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Meeting: North Northamptonshire Planning Committee (North)
Date: Wednesday 2nd August, 2023
Time: 7:00 pm
Venue: Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

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To members of the Planning Committee (North)

Councillors Kevin Watt (Vice Chair), Charlie Best, Wendy Brackenbury, Cedwien Brown, Robin Carter, Mark Dearing, Alison Dalziel, Dez Dell, Simon Rielly, David Sims, Geoff Shacklock, Joseph Smyth, and Keli Watts

Substitute Members: Councillors Jean Addison, Ross Armour, Lyn Buckingham, Jim Hakewill, Larry Henson, Paul Marks, Macaulay Nichol, Jan O'Hara, Anup Pandey, Mike Tebbutt, Sarah Tubb

Agenda			
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04	Minutes of the meeting held on 7 th June 2023		5 - 18
Items requiring a decision			
05	Applications for planning permission, listed building consent and appeal information* i) NK/2023/0254 4 Church Street, Burton Latimer Full Planning Permission: Change of Use of first floor from function room (sui generis) to a 6 no. bedroom, 6 no. person HMO (sui generis). Partial demolition of lean-to structure and replace with timber clad lobby. Timber cladding to existing staircase, additional first floor window in north elevation, secure pedestrian access gate, bin collection/storage points, cycle storage	Development Services	19 – 34

	ii) NE/22/00954/OUT Ashfield, Main Street, Cotterstock Erection of 1 two storey detached dwelling (All Matters reserved except access).	Development Services	35 – 50
Items to note			
06	<u>Delegated Officers Report</u> None		
Exempt Items			
07	None Notified		
08	Close of Meeting		
	Adele Wylie, Monitoring Officer North Northamptonshire Council  Proper Officer 25th July 2023		

*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.

Committee Officer: Callum Galluzzo

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Members of the Public who live or work in the North Northamptonshire council area may make statements in relation to reports on the public part of this agenda. A request to address the Executive must be received 2 clear working days prior to the meeting at democraticservices@northnorthants.gov.uk Each Member of the Public has a maximum of 3 minutes to address the committee.	12 Noon Tuesday 1 st August 2023
Member Agenda Statements	Other Members may make statements at meetings in relation to reports on the agenda. A request to address the committee must be received 2 clear working days prior to the meeting. The Member has a maximum of 3 minutes to address the committee. A period of 30 minutes (Chair's Discretion) is allocated for Member Statements.	12 Noon Tuesday 1 st August 2023

If you wish to register to speak, please contact the committee administrator

Members' Declarations of Interest

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Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

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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Minutes of a meeting of the Planning Committee (North)

At 7.00 pm on Wednesday 7th June, 2023 in the
Corby Cube, George Street, Corby, NN17 1QG

Present:-

Members

Councillor Mark Rowley (Chair)
Councillor Charlie Best
Councillor Cedwien Brown
Councillor Robin Carter
Councillor Alison Dalziel
Councillor Mark Dearing

Councillor Kevin Watt
Councillor Dez Dell
Councillor Simon Rielly
Councillor Geoff Shacklock
Councillor Joseph John Smyth

Officers

Jasbir Sandhu	Development Services
Farjana Mazumder	Development Services
Bob Young	Development Services
Emma Granger	Legal Representative
Callum Galluzzo	Democratic Services

1 Apologies for non-attendance

Apologies for non-attendance were received from Councillors David Sims and Keli Watts

It was noted that Councillor Lyn Buckingham was present as a substitute for Councillor Keli Watts.

2 Members' Declarations of Interests

The chair asked members to declare any interests on items present on the agenda.

Councillor Kevin Watt declared a pecuniary interest on item 3.3 and notified the chair that he would vacate his position on the committee during deliberation of the item.

3 Applications for planning permission, listed building consent and appeal information*

The Committee considered the following application for planning permission, which were set out in the Development Control Officers Report and supplemented verbally and in writing at the meeting. Four speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy. One written statement was also provided and read aloud by chair 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:-

4 NC/21/00072/OUT

Members received a report about a proposal for which planning permission was being sought for a proposed engineering and enabling works to level the site. Planning permission was also being sought for proposed B2 (general industrial) employment uses with all matters reserved except access at Land Off Centrix Business Park, Napier Road, Corby, Northamptonshire for Storefield Group Limited.

The Development Officer presented the report which detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

It was recommended that planning permission be granted, subject to the conditions set out in the committee report and subject to the completion of a Section 106 Agreement relating to the highways, local benefits and environmental contribution and mitigation.

Requests to address the meeting had been received from Alison Mitchell, the agent on behalf of the applicant and the Committee was given the opportunity to ask questions for clarification.

The agent stated that the proposed site was an allocated site for employment use and would provide significant employment opportunities for residents. It was also stated that the site was a derelict brown field site and the creation of the engineered platform would help to cap the site and minimise contamination associated at the site.

The Chair invited the Committee to determine the application

Members raised questions regarding flood risk, biodiversity net gain and the favourable requirement to ensure that secure remediation works take place in order to facilitate contaminated land.

Following debate it was proposed by Councillor Smyth and seconded by Councillor Dearing that the application be approved in line with the officer's recommendation.

It was **RESOLVED** that:

It was agreed that the application be APPROVED subject to the following conditions and subject to the conditions set out in the committee report and subject to the completion of a Section 106 Agreement relating to the highways, local benefits and environmental contribution and mitigation.

1. Application for approval of the reserved matters shall be made to the council before the expiration of 3 years from the date of this permission. The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.
2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local

Planning Authority in order to discharge other conditions attached to this decision:

- Site Location Plan, Dwg. No.- GM10604-004, Rev-B
 - Phasing Plan - Built Development, Dwg. No.- GM10604-008, Rev-C
 - Planning, Design and Access Statement, ref: 0005, January 2021
 - Environmental Statement, ref: REP-0003 , V- V0.1A, January 2021
 - Supplementary Environmental Information- Appendix 11.4 Dust Management Plan May 2021
 - Supplementary Environmental Information- Chapter 10: Noise
 - Non-Technical Summary, ref: REP-0003, V0.1, January 2021
 - Preliminary Investigation Report (Desk study and site reconnaissance), ref: STP3966D-P01, Revision 2, March 2019
 - Ground Investigation Report, ref: STP3996D- G01, September 2020
 - Habitat Survey 2022 (Updated on March 2023)
 - A43 Steel Road Junction Mitigation letter 121021, dated 12th October 2021
 - Technical Note 2 - Second Response to North Northamptonshire Council-V1, June 2021
 - Technical Note Response to North Northamptonshire Council-V2, May 2021
 - Preliminary Construction Management Plan, January 2021
 - Flood Risk Assessment, ref: 0006, September 2020
3. Details of all the reserved matters for relevant phase shall be submitted to the Local Planning Authority before any development is commenced:
- a. Scale
 - b. Appearance
 - c. Landscaping, and
 - d. Layout
4. Approval of all reserved matters shall be submitted within 5 years of this permission. The development shall thereafter be completed in accordance with the approved details.
5. Development shall not be undertaken other than in accordance with the approved phasing plan- **Phasing Plan - Built Development, Dwg. No.- GM10604-008, Rev-C**. The Phasing Plan, with any updates and amendments, will be submitted for approval in writing by the Local Planning Authority prior to or alongside the submission of reserved matters in respect of each Phase. The development shall be implemented in accordance with the latest approved Phasing Plan.
6. Each reserved matters application shall comply with the approved Planning, Design and Access Statement, ref: 0005, January 2021.

ENVIRONMENTAL ISSUES

7. Any phase of the development hereby permitted shall not be commenced until details of an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written

- approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11' or any subsequent guidance replacing this.
8. Remediation of the development hereby permitted shall be carried out in accordance with the approved remedial scheme. There shall be no deviation from the approved remedial scheme without the written approval of the LPA.
 9. On completion of remediation a verification report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved remedial scheme. Post remediation sampling and monitoring results shall be included in the verification report.
 10. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.
 11. The proposed air quality mitigation measures and associated financial contribution contained within chapter 11 of the Environmental Statement reference GM10604 dated January 2021 by Wardell Armstrong submitted with this application shall be reviewed and updated to reflect any change in air quality legislation, statutory guidance or supplementary planning guidance every three years from the date of this permission, and shall be submitted to and approved by the LPA, until all reserved matters have been agreed. The most recently approved air quality mitigation measures and associated financial contribution shall be implemented and maintained on finalisation of the development.
 12. The dust mitigation and management measures contained within the Dust Management Plan reference GM10604 dated 29th June 2021 by Wardell Armstrong shall be implemented in full throughout the earthworks and construction period.
 13. No development shall take place until a noise impact assessment that details the likely impact on any noise sensitive property in the context of the local noise environment, has been submitted to and been 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 BS 4142:2014+A1:2019. If the assessment indicates that noise from the development is likely to negatively affect neighbouring residential or commercial properties then prior to the commencement of earthworks, a scheme of noise mitigation measures for this stage of works, shall be submitted to and approved in writing by the Local Planning Authority. The scheme and any required works shall be implemented in accordance with the approved details until the earthworks are complete.

Each reserved matters application including a building, shall be accompanied by a noise impact assessment that details the likely impact on any noise sensitive property in the context of the local noise environment, and shall be accompanied by a scheme detailing the measures necessary to ensure that the

noise does not detrimentally affect the amenity of local residents. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS 4142:2014+A1:2019. The assessment and scheme shall be approved in writing by the Local Planning Authority prior to the commencement of the relevant development. The approved scheme shall be implemented prior to the commencement of the use of the relevant building and be permanently maintained thereafter.

14. During Earthworks and Construction, the developer should provide advance notice and details of any night working; and approved by the LPA two weeks before commencement of the proposed work. This should include details of the proposed communication with nearby receptors that may be adversely affected.

HIGHWAYS

15. Prior to first occupation details of how the footway extension on the northern side of Napier Road extends through the site to link to the Corby Northern Orbital Road access junction and layout shall be submitted, have technical approval and be constructed in full.
16. No part of the development shall be occupied prior to implementation of the Approved Travel Plan (or implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.
17. Prior to commencement of earthworks and construction related to the development a Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority for agreement in writing, after which any demolition, site clearance and construction shall be carried out in accordance with the agreed Construction Management Plan. The CTMP should include (but not be limited to):
 - Construction traffic routing information to include size of vehicle and tracking drawings. Any proposed abnormal loads will require separate approval. Abnormal due to weight of load, please contact northantsabload@kierwsp.co.uk Abnormal due to width or height of load, please contact mail@northants.police.uk
 - Tracking required to demonstrate access into / out of the site and sufficient set back of the gates.
 - This is to be conducted with the largest construction vehicle that will be accessing the site.
 - Details of wheel washing facilities,
 - Details of mud and dust mitigation,
 - Details of hours of operation and construction parking facilities,
18. A 4-week or one-month Megarider ticket for the local area, one per new employee for a period of 3 months should be provided at occupation.

BIODIVERSITY AND NATURE CONSERVATION

19. Prior to the commencement of any development a biodiversity net gain scheme (to achieve 1% net gain from the agreed baseline of 221.38 biodiversity units), to compensate for any identified biodiversity loss, either through onsite mitigation and/or by offsite offsetting, which scheme shall include the timing of the mitigation/offsetting measures, as well as proposals for ongoing management and maintenance for a minimum 30 year period (the minimum period) and how such management and maintenance shall be secured and funded for the minimum period shall be submitted to and approved in writing by the Local Planning Authority. The recommendations of the biodiversity net gain scheme shall be implemented as approved and shall inform the Biodiversity Monitoring Strategy to be approved under condition 20, unless otherwise agreed in writing by the local planning authority.
20. Prior to the commencement of any development a Biodiversity Monitoring Strategy (BMS) shall be submitted to and approved in writing by the Local Planning Authority. The BMS shall include the following:
 - a. Identification of the baseline condition prior to the start of the development;
 - b. Aims and objectives of monitoring to match the findings of the approved biodiversity net gain scheme and the stated purpose of the BMS;
 - c. Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various biodiversity net gain measures being monitored can be judged;
 - d. Methods for data gathering and analysis;
 - e. Location of monitoring;
 - f. A timetable for the submission of monitoring reports;
 - g. Identification of responsible persons and lines of communication; and
 - h. A timetable for review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that biodiversity net gain aims and objectives are not being met in accordance with the approved biodiversity net gain scheme) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved biodiversity net gain scheme and BMS.

The BMS shall be implemented as approved.

21. Prior to occupation, a "lighting design strategy for biodiversity" for the proposal shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats and badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above

species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

22. No development shall take place within a phase or sub-phase (including demolition, groundworks, vegetation clearance) until a Construction Environmental Management Plan (CEMP: (Biodiversity)) for that phase, sub-phase or the development as a whole, has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) for that phase or sub-phase or the development as a whole shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

23. A Landscape and Ecological Management Plan (LEMP) for each phase or sub-phase shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development within each phase or sub-phase of the development (excluding the Site Preparation Phase). The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation

aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

24. The approved details for soft landscaping, and other landscaping details approved under Condition 3 above (reserved matters) shall be carried out in the first planting and seeding season following the completion of development on the relevant phase and any trees or plants which, within a period of five years from occupation die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details shall be thereafter retained.

SURFACE WATER DRAINAGE AND FLOOD RISK

25. No development within any phase or sub-phase, other than the Site Preparation Phase shall take place until full details of the surface water drainage scheme for the site or phase/sub-phase, based on the Flood Risk Assessment ref GM10604 rev 0006 dated September 2020 prepared by Wardell Armstrong will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;
- i) 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 structures.
 - ii) Details of the drainage system are to be accompanied by full and appropriately crossreferenced supporting calculations.
 - iii) The site will discharge at a maximum 2 l/s/ha of impermeable area. Attenuation basins will have 300mm residual uncertainty allowance above top water level to top of bank for the extreme 1 in 100 +40% climate change storm event. 24hrs after reaching capacity attenuation facilities should be able to accommodate 80% of the 1 in 10 year storm
 - iv) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
26. All subsequent reserved matters applications for the development shall make reference to the original approved Flood Risk Assessment ref GM10604 rev 0006 dated September 2020 prepared by Wardell Armstrong and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.
27. No development within any phase or sub-phase, other than the Site Preparation Phase 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 for that phase or sub-phase 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.

Details of expected design life of all assets with a schedule of when replacement assets may be required

28. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site 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

FOUL DRAINAGE

29. No building works which comprise the erection of a building required to be served by water services shall be undertaken until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

SUSTAINABILITY

30. Within 6 months of occupation of the development the following information shall be provided to the Local Planning Authority in respect of that building, unless otherwise agreed in writing: a BREEAM post construction report to confirm that BREEAM very good (2018), (or the equivalent standard which replaces the British Research Establishment Environmental Assessment Method which is to be the assessment when the buildings concerned are to be assessed) and that the recommended Low and Zero Carbon technologies have been installed.

BOUNDARY TREATMENT

31. Prior to the commencement of the relevant part of the development, the details of the boundary treatments (including details of the fences, gates, bollards and turnstiles) shall be submitted to and approved in writing by the Local Planning Authority. This should include a copy of the supplier's technical instructions, showing the type of fence panels and posts being proposed, and the style and locking mechanisms for the gates and turnstiles. The approved details shall be implemented and retained thereafter.

FIRE

32. No development other than groundworks and the erection of the steel frame shall take place until a scheme and timetable detailing the provision of the fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

PD RIGHTS

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification) or provisions of the Use Classes Order (England) 1987 (as amended), no other uses other than those hereby approved (B8 with ancillary office use) shall be carried out at the application premises. No extensions, new buildings or structures or additional hard surfaced areas shall be constructed or erected without further planning permission.

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

(Voting: Unanimous)

The application was therefore
APPROVED

5 NC/22/00464/DPA

Members received a report about a proposal for which full planning permission was being sought for the Erection of an Entry Level Exception Site of 22 Dwellings, Associated Infrastructure and Landscaping at Land South Of Kettering Road, Weldon for Wulff Asset Management Limited.

The Development Officer presented the report which detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

It was recommended that planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement.

Requests to address the meeting had been received from Cllr Colin Shepard, representative of Weldon Parish Council and Sam Silcocks, Agent on behalf of the applicant and the Committee was given the opportunity to ask questions for clarification.

Cllr Shepard raised objections to the proposed application due to the appropriateness of the proposed site in relation to the neighbouring settlement and also raised concerns regarding potential detrimental impacts the proposed application would have on neighbouring amenity.

Sam Silcocks addressed the committee and provided a brief outline for the proposed development and stated the application would provide needed affordable housing to address the local housing requirements.

The Chair invited the Committee to determine the application.

Members raised concerns regarding the historic use of the land and the potential for contaminated land which included harmful gases and odours for local residents. Concerns were also raised by members in relation to the isolated location of the proposed site in relation to local residential amenity as well as concerns regarding highways safety and sustainability.

Following debate it was proposed by Councillor Best and seconded by Councillor Watt that the application be refused contrary to the officers recommendation.

It was **RESOLVED** that:

It was agreed that the application be REFUSED for the following reasons:

1. The proposal is located in an unsustainable isolated location which would result in significant harm in terms of residential amenity for any future resident which cannot be outweighed by economic or social benefits that may result from the proposed development. The proposal is therefore contrary to the National Planning Policy Framework 2021 and Policies 1, 8 and 13 of the North Northamptonshire Core Spatial Strategy (2016).
2. Insufficient information has been submitted to allow a full assessment of the potential risk to the development from landfill gas of the historic landfill site which is 250m away from the application site. Due to this the proposal is contrary to Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

3. The applicant has failed to complete a suitable S.106 Agreement to deliver the contributions required in terms of early years, primary education, secondary education, library, provision of 2m wide footpath link and details of affordable housing provision. The proposed development would be contrary to the requirements of policies 7, 10 and 30 of the North Northamptonshire Joint Core Strategy (2016), Planning Obligations Supplementary Planning Document (2017) and the advice contained within the National Planning Policy Framework (2021).

(Members voted on the motion to refuse the application)

(Voting: Unanimous)

The application was therefore
REFUSED

6 NC/23/00057/DPA

Members received a report about a proposal for which retrospective planning permission was being sought for the Insertion of a window to first-floor side elevation of existing garage at 4 Appleton Gardens, Gretton, for Mr Fitzgerald.

The Development Officer presented the report which detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

It was recommended that planning permission be granted, subject to the conditions set out in the committee report.

Requests to address the meeting had been received from Sarah Charlton-Collis, third party objector as well as a written statement from Daniel Fitzgerald, the applicant and the Committee was given the opportunity to ask questions for clarification.

Sarah Charlton Collis addressed the committee and raised concerns as well as objections to the application in relation to privacy and overlooking issues.

Daniel Fitzgerald submitted a written statement that was read aloud to the chair which spoke in support of the application and provided context to the members in terms of use of the garage.

The Chair invited the Committee to determine the application

Members raised questions in relation to seeking an adequate compromise for all parties involved. It was heard that any changes to the transparency of the subject window may also result in a loss of light to the applicant.

Following debate it was proposed by Councillor Smyth and seconded by Councillor Best that the application be approved in line with the officer's recommendation.

It was **RESOLVED** that:

It was agreed that the application be APPROVED subject to the following conditions

1. The in-situ window development shall be retained in accordance with the plans and details hereby approved, unless otherwise agreed by the Local Planning Authority.

Schedule of Plans

FLOOR PLAN _ ELEVATIONS 0010/20/FA 22.02.2023

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

(Voting: For 6, Against 5)
The application was therefore
APPROVED

7 NE/22/01271/FUL

ITEM WITHDRAWN

Members received an update which stated that officers had reviewed the above application scheduled for the North Area Committee for the 7th June and following officer discussions, had requested that this item be withdrawn from the agenda with immediate effect.

Officers' considered it necessary to re-assess data relating to the micro and macro need for the proposed care home and its specific use within Class 2. This was important due to the site's location in open countryside which also included a garden centre and café.

This delay would have also allowed for a further assessment of the Biodiversity and Landscape visual matters relevant in this case.

To conclude, Officers' considered that further information would be required from the applicant, before the application can proceed to be considered by members.

8 Delegated Officers Report

None

9 Exempt Items

None

10 Close of Meeting

Chair

Date

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North Northamptonshire Planning Committee (North) 2nd August 2023

Application Reference	NK/2023/0254
Case Officer	Olawale Duyile
Location	4 Church Street, Burton Latimer
Development	Full Planning Permission: Change of Use of first floor from function room (sui generis) to a 6 no. bedroom, 6 no. person HMO (sui generis). Partial demolition of lean-to structure and replace with timber clad lobby. Timber cladding to existing staircase, additional first floor window in north elevation, secure pedestrian access gate, bin collection/storage points, cycle storage
Applicant	Mr G Tomkins Cycle Developments
Agent	Mr A Jelley Alpine Planning Ltd
Ward	Burton and Broughton Ward
Overall Expiry Date	05/07/2023
Agreed Extension of Time	

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

List of Appendices

Appendix A – Site Plan

Scheme of Delegation

The Burton Latimer Town Council have raised objection to the proposal and requested it to be referred to the Planning Committee for determination in view of the number of objections from residents.

1. Recommendation

1.1 That planning permission be APPROVED subject to conditions

2. The Proposal

- 2.1 The proposal seeks permission to convert only the first floor of the 2-storey building from a private members' function room to a 6 bed, 6 person House in Multiple Occupation (HMO). The associated works include the partial demolition of an existing lean-to structure, and replacement with new timber clad lobby, external timber cladding to existing staircase. new first floor window on the north elevation, the installation of new pedestrian access gate and the creation of refuse collection / storage points and cycle storage. The ground floor of the building is not part of the proposal and would continue to function as members' room.



3. Site Description

- 3.1 The application site is the Burton Latimer Conservative and Unionist Club, a 2-storey detached building with an open forecourt and located on the south-east side of Church Street in Burton Latimer. There are other structures within the rear garden and photographic evidence suggests that the first floor of the property has been out of use for a considerable period of time and has fallen into a state of disrepair. The upper floor of the building is accessed via a side extension to the northeast of the main building.
- 3.2 The site lies on the edge but outside the Burton Latimer Town Centre boundary as defined in the adopted Local Plan. The building is not listed but within the designated Burton Latimer Conservation Area.

4. Relevant Planning History

- 4.1 KET/2001/0946: Renovations and refurbishments – Approved 12 March 2002.
- 4.2 KET/1990/0737: Form an area for children’s swings etc under supervision of existing lawn – Approved 12 September 1990.

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 Burton Latimer Town Council have raised objection and commented as follows: – While there is always a need for such accommodation, it should not be provided in such a way as to impact on existing residents by causing new problems or exacerbating existing ones. It is the Committee’s unanimous view that this development would have a deleterious impact on residents of Church Street and surrounding roads and the Committee therefore strongly opposes the application.
- 5.2 NNC Environmental Health
The application has not provided enough information to demonstrate that the proposal will comply with Policy 8, e), i) & ii) of the Joint Core Strategy, paras. 185 and 187 of the National Planning Policy Framework or has considered Planning Policy Guidance – Noise. The applicant will need to demonstrate that there is suitable acoustic isolation between the ground floor club and the first-floor residential use.
- 5.3 NNC Highways
The Highway Authority (LHA) acknowledge the parking report submitted. A parking beat survey has been provided by the applicant to the LHA’s specifications - which are applied uniformly across North Northamptonshire. The results of this survey outline a number of roads within the survey zone for which parking is not possible e.g. Spring Gardens which aligns with the findings of the report, and/or has at present, high stress levels. However, the survey also identifies a number of roads which, when viewed in combination in the survey zone, would be able to accommodate the minimum parking arrangements. It is acknowledged that the proposals would result in more on-street parking and this may result in amenity issues however this along with the wider matter of parking is one the LPA will need to make a rounded decision on. From an LHA perspective, it would be difficult to object to the findings of the survey provided by the applicant.
- 5.4 NNC Waste Management
It should be noted that as a large HMO the majority of waste will be classed as commercial. Otherwise, no comment from NNC Waste Management.
- 5.5 NNC Ecology
Request for a Preliminary Ecological Appraisal (PEA) for birds and bats to ensure there are no protected species issues. Whether it is demolition or renovation there is still potential to impact on protected species (taking off the roof and walls) with the poor state of repair giving an increase in the likelihood of it being used.

A survey at the start will allow us to determine the potential impacts from the start of the work, rather than coming across something half way through the development which would lead to a multi week delay whilst it was sorted out and the necessary licenses obtained (meaning cost and delays to the owner).

5.6 Neighbours / Responses to Publicity

Twenty-five (25) responses were received – all raising objections to the proposal. A summary of the objections is as follows:

- Noise disturbance;
- Health and safety concerns;
- Parking provision / availability;
- Traffic generation, no footpath and highway safety;
- Building process, construction access and traffic;
- Inadequate and unsatisfactory waste storage provision;
- Impact on residential amenity re loss of privacy;
- Impact on the Conservation Area; and
- Increase in anti-social behaviour.

6. Relevant Planning Policies and Other Material Considerations

The Development Plan

6.1 Section 38(6) of the Planning & Compensation Act 2004 replaces section 54A of the Town & Country Planning Act 1990 and states that if regard is to be had to the development plan for the purpose of any determination (including the assessment of any planning proposal) to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The Development Plan comprises the North Northamptonshire Joint Core Strategy 2011 – 2031 (JCS), adopted in July 2016 and the Kettering Site Specific Part 2 Local Plan (LP) – adopted in December 2021. The relevant policies applicable to the proposal under consideration are:

North Northamptonshire Joint Core Strategy (2016)

Policy 1 - Presumption in favour of Sustainable Development

Policy 2 – Historic Environment

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 7 - Community Services and Facilities

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 11- The Network of Urban and Rural Areas

Policy 28 - Housing Requirements

Policy 29 - Distribution of New Homes

Policy 30 - Housing Mix & Tenure

Kettering Site Specific Part 2 Local Plan (2021)

Policy LOC1 - Settlement Boundaries

Policy HOU1 - Windfall and Infill Development: Principles of Delivery
Policy TCE3 - (Residential Development within the Town Centres)
Policy HWC2 - (Protection of Community Facilities and Proposals for New Facilities)
Policy BLA1 - (Burton Latimer Town Centre Development Principles)

The National Planning Policy Framework (NPPF)

6.3 The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. In consonance with section 54A of the Town and Country Planning Act 1990 (referred to above), paragraph 47 states that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in the assessment and determination of planning applications.

6.4 The following headings and content of the NPPF are relevant to the consideration of the proposal under consideration:

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

6.5 In March 2014 the Government launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. The NPPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the assessment of this proposal comprise:

- Design
- Determining a planning application
- Use of planning conditions

Other Relevant Legislation and Documents

6.6 Section 149 of The Equalities Act 2010 created the public sector equality duty which requires public authorities to have due regard where there are equality implications arising from a proposal in the assessment and determination of planning applications.

6.7 - Sustainable Design SPD
- Planning Out Crime in Northamptonshire SPD
- Northamptonshire Parking Standards SPD

- North Northamptonshire Council: Amenity Standards A guide to amenity and space standards for landlords of Houses in Multiple Occupation

7. Evaluation and Assessment

7.1 Having regard to the provisions of the NPPF and the Development Plan, it is considered that the proposal raises the following issues, with each addressed in turn.

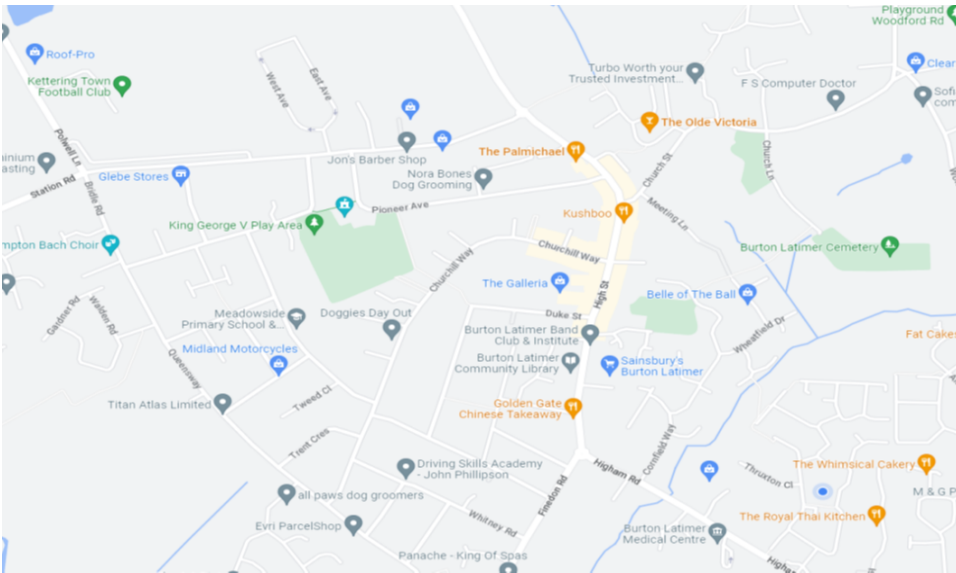
- Principle of Development
- Character and Appearance of the Conservation Area & Heritage Impact
- Impact on Living Conditions and Residential Standards
- Parking Provision and Highway Safety

Principle of Development

7.2 The Development Plan (JCS and LP) seeks to safeguard community facilities. A social club is listed at page 52 of the LP as one of the uses which is regarded as a community facility. The objectives of JCS policy 7(c) and LP policy HWC2 are to protect, support and enhance community services where appropriate. Proposals that result in the loss of community facilities will be resisted, unless it can be demonstrated that: the loss of the service or facility will not have a negative impact on the vitality and viability of a settlement or local area; and the site is no longer viable to the market as a community facility as demonstrated by evidence that it has been actively marketed as a community facility for a period of 12 months.

7.3 The existing use of the first floor of the building is linked to the extant use of the ground floor as a social club. It is understood that the first floor (the application site) has been vacant for over 10 years and photographic evidence suggests that it is dilapidated with accumulation of rubbish. It is also used for storage ancillary to the ground floor use as a social club. The site has not been marketed, but nonetheless, its conversion is not in conflict with the Development Plan as there is no material loss of a community facility.

7.4 Notwithstanding the foregoing, it should be noted that there is no shortage of community facilities in Burton Latimer. Function rooms of that kind are available in several locations nearby, including facilities at Meeting Lane (Baptist Church), the High Street (at the Harold Mason Centre), and at the George V Recreation Ground (the Community Centre) to mention a few.



7.5 There is no specific policy objection to the provision of HMOs in the Development Plan but LP policy HOU1 states that windfall and infill development within settlement boundaries will generally be accepted in principle providing there is no erosion to the character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents.

7.6 In view of the foregoing, the proposal is acceptable in principle and is consistent with the provisions at paragraph 86 (f) of the NPPF, which recognises residential development as playing an important role in ensuring the vitality of centres.

Character and Appearance of the Conservation Area & Heritage Impact

7.7 Policy 2 of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment. The policy aligns with section 16 of the NPPF and section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which places a statutory duty on the decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.8 The scale, design and detail of the existing structure would be retained in full. The only changes would be in the use of the first floor concerning necessary repairs and renovation to ensure that the spaces are fit for habitation and that the structural integrity of the property is secured.

7.9 The proposed alterations to the lobby and stairwell would enhance the appearance of the existing building and the wider Conservation Area. Furthermore, the proposal would bring a vacant part of the building into productive use and in the circumstances, the proposed use and the associated alterations are satisfactory with no adverse impact on the character and appearance of the area, in compliance with JCS policies 2 and 8, section 16 of the NPPF and therefore passes the statutory test under section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.10 The buildings on the site are neither listed nor in proximity of any listed buildings or other heritage assets. As the proposal only involves minor external alterations with no physical increase in the scale or built envelope, it is considered that it would not be harmful to the setting and significance of any heritage asset.

Impact on Living Conditions and Residential Standards

7.11 JCS policy 8, amongst other things, seeks to ensure that the living conditions of the existing and future occupiers are protected from noise, vibration, smell, light or other pollution, loss of light or overlooking; and the prevention of both new and existing development from contributing to or being adversely affected by unacceptable levels of soil, air, light, water or noise pollution or land instability.

7.12 Although LP policy HOU1 is supportive of windfall and infill residential development within settlement boundaries, it is caveated that such development is only acceptable providing there is no erosion of character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents.

7.13 The Development Plan policies referred to above are both consistent with section 12 of the NPPF which refers to design and the standard of amenity. Paragraph 130 paragraph f) states among other things that planning policies and decisions should ensure that developments:

“Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

7.14 There would be no loss of light, no loss of privacy or overbearing impact as a result of the proposed change of use, as the existing structure would be retained with only one window opening on the north elevation, which faces the street and away from the residential properties surrounding the site.

7.15 The proposed HMO is compatible with the surrounding uses and the necessary noise insulation measures from the noisy activities on the ground floor would be dealt with at the Building Control stage. In response to the Council's Environmental Health Officer's observations, the applicant has submitted details of flooring in relation to noise and fire insulation. This notwithstanding, a pre-commencement condition requesting details of noise insulation measures is recommended.

7.16 Several residents are concerned about noise impact and disturbance arising from the proposed use, but it is worth noting that the first floor could be reoccupied as an extension to the ground floor use, which could result in far higher levels of noise generation than the proposed HMO.

7.17 The submitted plans illustrate the type and location of bin stores associated with the proposed HMO. These are separated from the ground floor use and are secured and covered in accordance with standards. The Council's Waste Management Team have not raised any concerns about the refuse storage arrangement.

7.18 In the light of the foregoing, the proposal complies with JCS policy 8 and LP policy HOU1 and therefore consistent with the relevant NPPF provisions.

7.19 There are no documented applicable national and local standards in relation to Development Management for HMOs. However, it should be noted that Environmental Health (Licensing) and Building Control, through their respective legislative provisions would ensure that the units are fit for habitation. All the 6 units exceed 10 square metres – suitable for single occupancy and where no separate communal living room is provided. The shared kitchen measures 15 square metres, which is suitable for 6 occupants, thereby complying with the Environmental Protection Licensing standards: ***Amenity Standards A guide to amenity and space standards for landlords of Houses in Multiple Occupation***'.

Parking Provision and Highway Safety

7.20 The proposal makes no provision for off-street vehicle spaces. However, the parking provision requirement for the proposed use has to be weighed and balanced against the existing lawful use. There are no time restrictions in relation to the existing lawful use of the site and there can be no doubt that if the first floor were to be regularly used as a function room, it would result in many more vehicular movements greater disturbance than the proposal. The Highways Authority have not objected to the scheme and have accepted the findings of the parking stress survey – which identifies the availability of parking spaces in the surrounding area to meet the needs of the proposal.

7.21 It should also be noted that the site is located in an urban area with proximity to public transport. Furthermore, this part of Church Street has restrictions (double yellow lines) to deter on-street parking and ensure free flow of traffic in the main thoroughfare. The proposed units are for single person occupation and are unsuitable for family households and this is likely to reduce demand for car parking spaces. These factors combined, make this site suitable for car-free development in accordance with the relevant NPPF provisions. Therefore, the lack of off-street vehicle parking is not sufficient to decline the application.

7.22 The proposals will incorporate secure cycle storage for each bed space; as required by the Development Plan. This is shown on the accompanying plan. and has been designed in accordance with the Council's adopted standards.

8. Other Matters

8.1 There are no identified habitats within the site's open curtilage. However, given that the application part of the building has been vacant for many years, a comprehensive preliminary ecological survey and appraisal of the building is necessary to ensure that there are no habitats such as bat roosts present. A pre-commencement condition in this regard is also recommended.

9. Conclusion / Planning Balance

- 9.1 The proposed conversion is acceptable in principle as there would no material loss of a functioning community facility. Notwithstanding, the theoretical loss has to be weighed against the benefits of the conversion. The current state of the first-floor space and the fact that it has not been used for a considerable period, and the availability within the immediate surroundings of a number of alternative function rooms for hire together, make a compelling case for consenting the proposal.
- 9.2 The proposed conversion would bring a vacant space into productive use, which would be beneficial and enhance the appearance and character of the designated conservation area. The scheme would have no material impact on any heritage assets.
- 9.3 The proposed use is compatible with the surrounding uses and the scheme would not have a detrimental impact on the living conditions of the existing and future occupiers. Given the location, scale and nature of the proposal, it is considered that its impact would not be to a level that would undermine highway safety.
- 9.4 In the circumstances, subject to the imposition of suitably worded conditions requiring the development to be carried out in accordance with the approved plans and the submission of a pre-commencement ecological survey of the building and details of noise insulation, the proposal accords with the Development Plan and is consistent with the NPPF and is therefore recommended for approval.

10. Recommendation

- 10.1 APPROVE with conditions.

11. Conditions / Reasons for Refusal

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. No development shall commence on site until a scheme for limiting the transmission of noise between the ground floor and the units of accommodation on the first floor of the building has 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 scheme and the scheme shall be completed before any of the units of accommodation is 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.

4. Prior to the commencement of the development (including site clearance and demolition), a suitably licenced Ecologist shall inspect the interior of the building and shall provide a Preliminary Ecological Appraisal (PEA). If any bats, roosts, protected species, or habitats are identified from these surveys a European Protected Species Mitigation licence will be required along with appropriate mitigation measures before works in connection with the approved scheme commence and if necessary, the development shall not be carried out other than in accordance with the approved measures.

REASON: In the interest of safeguarding biodiversity (bats) in line with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and Section 9 of the NPPF.

12. Informatives

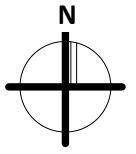
Positive/Proactive - amendments

List of plans

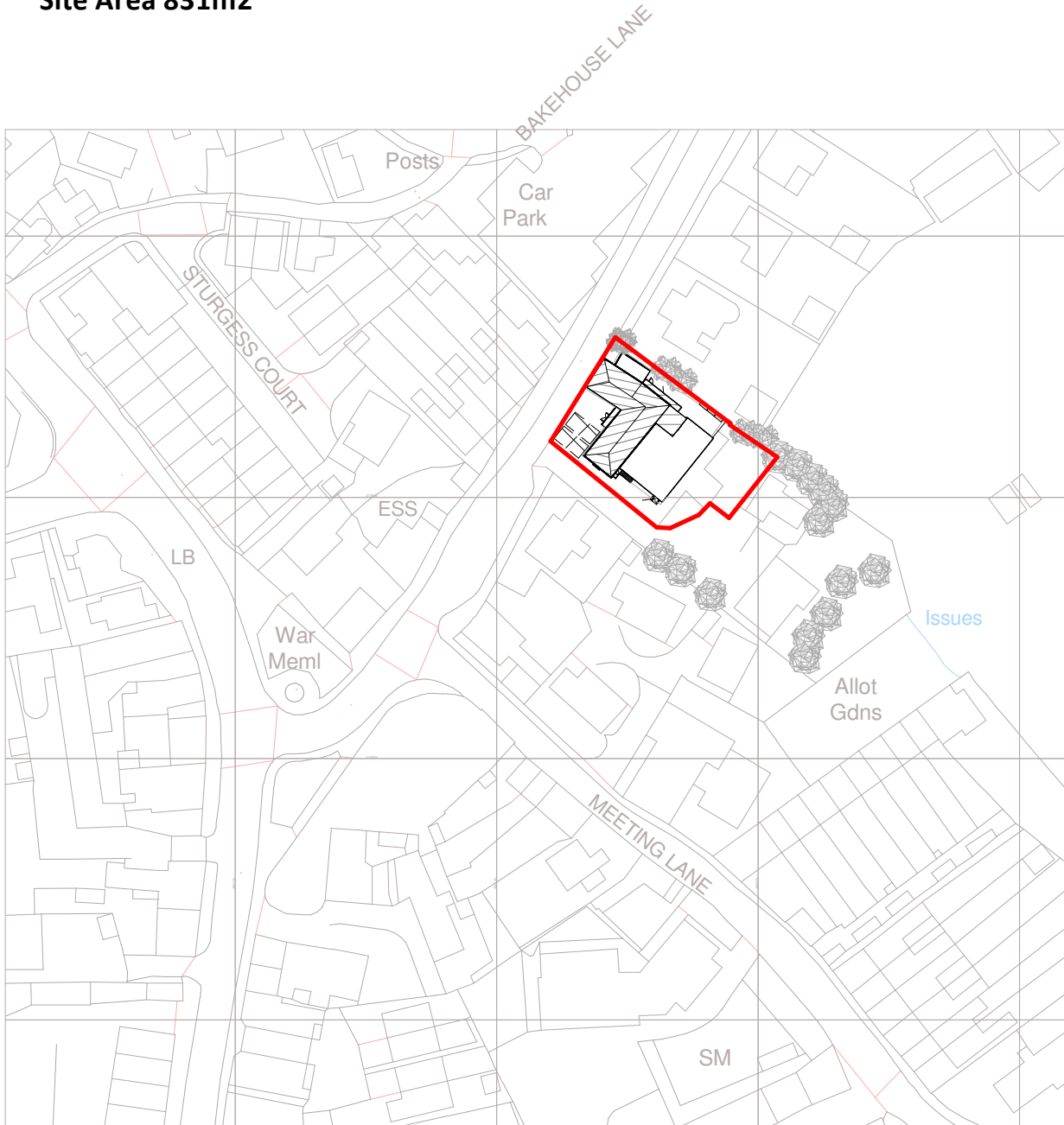
The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received Date	Status
Location plan		(00)05	26/04/23	Approved
Block plan		(00)04	26/04/23	Approved
Existing elevations & floor plans		(00)001	26/04/23	Information
Proposed elevations & ground floor plan		(00)02A	10/05/23	Approved
Proposed first floor plan		(00)03	26/04/23	Approved
3D plan		(00)06	26/04/23	Approved
Planning statement	NK/2023/0254/1		26/04/23	Information
Parking stress survey report		V01	26/04/23	Information
Parking stress survey report appendix 1	NK/2023/0254/2		26/04/23	Information
Parking stress survey report appendix 2	NK/2023/0254/3		26/04/23	Information
Parking stress survey report appendix 3	NK/2023/0254/4		26/04/23	Information
Parking stress survey report appendix 4	NK/2023/0254/5		26/04/23	Information
Photos		Appendix A	26/04/23	Information

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Site Area 831m²



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North Northamptonshire Planning Committee (North) 2nd August 2023

Application Reference	NE/22/00954/OUT
Case Officer	Sunny Bains
Location	Ashfield, Main Street, Cotterstock
Development	Erection of 1 two storey detached dwelling (All Matters reserved except access).
Applicant	Harold Ashby Deceased Will Trust
Agent	Berrys - Miss L May
Ward	Thrapston Ward
Overall Expiry Date	31 August 2023
Agreed Extension of Time	31 August 2023

List of Appendices

Appendix A – Committee Location Plan

Appendix B – Committee Site Plan

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the proposal has received over five objections from local residents.

1. Recommendation

- 1.1 That planning permission be APPROVED subject to conditions.

2. The Proposal

- 2.1 This application seeks outline planning permission for the erection of a two-storey dwelling with all matters reserved expect for access.
- 2.2 The existing access (south-east of the site) off Main Street would remain and serve the host dwelling (known as 'Ashfield' – north of the proposed dwelling) whilst a separate access also off Main Street and near the existing access would be created for the proposed dwelling.

3. Site Description

- 3.1 The site is situated within the settlement of Cotterstock and is located to the north of Main Street. The site forms garden land associated with the host dwelling ('Ashfield'), which is located to the north of the application site and outlined blue on the local plan (KA44546-BRY-St-PL-A-01).
- 3.2 Residential dwellings lie to the east, south and west of the site, although, the wider setting surrounding the site is encapsulated by agricultural land.
- 3.3 The site lies within flood zone 1 which is a low-risk area of flooding.

4. Relevant Planning History

- 4.1 06/01354/OUT – Outline: Single dwelling and detached garage (all matters reserved) – Approved – 11.08.06.
- 4.2 02/01017/OUT – Detached dwellinghouse (Plot B) – Approved – 05.05.03.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Cotterstock Parish Council

The proposal is suitably spacious, and proportionate in scale, with due consideration for materials that will blend in. However it makes no specific reference to the Village Design Statement (VDS), which seeks developments that are 'in keeping with the character, style and ambience of the village'.

The VDS, emphasises the linear development of Cotterstock and the importance of retaining hedges and frontages for 'the traditional character and appearance of the village' (p22).

Residents accept the principle of 'in filling' gaps, and a single replacement dwelling on Ashfield that is in line with the design principles of the VDS. However, there is strong objection to a new house in front of the existing bungalow because building on this frontage and then, in future, developing on the footprint of the original house behind this plot, would create 'backfill'. There is no precedent for 'backfill' behind other houses off the Main Street

5.2 Neighbours / Responses to Publicity

Seven letters of representation have been received, expressing the following concerns (summarised):

- Impact to the local character.
- Set a precedence for residential development to the rear of the dwellings.

- Contrary to the Village Design Statement.
- Impact to the natural environment

5.3 Natural England

No representation received.

5.4 Highways

Highways has the following observations, comments and recommendations:

- The access must be constructed in a hard bound material for the first 5 metres from the highway boundary in the interests of highway safety. This prevents loose material such as gravel being transferred to the public highway where it is a danger, particularly to cyclists and motorcyclists. Please note that this authority does not accept resin bound gravel as a hard bound material due to the fact that, over time, the gravel often comes away from the binder.
- Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of a vehicular access or any works within the highway. The responsibility for arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.
- A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.
- The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contractor, who has the required and necessary public liability insurance in place.

5.5 Environmental Protection

No representation received.

5.6 Nature Space

The Newt Officer is satisfied that if this development was to be approved, it is unlikely to cause impact on great crested newts and/or their habitats.

5.7 Waste Management

No representation received.

5.8 Principal Ecological Officer

The Ecological Officer is disappointed to note that trees had already been felled, such that any bat roosting potential will have been lost. The remaining habitat is suitable for foraging and commuting bats however, so I would recommend a condition for an external lighting plan to avoid any additional disturbance to protected species. The plan should demonstrate consistency with Bats and Artificial Lighting in the UK (2018) by the Bat Conservation Trust and Institution of Lighting Professionals.

5.9 Community Development Officer

No representation received.

5.10 Senior Tree and Landscape Officer

No representation received.

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 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 9 - Sustainable Buildings and Allowable Solutions
Policy 10 - Provision of Infrastructure
Policy 11 - The Network of Urban and Rural Areas
Policy 28 - Housing Requirements and Strategic Opportunities
Policy 29 - Distribution of New homes
Policy 30 - Housing Mix and Tenure

6.4 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)

Policy 2 - Windfall Development in Settlements

6.5 Emerging East Northamptonshire Local Plan Part 2 (LPP2)

Policy EN1 – Spatial Development Strategy
Policy EN2 – Settlement Boundary Criteria
Policy EN13 – Design of Buildings
Policy EN30 – Housing Mix and Tenure

6.6 Other Relevant Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Northamptonshire County Council - Local Highway Authority Parking Standards (2016)

East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)

East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)

East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

Cotterstock Village Design Statement (2020)

7. **Evaluation**

The key issues for consideration are:

- Principle of Development
- Character and Appearance
- Residential Amenity
- Highway Matters
- Natural Environment

7.1 **Principle of Development**

7.1.1 The site is situated within the settlement of Cotterstock within the residential curtilage of the host dwelling (Ashfield, Main Street). Policy 11 of the JCS supports residential development that is within the settlement of the village. Likewise, Policy 2 of the RNOTP and Policy EN2 of the LPP2 supports residential development within the settlement. Therefore, the principle of development is acceptable subject to the policy considerations below.

7.2 **Character and Appearance**

7.2.1 Main Street has a pattern of linear form of development consisting of residential dwellings that spans for circa 390 metres from east to west. Beyond this concentrated development lies open countryside which contributes to the rustic character of the area.

7.2.2 Whilst the design (including layout) is a matter for consideration at the reserved matters stage, the illustrative site plan (KA44546-BRY-ST-PL-A-03-A) demonstrates that the proposed dwelling could be positioned onsite so it respects the linear pattern of development and provides a satisfactory external layout.

7.2.3 The proposed height of two-storey would also be in keeping with the local setting. However, at the reserved matters stage, the height of the dwelling would be expected to reflect that of the adjacent properties rather than exceeding them, which could result in the proposed dwelling disrupting the pattern of development and causing it to negatively stand out.

7.2.4 The comments of the Parish Council are noted. Although, they have no objection to the proposed scheme per se, they have expressed concerns of

the proposal creating a precedence for 'back land' development with the existing property being to the rear of the proposed dwelling, which the Parish Council states that it would not be in keeping with the local character and Cotterstock Village Design Statement (VDS).

7.2.5 Each application is assessed on its own merits and therefore this application would not set a precedence for 'back land' development. Regarding, the design of the proposed dwelling complying with the VDS this would be important and assessed at the reserved matters stage.

7.2.6 As such, it is considered that in principle the proposal would not cause adverse harm to the character of the local area and thus complies with Policy 8(d) of the JCS and Paragraph 130 of the NPPF.

7.3 Residential Amenity

7.3.1 The host dwelling, Drove Court and Barleymead, adjoin the application site and would be the closest dwellings to the proposal. Whilst full consideration would be given at the reserved matters stage in terms of the impact of the proposed dwelling on the neighbouring residential amenity and its own, the proposed dwelling could be designed in a manner that would not cause harm.

7.3.2 In light of the above, it is important that due considerations are given to the scale, mass and position of the proposed dwelling (including its fenestrations) so harm is not caused in terms of overlooking, overbearing, overshadowing, outlook and loss of light.

7.4 Highways

7.4.1 The proposal would retain the existing access off Main Street whilst also create an additional access off Main Street as well. The existing access would be used for the host dwelling and the new access would serve the proposed dwelling.

7.4.2 Highways has no objection to the proposal per se but has expressed the following comments:

- *The access must be constructed in a hard bound material for the first 5 metres from the highway boundary in the interests of highway safety. This prevents loose material such as gravel being transferred to the public highway where it is a danger, particularly to cyclists and motorcyclists. Please note that this authority does not accept resin bound gravel as a hard bound material due to the fact that, over time, the gravel often comes away from the binder.*
- *A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.*
- *Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of a vehicular access or any works within the highway. The responsibility for*

arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.

- 7.4.3 The access materials and drainage can be conditioned so that the details are provided at the reserved matters stage. This would mitigate against the potential harm to highway safety. Regarding the existing utilities, this can be added as an informative should permission be granted.
- 7.4.4 The application form details indicate that the proposed dwelling would consist of 4 bedrooms or more. The Northamptonshire Parking Standards stipulates that a dwelling of 4 or more bedrooms should provide 3 car parking spaces onsite. The illustrative site plan (KA44546-BRY-ST-PL-A-03-A) demonstrates that the site could adequately accommodate for 3 cars.
- 7.4.5 As such, the proposed development complies with Policy 8(b) of the JCS and the Village Design Statement.

7.5 **Natural Environment**

- 7.5.1 The site comprises of trees and hedgerows which are not protected but positively contribute to the rustic character of the area.
- 7.5.2 It is noted from the comments of the local residents and evident from aerial photograph that two mature trees, near the front boundary, have been removed prior to the submission of this application. The Principal Ecological Officer expresses disappointment in the felling of these trees due to any bat roosting potential being lost but states that the remaining habitat is suitable for foraging and commuting bats.
- 7.5.3 Landscaping details have not been committed as part of this application and would be considered at the reserved matters stage. Safeguarding conditions can be imposed for details of bat boxes and the retention of the existing trees and hedgerow (except for section of the proposed access) as well as the suggested light plan condition.

8. **Other Matters**

- 8.1 Representations: The comments of local residents and the Parish Council have been taken into consideration and addressed in the above section.
- 8.2 Equality: The application raises no matters of direct equality concern.

9. **Conclusion / Planning Balance**

- 9.1 The site is located within the settlement of Cotterstock, where local policy supports the principle of residential development within the settlement. Thus, the principle of development is acceptable. Matters pertinent to appearance, layout, scale and landscaping do not form a consideration under this application and would be assessed at the reserved matters stage. Notwithstanding this, it is anticipated that the proposal could reasonably be designed in line with the village design guide and local policies. On this basis it would not cause adverse impact to the local character and neighbouring amenity.

- 9.2 Access has been committed as part of this application, which Highways has no objection to and the observations expressed in their comments can be conditions, thereby resulting in no harm to highway users or cumulatively to the road network.
- 9.3 Whilst it is unfortunate that the matures tree along the front boundary had been felled prior to the submission of this application, they were not designated with a tree protection. Landscaping details would be provided and assessed at the reserved matters stage, however, conditions can be imposed for the retention of existing trees replacement planting and hedgerow onsite as well as ecological enhancements. As such, it is considered that the proposal would not cause adverse harm to the natural environment.
- 9.4 The proposed development would therefore comply with local and national policies and as such it is recommended that outline planning permission is granted, subject to conditions.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions.

11. Conditions

1. Details of the appearance, landscaping, layout and scale (hereinafter called The Reserved Matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved

Reason: The application is in outline only

2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

4. Prior to the first occupation of the development the proposed access shall be laid out in accordance with the approved plan (RHC-22-102-01 and KA44546-BRY-ST-PL-A-03-A), surfaced in a hard bound material and drained within the site. The access, surfacing and drainage shall thereafter be maintained and retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Reason: In the interest of highway safety

5. The details to be submitted for approval in writing by the Local Planning Authority relating to Condition 1 above shall include full details of external lighting to be installed. The details shall include (but not limited to) position, number and type of external lighting as well as product specification. The development shall thereafter be carried out in accordance with the above details and maintained and retained in perpetuity.

Reason: In the interest of safeguarding and enhancing biodiversity

6. The details to be submitted for approval in writing by the Local Planning Authority relating to Condition 1 above shall include full details of the biodiversity enhancement measures. The details shall include (but not limited to) position, number and type of enhancement measures as well as product specification. The development shall thereafter be carried out in accordance with the above details and maintained and retained in perpetuity.

Reason: In the interest of safeguarding and enhancing biodiversity.

7. No trees, shrubs or hedges within the site which are shown as being retained on the approved plan (KA44546-BRY-ST-PL-A-03-A) shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority: any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In order to protect and safeguard the amenities of the area and the ecological environment.

8. The details to be submitted for approval in writing by the Local Planning Authority relating to Condition 1 above shall include drawings showing the slab levels and finished floor levels of the buildings in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual and residential amenity.

9. The development hereby permitted shall be carried out in accordance with the approved plans as follows:

Location Plan - KA44546-BRY-ST-PL-A-01
Site Plan - KA44546-BRY-ST-PL-A-03-A
Access Plan - RHC-22-102-01

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

12. Informatives

1. The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure). This should be gigabit capable and where possible, full fibre broadband connectivity. Early agreement with a telecoms provider is key to being able to enhance your asset. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations. Proposals should be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R.

Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach Developer Portal (openreach.co.uk)

Virgin Media

<http://www.virginmedia.com/lightning/network-expansion/property-developers>

Gigaclearnetworkbuildcare@gigaclear.com (rural areas and some market towns)

OFNL (GTC) <http://www.ofnl.co.uk/developers>

CityFibre <http://cityfibre.com/property-developers>

Details of other fibre network providers operating locally can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>.

For help and advice on broadband connectivity in North Northamptonshire please email bigidea.ncc@northnorthants.gov.uk

2. Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of a vehicular access or any works within the highway. The responsibility for arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.
3. The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways

Approved Contactor; who has the required and necessary public liability insurance in place.

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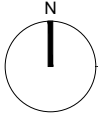


SITE LOCATION PLAN
1:1250 @ A4



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REV	DESCRIPTION	DATE	BY	CHKD
-	-	00.00.00	-	-

BERRYS

STATUS: **PLANNING**

CLIENT:
HAROLD ASHBY WILL TRUST

PROJECT:
PROPOSED NEW DWELLING
COTTERSTOCK
PE8 5HD

DRAWING:
SITE LOCATION PLAN

SCALE @ A4: 1:1250	DRAWN BY: CML	CHKD BY: DH	DATE: 24.06.22
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DRAWING No: KA44546 -BRY-ST - PL- A - 01 _ _

REVISION:

Appendix A

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PROPOSED SITE PLAN

1:200 @ A2

PROJECT: PROPOSED NEW DWELLING COTTERSTOCK PE8 5HD	STATUS: PLANNING		
CLIENT: HAROLD ASHBY WILL TRUST	SCALE @ A2: 1:200	DRAWN BY: CML	CHKD BY: DH
DRAWING: INDICATIVE SITE PLAN	DRAWING No: KA44546 -BRY- ST - PL- A - 03 _A	REVISION:	DATE: 24.06.22



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SCALE BAR & NORTH POINT:

SCALE 1:200

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A	TITLE BLOCK AMENDED	27.07.22	CML	LM

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