

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) (2023)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

Technical housing standards – nationally described space standard (2015)

North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development

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 Making Principles

Policy 11 – The Network of Urban and Rural Areas

Policy 28 – Housing Requirements

Policy 30 – Housing Mix and Tenure

Part 2 Local Plan for Corby (adopted 2021)

Policy 2 – Health and Wellbeing

Policy 17 – Settlement Boundaries

Other

Northamptonshire Parking Standards (2016)

7. **Evaluation**

The key issues for consideration are:

- Principle of Development
- Design/Impact on Character of the Area
- Impact on Neighbouring Amenity
- Highway Matters
- Environmental Matters
- Other Matters

7.1 **Principle of Development**

7.1.1 The application site is located on the edge of the settlement boundary of Stanion, and therefore lies within the open countryside. The proposed development comprises of a change of use of an existing building from B1 Office to a single dwellinghouse (C3).

7.1.2 The original use of the building was for horticultural purposes which corresponded with the sites rural setting. However, it is a material planning consideration that planning permission was granted under reference 12/00287/COU for a change of use to an office. It was considered at the time that as the site lies on the very edge of the settlement, that a change of use to an office would be acceptable in principle.

7.2 Residents have raised concerns that the permission has not been implemented. The applicant has confirmed that part of the building was converted to an office but due to personal circumstances and the COVID-19 pandemic, the permission was not fully implemented. Part of the building was converted to an office, with the rest of the building remaining as a horticultural building. Officers consider that although the permission was not fully implemented, that a change of use did occur in accordance with the planning permission.

7.2.1 By virtue of the site lying on the edge of the settlement boundary, being within close proximity to residential properties and having permission for a business use it is considered that a change of use to a single residential dwelling would be acceptable in principle, subject to complying with all other relevant Development Plan Policies, including Policy 17 of the Part 2 Local Plan and Policy 11 of the Joint Core Strategy.

7.3 **Design/Impact on the Character of the Area**

7.3.1 The application site currently comprises of a single storey detached building, finished in block work with a pitched roof. The building has an untidy appearance but nevertheless is heavily screened from the street scene of Kettering Road.

7.3.2 It is proposed to convert the existing building into a one-bed dwelling with external alterations proposing a monocouche render finish, replacement UPVC windows and doors, formation of car parking, cycle storage and a rear private garden area.

7.3.3 Limited views are available of the application site from the street scene, but views are available from points along the access road and surrounding fields. The proposed external changes are considered to be an improvement to the building, whilst respecting the character and appearance of the area, which to the east is residential.

7.3.4 It is not considered that an additional dwelling in this location would be at odds with the prevailing character of the area, and the proposed external alterations would improve the overall appearance of the building. The proposed development therefore complies with Policy 8 of the Joint Core Strategy, Paragraph 135 of the NPPF and the National Design Guide (2019).

7.4 **Impact on Neighbouring Amenity**

7.4.1 The application site is located in a fairly secluded location, apart from its immediate neighbour: No. 15 Kettering Road. To the north-east of the site is No. 13 Kettering Road, however a significant distance is located in between both buildings.

7.4.2 Given the limited extent of external alterations, it is not considered that the proposed development would result in any loss of light, privacy or outlook for neighbouring properties.

- 7.4.3 Concerns have been raised by residents regarding potential noise and light disturbance and highway impacts from the proposed development, which will be assessed under the relevant sections below. It should be noted that there are no changes proposed to the number of existing windows which will be replaced so there is not considered to be any additional impact.
- 7.4.4 To summarise, the proposed development is not considered to adversely affect the amenities of neighbouring properties.
- 7.4.5 In terms of the proposed amenities for future occupiers, the proposed dwelling would benefit from a private garden to the rear and would be of a size which would comply with the Technical housing standards – nationally described space standard (2015).
- 7.4.6 As such, no objections are raised in this in terms of impact on residential amenity.

7.5 Highway Matters

- 7.5.1 The proposed development would utilise the existing access point from Kettering Road, and the access track which serves the existing building and Nos 15, 17 and 19.
- 7.5.2 The proposed development requires the provision of 1 parking space, and 1 cycle storage space. A total of 2 parking spaces are proposed to serve the proposed development and a cycle storage shed would be located within the proposed residential curtilage.
- 7.5.3 The Highway Authority have been consulted and have raised no objections to the proposed development, including the impact on pedestrian access. In addition, the Northants Police and Fire and Rescue Services have been consulted whereby no objections have been raised. The existing access currently serves a total of 3 residential properties plus the existing building. It is therefore not considered that the addition of one dwelling would raise any further impact.

7.6 Environmental Matters

- 7.6.1 The Environmental Health Officer has been consulted on the application who raised that due to the sites previous agricultural use, a contaminated land assessment is not required. However, a condition has been recommended to ensure a no-dig membrane is incorporated for all garden and landscaped areas. This condition shall be recommended to the Planning Committee to ensure that risks from land contamination to the future users of the land are minimised and the development is in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy (2016).
- 7.6.2 No concerns have been raised from the Council's Environmental Health Officer regarding light or noise pollution from the proposed development.

7.7 Other Matters

- 7.8 Concerns have been raised regarding the presence of overhead voltage lines. As these are in situ close to existing residential properties, this is not considered to warrant a reason for refusal in this instance.
- 7.9 The application site is located within Flood Zone 1 and is at low risk of surface water flooding. As such, the proposed development is not considered to have any flood risk and complies with Policy 5 of the North Northamptonshire Joint Core Strategy (2016).
- 7.10 Residents have raised concerns regarding the access being inadequate for fire vehicles. The Northants County Fire Officer was consulted on the application and has raised no objections.
- 7.11 Concerns were also raised from residents regarding inadequate waste collection provision. The Council's Waste team has been consulted and have raised no objections.
- 7.12 Paragraph 96 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive, and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds.
- 7.13 Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder, the misuse of drugs, alcohol and other substances re-offending and serious violence in its area as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, Officers consider that the proposal will not undermine crime prevention or the enhancement of community safety.

8. Conclusion/Planning Balance

- 8.1 To conclude, the proposed development on balance is considered to be acceptable, in accordance with all relevant Development Plan Policies.
- 8.2 The development, by virtue of its proposed use and location would not adversely affect the amenity of local residents or the character and appearance of the area. Subject to the conditions attached to this permission, the proposal is therefore in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy, Part 2 Local Plan for Corby and the National Planning Policy Framework specifically Para 135. No other material considerations indicate that the policies of the development plan should not prevail.

9. Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this application.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been submitted and approved in writing by the Local Planning Authority prior to commencement.

Reason: To specify the permission and for the avoidance of doubt.

3. Development shall be carried out in accordance with the materials specified on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the occupation of the development hereby approved, all garden and landscaped areas shown on the approved plans shall have a 'no-dig' membrane, installed under a capping layer of soil (top and/or sub soil) to a minimum depth of 600mm in the private residential garden and 300mm in any general landscaped areas. A verification report confirming correct installation of the 'no-dig' membrane and that the required depth of cover has been achieved, shall be submitted to the LPA for approval in writing, and shall include a topographic survey or a visual inspection at numerous points across the site supported by photographic evidence. Details of the supplier and confirmation of the source(s) and total quantity of imported soil material, and of the no dig membrane must be stated in the verification report. The soil should be free from asbestos, metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils and otherwise comply with the requirements of BS 3882:2015 - Specification for topsoil and BS 8601:2013 - Specification for subsoil and requirements for use.

Occupation of the development will only be permitted on approval of the verification report.

Reason: To protect the amenities of future occupants.

5. Prior to the occupation of the development hereby approved, the existing lean-to shall be demolished and removed from site.

Reason: To ensure the development is carried out in accordance with the approved plans.

10. Informatives

1. Sampling and analysis will be required to demonstrate the chemical suitability of imported soils to ensure that the risks from land contamination to the future users of the land are minimised.. Please note that analytical certificates submitted by the supplier of the soil material will not be acceptable: i.e. independent sampling and analysis must be carried out. The samples shall be analysed at an independent accredited laboratory for an analytical suite which should include as a minimum Metals, PAH (speciated), TPH fractions (speciated), soil organic matter content, and pH. A sampling frequency of 1 sample per 40m³ is required where the soils are from a natural source. A minimum of 3 samples are required. For larger amounts of soil from a single source the sampling frequency can be reduced by agreement with the LPA.