

# Public Document Pack



**Meeting:** North Northamptonshire Planning Committee (North)  
**Date:** Wednesday 1<sup>st</sup> May 2024  
**Time:** 7:00 pm  
**Venue:** Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

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To members of the North Northamptonshire Planning Committee (North)

Councillors Wendy Brackenbury (Chair), Robin Carter (Vice Chair), Charlie Best, Cedwien Brown, Mark Dearing, Alison Dalziel, Ian Jelley, Paul Marks, Simon Rielly, David Sims, Geoff Shacklock, and Keli Watts (1 Vacancy)

Substitute Members: Councillors Jean Addison, Ross Armour, Lyn Buckingham, Dez Dell, Larry Henson, Macaulay Nichol, Jan O'Hara, Anup Pandey and Joseph Smyth

Agenda			
Item	Subject	Officer Presenting Report	Page No
01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Minutes of the meeting held on 3 <sup>rd</sup> April 2024		5 - 8
Items requiring a decision			
04	Applications for planning permission, listed building consent and appeal information*  i) <b>NC/23/00474/DPA</b> <b>41 Bamburg Close, Corby, NN18 9PA</b> Change of use from a residential dwelling (Class C3) to a children's care home (Use Class C2).	Development Services	9 – 17

<b>Urgent Items</b>			
	To consider any items of business for which notice has been given to the Proper Officer prior to the meeting and the Chairman considers to be urgent pursuant to the Local Government Act 1972.		
05	Close of Meeting		
	Sanjit Sull, Monitoring Officer North Northamptonshire Council    <b>Proper Officer</b> <b>23<sup>rd</sup> April 2024</b>		

\*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 Planning Committee (North) must be received 2 clear working days prior to the meeting at <a href="mailto:democraticservices@northnorthants.gov.uk">democraticservices@northnorthants.gov.uk</a> Each Member of the Public has a maximum of 3 minutes to address the committee.	12 Noon Tuesday 30 <sup>th</sup> April 2024
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 30 <sup>th</sup> April 2024

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

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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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## Minutes of a meeting of the Planning Committee (North)

At 7.00 pm on Wednesday 3rd April, 2024 in the  
Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

### Present:-

#### Members

Councillor Wendy Brackenbury (Chair)	Councillor Jean Addison
Councillor Charlie Best	Councillor Paul Marks
Councillor Robin Carter	Councillor Geoff Shacklock
Councillor Alison Dalziel	Councillor Keli Watts
Councillor Mark Dearing	Councillor Ross Armour
Councillor Cediwen Brown	

#### Officers

Fernando Barber-Martinez	Development Services
Jasbir Sandhu	Development Services
Sara Fayaz	Legal Services
Callum Galluzzo	Democratic Services

### 75 **Apologies for non-attendance**

Apologies for non-attendance were received from Councillors Simon Rielly, David Sims and Ian Jelley.

It was noted that Councillors Ross Armour and Jean Addison were present as substitutes.

### 76 **Minutes of the meeting held on 6th March 2024**

**RESOLVED** that the minutes of the meeting of the Planning Committee (North) held on 6<sup>th</sup> March 2024 be approved as a correct record.

### 77 **Members' Declarations of Interests**

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

No declarations were made.

### 78 **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.

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:-.

**79 NC/23/000495/COU 74 - High Street, Gretton**

Members received a report which sought the a temporary change of use of the listed barn (Buckworth Barn) from an office use (B1 now Class E) to a residential (C3) at 74 High Street, Gretton, near Corby, NN17 3DF for Mr T Forsey. 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.

Requests to address the meeting had been received from the applicant Mr T Forsey and Councillor Jacki Lilley on behalf of Gretton Parish Council

Terry Forsey attended the meeting and addressed the committee as the applicant to the proposed development. The applicant explained to the committee regarding the circumstances behind the need for the temporary change of use as well as detailing previously rescinded support from the Parish Council. The applicant also stated that the proposed development would also reduce parking constraints on the high street due to the change of use.

Councillor Jacki Lilley attended the meeting and addressed the committee as a representative of Gretton Parish Council. Councillor Lilley made reference to the objection from the Parish Council in order to preserve the integrity of the neighbourhood plan and made reference with regards to the insufficient marketing evaluation as part of the plan.

For the purposes of debate and in accordance with the Council's Constitution Rules 19.2 and 19.21 Councillor Wendy Brackenbury moved the recommendation to approve the application and it was seconded by Councillor Robin Carter.

It was then subsequently proposed by Councillor Marks and seconded by Councillor Best that the temporary approval be removed from the condition in order to give full planning permission for the proposed change of use due to the personal circumstances explained as part of the application.

(Members then voted on the amendment to approve the application with dull planning permission)

(Voting: For 3, Against 9, Abstention 1)

The motion therefore fell.

It was then subsequently proposed by Councillor Carter and seconded by Councillor Watts that the application be approved subject to an amendment to condition 1 as follows:

- 1. The temporary C3 (dwellinghouse) use of Buckworth Barn hereby permitted shall be discontinued on or before 31<sup>st</sup> December 2027.*

(Members voted on the amendment to approve the application)

(Voting: For 9, Against 1)

The application was therefore  
**APPROVED**

**80 Exempt Items**

None

**81 Close of Meeting**

The meeting closed at 7.41 pm

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Chair

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Date

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## North Northamptonshire Planning Committee (North) 1<sup>st</sup> May 2024

<b>Application Reference</b>	<b>NC/23/00474/DPA</b>
<b>Case Officer</b>	<b>Vicki Burdett</b>
<b>Location</b>	<b>41 Bamburg Close, Corby, NN18 9PA</b>
<b>Development</b>	<b>Change of use from a residential dwelling (Class C3) to a children's care home (Use Class C2).</b>
<b>Applicant</b>	<b>Miss Jessica Bare</b>
<b>Agent</b>	<b>N/A</b>
<b>Ward</b>	<b>Oakley Ward</b>
<b>Original Expiry Date</b>	<b>07.02.2024</b>
<b>Agreed Extension of Time</b>	<b>06.05.2024</b>

### List of Appendices

Appendix A – Site Plan

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation as the proposal has received a minimum of five written objections contrary to the officers proposed decision and the Chair and Vice Chair of the Committee, with the advice of a senior planning officer, agree that the objections received contain a substantive material planning consideration determination of which cannot be resolved outside of a committee resolution.

### **1. Recommendation**

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

## **2. The Proposal**

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- 2.1 Planning permission is sought for the change of use from a residential dwelling (Class C3) to a children's care home (Use Class C2).
- 2.2 No changes are proposed to the existing footprint or height of the building. The proposed change of use would result in the care of two children between the ages of 10 and 18 with a primary diagnosis of Learning Disability.
- 2.3 It is proposed to convert the existing 3-bedroom link detached home, to a 2-bed children's care home, incorporating two main bedrooms at first floor level, an office for the caring staff and bathroom. At ground floor level the existing living area and kitchen would remain, with the existing garage proposed to be used as an office/staff area.
- 2.4 In terms of its use, the home will be used for its natural housing purpose of a three-bed house for the accommodation of two children who will be supported and cared for by a maximum of three residential support workers on a day shift and two-night staff (one working staff and a sleep-in staff). The home will have oversight of an on-call manager providing advice and support where needed.

## **3. Site Description**

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- 3.1 The application site is situated at No. 41 Bamburg Close in Corby. Bamburg Close comprises of a residential cul-de-sac, accessed from Copenhagen Road. The application site is located within a built-up area.
- 3.2 The existing dwelling benefits from 3 bedrooms, an attached garage, rear garden area and small front driveway.

## **4. Relevant Planning History**

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- 4.1 None relevant.

## **5. Consultation Responses**

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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  
6 letters have been received in objection. The issues raised are summarised below:
- Objection:
- Parking problems.
  - De-valuation of neighbouring properties.
  - 41 Bamburg Close is link-detached, not detached.

- Garage is connected to neighbouring house which will cause noise problems.
- Loss of privacy into neighbouring garden.
- Do not know how long the children will be living in the home for and staff turnover could be high.
- Security issues.
- Problems at other permitted children's homes
- Anti-social behaviour.
- Area is not right for a children's home.

[OFFICER NOTE: It is advised that matters such as the potential de-valuation of properties in the area is not a material planning consideration].

### 5.3 Local Highway Authority (LHA)

The site is accessed via a private drive/road which is not under the jurisdiction of the council.

The LPA should take a view on the sharing of private accesses between residential and commercial uses which and does lead to neighbour disputes.

2. The Parking Beat survey evidences availability of parking in the 200m zone as a whole.

#### Northants Environmental Health

No objections.

#### NNC Waste

No comments to make.

## **6. Relevant Planning Policies and Considerations**

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### 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)

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

Policy 1 – Presumption in Favour of Sustainable Development

Policy 8 – North Northamptonshire Place Making Principles

#### Part 2 Local Plan for Corby (adopted 2021)

Policy 17 – Settlement Boundaries

## **7. Evaluation**

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The key issues for consideration are:

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

## **7.1 Principle of Development**

7.1.1 The proposed development would not include any external changes to the dwelling. The application site is located within an established residential area in Corby whereby the use of the property as a children's home would not be unacceptable in principle, subject to complying with all other relevant Development Plan Policies.

## **7.2 Design/Impact on the Character of the Area**

7.2.1 Policy 8 of the NNJCS states that development should respect and enhance local character by ensuring that it responds to its topography, wider context and the landscape setting.

7.2.2 Consistent with Policy 8 of the NNJCS and the design-led approach advocated by the NPPF, the suitability of a development must be measured in part on its overall quality and function to ensure development is appropriately located and has regard to both the subject dwelling and the surrounding area.

7.2.3 The application involves the change of use of the existing dwelling into a children's care home, for two children. No external alterations are proposed.

7.2.4 The level of activity arising from the proposed children's home is considered to be similar to that of a standard dwelling and therefore the proposed development will be compatible with the residential character of the surrounding area.

7.2.5 Concerns have been raised by residents regarding the application site not being the right area for a children's home. The application site is located within a built-up residential area and therefore in planning terms, no objections are raised regarding the use of the dwelling for C2 purposes. In choosing the site for the proposed use, other legislation will have been used to assess whether the site is suitable for use as a children's home whereby other authorities, such as OFSTED, will be responsible for ensuring the site remains suitable.

7.2.6 It is considered that this proposal would have no adverse effect upon the character of the surrounding area or the visual amenity of the street scene.

7.2.7 The proposal is therefore in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy (2016), Policy 17 of the Part 2 Local Plan, the NPPF (2023), NPPG and National Design Guide. (2019)

## **7.3 Impact on Neighbouring Amenity**

7.3.1 Policy 8 of the NNJCS demonstrates the necessity of protecting amenity by development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties, or the wider area.

- 7.3.2 Paragraph 131 of the NPPF emphasises high-quality design and a good standard of amenity for improving the character and quality of an area and the way it functions.
- 7.3.3 The proposal involves a change of use from a dwelling to a children's residential home. It is therefore key to assess whether this change of use would create an intensification of use that would be detrimental to the amenities of neighbouring properties.
- 7.3.4 The proposed change of use does not involve any material changes to the property, other than internal changes which do not require planning permission. As such, the proposal by virtue of its lack of external changes would not lead to overlooking, loss of privacy or overdevelopment of the site. Concerns have been raised by residents regarding potential overlooking, however there would be no material changes between the existing dwelling, and the use proposed.
- 7.3.5 The existing dwelling is proposed to be occupied by two children, with a maximum of three carers at one time for a day shift, and two staff members at nighttime. Daily, the home will have in total two children and 2-3 adult carers. The property has 3 bedrooms, therefore 2 children and 2-3 adults would be typical usage of the dwelling and is not considered to over intensify the space. A family with a larger amount of children/adults than this could occupy the property as a standard dwelling and would not be subject to planning enforcement.
- 7.3.6 Based on the information given, it is not considered that the working of the children's residential home will differ significantly from that of the usage of a standard dwelling. It is usual for a dwelling to have multiple deliveries per week, and uncontrolled comings and goings of visitors.
- 7.3.7 Officers consider it necessary to condition the number of children that are allowed to permanently reside overnight to ensure that the change of use does not lead to a detrimental intensification of the dwelling usage and that an acceptable standard of residential amenity is retained for both the occupants of the children's residential home, and its neighbouring properties.
- 7.3.8 Furthermore, concerns have been raised regarding potential noise impacts, anti-social behaviour, security issues, potential staff turnover and limited details on how long the children will be living in the home for. The Council's Environmental Health Officer has been consulted on the application and has raised no noise concerns. When compared with a typical residential dwelling, it cannot be reasonably concluded that a children's care home would result in anti-social behaviour or security issues. The LPA cannot control the occupancy of residential properties, which would be the same with a C2 use. Potential disturbances would be dealt with under separate legislation. The permission is sought is for a permanent change of use, and therefore it is not a material planning consideration as to how long occupants and future occupants can be living in the home for.
- 7.3.9 Based on the assessment above, the proposal is considered to maintain an acceptable standard of amenity for neighbouring properties, as the change of

use would not significantly intensify the usual actions of a standard dwelling and there are no material changes to the scale of the property. As such, the proposal is in accordance with Policy 8 of the NNJCS (2016) and Paragraph 131 of the NPPF (2023).

#### **7.4 Highway Matters**

- 7.4.1 The Highway Authority have been consulted and requested for a parking beat survey to be undertaken to evidence the availability of parking in the surrounding area. The Highway Authority advised that at least a further 2 spaces would be required on street based on the staff rota and the numbers of staff likely to be on site at any one time. A minimum of 1 further parking space to the above should also be considered for visitors/inspectors/medical workers.
- 7.4.2 The current dwelling only has parking provision for 1 car on its driveway.
- 7.4.3 A parking beat survey was undertaken which concludes that there is availability for further car parking within the 200m zone. As such, one parking space could be accommodated on the existing driveway, with 2-3 other vehicles able to park in the immediate area where parking restrictions are not in situ.
- 7.4.4 Whilst it is acknowledged that allocated off-street parking would be ideal, the dwelling as existing does not benefit from a large driveway. Moreover, the intended use of a residential children's home is an essential service that North Northamptonshire currently lacks; therefore, it is not considered reasonable to refuse the application on this basis. The parking beat survey confirms there is ample off-street parking within the area. This is also typical for a standard dwelling and the amount of car's parked near the property would not be controlled if this remained as a dwelling.
- 7.4.5 Taking the above points into consideration, it is considered that the lack of conformity with the Northamptonshire Parking Standards (2016) is justified on balance, and the proposal would not lead to a detrimental impact on highway safety grounds given that the associated movement is not likely to significantly increase compared to the use of a standard dwellinghouse.

#### **7.5 Other Matters**

- 7.6 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.
- 7.7 Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the

owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

- 7.8 Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.
- 7.9 Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder 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 promotion of community safety.

## **8. Conclusion/Planning Balance**

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- 8.1 To conclude, the proposed development on balance is considered to be acceptable, in accordance with all relevant Development Plan Policies.

## **9. Reason for Approval**

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- 9.1 The proposed change of use from a dwelling (C3) to a children's residential home (C2) is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy (2016) and the NPPF (2023), given that the proposal will have a neutral impact by virtue of design and impact on the character of the area. The proposal is considered to maintain an acceptable standard of amenity for neighbouring properties, as the change of use would not significantly intensify the usual actions of a standard dwelling and there are no material changes to the scale of the property. The proposal is in accordance with Para 131 of the NPPF (2023). Moreover, it is considered that the lack of conformity with the Northamptonshire Parking Standards (2016) is justified on balance, given that it is an essential service within North Northamptonshire, and the proposal would not lead to a detrimental impact on highway safety ground given that the associated movement is not likely to significantly increase compared to the use of a standard dwellinghouse.

## **10. Conditions**

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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.

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

- The use hereby permitted shall accommodate a maximum of two 10–18-year-old children living at the property, at any one time.

Reason: In the interests of the amenity of the nearby residential properties and highway safety.

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Appendix A – Site Plan

**41, Bamburg Close, Corby, North Northamptonshire, NN18 9PA**

