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**North
Northamptonshire
Council**

Meeting: Area Planning Committee Thrapston
Date: Monday 19th July, 2021
Time: 7.00 pm
Venue: Council Chamber, Cedar Drive, Thrapston, NN14 4LZ

To members of the Area Planning Committee Thrapston

Councillors Councillor Jennie Bone (Chair), Councillor Gill Mercer (Vice-Chair), de Capell Brooke, K Harrison, B Jenney, Maxwell, Powell, Shacklock and Wilkes

Substitute: Councillor W Brackenbury

Agenda			
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01	Apologies for absence		
02	Members' Declarations of Interest		
Items requiring a decision			
03	Minutes of the meeting held on 8 June 2021		5 - 8
04	Applications for planning permission, listed building consent and appeal information	Carolyn Tait, Planning Development Manager	9 - 142
05	Close of Meeting		
<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 15 July 2021</p>			

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

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Committee Administrator: Charlie Christmas - Democratic Services

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Due to the Covid-19 pandemic seating in the Council Chamber will be limited. If you are intending to attend the meeting as a spectator, please contact the committee administrator

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon 16 July 2021
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon 16 July 2021

Please see the [procedures for speaking at the Planning Committee](#) before registering to speak.

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Members' Declarations of Interest

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

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.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

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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Area Planning Committee (Thrapston)

At 7:00pm on Tuesday 08 June 2021

Held in the Council Chamber at Cedar Drive, Thrapston

Present:

Members

Councillor Jennie Bone (Chair)
Councillor Wendy Brackenbury
Councillor Kirk Harrison
Councillor Geoff Shacklock

Councillor Gill Mercer (Vice Chair)
Councillor Annabel de Capell Brooke
Councillor Dorothy Maxwell
Councillor Lee Wilkes

1. Apologies for Absence

Apologies for absence were received from Councillor Barbara Jenney. Councillor Wendy Brackenbury attended as substitute.

2. Members' Declaration of Interest

Councillors	Application	Nature of Interest	DPI	Other Interest
Kirk Harrison	NE/21/00403/FUL	On Raunds Town Planning Committee		Yes

3. Informal Site Visits

Councillor Maxwell, declared that she had visited 102 Nene View, Irthlingborough (20/01587/FUL).

Councillor Wilkes declared that he had visited Enterprise Centre, Raunds (21/00403/FUL) and 102 Nene View, Irthlingborough (20/01587/FUL).

Councillor Mercer declared that she had visited 102 Nene View, Irthlingborough (20/01587/FUL).

Councillor Bone declared that she had visited 102 Nene View, Irthlingborough (20/01587/FUL), Enterprise Centre, Raunds (21/00403/FUL) and 164 High Street, Irthlingborough (21/00349/FUL).

4. Public Speakers

The following people spoke on the items as indicated:

- 20/01587/FUL – 102 Nene View, Irthlingborough – an objector, Irthlingborough Town Council and the agent for the applicant.

The Committee asked several questions of the speakers for the purposes of clarity.

5. Applications for planning permission, listed building consent and appeal information

The Committee considered the planning application report and representations made by public speakers at the meeting. It was noted that there was additional information on the applications included in the update sheet.

(i) 20/01587/FUL – 102 Nene View, Irthlingborough

The Committee considered an application for the demolition of existing building and erection of 8 dwellings including landscaping, formation of vehicular accesses to highways and highway improvement works.

The Committee noted that the Local Highway Authority had objected to the application and raised the same concerns regarding the width of the road, the increase in the number of vehicles, as well as the inadequate turning heads and poor visibility. Access and turning space for large vehicles, particularly emergency and service vehicles was of great concern. Members noted that the proposed increase in road width of 500mm was minimal, and vehicles would continue to park on the pavement.

The Committee also raised concerns regarding the impact of the development on local heritage sites, namely the church. It was felt that the development would not be in keeping with the existing street scene and would be an intensification of use. Members sought clarification regarding surface water drainage and potential flooding issues.

In response to the issues raised, officers advised that it was felt that the Local Highway Authority had not taken the existing situation into account, and that the proposed road width of 4.8m would be an improvement. The Committee was advised that the site was in flood zone 1, and a drainage strategy could be conditioned if Members felt it necessary. There would also be conditions addressing both landscaping and archaeology.

It was moved and seconded that the application be refused for the following reasons:

- Highway safety – The development would lead to an intensification of use of Nene View which is a sub-standard road, by introducing eight new dwellings. This could lead to difficulty for emergency, delivery and refuse vehicles accessing Nene View. No pedestrian footpath would be provided which would increase the safety risk to pedestrians. In addition there is limited visibility from Church Street to Nene View and the proposed intensification of use of this junction would increase this being a safety concern. The turning heads would not allow for a fire tender to turn around.

- Impact on the character and setting of the Grade 1 listed building, St Peters Church, and the loss of a historic wall, which would cause less than substantial harm.

On being put to the vote the Committee **agreed to refuse** the application, contrary to officer recommendation, for the two reasons specified. The wording of the reasons to be delegated to the Planning Development Manager in consultation with the Chair and Vice Chair.

(ii) Enterprise Centre, Michael Way, Raunds

The Committee considered an application for partial change of the use of Enterprise Centre to allow up to 6,750 sq ft of floor area to be used for flexible Class E/Class F1 (training) use.

During debate on the application the Committee sought clarification regarding parking provision, and whether the proposal would benefit existing users of the Enterprise Centre as well as external parties.

In response to the issues raised, officers advised that there was sufficient parking provision, and the proposal was seeking to support the viability and vitality for the existing users of the Enterprise Centre.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to Grant** the application subject to the conditions detailed in the officer report.

(iii) 164 High Street, Irthlingborough

The Committee considered an application for the conversion of 3-bed dwelling into two 1-bedroom self-contained apartments. All works internal.

The Committee noted that splitting the building into two separate dwellings would not result in an intensification of existing parking issues, and the space within each proposed dwelling was acceptable.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to grant** the application subject to the conditions detailed in the officer report.

6. Exclusion of Press and Public

It was RESOLVED that: -

The public and press be excluded from the meeting during consideration of the following item of business because exempt information, as defined under paragraphs 1 and 7 of Schedule 12A of the Local Government Act 1972, may be disclosed.

7. Article 4 Direction

The Committee considered a report seeking approval for the making of an immediate Article 4 Direction relating to the building as detailed in the officer report.

Officers confirmed that the Article 4 Direction would include everything located within the red line of the plan as shown.

It was moved and seconded that **approval be given** for the making of an immediate Article 4 Direction in respect of the site as detailed in the officer report, which removed the following permitted development right: Development consisting of the demolition of a building as comprised within Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

On being put to the vote, the Committee **resolved to approve** the making of an immediate Article 4 Direction.

Reason: To protect the amenity of the area by allowing the Council to take control of development that would otherwise be permitted.

8. Close of Meeting

The meeting closed at 20.33pm.

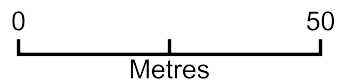
**North Northamptonshire Area Planning Committee
(Thrapston)
Monday 19th July 2021 at 7.00 pm
Council Chamber, Cedar Drive, Thrapston**

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63 Church Street - Site Location Plan



Plan Produced for: Mrs De Capell Brooke

Date Produced: 18 Apr 2021

Plan Reference Number: TQRQM21108130430236

Scale: 1:1250 @ A4

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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00654/FUL
Case Officer	Lloyd Mills, Principal Conservation Officer
Location	63 Church Street, Nassington, Peterborough, Northamptonshire, PE8 6QG
Development	The proposed removal of French doors and side lights, from a rear elevation; moving and widening the opening to install a timber sliding door of similar appearance, style and materiality
Applicant	Annabel De Capell Brooke
Agent	SK Architecture - Mr Joseph Steele
Ward	Oundle
Overall Expiry Date	29.06.2021
Agreed Extension of Time	21.07.2021

List of Appendices

None

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the applicant is a member of the Council.

1. Recommendation

1.1. That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 The application seeks planning permission to replace an existing patio door set on the rear elevation of a listed building. The proposed doors would be of a similar appearance to the existing but would be around 600 mm greater in width.

As part of the works it is also proposed to reposition the doors 850 mm further along the elevation.

3. Site Description

- 3.1 The application site is located within the designated Nassington Conservation Area. The site comprises a one-and-a-half storey dwelling that is constructed of stone under a thatch roof. The building is included on the statutory list at grade II in recognition of its national interest. The building's list description informs that it is of early/mid C17 origin and was extended circa 1800. The building was formerly the "Three Mill Bills" public house.

4. Relevant Planning History

- 4.1 None applicable.

5. Consultation Responses

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

5.1 Nassington Parish Council

No comments received.

5.2 Neighbours / Responses to Publicity

No comments received.

5.3 Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 – Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 8 - North Northamptonshire Place Shaping Principles

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

None applicable.

6.5 Other Relevant Documents

Historic England Advice Note 2 – Making Changes to Heritage Assets (2016)

7. Evaluation

The key issues for consideration are:

- Heritage
- Impact on Neighbouring Amenity

7.1 Heritage

7.1.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.1.2 The development proposed relates to the rear elevation of a single-storey section of the listed building. There is an existing patio door set in this part of the building that provides access to the garden from the kitchen. The doors measure 2816 mm in width and are positioned near to the gable end of the building. The proposals seek to increase the overall width of the door opening to 3400 mm and to reposition the doors around 850 mm from the gable in order to improve the building's appearance.

7.1.3 The development proposed would alter the external appearance of the building by the introduction of larger sections of glazing, however, the impact is marginal, and this is not considered to be an issue. The proposals would also have an impact on historic fabric, but again this would be minimal.

7.1.4 In light of the above it is not considered that the development proposed would cause harm to the significance of the listed building or the character and appearance of the Nassington Conservation Area.

7.2 Impact on Neighbouring Amenity

7.2.1 The proposals would not raise any issues with regard to the amenity of neighbouring properties as the new glazing would not result in any overlooking of nearby properties.

8. Conclusion / Planning Balance

8.1 The proposals would not have any impact on neighbouring amenity and are not considered to cause harm to the significance of the listed building or the character and appearance of the Nassington Conservation Area. The proposals are therefore considered acceptable.

9. Recommendation

9.1 That planning permission be GRANTED subject to conditions.

10. Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly in accordance with the following documents:

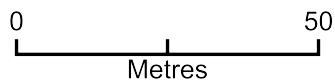
- Application Form received on 19 April 2021;
- Location Plan received on 19 April 2021;
- Site Plan received on 19 April 2021;
- Heritage Statement received on 19 April 2021;
- Drawing no. SKA SR 08 90 01 Rev D01: Plan and Elevations as Existing received on 04 May 2021; and,
- Drawing no. SKA SR 08 90 02 Rev D01: Plan and Elevations as Proposed received on 04 May 2021.

Reason: In order to clarify the terms of this consent and to ensure that the works are carried out as permitted.

11. Informatives

None applicable

63 Church Street - Site Location Plan



Plan Produced for: Mrs De Capell Brooke

Date Produced: 18 Apr 2021

Plan Reference Number: TQRQM21108130430236

Scale: 1:1250 @ A4

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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00655/LBC
Case Officer	Lloyd Mills, Principal Conservation Officer
Location	63 Church Street, Nassington, Peterborough, Northamptonshire, PE8 6QG
Development	The proposed removal of French doors and side lights, from a rear elevation; moving and widening the opening to install a timber sliding door of similar appearance, style and materiality
Applicant	Annabel De Capell Brooke
Agent	SK Architecture - Mr Joseph Steele
Ward	Oundle
Overall Expiry Date	29.06.2021
Agreed Extension of Time	21.07.2021

List of Appendices

None

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the applicant is a member of the Council.

1. Recommendation

1.1. That listed building consent be GRANTED subject to conditions.

2. The Proposal

2.1 The application seeks listed building consent to replace an existing patio door set on the rear elevation of a listed building. The proposed doors would be of a similar appearance to the existing but would be around 600 mm greater in width.

As part of the works it is also proposed to reposition the doors 850 mm further along the elevation.

3. Site Description

- 3.1 The application site is located within the designated Nassington Conservation Area. The site comprises a one-and-a-half storey dwelling that is constructed of stone under a thatch roof. The building is included on the statutory list at grade II in recognition of its national interest. The building's list description informs that it is of early/mid C17 origin and was extended circa 1800. The building was formerly the "Three Mill Bills" public house.

4. Relevant Planning History

- 4.1 None applicable.

5. Consultation Responses

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

5.1 Nassington Parish Council

No comments received.

5.2 Neighbours / Responses to Publicity

No comments received.

5.3 Historic England

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 – Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 8 - North Northamptonshire Place Shaping Principles

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

None applicable.

6.5 Other Relevant Documents

Historic England Advice Note 2 – Making Changes to Heritage Assets (2016)

7. Evaluation

The key issues for consideration are:

- The impact on the listed building
- The impact on the designated conservation area

7.1 Heritage

7.1.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.1.2 The development proposed relates to the rear elevation of a single-storey section of the listed building. There is an existing patio door set in this part of the building that provides access to the garden from the kitchen. The doors measure 2816 mm in width and are positioned near to the gable end of the building. The proposals seek to increase the overall width of the door opening to 3400 mm and to reposition the doors around 850 mm from the gable in order to improve the building's appearance.

7.1.3 The development proposed would alter the external appearance of the building by the introduction of larger sections of glazing, however, the impact is marginal, and this is not considered to be an issue. The proposals would also have an impact on historic fabric, but again this would be minimal.

7.1.4 In light of the above it is not considered that the development proposed would cause harm to the significance of the listed building or the character and appearance of the Nassington Conservation Area.

8. Conclusion / Planning Balance

8.1 The proposals are not considered to cause harm to the significance of the listed building or the character and appearance of the Nassington Conservation Area. They are therefore considered acceptable.

9. Recommendation

9.1 That listed building consent be GRANTED subject to conditions.

10. Conditions

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To ensure compliance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The works hereby permitted shall be carried out strictly in accordance with the following documents:

- Application Form received on 19 April 2021;
- Location Plan received on 19 April 2021;
- Site Plan received on 19 April 2021;
- Heritage Statement received on 19 April 2021;
- Drawing no. SKA SR 08 90 01 Rev D01: Plan and Elevations as Existing received on 04 May 2021; and,
- Drawing no. SKA SR 08 90 02 Rev D01: Plan and Elevations as Proposed received on 04 May 2021.

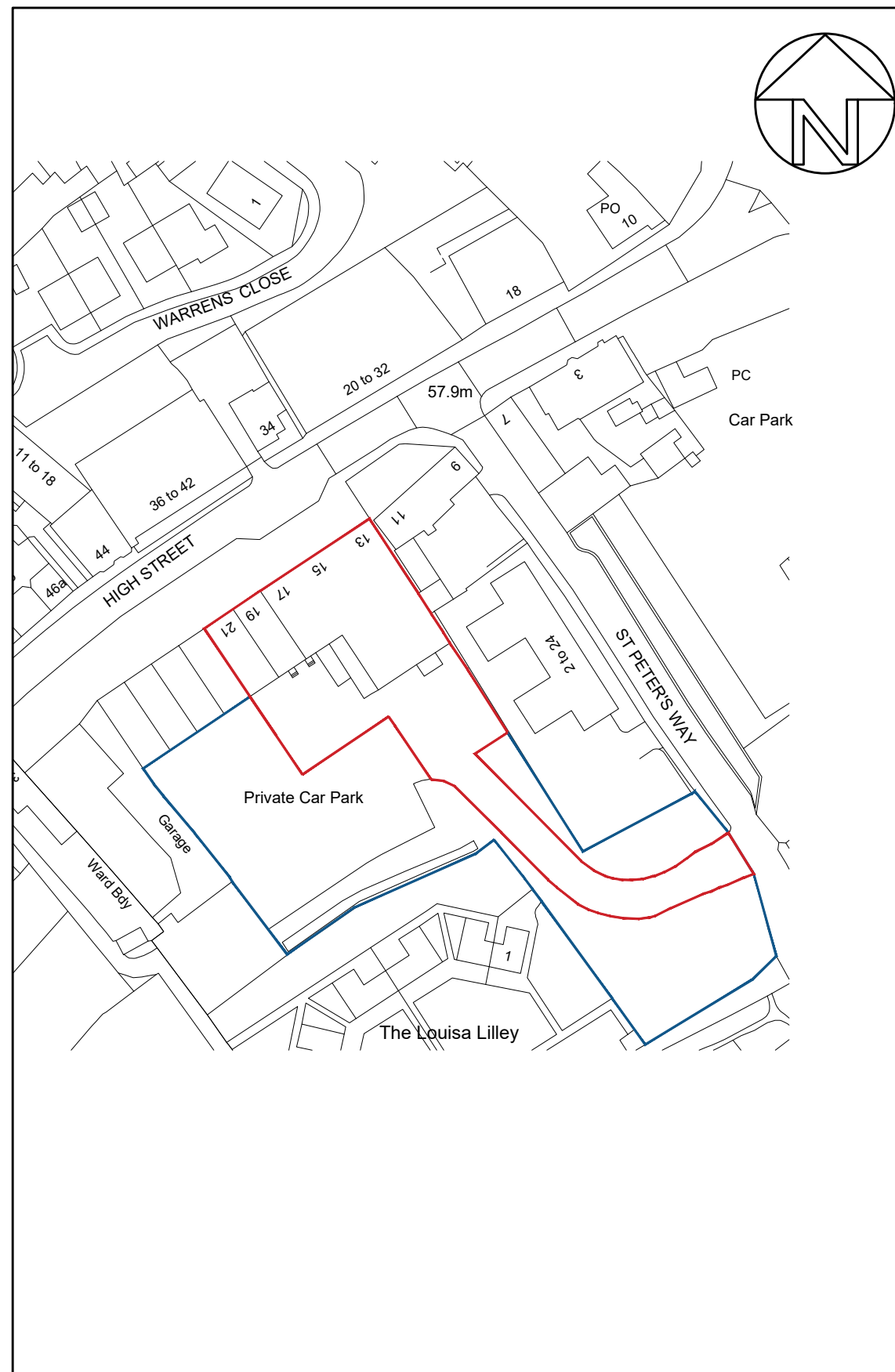
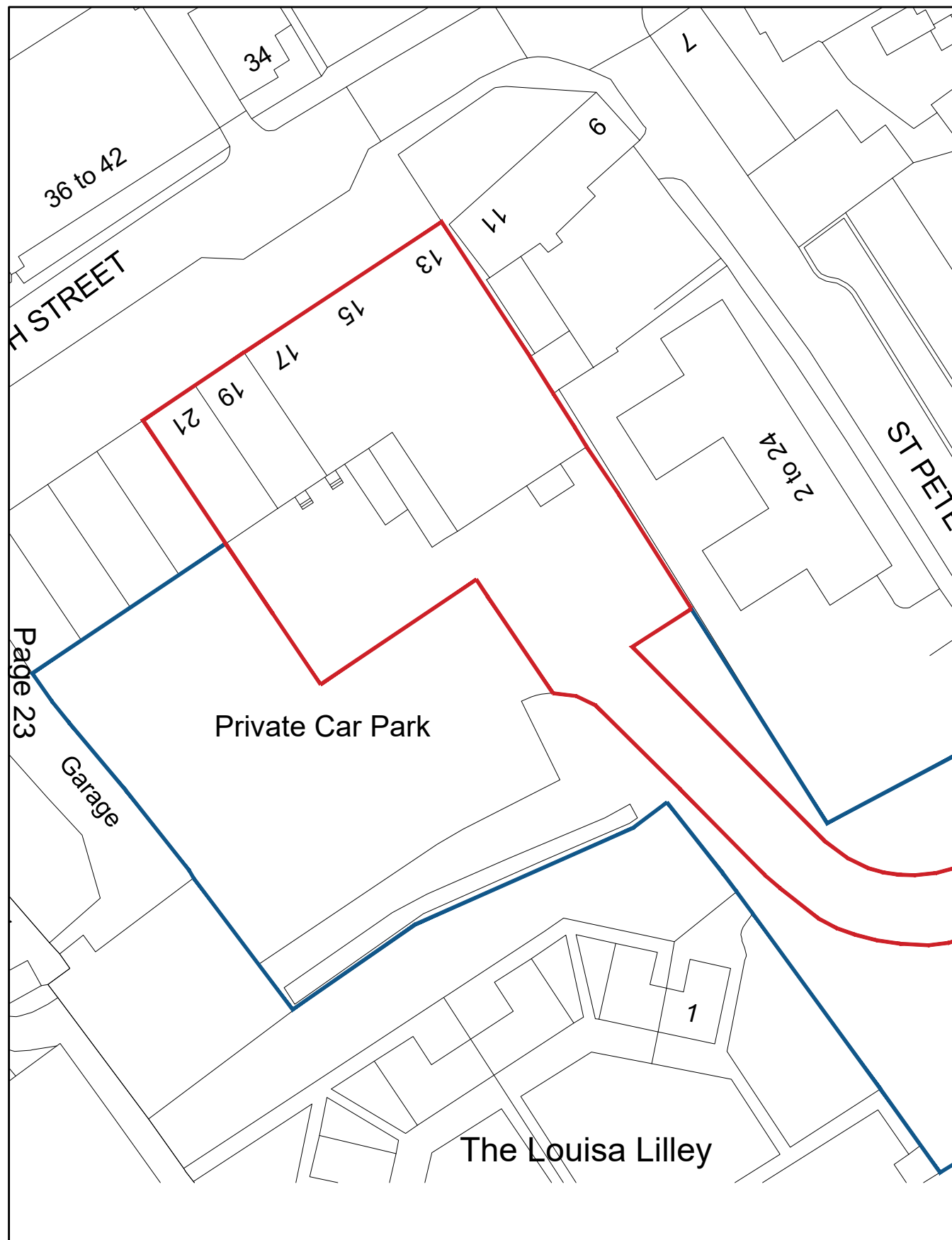
Reason: In order to clarify the terms of this consent and to ensure that the works are carried out as permitted.

11. Informatives

None applicable

SITE BLOCK PLAN & LOCATION PLAN

HIGH STREET, IRTHLINGBOROUGH, NN9 5TE



Notes
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Revision:	Description:	Date:

KEY

- Application Site
- Land Owned by Applicant

Drawing Status:
PLANNING



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Client:
 Resham PLC

Project Title:
 Proposal of 8 Apartments
 above Retail Buildings on the
 High Street, Irthlingborough

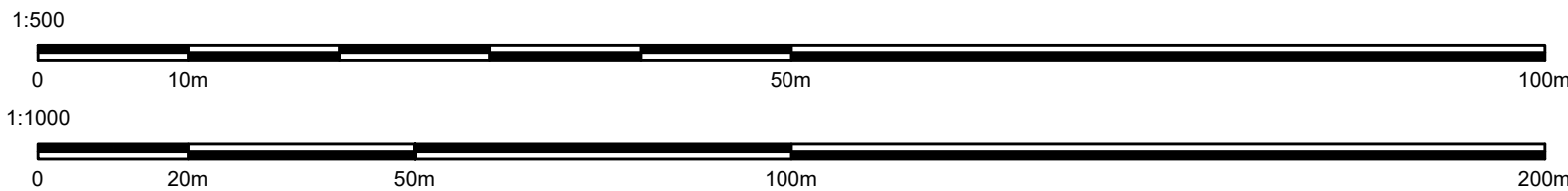
Drawing Title:
 Site Block Plan & Location Plan

Scale:
 1:500 & 1:1000 @ A3
 Date:
 November 2020

Job No:
 789
 Drawing No:
 10
 Rev:
 -

Site Block Plan 1:500

Site Location Plan 1:1000



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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00421/FUL
Case Officer	Patrick Reid
Location	13 - 19 High Street, Irthlingborough, Northamptonshire
Development	Demolition of existing first floor ancillary retail area and erection of two floors containing 8 residential units with associated car and cycle parking and refuse store
Applicant	Resham PLC
Agent	N/A
Ward	Irthlingborough
Overall Expiry Date	26 May 2021
Agreed Extension of Time	No extension of time agreed.

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Town Council has objected to the proposed development.

1. Recommendation

1.1 That planning permission is GRANTED subject to conditions.

2. The Proposal

2.1 The application seeks planning permission for works to extend and alter a retail building to create a total of eight residential units. The ground floor would remain in retail use and would not incur a change of use. The first and second floors would be developed to be in residential use.

- 2.2 The extension to the building to create a second floor would be around 2.4m in height above the existing flat roof. The second floor would have a similar depth as the first floor albeit set in a slight amount at the front and back. The second floor would have a flat roof and would contain ten front facing identical tall windows. The first-floor windows would be altered to include ten windows to match those at the second floor.
- 2.3 At the rear of the building there would be a similar set of windows with the first and second floors matching. A row of eleven windows at both levels would face the rear. At ground floor, there would be little change at the front elevation except for the addition of a doorway and window. The existing retail windows would remain. At the rear, there would be fenestration and door changes. There would be four pedestrian doors as well as four windows as part of a reconfiguration of the ground floor rear elevation.
- 2.4 Vehicular access would be taken to the south-east of the building off St Peter's Way. The access would lead into the car park and the plans show a total of eight parking spaces for the residential part of the development, with one space per flat. The plans show five spaces along the eastern side of the car park and three more centrally.
- 2.5 Internally, a total of eight two-bedroom flats would be created with four each at first and second floor levels. Access would be taken from a new entrance door on the High Street, leading up the stairs. There would also be a gym/storage area at both the first and second floor levels available for residents. The second floor flats would be accessible via an internal stairway leading up from the first floor. The layout of the flats at first floor would be near identical to those at first floor. An entrance door to the rear car park would also provided access to both levels of residential accommodation.
- 2.6 All of the flats would have two bedrooms and an open plan living/kitchen area. There is some variation in the floorspace in the flats ranging from 62 sqm to 76 sqm.

3. Site Description

- 3.1 The site comprises a building located off the High Street in the centre of Irthlingborough. At the ground floor is a retail unit which has been unoccupied for several years. At first floor there is storage space associated with the unoccupied retail unit. The building has two storeys and it has a flat roof. The ground floor has a retail frontage with large windows and associated signage above. The retail frontage has shutters due to the unoccupied nature of the property. The first floor has a number of windows in a mainly brick façade, although there is some boarding around some of the windows.
- 3.2 The building is set within an area characterised by a mixture of uses. On the High Street are various retail and commercial uses. To the rear, and off St Peter's Way, are residential properties of different types.
- 3.3 To the rear of the building is a car park accessed via St Peter's Way. The car park is informally laid out and is privately owned. The rear area serves the commercial units fronting the High Street including the unoccupied retail unit, subject of this application.

- 3.4 The site is located in the Irthlingborough Conservation Area and is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area. Additionally, to the south-east of the site is the nearby St Peter's Church which is Grade I listed.

4. Relevant Planning History

- 4.1 19/01077/FUL - Proposed Extension & Conversion of Retail to Residential (6 No Flats) (13 - 19 High Street) including access, parking & amenity space – REFUSED (12.06.2019) Subsequent APPEAL DISMISSED (07.05.2020)
- 4.2 15/00722/VAR - Variation of condition 7 and 8 pursuant to planning permission 12/00698/FUL Proposed extension and conversion of existing first floor storage areas into five flats. PERMITTED (29.05.2015)
- 4.3 15/01953/FUL - Proposed first floor extension and conversion to create two, two-bedroom flats. PERMITTED (15.12.2015) (19-21 High Street)
- 4.4 12/00698/FUL - Proposed extension and conversion of existing first floor storage areas into five flats (three one-bedroom flats and two two-bedroom flats). PERMITTED (28.10.1997)

Adjacent car park:

- 4.5 20/00997/FUL - Erection of block of 8 flats with associated vehicular access, parking and landscaping – SUBJECT OF ONGOING APPEAL
- 4.6 16/02285/FUL - Proposed residential development of 9 dwellings adjacent to St Peters Way. REFUSED 30.06.2017. APPEAL DISMISSED (12.12.2017) (adjacent land)

5. Consultation Responses

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

5.1 Irthlingborough Town Council

Comments received 30.04.21: Objection on the following grounds:

- Contrary to pre-submission draft Local Plan Part 2 (February 2021), Policy EN39, relating to the former Select and Save Site;
- Contrary to the emerging Irthlingborough Neighbourhood Plan relating to the redevelopment of the site;
- Detrimental impact due to increased use of junction onto St Peter's Way when considered with two applications subject of ongoing appeal
- Conflict with Policy 8 of the North Northants JCS due to unattractive design
- Lack of green space for residents
- Detrimental impact on the Irthlingborough Conservation Area due to over-intensification of the site

5.2 Natural England

Comments received 06.04.21: The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified. (Officer comment: the relevant mitigation amount has been received)

5.3 Local Highway Authority (LHA)

Comments received 20.04.21: Following observations:

- Intensification of movements at junction where St Peter's Way meets the High Street which is narrow and lacking suitable footway and vehicular visibility;
- Objection for shared commercial and residential access;
- The parking provision is below that set out in the NCC Parking Standards document.

5.4 Environmental Protection Officer

Comments received 14.04.21: initial clarification sought on points relating to distance to the windows, acoustic fencing and drawings.

Subsequent comments received 08.0.21 (following receipt of additional information): No objection subject to conditions be added to (three conditions listed relating to acoustic glazing, no burning and construction times).

5.5 Waste Manager

Comments received 07.04.21: request for swept path analysis of refuse vehicle (Officer comment: subsequently identified to be in the Transport Assessment)

Subsequent comments received 18.06.21: The swept path does not show the full manoeuvre that would be required on site. Our RCV would drive into the site forwards then need to turn around, to the left, in order to reverse back to the waste compound and would then drive out.

5.6 Neighbours / Responses to Publicity

Three representations have been received, of which two are in objection and one makes general comments. The points raised are summarised as follows:

- Impact on privacy of nearby properties;
- Impact on daylight reaching nearby properties;
- Impact on junction between High Street and St Peter's Way;
- Other options should be explored for the commercial units;
- Intensification of inadequate access;
- Preference for the site to be developed as part of a wider town centre redevelopment
- Impact on Conservation Area and non-designated heritage assets of the alms houses;

- Intensification of use of access when considered with developments subject of ongoing appeal;
- Conflict with emerging Local Plan policy;
- Impact on the setting of Labumum Cottage, Blacksmith Cottage, 3/3a and 7 High Street;
- Overlooking of nearby gardens.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 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 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 12 - Town Centres and Town Centre Uses
 Policy 22 - Delivering Economic Prosperity
 Policy 28 - Housing Requirements and Strategic Opportunities
 Policy 29 - Distribution of New homes
 Policy 30 - Housing Mix and Tenure

6.4 Local Plan – Emerging East Northamptonshire Local Plan (LPP2) (2021)

IR1-A - Provision for Housing in Irthlingborough

6.5 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)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Highway Safety and Parking
- Environmental Matters
- Ecology
- Waste Storage and Collection
- Residential Amenity
- Other Matters

7.1 Principle of Development

7.1.1 The site is located within the centre of Irthlingborough and the nature of the development is the creation of new residential units at first and second floor level. Irthlingborough is classified as a 'Market Town' in the Joint Core Strategy (JCS). Policy 11, (b) sets out that the Market Towns 'will provide a strong service role for their local communities' with growth in homes and jobs at a scale appropriate to the character and infrastructure of the town.

7.1.2 The area's plan for housing provision is set out in policies, including Policy 28 which sets out that across the plan period there were requirements for East Northants to provide 8,400 dwellings. Policy 29 sets a broad basis for the distribution of new homes to be developed. New housing will have a strong focus on the 'Growth Towns' followed by the 'Market Towns'. Table 5, associated with Policy 29 sets out that Irthlingborough is to provide 1,350 dwellings across the plan period, as part of the then district wide need to provide 8,400 dwellings.

7.1.3 For the reasons set out above, residential development in the town is acceptable in principle. The proposal also relates to the loss of storage space associated with the retail unit at ground floor. Policy 12 of the JCS seeks to ensure that the area's town centres are supported by development contributing to their vitality and viability.

7.1.4 As the shop has been vacant for many years there is reason to indicate it is not viable or attractive in its current form. The change of use of the first floor to residential is considered to be compliant in relation to Policy 12 which states that the vitality and viability in North Northamptonshire will be supported by supporting the provision of additional residential uses on appropriate sites including the re-use of vacant space above shops. The space above the shop is vacant. The loss of the space is not considered to impact on the potential future use of the ground floor retail unit.

Emerging Local Plan Part Irthlingborough Neighbourhood Plan

7.1.5 There is no made Neighbourhood Plan for Irthlingborough. The first stage occurred in December 2014 when an area was designated, but there is no draft or submitted version of a plan. There has been no examination of a plan and given the limited progress, no weight can be attributed to such.

- 7.1.6 In March 2021, East Northamptonshire Council submitted a Local Plan Part 2 for Examination. The plan and its policies are yet to be examined and will therefore be subject to this stage and subsequent local consideration before it can be adopted. As such, some weight can be attributed to its contents.
- 7.1.7 Draft Policy EN39 relates specifically to the site subject of this application and it seeks to identify it for redevelopment. It includes a number of criteria that a proposal should deliver. In respect of the ground floor, given that the proposal does not affect the use from retail, the suggestion for town centre uses would appear to be satisfied. Part (f) indicates a preference for 'live-work units at first floor level or above'. It is unclear how feasible it was envisaged this would be and whether there has been any market interest in such development. Evidently the proposal is solely for residential units above retail, which is unlikely to be considered 'live-work'. It is considered however that the policy is worded aspirationally and does not preclude residential development.
- 7.1.8 Part (c) expresses a preference for the deliverance of a pedestrian connection between the high Street and St Peter's Way through the site. This would require pedestrian access through the building, car park and access. It is not clear how such arrangement would be possible or desirable, and how such would assimilate with the intended residential and retail development of the building. As such it is not considered a reason to resist the proposal.
- 7.1.9 In respect of the other aims, the proposal would deliver an enhancement to the High Street frontage and the heritage impact is considered later in this assessment. Additionally, parking and servicing arrangements are considered later in this report.

7.2 Heritage, Design, Layout and Impact on the Character and Appearance of the Area

- 7.2.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.
- 7.2.2 The site is located within the Irthlingborough Conservation Area and as such Policy 2 of the JCS is relevant. The Policy requires that the historic environment be preserved and where appropriate enhanced. The site is also in proximity to a Grade I listed St Peter's Church to the south-east.
- 7.2.3 A starting point for considering the character impact on the area and specifically the Conservation Area (CA) is the appeal decision that related to the same building, issued in May 2020, that related to the development of six flats at first floor level. That scheme did not include an addition of a second floor and is evidently different in this respect, but for the purposes of assessing the contribution of the existing building, the Inspector's comments are insightful. At paragraph 10 the Inspector describes the front of the building as having some 'disrepair' and that the rear has a 'functional, somewhat bland appearance'. The Inspector concluded 'the appeal building does not currently make a positive contribution to the ICA'.

- 7.2.4 It is considered a reasonable position to take that the existing building is a negative feature in the High Street and Conservation Area, not only because of its unoccupied nature and state of disrepair, but also because of the form and design of the building. The comments of the Inspector previously affirm this position.
- 7.2.5 The proposal to add a second floor to the building is considered in terms of the scale and massing of the context of the buildings nearby and how the resultant building would sit within it. In the near vicinity, on the northern side of the High Street is a three-storey building with a pitched roof, slightly to the east of the host building. It houses retail units at ground floor with what appear to be residential units above. To the immediate east there are traditional stone two-storey buildings which were likely constructed as residential units. The building opposite containing a supermarket at ground floor is of a similar height to the existing building and also has a flat roof. Beside it, to the west, is a traditional three-storey building with a pitched roof. Beyond the row of flat roof units on the southern side, the buildings to the west are more varied and range from single to three-storey buildings.
- 7.2.6 The building would be clearly visible from both directions of the High Street and the addition of a floor would be a prominent feature in a town centre area. The additional massing is relatively limited due to the utilisation of a flat roof and the small set back from the front. It is considered that the building would not appear unusually tall in the street scene and it would not dominate the nearby buildings. In terms of massing and height, the proposal is considered to be sympathetic to the area including the CA.
- 7.2.7 The second floor is designed to provide a visual distinction from the first floor through the use of a contrasting material, although it is not specified. The visual imagery provided shows a dark material, potentially a form of cladding, that is visually different from the rendered first floor. The resultant appearance of the frontage of the building is considered to be an improvement through the addition of architectural interest in the building. The introduction of improved windows would be a further benefit. It is also necessary to note the benefit of increased activity of the building which it has evidently been lacking for several years. The potential occupation of the first and second floor would add vitality to the building as well as put more people in the town centre who will utilise existing businesses.
- 7.2.8 From the rear of the building the alterations are also considered to be a benefit to the character of the area. The same second floor style being continued would enhance a part of the building which is currently somewhat poor aesthetically. The addition of vitality and activity in the area would also be beneficial from a character standpoint, particularly through the increase in windows overlooking the car park. The alterations at first and ground floor level of the rear façade are also considered improvements, modernising the building which is in need of updating.
- 7.2.9 In considering the visual impact of the development the scheme is considered to provide an improvement through sensitive and sympathetic changes to the building that are respectful of the Conservation Area status of the site.

7.2.10 The proposal to alter the rear part of the retail unit through the addition of a green roof is considered a positive change. The existing appearance is functional and aesthetically poor, and the improvement of this part would create an interesting contrast with the residential part of the building. The addition of a cycle store is also considered to be a positive.

7.2.11 The Town Council has raised concern that the proposal would harm the setting of the Grade I listed St Peter's Church. In terms of views of the church from the High Street, it is not considered that the development would materially affect these. Additionally, as the proposal is considered an enhancement of the building, there is considered to be no harm on the setting of the church.

Visual Impact Considerations in Light of Nearby Undetermined Development Proposals

7.2.12 There are two development proposals near to the application site that are subject of ongoing appeals with the Planning Inspectorate. A proposal for a block of eight flats located within the car park to the rear of the retail units is one and the other is a proposal for a block of six flats on land beside the access off St Peter's Way. Given that both appeals are undetermined, there is a possibility that planning permission will be granted for one or both of the proposals. As such and given that both schemes would share the access off St Peter's Way, intended to serve this proposal, regard is given to potential implications of the developments occurring.

7.2.13 The nearer of the two proposals is of the eight-flat proposal in the car park, which is shown to have a modern design and sit centrally within the space. In visual terms, there would be a space between the two developments and there is not considered to be a conflict in the two designs. In terms of cumulative visual impact, it is not considered that there would be harm brought by the developments if the development in the car park were to proceed.

7.2.14 The proposed development beside the access point on St Peter's Way is a significant distance away and the visual relationship between the two developments would be limited. Should it proceed, it is not considered that it would represent a reason to resist the proposal based on visual grounds.

7.3 Highway Safety and Parking

Access

7.3.1 The proposal to use the access off St Peter's Way requires the consideration of several relevant factors. These include the recent appeal decisions from 2017 (ref. 3181795 for a block of nine dwellings on the current car park) and 2020 (six flats above the shops) relating to the site, the nature of the existing use, and material impact of the proposals. The first concern raised by the LHA is the principle of the access being shared by commercial and residential traffic. This, however, is not considered to be sufficient reason to refuse a development as it is not specific about the impacts of the proposal. Additionally, the Inspector did not find the matter in principle to be unacceptable. The Council is also aware of other nearby town centre sites in the area where Inspectors have not found a shared use to be a reason for refusal.

- 7.3.2 The Inspector's Appeal Decision from last year, ref. 3242441 relating to a proposal for six flats, was dismissed solely on the basis of the shortage of financial payment to mitigate the impact on the Special Protection Area which is within 3km of the site. All other matters were deemed to be acceptable and the conclusion within paragraph 30 of the Appeal Decision identifies this as the sole conflict, 'Notwithstanding the acceptable impact of the proposal on the significance of the ICA, this would be outweighed by the harm to designated natural habitat sites, and in particular, the integrity of the UNVGPSPA.' This weighs in favour of residential use of the access and St Peter's Way.
- 7.3.3 The Appeal Decision from 2017 relating to the proposal of nine dwellings on the car park highlighted that the Parking Standards document is not adopted and there is no conflict with adopted policy in this regard. At paragraph 48 the Inspector noted 'I conclude that the appeal proposal incorporates sufficient car parking provision, however, insufficient information has been provided to demonstrate that the proposed access road and the servicing requirements are satisfactory and meet the standards to ensure highway safety.' From these comments it was clear that the concern related to the space to be left for turning particularly for commercial vehicles servicing the retail units. The additional use of St Peter's Way was deemed acceptable.
- 7.3.4 It is noted the LHA have referred to visibility splay requirements, but the comments do not take account of the speed survey and Transport Assessment showing travel speeds of c21/22mph, rather than 30mph. The comments do also not account for the Inspectorate's recent appeal decisions in which the use of St Peter's Way was deemed acceptable.
- 7.3.5 Officers consider Appeal decision 3242441 to be an important a material consideration in relation to access matters. This decision dated 7 May 2020, related to a proposed development of 6 flats above 13-21 High Street (part of the commercial units near the site). The development was to be served by six parking spaces. As identified previously, the Inspector dismissed the appeal solely on the basis of a shortage of a mitigation contribution towards the Nene Valley Gravel Pits Special Protection Area (SPA). All other matters were deemed acceptable, including highway safety. As such, the Inspector found that the addition of residential access to six flats was acceptable in planning terms.
- 7.3.6 The response from the LHA raised concerns that the proposal would be shared with commercial traffic and that this in itself is unacceptable to them. This however has been deemed acceptable by the Inspector in 2020 and in a number of other cases that the LHA has dealt with. It is considered that a justification would need to identify clear harm, rather than solely being on the principle of a shared commercial/residential access. The LHA has not specified what the harm would be in this particular case.
- 7.3.7 The proposed eight two-bedroom flats would be associated with more movements than the six flats which were subject of the appeal decision in 2020. The difference is small, however, and there is no reason to indicate the difference in vehicular movements using the access between the two developments would be harmful. As such, on the basis of the increased use of St Peter's Way and considering the Inspector's decision ref. 3242441, it is considered the proposal is acceptable.

Access Impact Considerations in light of nearby undetermined development proposals

- 7.3.8 The two developments under consideration total fourteen flats, both reliant on the access off St Peter's Way. There is a possibility one, or both, will be permitted and as such it is reasonable to consider the circumstance in terms of cumulative use of the access point.
- 7.3.9 The LHA has not directly addressed this possibility. It is noted, however, that the Council did not object to the proposed scheme, based on additional vehicle movements, in their Statements of Case submitted for each of the appeals. As the addition of those two developments has been acceptable to the LPA in respect of the additional use of St Peter's Way, the proposal needs to be considered in light of cumulative impacts and whether the movements associated with this proposal are acceptable or would cause material harm.
- 7.3.10 The application is supported by a Transport Statement in which the impacts of traffic movements, associated with the development, are assessed. The report is supported by a speed survey undertaken on St Peter's Way, which found that the 85th percentile speeds were in the region of 21-22mph in both directions. This indicated that speeds are less than the speed limit and as such, stopping distances required are less. At paragraph 2.8 of the report it shows that appropriate visibility can be achieved at the access. In this regard, the evidence indicates that additional use of the access point is acceptable.
- 7.3.11 The report goes on to calculate the estimated vehicular movements associated with the flats which totals eighteen per day. This is a small to modest number of movements over a day and adds further weight to considering whether the traffic implications are minimal.
- 7.3.12 The other aspect of the use of the access is the continued use by commercial vehicles for servicing the retail units. The estimation is that there would be one trip per weekday accessing the retail unit. Given that the retail unit exists currently, albeit unoccupied, the development is not considered to be an issue in respect of commercial traffic movements. Due to the small size of the units fronting the High Street, smaller commercial vehicles such as transit vehicles and smaller vans, rather than HGVs are considered to be the primary source of servicing the commercial units.

Parking Provision

- 7.3.13 The LHA has referred to the Parking Standards document which is used as guidance by the LPA, but is not adopted. The standards indicate a requirement of eighteen spaces for the development (sixteen resident, two visitor), based on the number of bedrooms proposed, whereas the proposed spaces total eight (one per flat). In terms of visitor parking, it is noted that there is a public car park to the east, a short distance away. This may be considered to provide a suitable resource for many instances of visitors visiting the residents. The main issue is therefore whether the provision of eight parking spaces is sufficient.

- 7.3.14 The number of spaces proposed for the six-unit scheme, considered under last year's appeal, totalled one space per flat. The mix then was five two-bedroom units and one one-bedroom unit. The Inspector did not dismiss the appeal based on a shortage of spaces, despite the proposal of six spaces rather than the thirteen required using the LHA standards. Additionally, the LPA did not object to the two schemes subject of appeal, based on a shortage of parking and the associated highways impact. Therefore, it is reasonable to conclude that locally, the planning assessment of appropriate parking provision on and near the site has been flexible in finding that one space per two-bedroom flat is acceptable. This is a material consideration.
- 7.3.15 The submitted Transport Statement makes the case that car ownership associated with flats is less than houses, at 0.87 vehicles per household. It also reiterates the importance of location in setting parking need and highlights that the site is in a town centre. The location of the site has been a factor in previous applications, noting its proximity to retail services, bus stops and other services.
- 7.3.16 Whilst the full source of information relating to car ownership and flats is not provided, it is considered that there may be less of an expectation for two spaces associated with two-bedroom flats than a house in a more spacious environment. The units proposed are open market and potential occupants would be aware that the flats would each only have one parking space. This would likely inhibit occupants with two vehicles from choosing the units as it would not meet their needs.
- 7.3.17 On balance, it is considered that the provision of one parking space per flat is considered acceptable in this circumstance. It is considered probable that future occupants would choose to live in the units if they have one car or none, and there is no indication to suggest the parking provision would materially harm the local highway network.

Parking Space Sizes

- 7.3.18 The submitted Transport Statement indicates that the spaces are to measure 2.5m by 5m. The Parking Standards indicate this to be the appropriate size for parking courts whereas it is larger for driveways. Given that the proposal represents parking courts, the dimensions are considered appropriate.

7.4 Environmental Matters

Noise

- 7.4.1 The Council's Environmental Protection team reviewed the submitted acoustic report and has confirmed it has no objections to the proposal subject to the inclusion of conditions, including one relating to acoustic glazing. Whilst the building is located near to a car garage, which undertakes loud works, the separation and acoustic glazing are considered acceptable to ensure future occupants will benefit from acceptable levels of amenity.

7.5 Flood Risk and Drainage

- 7.5.1 As the development would not introduce any new impermeable surface, the development is not considered to cause any drainage issues.

7.6 Ecology

- 7.6.1 The application site is located within 3km of the Nene Valley Gravel Pits Special Protection Area. The associated Supplementary Planning Document (SPD) requires that applications for residential development make appropriate mitigation for the impact of bird populations on this area. The relevant amount has been requested and received, and as such the proposal is acceptable in this respect.
- 7.6.2 The building appears to exhibit no features that would provide obvious habitats or features of ecological significance. There is no reason to indicate the development would affect any protected species, and the proposal is considered acceptable in ecological terms.

7.7 Waste Storage and Collection

- 7.7.1 The proposal includes a refuse storage area near to the parking spaces at the rear of the site. The Council's Waste Manager has commented on the application, indicating a preference for them to be stored nearer St Peter's Way to enable bin workers to collect more easily. Clarification was also sought on the vehicle tracking for a refuse vehicle.
- 7.7.2 Vehicle tracking has been provided within the Transport Statement. The plans provided show space within the car park being used for a refuse vehicle to turn. The plan would appear to leave the space for the potential apartment building, that is subject of an application currently under consideration by the Planning Inspectorate. The Waste Manager has indicated that the full swept path analysis is not complete as it does not show the full manoeuvre. It is not fully clear if a refuse vehicle would be able to turn in the site, if the apartment building subject of the ongoing appeal is to receive permission. It is apparent that there is space in the car park without the apartment block proposed. Evidently however, it is necessary to consider the possibility that a building will be built and turning vehicles will be reliant on the space left available.
- 7.7.3 The development that would affect refuse vehicle turning space is the separate application subject of appeal, not this one. This application must be assessed only on its merits. It must be considered that, if the other development happens to be permitted by the Inspector, then it is likely they will have deemed there would be sufficient space within the remaining car park for a refuse vehicle to turn. Logically therefore, if it is deemed acceptable for that development then the same would apply here. On the alternate circumstance where that development is refused, there would be more than sufficient space and the apartment building in the car park would not be built.
- 7.7.4 In this instance, the Agent has been asked if an updated swept path analysis can be provided. However, for the reasons above and as the development itself would not reduce the amount of turning space available, it is considered that it would be unreasonable to resist the development on this basis. Whether the appeal is allowed or dismissed, the access arrangements will be acceptable. Further detail will be reported on the update sheet.

7.7.5 From the comments received, it is inferred that the bin storage space provided for the flats is sufficient.

7.8 Residential Amenity

Light impact

7.8.1 2 to 24 St Peter's Way

To the south-east of the building is a block of flats housing numbers 2 to 24. A submitted 'shadow impact' plan has been provided which indicates that the proposal would not materially affect this building. Due to the orientation of the two buildings this is logical given the proposal is further north than the neighbouring property.

7.8.2 20 to 44 High Street

Across the High Street are a number of properties in different buildings. The shadow impact plan demonstrates that even at the time of the year where shadowing would be at its greatest during the winter, there would be negligible impact on the amenities of neighbouring properties in terms of light loss.

Privacy

7.8.3 2 to 24 St Peter's Way

The windows of the flats are of an orientation that would not cause a material impact on the privacy of the flats at nos. 2 to 24.

7.8.4 20 to 44 High Street

Few of the units appear to be in residential use. No. 34 appears to be a detached house facing the front of the proposed building which will add the second floor. Whilst there are windows that will be directly opposite, the separation across the High Street is considered to be sufficient to be acceptable in planning terms.

7.8.5 11 High Street

To the east of the building is a two-storey residential property attached to the application building. Whilst the development would be in close proximity, there would be no additional overlooking of the site or material affect to its amenities.

8. Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010). The flats are accessed via stairs only with no lift access. This would likely mean the accommodation would not be accessible to persons requiring wheelchair access or who have other mobility needs requiring a lift.

- 8.2 Health Impact Assessment: Paragraph 91 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. In addition, a contribution is sought towards healthcare services.
- 8.3 Amenity for future occupiers: All of the eight flats exceed the minimum space requirements set in the National Space Standards. All of the habitable rooms are served by windows and would receive natural daylight. In respect of amenity, the accommodation is considered acceptable.
- 8.4 In regard to external amenity space, the units do not have any. A shared gym space on each floor is shown, but they would not have the benefit of gardens. There are however no policies that place gardens or outside space as a necessity, and it is commonplace and acceptable for dwellings to be without such.
- 8.5 Housing mix: Policy 30 of the JCS expresses a preference for developments to include smaller dwellings of 1-3 bedrooms. The development is exclusively 2-bedroom units and therefore contributes to meeting this need and policy required. This weighs in favour of the development.

9. Conclusion / Planning Balance

- 9.1 The proposed development is in accordance with the adopted policies in relation to residential development. It would provide eight residential units in a sustainable location near to services and facilities. The site has been the subject of a recent planning permission for five flats and the proposed scheme is considered a visual improvement to the earlier scheme. The design of the development is considered to be sympathetic to the setting within the Irthlingborough Conservation Area and within the setting of the Grade I listed St Peter's Church.
- 9.2 The site is the subject of a draft policy in the submission version of the Part 2 Local Plan. Whilst there are aspects of the policy that the development would not achieve, namely the provision of live-work units, and a pedestrian access to St Peter's Way, the wording of the policy is considered to be aspirational. More importantly, the policy has not been subject of examination and it is not apparent how feasible these aims are. They are not considered a reasonable basis to resist the development.
- 9.3 The provision of one parking space per flat is less than the LHA would prefer. However, the amount is considered appropriate when taking account of recent appeal decisions in the area, the availability of public parking nearby and the nature of the residential units proposed. The proposal is otherwise considered acceptable in terms of ecology, private amenity impact and access.

10. Recommendation

10.1 That planning permission is GRANTED subject to conditions

11. Conditions / Reasons for Refusal

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Floor Plans and Elevations ref. 01;
Proposed Ground Floor Plan ref. 02;
Proposed Ground Floor Plan ref. 02;
Proposed First Floor Plan ref. 03A;
Proposed Second Floor Plan ref. 04A;
Proposed Elevations ref. 05A;
Proposed Site Plan ref. 06;
Proposed Site Plan & Site Sections ref. 07;
Cycle Store Proposed Floor Plans and Elevations ref. 11.

Reason: To define the terms of the planning permission and to ensure that the development is carried out as permitted.

3. Prior to the development above the slab level, full details of the external materials for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity. Samples of materials and product details must be provided to the Local Planning Authority.

Reason: To safeguard the visual amenity of the area in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016.

4. Prior to the first occupation of the development hereby permitted, a scheme must be submitted to and approved in writing by the Local Planning Authority which details the construction and surfaces of the site access. No dwelling shall be occupied until the access associated with the dwelling has been constructed and surfaced in accordance with the approved scheme.

Reason: in the interest of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

5. The parking spaces hereby approved shall be used solely by the occupants of the flats hereby approved. Each flat shall be allocated one parking space. The parking spaces shall be retained and maintained for the lifetime of the development.

Reason: In the interests of securing adequate parking provision.

- 6.. Acoustic glazing must be fitted to the development, prior to the occupation of the associated dwelling, as detailed in sections 5.2.7 and 5.2.13 of the Acoustic Planning Report, reference 62-04.0421. APR.

Reason: To protect the amenity of any residents of the development.

7. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity.

8. No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Bank Holidays or Public Holidays.

Reason: To ensure the protection of the local amenity throughout construction works

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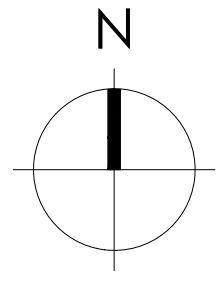


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Page 43
LOCATION PLAN @ 1:1250



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— SITE APPLICATION BOUNDARY



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Rev.	Date	Description
A	2021-04-23	Amended following planning comments

Client: LEE WILKES

Project: 55 BUTTS ROAD - RAUNDS

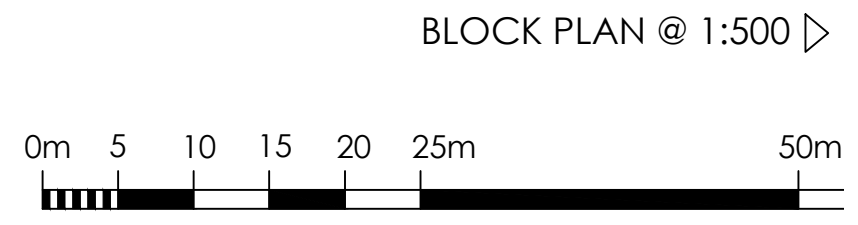
Title: LOCATION/BLOCK PLAN

Scale: 1:1250/500@A3

Date: MARCH 2021

Status: PLANNING

Drawing Reference: 21-15-P-L	Revision: A
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BLOCK PLAN @ 1:500

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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	21/00558/FUL
Case Officer	Peter Baish
Location	55 Butts Road, Raunds, Northamptonshire, NN9 6JG
Development	First-floor extension; loft conversion; internal and external alterations
Applicant	Mr Lee Wilkes
Agent	Mr K Fox (Fox Architectural Design Ltd)
Ward	Raunds
Overall Expiry Date	18 June 2021
Agreed Extension of Time	20 July 2021

List of Appendices

None

Scheme of Delegation

This application is brought before the Committee because the applicant is a Councillor of North Northamptonshire Council.

1. Recommendation

1.1 That Planning permission is GRANTED subject to conditions.

2. The Proposal

2.1 Planning permission is sought for a first-floor extension and a loft conversion with internal and external alterations.

3. Site Description

- 3.1 The application site consists of an existing detached dwelling that has previously been extended with a two-storey side extension and a single-storey rear extension. The property is situated on the southern side of Butts Road with a good level of off-street parking within Raunds. The application site is surrounded in all directions by residential development of a mixture in size, form and appearance. Access for the proposed property would remain as existing.
- 3.2 The building is not listed and the site is not located within a Conservation Area. In terms of flood risk, the site is identified as being located within Flood Zone 1 and at a low risk of flooding.

4. Relevant Planning History

- 4.1 10/01207/FUL – Single storey rear extension – PERMITTED – 20.08.2010
- 4.2 08/00207/FUL - Two storey rear extension and associated works (re-submission) – PERMITTED – 25.03.2008
- 4.3 02/00104/FUL - Two storey side extension – PERMITTED – 12.04.2002

5. Consultation Responses

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

5.1 Raunds Town Council

Members carefully deliberated all material planning considerations and comments received to date and agreed that due to the distance and angle of the property the extension should not impact on neighbouring properties.

Cllr K Harrison abstained from the vote.

- RESOLVED that Raunds Town Council have no objections, subject to appropriate screening or foliage required to ensure that neighbouring properties are not overlooked.

5.2 Neighbours / Responses to Publicity

Five representations were received in response to the application, raising the following material considerations:

- As the applicant and the rest of the Planning Committee will have an interest in this application, they will need to declare this abstain from voting;
- The property would become unnecessarily large;
- The property would overlook neighbours and invade privacy;
- The proposal would be out of proportion with the immediate area and be an eyesore;
- Adjacent properties have experienced extreme flooding in past;
- Side windows will impact on neighbouring privacy; and

- Effect on light levels of neighbours

5.3 Local Highway Authority

The LHA confirms no observations as the land under the ownership of the applicant has sufficient space required to park 3 vehicles for a dwelling with 4+ bedrooms.

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 and Guidance

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

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

Policy 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

Policy 11 – The Network of Urban and Rural Areas

6.4 East Northamptonshire Local Plan Part 2: Submission Plan March 2021 (2011 – 2031)

Policy EN1 – Spatial Development Strategy

Policy EN2 – Settlement Boundary Criteria – Urban Areas

Policy EN13 – Design of Buildings/Extensions

6.5 Raunds Neighbourhood Plan 2011 – 2031 (2017)

Policy R2 – Promoting Good Design

Policy R3 – Flexibility and Adaptability in New Housing Design

6.6 Other Documents

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

Northamptonshire County Council – Local Highway Authority Parking Standards

Joint Planning Unit – Design Supplementary Planning Document (March 2009)

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

Biodiversity Supplementary Planning Document (February 2016)

7. Evaluation

The key issues for consideration are:

- Design and visual impact
- Impact on neighbouring amenity
- The effect on highway safety and parking
- Other issues

7.2 Design and Visual Impact

- 7.2.1 The site is located within the built-up area of Raunds and comprises a 4 bedroom dwelling that is constructed of brick and render under a red plain tile roof. The site is surrounded by existing residential development in all directions with properties on Butts Road to the north, east and west and properties on Derling Drive to the south.
- 7.2.2 In terms of the site itself, the appearance of the dwelling would not significantly alter from the street scene (Butts Road) as other than the inclusion of a small bay window to the first floor bedroom and minor alterations to the front door, the main bulk of the development is confined to the rear of the property. It is noted that due to a previous two storey side extension the property is close to both of the neighbouring boundaries, however this is not seen as a constraint as the building occupies a substantial plot for a detached property with a large frontage and a large rear garden that stretches some 40 metres to the rear boundary. The scale of development is therefore acceptable in this context as long as it does not impact upon neighbouring residential amenity.
- 7.2.3 Paragraph 127 of the NPPF, Policy 8 of the North Northamptonshire Joint Core Strategy and Policy R2 of the Raunds Neighbourhood Plan expect developments to be designed sympathetically and in keeping in their surroundings, in terms of the detailed design, landscaping and the resultant curtilage size.
- 7.2.4 In terms of appearance, the proposal would sit on top of the existing single storey rear extension that was approved in 2010. The first-floor extension would extend approximately 4.4 metres and essentially sit on top of the existing single storey extension, bringing it in line with the single storey extension below. Above the first-floor extension the roof line would be extended and converted to allow for a master en-suite bedroom and dressing room within the loft space. It is noted that the extension would be a large addition, however it would be contained to the rear of the property, built on top of an existing building footprint and have no impact on the street scene. The extension would be built of matching materials and in this sense will conform with the appearance of the dwelling. In regard to boundary treatment and landscaping, there would be no significant change.

7.2.5 The proposal is considered to be acceptable and would not have a detrimental impact upon the existing street scene by virtue of the fact that the minor works to the front of the dwelling are in keeping and the main extension is to the rear of the site, largely restricted from public view. Accordingly the proposal is deemed to be designed in a way that takes into account the surrounding context and preserves the character and appearance of the area in accordance with the NPPF (Paragraph 127), Policy 8 of the North Northamptonshire Joint Core Strategy 2016 and Policy R2 of the Raunds Neighbourhood Plan (2017).

7.3 Residential Amenity

7.3.1 The NPPF and Policy 8 of the Joint Core Strategy (2016) seek to protect amenity of neighbouring users. The policy also seeks to ensure residential amenity is not harmed as a result of development; the NPPF within the core principles states that planning should *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.

7.3.2 The application site is surrounded by residential development in all directions with No. 53 Butts Road to the west, No.57 to the east and No.14 Derling Drive to the south. A number of representations have been received (Section 5.2 of the report) that focus on impacts to neighbouring residential amenity.

7.3.3 In terms of the proposal's relationship with the neighbouring dwellings, it is considered that the extension would have no significant detrimental impact on the amenity of the adjacent dwellings (Nos. 53 and 57 Butts Road) due to the orientation and form of the proposed extension. It is deemed that there will be no harmful impact on sunlight due to the garden being south facing with good levels of sun afforded to the rear of the identified properties. A representation in regard to overlooking was received in relation to a proposed first floor side window. This window serves a bathroom and is indicated to be obscure glazed and would be conditioned as such (alongside a new en-suite bathroom window).

7.3.4 The application site benefits from a large south facing garden at approximately 40 metres in depth. There are windows proposed to serve bedrooms on both the first and second floor rear elevation, however when taking into account the footpath that runs in between the boundary of Butts Road and Derling Drive and the rear gardens of the properties on Derling Drive, the separation distance between the properties would be in excess of 55 metres. It is considered that the proposal would have no detrimental impact upon the private residential amenity of the properties on Derling Drive through overlooking or overshadowing, notwithstanding the good levels of boundary treatment and mature trees and hedgerows that further limit any impacts.

7.3.5 Overall, the relationship with the neighbouring properties is considered to be acceptable, accordingly the proposal is considered to have no significant detrimental impact upon neighbouring amenity and is therefore in accordance with the NPPF (Paragraph 127) and Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

7.4 Highway Safety and Parking

- 7.4.1 The existing access arrangements for the site remain unchanged and the on-site manoeuvring space available will continue to operate as existing. The existing off-road external parking spaces on site are to be retained and the level of parking provision is considered to be acceptable. Northamptonshire Highways has been consulted and offers no objection. As such, the proposed development is considered to be acceptable in this regard. The proposal is deemed to provide sufficient parking on site in accordance with the guidance contained within the Local Highway Authority Standing Advice for Local Planning Authorities.

7.5 Flooding

- 7.5.1 The application site is in Flood Zone 1, which means it has a low probability of flooding. In terms of drainage, the proposal would result in no additional hard surfaces; there should therefore be no additional impact from surface water run-off. The proposal is therefore considered acceptable and complies with Policy 5 of the North Northamptonshire Joint Core Strategy 2016.

7.6 Ecology

- 7.6.1 The application site has no record of any protected species and, being mainly of private garden land, is considered to be of low biodiversity potential. There has been no representation with regards to biodiversity from any third party or the Council.
- 7.6.2 Policy 4 of the North Northamptonshire Joint Core Strategy 2016 requires all development to safeguard existing biodiversity. The proposal is minor in nature and would have a neutral impact upon biodiversity. Therefore the proposal is considered to be in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

8. Other Matters

- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9. Conclusion / Planning Balance

9.1 In this instance the proposed first floor extension, loft conversion with internal and external alterations are not considered to cause significant harm that would outweigh the economic, social and environmental benefits of the proposal, therefore given the current policy position, the proposed development is considered to be compliant with relevant national and local planning policy as:

- Is of an appropriate scale and design;
- Would not have a harmful impact upon the character and appearance of the area;
- Would not have a significantly detrimental impact upon the amenity of neighbours;
- Would not have a harmful impact upon highways safety;
- Would be acceptable in terms of flood risk;
- Would safeguard existing biodiversity; and
- There are no other material planning considerations which have a significant bearing on the determination of this application

10. Recommendation

10.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore that Planning Permission be GRANTED subject to conditions.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority:

- 21-15-P-L Rev A – Site Location Plan (23.04.2021)
- 21-15-P-01 Rev A – Proposed Site Plan (23.04.2021)
- 21-15-P-02 – Existing Floor Plans (30.03.2021)
- 21-15-P-03 – Existing Elevations (30.03.2021)
- 21-15-P-05 Rev B – Proposed Floor Plans 01 (23.04.2021)
- 21-15-P-06 Rev C – Proposed Floor Plans 02 (23.04.2021)
- 21-15-P-07 Rev C – Proposed Elevations (23.04.2021)

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

3. The development hereby permitted shall be carried out using materials to match those of the existing building and as specified in section 5 'Materials' of the application form received 30th March 2021.

Reason: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

4. The new bathroom window on the western elevation at first floor level and the new en-suite window on the eastern elevation at first floor level will be obscure glazed to the equivalent minimal level of Pilkington Level 4 and shall only be top opening (as shown on drawing number 21-15-P-07 Rev C received by the LPA on 24th April 2021) and thereon retained in perpetuity.

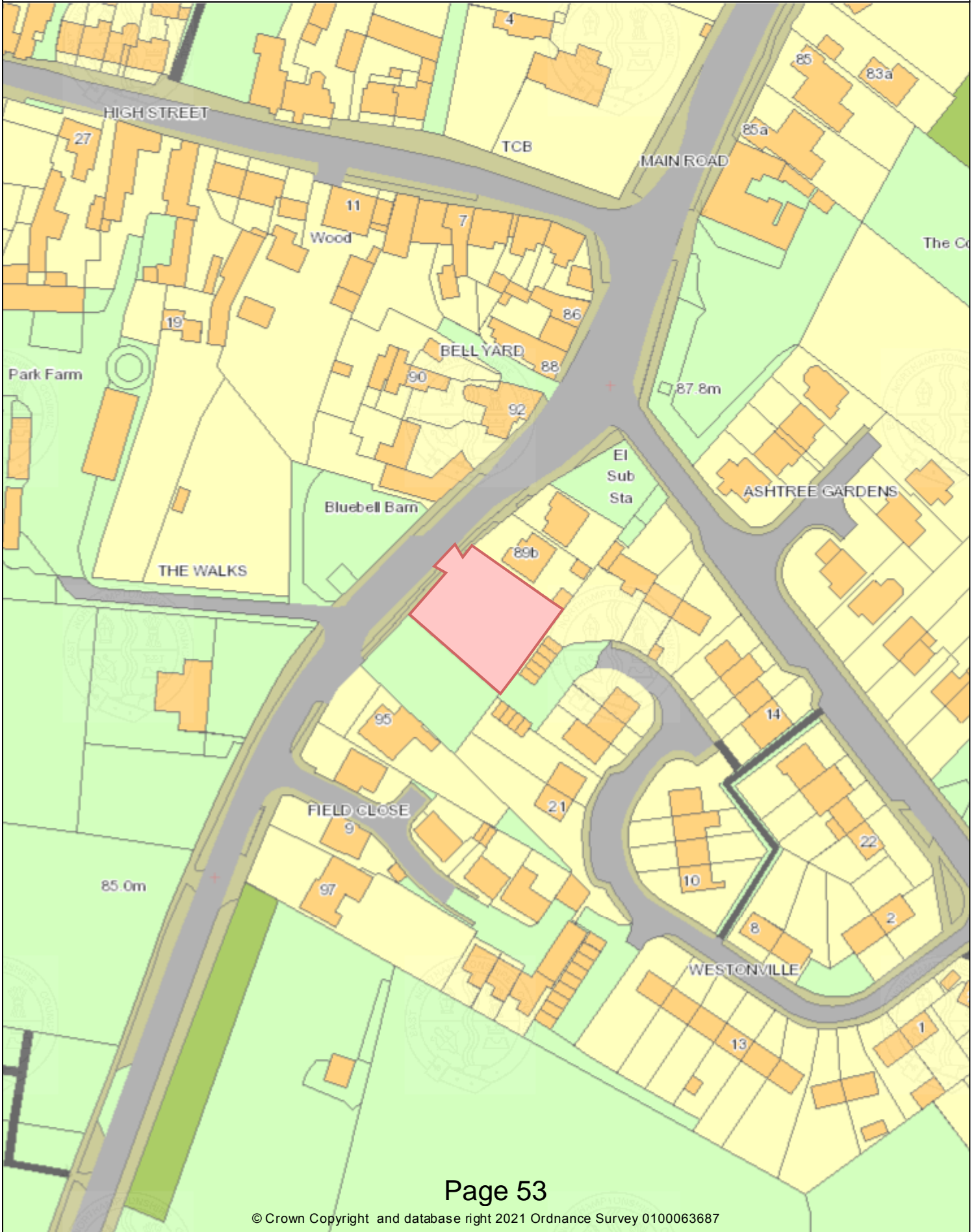
Reason: In the interests of residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

12. **Informatives**

N/A



NE/21/00394/FUL



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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00394/FUL
Case Officer	Sunny Bains
Location	91 Main Road, Collyweston, Stamford, Northamptonshire, PE9 3PQ
Development	Demolition of existing dwelling and construction of three two and a half storey dwellings and associated works (Revised proposals following approval of 15/00693/FUL).
Applicant	Marumia Limited - Mr J Stevenson
Agent	Mike Sibthorp Planning - Mr Mike Sibthorp
Ward	Oundle
Overall Expiry Date	19 May 2021
Agreed Extension of Time	30 July 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Officer's recommendation is contrary to the Parish Council's objection and more than 3 objections have been received.

1. Recommendation

1.1. That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 This application seeks full planning permission for the demolition of an existing bungalow and erection of 3no. three-storey (accommodation within the roof space) 5-bedroom dwellinghouses. One of the houses (hereafter 'Plot 1') would be detached whilst the other two houses (hereafter 'Plots 2 and 3') would be semi-detached.

- 2.2 The dwelling on Plot 1 would measure 8.1 metres wide and have a length of 10.1 metres and a height of 9.3 metres to the ridge. The building containing the dwellings on Plots 2 and 3 would measure 13.2 metres wide and have a length of 10.5 metres with a height of 9.6 metres to the ridge.
- 2.3 The existing access off Main Road (A43) would be utilised as the shared access for the proposed dwellings which would lead to a parking court. The existing access would be widened to 5.5 metres and an electric sliding gate would be installed.

3. Site Description

- 3.1 The application site is situated within the settlement of Collyweston and fronts onto Main Road (A43) to the northwest of the site. A residential dwelling (No.89b) lies to the northeast of the site and to the southwest of the site lies vacant land that a previous approval for 2 dwelling (09/01394/OUT). A block of garages lay to the southeast of the site which are associated with the dwellings along Westonville.
- 3.2 The application site lies within flood zone 1 (low risk) and within close proximity (14.9 metres) to Collyweston Conservation Area which is located on the opposite side of Main Road from the site.

4. Relevant Planning History

- 4.1 Planning history list below:

85/00125/OUT – One bungalow – Approved – 25.02.85

88/00125/OUT – Bungalow – Approved – 23.03.88

91/00011/OUT - Dwelling house and new vehicular access – Approved – 04.03.91

92/00190/FUL - Change of use - land to car parking for commercial garage – Approved – 20.05.92

03/00487/FUL - Construction of new vehicular access and erection of detached double garage – 14.07.03

08/01456/FUL - Demolition of existing dwelling and construction of 3 replacement dwelling and associated works – Approved – 28.01.09

11/01208/RWL - Replacement of extant planning permission EN/08/01456/FUL - Demolition of existing dwelling and construction of 3 replacement dwelling and associated works – Approved – 21.08.08. This permission has been implemented and is saved.

14/01433/CND - Application number 11/01208/RWL Replacement of extant planning permission EN/08/01456/FUL - Demolition of existing dwelling and construction of 3 replacement dwelling and associated works dated 21.08.08
Discharge of conditions

Condition 2 - sustainable waste management

Condition 3 - sample of proposed facing and roofing materials

Condition 4 - landscaping scheme

Condition 5 - Vehicular access

Condition 7 - Proposed surfacing materials

Condition 8 - Provision of foul water and surface water drainage installations – Part Grant Part Refuse – 22.09.14

15/00963/FUL - Demolition of existing dwelling and construction of three two and a half storey dwellings and associated works (Revised scheme following approvals 08/01456/FUL and 11/01208/RWL) – Approved – 08.09.15

5. Consultation Responses

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

5.1 Collyweston Parish Council

The Parish Council has studied the revised planning application and strongly objects to the proposal as follows:

- The Council confirms, as per its previous objections for this site, which the proposed properties are far too large in size and scale for the plot. The height of the dwellings should be no more than 8.5m at the most to fit in with other established houses in the vicinity and the Conservation Area opposite. There is no 'street scene' available in the application documents to show the proposed buildings' height in relation to the neighbouring houses. The plot is on a significant slope which will only accentuate this disparity; any new dwellings should certainly be no taller than their neighbours.
- There is a serious issue with lack of available parking for several reasons. Three x 5-bedroomed houses would need a minimum of 3 parking spaces each, plus a large manoeuvring area to enable all vehicles to enter and leave in forward gear in compliance with highway regulations. The proposed 2 parking spaces per dwelling are totally inadequate for such large houses, where teenagers often have their own vehicles as soon as they can drive and there is no available space for visitors or delivery vehicles. This plot opens directly on to the A43 which is a very busy strategic route and designated as a Red Route. There are frequent issues with speeding traffic on the A43. The entrance to the site is also near the crown of a blind bend.
- Collyweston does not have a regular bus service that fits in with the working day or nearby colleges, only the Call Connect service at present and there is no guarantee that this will continue as it is reliant on public funds for operating. Own transport is essential for most working families.

- There is no indication of off-road parking for contractors in the application, as they are always present during the build i.e. numerous contractors' vehicles, storage of materials, scaffolding etc. which inevitably spill over onto the verges thereby creating an extremely dangerous health and safety issue with the highway traffic and pedestrians in this vulnerable area of the village.
- The Council also felt that this increasing densely populated part of the village cannot sustain three more very large houses on extremely small plots with very minimal outside space. This is overdevelopment, they felt that this plot would accommodate one, or at most, two modest-sized dwellings.
- Although not a planning consideration, according to government guidance there should be consideration for proper garden space, not just patios, as it is in the interest of peoples' wellbeing for a rural area.
- Collyweston is classed as a Category A small rural village in the Local Plan and its integrity must be maintained at all times when development is proposed.

5.2 Neighbours / Responses to Publicity

Four letters have been received. The issues raised are summarised below:

- The land behind these properties is subject to flooding. Anglian Water are unaware of a perpetuating issue over the past 5 years or more given the increasing regularity of heavy rain. When the existing property is demolished and foundations dug, it will be evident that water table is much higher than expected. The proposed properties would be over 300 metric tonnes versus a current weight of 90kg per square foot of the current one storey property. With leylandii hedges being so tall as they are, the roots will have spread significantly and the construction of the new property so close to the back of the site will likely interfere with them. They do need trimming as suggested, but along with root disturbance they will die and when they do the excess water will not be captured by the conifers, it will be free to saturate the rear of the proposed properties and at worse may cause land slippage. Soakaways for such size buildings may increase the risk further. Two two-storey buildings may offer less risk.
- Further to the leylandii, we have wildlife, such as bats and nightingales that have been known to frequent these over mature trees. Was a wildlife survey produced prior to planning?
- In these days of climate change awareness, the proposed properties have no scope for future improvements, such as solar panel fixtures, due to restricted roof coverage.
- The height of these properties does interfere with privacy of properties behind, especially if item one comes to fruition.

- Rear garden space is restricted in size, light and ground quality. Top soil alone will not solve this issue. The garage space at the rear of Westonville may in future years change, if it does or if flooding problems should not be adequately dealt with long term, the outlook may not be as palatable for owner/occupiers as the developer hopes. 'L' shaped gardens and therefore more rear outside space maybe more desirable. Having fewer bedrooms, will also reduce the number parking spaces required, thus allowing a more centralised siting.
- With the number of properties increasing on busy A43, this may necessitate traffic calming, an expense which may have to be taken into account to avoid any near misses. Often lorries sound their horns coming through this area, because vehicles are only at this point in the road (directly at this site) thinking of slowing down. There is a new build opposite, which adds to the issue.

5.3 Natural England

Natural England has no comments to make on this application.

5.4 Environmental Protection Officer

No objections to the proposed development on environmental grounds subject to conditions relating to hours of work, dust mitigation, prevention of mud on the road and no burning waste onsite.

5.5 Local Highway Authority (LHA)

Highways had no objection to the three previous applications to erect three dwellings on the land and they have no objection to this application but raise concerns.

5.6 Principal Ecology Officer

No representation received.

5.7 Senior Tree and Landscape Officer

No representation received.

5.8 Waste Management

No representation received.

5.9 Planning Policy Team

No representation received.

5.10 Principal Conservation 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) (2019)
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 4 – Biodiversity and Geodiversity
Policy 5 – Water and Flood Risk Management
Policy 8 – North Northamptonshire Place Shaping Principles
Policy 9 – Sustainable Buildings and Allowable Solutions
Policy 11 – The Network of Urban and Rural Areas
Policy 28 – Housing Requirements
Policy 29 – Distribution of New homes
Policy 30 – Housing Mix and Tenure

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

Policy 2 – Windfall Development in Settlement
Inset Maps Showing Settlement Boundaries

6.5 Emerging East Northamptonshire Part 2 Local Plan (LPP2) – Submission Draft March (2021)

Policy EN1 – Spatial Development Strategy
Policy EN13 – Design of Buildings/Extensions

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)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Character and Appearance
- Housing Mix
- Highway Safety and Parking
- Residential Amenity
- Environmental Matters
- Flood Risk and Drainage
- Ecology

- Refuse

7.1 Principle of Development

7.1.1 The application site is situated within the settlement of Collyweston, where 'small scale' infill residential development, such as the proposed development, is supported by Policy 11 and 29 of the JCS.

7.1.2 In addition, the site has an extant planning permission (11/01208/RWL) for three residential dwellings which can be built out at any time.

7.1.3 The principle of development is therefore considered to be acceptable.

7.2 Character and Appearance

7.2.1 The proposed development is for three large dwellings. The 2011 permission forms the basis to whether the design of the proposed development is acceptable, as the 2011 permission can be implemented at any time and thus forms the 'fallback' position of significant weight. It is therefore important to distinguish the design changes between the two schemes (2011 consented scheme and this proposed scheme) and ascertain whether the changes would significantly impact the character of the local area to the contrary of local policies. Furthermore, the Council granted planning permission in 2015 for a development of three dwellings with the same design as the proposed scheme, except the siting of the dwellings has been marginally adjusted to create additional parking space to the front of the properties. A comparison of the proposed development with both the 2011 and 2015 approved developments is given as follows:

7.2.2 Comparison with 2011 scheme:

- The height of Plot 1 dwelling has increased by circa 170 millimetres.
- The height of Plot 2 and 3 dwelling has increased by circa 500 millimetres.
- Floorspace of Plot 1 has increased by 14.5 square metres.
- Floorspace of Plot 2 and 3 has increased by 12.3 square metres each.
- The housing mix has changed from 3-bedrooms to 5-bedrooms.
- The integral single garages have been omitted and replaced by full height glazing.
- Forecourt parking has been introduced.
- The access has been slightly relocated southwards of the site.
- The rear projecting gables have been modified to extend across the width of each property.
- The dwellings have been sited further into the site by 500 millimetres.
- The rear gardens have been reduced by 500 millimetres.

7.2.3 Comparison with 2015 scheme:

7.2.4 The proposed scheme has the same design as the 2015 permission, except the siting of the dwellings has been marginally adjusted to create additional parking space to the front of the properties which has also resulted in the marginal reduction of the rear garden sizes and the proposed access point onto Main Road has also been adjusted.

- 7.2.5 Whilst the 2015 permission is not extant, the decision by the Council to grant it planning permission has weight, as a material consideration, in determining the current planning application. The weight to give to the Council's grant of the 2015 planning permission is dependant upon the policy changes since its approval and the design change between this proposed development and that of the 2015 permission. Effectively whether any policy changes since 2015 would justify refusal of what is a substantially similar development to that approved in 2015.
- 7.2.6 It should be noted that the Planning Practice Guidance (Paragraph: 049 Reference ID: 16-049-20140306) warns that Local Planning Authorities are at risk of an award of costs if they behave unreasonably, for example by not determining similar cases in a consistent manner and by failing to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances
- 7.2.7 Policy changes: In broad terms, the aims and requirements of Policy have not changed to the extent that refusal of planning permission would be justified. Therefore, the general design and number of houses, which was accepted under the 2015 permission, remain acceptable.
- 7.2.8 In terms of new Policy requirements since the 2015 permission, Criterion e (vi) of Policy 8 of the JCS requires flexible and resilient designs for buildings and their settings, including access to amenity space. In addition, criterion e of Policy EN13 of the Council's emerging Part 2 Local Plan seeks to ensure properties have adequate outside amenity space. The size of the proposed rear gardens are marginally smaller than the 2015 permission which the Council at the time of the permission considered to be acceptable. The size of the proposed rear gardens (including the reduction) is not considered to be significant enough to sustain a reason for refusal.
- 7.2.9 In addition, in terms of layout, criterion b of Policy 30 of the JCS requires new dwellings to meet the National Space Standards. In response to this, the Applicant's Agent has supplied supporting information to show that the proposed dwellings would comply with these Standards. Regarding the parking layout, this is discussed in the 'Highway Safety and Parking' section of this report. However, in short, it is considered that the addition of three car parking spaces would not significantly alter the parking arrangement approved under the 2015 permission and thus a reason for refusal would not be substantiated. The parking arrangement is relatively tight but is shown to be workable.
- 7.2.10 Design policy has not changed since 2015 to the extent that the proposal, when judged against the current policies, could reasonably be considered to cause significant harm to the character and appearance of the area. It is considered that the proposed dwellings would not form a prominent development within the street scene, however, due to its large scale and mass it would nonetheless be noticeable, and design detailing (dormers, chimneys, projecting gables and porches) and materials (limestone and Collyweston type roof coverings), would be broadly in keeping with the appearances of existing buildings within the locality. The development would infill a gap in the otherwise built up frontage to the highway, replacing the existing bungalow.

7.2.11 It is noted one objector refers to there being poor soil quality for the rear garden. This is not a material planning consideration and would be a matter for the new homeowners to address if they wish.

7.2.12 Overall, whilst it is considered that the proposed development would cumulatively cause some negative impacts compared to the extant 2011 permission, the 2015 permission is a material consideration which the proposed design does not significantly differ from and the Policy requirements are relatively similar. Therefore, the 2015 permission carries significant weight and refusal on design grounds could not be substantiated. It should be noted that the Planning Practice Guidance (Paragraph: 049 Reference ID: 16-049-20140306) warns Council's that costs can be awarded on Appeal if it does not determine similar cases in a consistent manner and it fails to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances

7.3 Housing Mix

7.3.1 Another consideration since the last decision is part of criterion (a) of Policy 30 of the JCS which emphasises the need for properties with between 1 and 3 bedrooms. The proposal has 5 bedrooms in each dwelling. Whilst this is a conflict with Policy 30, the 2015 permission proposed the same number of bedrooms and houses which was accepted at the time as a conflict with the then housing mix policy. Also, as mentioned above, the housing mix policy requirement in 2015 was very similar to the current aforementioned policy. Accordingly, it is not considered it would be justified to depart from the previous decision by the Council to approve three 5 bedroomed dwellings and refuse permission based on the number of bedrooms in the houses proposed.

7.4 Highway Safety and Parking

7.4.1 From a highway point of view, during the course of the processing of the application, the Local Highway Authority has asked for compliance with various standards for visibility and access width. Amended drawings have been submitted in response.

7.4.2 On receipt of these, the Local Highway Authority confirm that the proposal is acceptable from a pedestrian visibility and access width point of view. These works can be secured via condition.

7.4.3 They also make the point that they are concerned about the intensification of use of the access that would result in having three dwellings on the site as opposed to the existing one. They have asked for a dedicated right turn lane in order to mitigate the likely obstruction to traffic taking place on a principal road whilst a vehicle sits stationary on the carriageway waiting to turn into the site against oncoming traffic. In response, this is not considered justified as the 2011 permission already established that there can be three dwellings on site and works of this nature were not requested by the Local Highway Authority in connection with either the 2011 or 2015 permission. In addition, various other permissions have been found nearby where they did not request a turning lane.

- 7.4.4 In the light of these comments and the previous permissions for 3 dwellings on the site and others nearby, which they did not request a right turn lane for, it is not considered that the Council could justify asking for such a feature on the A43 in connection with this proposal.
- 7.4.5 However, it is noted that the latest drawings show a remotely activated sliding gate to be installed at the access to the site where the previously approved ones did not. Highways have no objection to the sliding gates as long as they are remotely activated, which would enable them to open before reaching the access and therefore not causing the need for vehicles to wait on the highway. A condition can be imposed to ensure that the gates remain remotely activated in perpetuity.
- 7.4.6 Finally, on the topic of highways, it is noted that one objector refers to the possibility of traffic calming being required in the areas due to there being a large number of new houses being constructed in the vicinity fronting onto the A43. In response, this will be a matter for the Local Highway Authority to consider in general terms and is not justified by this application.
- 7.4.7 In relation to parking provision, Northamptonshire's parking standards specify three off road parking spaces per dwelling for houses with 5 bedrooms. During the course of the processing of the application, the amount of parking provision has been increased from two spaces per dwelling to three, giving a total of nine spaces on site. It is therefore acceptable in relation to the parking standards. There is at least 8.85m between back to back spaces which is considered to be more than adequate for vehicles to manoeuvre on site as a minimum of 6m is usually required. Two of the plots (2 and 3) have tandem parking for two of the spaces and so, if both are used, the rear vehicle would have to be moved to allow the front one out. Also, the other space for plot 2 would have access to it partially blocked if there are cars in that property's tandem spaces. One or more of the parking spaces could also become unusable due to cars not being positioned correctly within the parking bays which could result in the displacement of cars within the site and on the road. This is considered to result in having a negative impact on the character of the area and the residential amenity of the future occupants. However, given that the parking arrangement does not significantly differ from the 2015 permission and that vehicles can manoeuvre on the site and leave it in a forward gear as well as that a condition can be imposed for the parking to be demarcated and allocated to specific properties together with a level of responsibility would be for the owners of these two properties to responsibly manage their parking position. It is not considered that a reason for refusal could be substantiated on parking and highway grounds.
- 7.4.8 Also, on the topic of parking provision, it is noted that one objector expresses concerns about where contractors' traffic will park during construction works. In response to this, it will be the responsibility of any vehicles that cannot fit onto the area to be allocated for parking when the dwellings are complete to park safely nearby.
- 7.4.9 Overall, in view of the above points, it is considered on balance that the proposed development would not sustain a reason for refusal on highway and parking grounds.

7.5 Residential Amenity

- 7.5.1 In terms of impact on light received at adjacent existing and proposed properties to either side, it is not considered that moving the houses back by 500 millimetres when compared with the previously approved schemes would have a significant increase in loss of light to these. The repositioning of the proposed dwellings would not create an unacceptably overbearing relationship with neighbouring properties.
- 7.5.2 It is noted that there are concerns from neighbours about an increase in overlooking to either side as a result of this latest scheme. In response to this, the configuration of windows in the side elevations of the new properties is to be the same as the 2015 permission, that the Council found satisfactory.
- 7.5.3 Any views at ground floor level will be obstructed by the boundary fencing and it is noted that the drawings show any damage to this will be repaired during the course of the development. This can be secured by the imposition of a planning condition requiring the boundary treatments to be constructed as shown on the drawings and subsequently retained.
- 7.5.4 At first and second floor level, any side facing windows serve bathrooms or landings and so any overlooking from these should not be a serious issue. However, as a safeguard on this point, it is considered appropriate to include a planning condition requiring them to be obscurely glazed and non-opening below 1.7m above floor level.
- 7.5.5 There would be overlooking from the rear windows of the new dwellings into the gardens of those existing and proposed to either side and also across the road in front of the properties and vice versa. The rear views will be at an angle and the amount of overlooking is considered not significantly different to other domestic situations in the vicinity and is not considered to be a reason to refuse planning permission. Any front views would have the presence of the A43 to mean they would not be significant.
- 7.5.6 To the rear, there is a block of garages separating the development from the closest dwellings. The presence of this is considered to mean the movement of the houses 0.5m in this direction is not considered to amount to a significant increase in overlooking towards dwellings to the rear.
- 7.5.7 Finally, on the topic of amenity and problems for the surroundings, there is a reference in one of the objections to the possibility of other development taking place on the garage block site and the implications of this. In response, this would be a matter for future consideration should any planning application be submitted for this in due course.

7.6 Environmental Matters

- 7.6.1 The Council's Environmental Protection Team has been consulted on the application and has raised no objection.

7.6.2 They suggest a set of planning conditions to help prevent problems for the surroundings whilst construction work is taking place. These are considered acceptable subject to a slight amendment to one on the topic of noise as it mentions no sounds being audible outside the site boundary outside some given hours. This is not considered enforceable and, instead, the condition should purely limit the hours of working.

7.7 Flood Risk and Drainage

7.7.1 The site is located within flood zone 1 which is a low risk area of flooding. It is noted that there are concerns about the proposal on drainage grounds. The application form states that the foul connection would be to the existing main sewer and the surface water would be treated by soakaways. Under Building Regulations Building Control would need to be satisfied that this form of connection is suitably made or that a foul and surface water drainage scheme could satisfactorily be implemented. It is therefore considered that the proposed development could suitably connect to foul and surface water drainage without causing severe permanent harm in terms of flooding within the local area.

7.8 Ecology

7.8.1 On the subject of ecology, there is a planning Policy requirement via Natural England and Policy 4 of the North Northamptonshire Joint Core Strategy for all new residential development within 3km of the River Nene Special Protection Area to make a financial contribution to mitigate against impact on that area. This site is outside the 3km zone and therefore this point has therefore been addressed.

7.8.2 Also, on this topic it is noted there are concerns about possible disturbance to bats and birds roosting in the vicinity as a result of the development. In response, bats and nesting birds are protected by other Legislation outside the Planning Acts in the form of the Wildlife and Countryside Act which the developer will have to abide by. In the light of this, no specific planning condition is justified on the topic of ecology.

7.8.3 Finally, the applicant's agent accepts some landscaping is needed for the site including along the frontage. This can be secured via planning condition.

7.9 Refuse and Recyclables

7.9.1 The site is considered to have sufficient space for the storage of bins for refuse and recyclables and also for them to be placed adjacent to the highway on collection day. A planning condition can be imposed to secure the design and use of a bin storage area for the development bearing in mind it has most of the space at the front taken up by parking and manoeuvring space and we would not want this compromised.

8. Other Matters

8.3 Archaeology: There are considered to be no archaeological implications associated with the development as it is on previously developed land

- 8.4 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.5 Sustainable Construction: The alterations would accord with the principles set out in the North Northamptonshire Joint Core Strategy on sustainability. Related to this, it is noted that one representation refers to the need for the development to respond to climate change and considers the roof is not suitable for solar panels. In response, it is noted that the drawings do show ground source heat pump provision to serve the development.
- 8.6 Crime / Fire and Rescue: The proposal does not give rise to any crime or fire safety concerns.
- 8.7 Health Impact Assessment: Many of the considerations for planning applications, such as ensuring no adverse impact on light and minimum bedrooms sizes, have the aim of ensuring decisions do not have an adverse impact people's quality of life and therefore their health.
- 8.8 EIA: The proposal is not large enough to be subject to Environmental Impact Assessment.
- 8.9 Comments: It is noted that one objector is concerned about the development affecting nearby foundations and sewers. In response, there is other legislation outside the Planning Acts (the Party Wall Act for example) to act as a safeguard on this topic and as such these do not form material planning considerations.
- 8.10 It is noted that the Parish Council considers the houses too large for the plot and there are suggestions that a smaller scheme should be proposed instead. In response to this, the planning application has to be determined on the basis of the submitted drawings.

9. Conclusion / Planning Balance

- 9.3 The site is located within the settlement boundary of Collyweston village and has an extant planning permission (11/01208/RWL) for three residential dwelling which establishes the principle of development onsite and is considered acceptable.
- 9.4 The 2011 permission forms a 'fallback' position which can be implemented by the Applicant at any time.
- 9.5 The design of the houses has been accepted in relation to a previous planning permission granted in 2015 (15/00963/FUL). The 2015 permission, whilst not extant, carries significant weight given that the design and housing policy requirements have not changed to the extent that the general design and number of houses, and bedroom numbers which was accepted under the 2015 permission. Thus, it is considered that a reason for refusal on design grounds and housing mix grounds could not be substantiated at Appeal and would be unreasonable. The conflict with the housing mix policy is the same now as it was in 2015.

- 9.6 It should be noted that the Planning Practice Guidance (Paragraph: 049 Reference ID: 16-049-20140306) warns that Local planning authorities are at risk of an award of costs if they behave unreasonably, for example by not determining similar cases in a consistent manner and by failing to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances
- 9.7 During the course of the processing of the application, the access detail and amount of parking provision has been increased. The access is now accepted by the Highway Authority and the parking provision complies with the Countywide standards. The Highway Authority has asked for a dedicated right turn lane to serve the development but has accepted that it would be hard to defend this request on appeal. It is therefore not considered justified. Also, whilst the parking arrangement is considered to be contrived, it is not too dissimilar to the 2015 permission and Highways have not raised concerns to it under this application or the previous approved applications. Therefore, it is considered that a reason for refusal would not be substantiated.
- 9.8 Matters pertaining neighbouring amenity, environmental matters, ecology, flood risk and drainage and refuse are considered to be acceptable.
- 9.9 On balance, the proposed scheme is substantially the same as the relatively recently expired 2015 permission and there has been no material changes in circumstances or policy that would justify refusal. It is considered that the proposed development broadly complies with local and national policies and that a reason for refusal on design and highways grounds would not be justifiable. Subsequently, it is recommended that planning permission should be granted.

10. Recommendation

- 10.3 That Planning Permission is Granted subject to the conditions in the below section.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out using external materials as per the proposed site plan JPS 449 - A103 Revision J.

Reason: To achieve a satisfactory elevational appearance for the development in accordance with Policy 8 (d) of the North Northamptonshire Joint Core Strategy 2016.

3. The landscaping details denoted on the proposed site plan (JPS449-A103 Rev H) shall be implemented in the first available planting season following completion or the first occupation of the development hereby permitted (whichever is the sooner). Any trees that die or become diseased within a 5-year period of implementation shall be replaced on a like-for-like basis.

Reason: To ensure a reasonable standard of development and in the interests of visual amenity in accordance with Policy 8 (d) of the North Northamptonshire Joint Core Strategy 2016.

4. Prior to the first occupation of any of the dwellings the following shall be provided and thereafter shall be permanently retained as such:
 - i) A minimum access width of 4.5m, paved in a bound, hard surfaced material for the first 10m from the highway boundary;
 - ii) Vehicular visibility splays measuring 2.0m x 43.0m, (measured back from the carriageway channel towards the site and along the carriageway, measured from the centre line of the access);
 - iii) Pedestrian visibility splays measuring 2.0m x 2.0m, measured back from the site boundary into the site and along the site boundary from either side of the access. No obstruction or growth exceeding 0.6m shall be permitted within those splays;
 - iv) A maximum access gradient of 1 in 15, with a positive means of drainage to ensure no surface water is directed towards the public highway; and
 - iv) The parking spaces and vehicle turning area for the development as shown on drawing JPS 449-A103J and demarcated and allocated for the specific dwelling;
 - v) The electric sliding gate shown on JPS 449-A103J shall be remotely operated.

Reason: In the interests of highway safety in accordance with Policy 8 (b) of the North Northamptonshire Joint Core Strategy 2016.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification), there shall be no development within Classes A, B, C, E of Part 1 of Schedule 2 to that Order without the prior written approval of the local planning authority.

Reason: To prevent overdevelopment of the site in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

6. Prior to the commencement of development, details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the existing and adjoining sites shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and retained in accordance with the approved details.

Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

7. No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank and Public Holidays unless otherwise agreed with the local planning authority.

Reason: To ensure the protection of the local amenity throughout construction works in accordance with Policy 8 (d) of the North Northamptonshire Joint Core Strategy 2016.

8. During the demolition phase the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the site. The developer shall provide and use suitably covered skips and enclosed chutes or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

Reason: To ensure the protection of the local amenity throughout construction works in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

9. Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud, refuse etc. deposited on the road as a result of the development must be removed immediately by the operator/contractor.

Reason: In the interests of residential amenity, highway safety and visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

10. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

11. Prior to the occupation of the dwellings, any side facing first and second floor windows shall be obscurely glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and non-opening below 1.7m above floor level and be retained as such in perpetuity.

Reason: In the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

12. Prior to the occupation of the dwellings the boundary treatments as shown on drawing JPS 449-A103J shall be installed and subsequently retained and maintained in perpetuity.

Reason: In the interests of amenity Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

13. Prior to the first occupation of the dwellings, the bin storage shown on the site plan (JPS 449 – A103 J) shall be provided. Thereafter, these shall be utilised in perpetuity as the sole storage location for these items except when the bins are not placed by the highway on collection day.

Reason: In the interests of amenity and to ensure the land at the front of the properties does not become congested with refuse and recyclable bins Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

14. The development hereby permitted shall be carried out strictly in accordance with the following drawings:

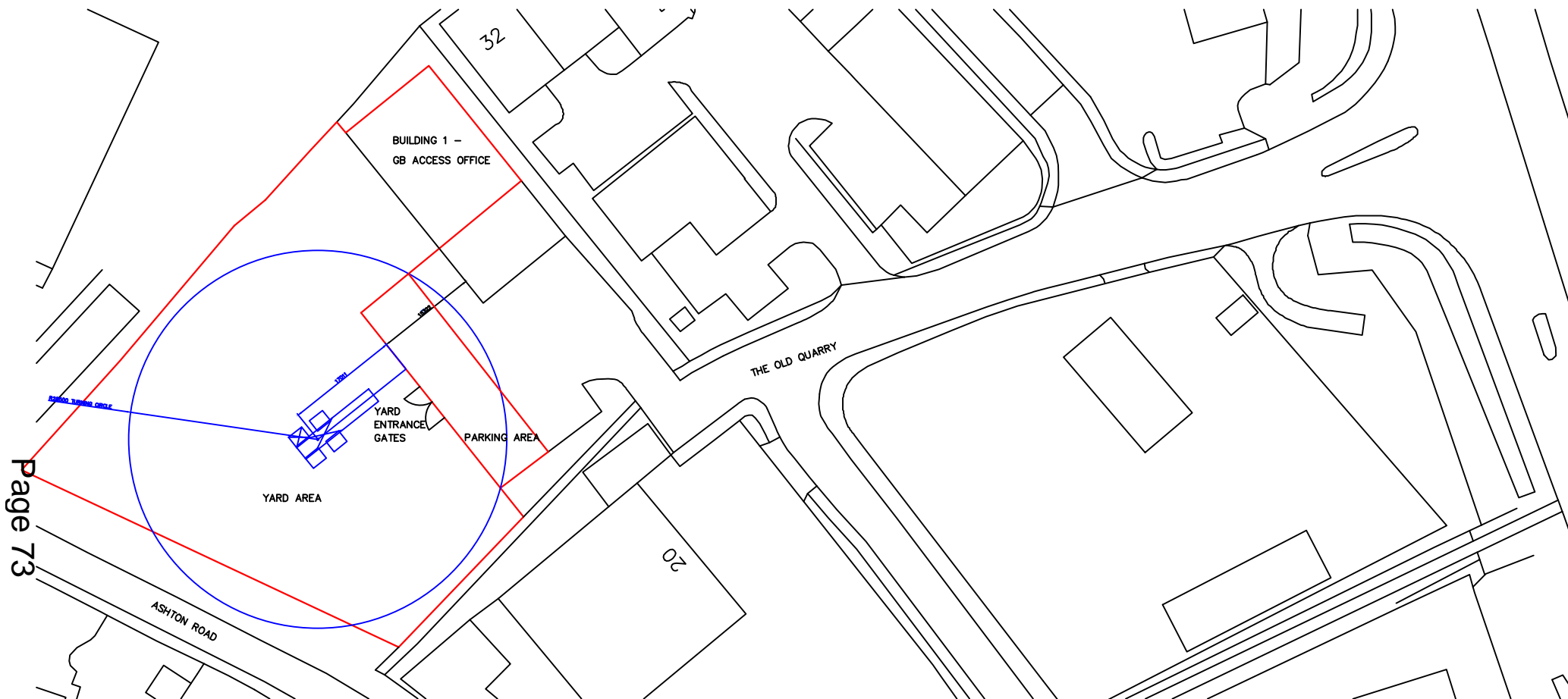
- JPS 449 - A100 Revision B – Location Plan.
- JPS 449 - A100D Revision B – Demolition Plan.
- JPS 449 - A101 Revision A – Existing Dwelling.
- JPS 449 - A103 Revision J - Site Plan, Visual, Highways Plan and Materials.
- JPS 449 – A106 Revision E Plots 2 and 3 Proposals.
- JSP 449 – A107 Revision D Plot 1 Proposals.

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

12. **Informatives**

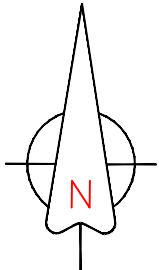
1. Further to Condition 4 above, a licence under Section 184 of the Highways Act will be required to install the vehicular crossover and site access.
2. Condition 5 has been imposed because the submitted drawings show a gate is proposed at the point that the site access meets the public highway. It is considered that the presence of such a feature would increase the amount of waiting time on the public highway for vehicles entering the site and this would have highway safety implications. Therefore, it is considered appropriate to include a planning condition preventing any type of gate being installed at the site entrance.
3. The details pursuant to Condition 7 are required prior to the commencement of development because they are critical to the material considerations of the scheme. The development would not be acceptable without these details being first approved. As required by the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's agent has agreed to this Condition.


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Revision:	Description:	Date:	Drawn:
 ASHHEAD PLANT HIRE LTD 102 DIAL TON AVENUE BIRCHWOOD WARRINGTON WA3 5YE			
Depot:			
GB ACCESS - OUNDLE			
Project:			
CRANE ERECTION 2018			
Drawing Title:			
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1:1250@A4	445/02a		05/10/15
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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00507/FUL
Case Officer	Ian Baish
Location	28 Nene Valley Business Park, Oundle, Northamptonshire, PE8 4HN
Development	Erection of demountable crane within existing plant hire yard for improved access and safety operations. Crane to remain fixed in place (Retrospective)
Applicant	Ashtead Plant Hire Ltd – Mr. Terence Clayford
Agent	
Ward	Oundle
Overall Expiry Date	19 May 2021
Agreed Extension of Time	31 July 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there has been a material written objection from Oundle Town Council and four written material planning objections.

1. Recommendation

1.1. That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposal relates to an existing demountable crane located in the yard of a plant hire business. The crane was granted permission to be used within the yard through a previous planning consent (18/01736/FUL). The description of development stated that the crane would be taken down at weekends and public holidays (as proposed by the applicant). To clarify, the crane would not operate outside of the existing hours, which are to be secured by condition, this permission is to enable the crane to remain in situ without having to dismount it every weekend.
- 2.2 The crane is of metal construction, painted grey and red. The height of the crane is approximately 26 metres, however when in operation the jib can be raised which results in a total operating height of approximately 32 metres.
- 2.3 Comments have been received from local residents stating that a camera is attached to the crane which has raised privacy concerns. The applicant has confirmed that the crane is not fitted with a camera and never has been.
- 2.4 Condition number 3 of 18/01736/FUL stated that *'The crane must have been demounted and stored at ground level prior to noon (12.00 hours) on Saturdays and it must not be operated on Saturday afternoons, Sundays or Public Holidays. Work on demounting the crane must not take place before 07.30am in the morning and shall be complete by 12.00pm (noon) on Saturdays. Work on re-erecting the crane must not begin until after 07.30am on Mondays or the same time the next working day if that day is a Public Holiday'*.
- 2.5 Condition 3 also stipulated that the crane must not be operated on Saturday afternoons, Sundays or Public Holidays. This element of the condition has not been challenged by the applicant who has confirmed that they would agree to a condition being added to the planning permission which would restrict the crane from being used on Saturday afternoons or on Sundays and Public Holidays.
- 2.6 It is understood that the crane has not always been demounted at weekends, hence the retrospective nature of this application. The applicant previously submitted an application, reference 20/00108/VAR, which sought the removal of condition 3 to allow the crane to remain erected 24 hours a day 7 days a week. This application was withdrawn as the applicant was advised that, as the description of the original planning permission stated, the crane would be demounted at weekends and public holidays, an application to vary a planning condition could not be accepted as this type of application could not alter the description of the proposal. Therefore, in order to consider the proposal for the crane to be left erected on a permanent basis, an application for full planning permission would be required
- 2.7 For the reasons noted above, this application seeks consideration as to the impact of the crane being permanently in place, but not operating, 24 hours a day 7 days a week including weekends and public holidays.

3. Site Description

- 3.1 The site is located within an industrial estate adjacent to the A605 Oundle bypass to the east. The site is bounded by residential development to the south and west (the closest residential dwellings being located on Ashton Road). The industrial estate is screened by a dense covering of trees and shrubs that line the boundary of the industrial estate and Ashton Road.
- 3.2 The site does not contain any listed buildings and it is not within a Conservation Area. However, due to the height of the proposal, the crane could be viewed from the Oundle Conservation Area. The site is within a Nature Improvement Area, and within the Ministry of Defence Safeguarding Zone due to the proximity to the RAF base at Wittering.

4. Relevant Planning History

- 4.1 20/00108/VAR - Variation of condition 3 to allow for the crane to remain erected 7 days a week, 24 hours a day pursuant to 18/01736/FUL – WITHDRAWN (04.03.20)
- 4.2 18/01736/FUL - Erection of demountable crane within plant hire yard which will be taken down at weekends and bank holidays. – PERMITTED (22.10.18)

5. Consultation Responses

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

5.1 Oundle Town Council

Oundle Town Council objects to the variation sought. When an application for permission for the crane was first made the council made no objection but sought a condition that the crane be taken down at weekends and bank holidays and that operating hours should be restricted in line with other similar restrictions within the business park. The council remains of the view that such conditions are appropriate to mitigate the impact of the crane on neighbouring properties and more generally. There would be a negative and detrimental impact if the permission was varied to enable the crane to remain in position permanently and be operated around the clock. Oundle Town Council asks that the existing conditions are both maintained and enforced.

Further comments received 02.06.21: Oundle Town Council still consider that the crane should be taken down at weekends and bank holidays and that operating hours should be restricted in line with other similar restrictions within the business park. OTC does support NNC putting in a condition that a camera is not to be fitted on the crane at any point.

5.2 Neighbours / Responses to Publicity

Three letters of objection have been received. The issues raised are summarised below:

- Noise impact
- Visual impact
- Privacy issues caused by the camera on the crane
- Highway safety
- Concerns over health and safety (toppling over and high winds)
- The crane dominates the skyline
- The crane is left up over weekends currently
- Little faith in the applicant's credibility not to ignore conditions as they have frequently ignored the conditions of the previous consent
- The crane is demountable in a few minutes so why does it need to be left erected?
- If there is no space for the crane to be stored when demounted this should not become an issue for the residents
- The crane is often in use outside of the permitted hours and left erected over the weekends, allowing it to remain erected permanently will lead to it being used outside of the hours and causing issues for the residents.
- The trees offer only partial screening as they are deciduous.

5.3 Ministry of Defence

The application site falls within the Statutory Safeguarding Aerodrome Height Zone (91.4m) surrounding RAF Wittering. I can confirm the MOD has no safeguarding objections to this proposal.

5.4 Local Highway Authority (LHA)

The LHA will require confirmation as to whether or not the crane is overhanging the public highway or highway verge as this is a safety concern.

The applicant provided the following response on 23.04.21:

In regards to the overhang, whilst it would be possible to overhang Ashton Road this will never be the case as the site will never extend the crane to operate at the full reach. It operates to a maximum radius of 28.5m as per the attached plan.

Also, it is not possible to extend over Ashton Road as the high level trees along the rear elevation and slew lock on the crane prevent the crane arm from operating over this area.

Further Comments received 23.04.21: As the crane can overhang the highway or highway verge, we will require a suitably worded condition ensuring that it won't extend over the highway or verge.

Further Comments received 02.06.21: The LHA has concerns to highway safety with regards to the crane radius encroaching the public highway, should you be minded to grant this application permission the applicant is required to gain an OverSail license from regulations.

5.5 Council's Environmental Protection Team

Should you be minded to grant permission we would recommend conditions to ensure the crane was only operated between the hours of 0730 - 1800 hrs Monday – Friday 0730 - 1200 hrs Saturday and not operated on a Sunday or Bank Holiday

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 – Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 22 - Delivering Economic Prosperity

6.4 Emerging East Northamptonshire Local Plan (LPP2) (2021)

Policy EN19 – Protected Employment Sites

6.5 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 - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenities
- Highway Matters
- Environmental Matters
- Ecology

7.1 Principle of Development

- 7.1.1 Planning consent for the crane has already been granted on application reference 18/01736/FUL and its presence is acceptable in principle. However, the previous consent only sought an approval for the crane to be fully mounted on weekdays and Saturday mornings, and not on Sundays or public holidays. This was deemed acceptable and suitable planning conditions were imposed to ensure the crane was not used on Saturday afternoons, Sundays or public holidays in the interests of amenity to local residents in terms of noise due to the close proximity of the site to residential properties
- 7.1.2 The condition also required the crane to be dismantled to ground level by no later than 12.00 hours on Saturdays and that work to re-erect the crane could not commence before 07.30 on the Monday morning or the day after a public holiday. This condition was used to secure that the crane was used in accordance with the proposed description and the Officers report stated that the absence of the crane over the weekend period would help to mitigate the visual impact of the crane over the weekend period when residents would be expected to spend more time at home.
- 7.1.3 The principle of development has been established and only the impact of the crane remaining in place on a permanent basis, at weekends and on public holidays, needs to be considered in further detail.

7.2 Visual Impact

- 7.2.1 The submitted drawings show the maximum operating height for the crane is just over 32 metres. It is accepted that this is tall, particularly in comparison to the low-rise nature of the industrial estate on which it is located; which consists of single and two storey office and industrial buildings and warehouses. The dense tree covering between the industrial estate and Ashton Road consists of tall and established trees which provide a good level of screening and ensures that the industrial estate beyond appears relatively discrete and only the top section of the crane is visible above them.
- 7.2.2 It is also acknowledged that another crane is located on the industrial estate, which belongs to the same company, on a different site. This is also visible in the surroundings and was accepted by the Council under reference 05/01740/LDE. This was due to this particular crane being in place for approximately five years without receiving complaints which may have led to the Council taking enforcement action. Therefore this particular crane became lawfully immune from enforcement action to which the Lawful Development Certificate confirms.

- 7.2.3 The other crane mentioned above in paragraph 7.6 is located at unit 10 to the front of the Industrial Estate close to the junction with the A605 Oundle bypass. This crane is not overly noticeable from Ashton Road or the housing development off Sutton Road to the south, south east and south west. It is noted that the applicant has stated that the scale of the crane, subject to this application, is smaller than the crane at unit 10 which is correct as the crane at unit 10 has a more permanent appearance and is mounted on tracks enabling it to move within the yard and also has a covered cab to enable it to be operated from inside. The distance between the two cranes and the slimmer profile of the crane, subject to this application, ensures that the cumulative impact of two cranes within the industrial estate is not that of a detrimental level.
- 7.2.4 Turning back to the visual impact of the crane in relation to this application, the trees along the boundary with Ashton Road provide a degree of screening and only the top section of the crane is clearly visible above the tree line meaning that at eye level the majority of the structure would be obscured. It is noted that tree coverage would be lesser in autumn and winter, however, the presence of the trees which are close together does still provide a degree of screening in the autumn and winter months.
- 7.2.5 A condition was imposed on the previous planning permission to ensure that the crane was dismantled to ground level by Saturday lunch time and not re-erected until Monday morning and that the crane was not to be erected at all on public holidays as it was considered that the visual impact would be more noticeable at weekends and holiday periods. The granting of permission for the crane to remain erected on a semi-permanent basis between Monday and Friday, without the need to be dismantled, acknowledged that in overall terms the visual impact was acceptable throughout the day and night time period five and a half days of the week. The matter for consideration here is whether the additional days that the crane is erected would cause a detrimental level of visual harm. The retention of the crane over the weekend and public holiday period would not cause any additional visual impact over and above that which is present during weekdays and Saturday mornings and as such would be acceptable in this regard subject to restrictions regarding its hours of use.
- 7.2.6 A crane is something that could be expected to be seen within an industrial setting, however, it is noted that the site is within close proximity to residential dwellings, particularly those located on Ashton Road. The crane is most noticeable when in use as the movement would alert residents and passers-by to its presence. It is recommended that a condition secures that the crane is not operated on a Saturday afternoon, or on Sundays or public holidays which would be sufficient and reasonable to ensure that the visual impact of the crane be adequately managed without the need for it to be dismantled.
- 7.2.7 It is therefore considered that the proposal is acceptable in terms of its visual impact on the character and appearance of the area and on the Conservation Area.

7.3 Highway Safety

- 7.3.1 In terms of implications for parking provision on the site, the crane has a very small footprint (4m x 4m) and does not result in significant loss of any parking provision on site. On this basis, the proposal is considered acceptable on parking grounds. This was previously considered to be acceptable when permission was granted for the temporary crane. The only additional loss of parking would be a small loss of spaces on Saturday afternoons, Sundays and public holidays which does not raise any concerns.
- 7.3.2 The LHA required confirmation as to whether or not the crane is overhanging the public highway or highway verge. The applicant provided confirmation that whilst it would be possible to overhang Ashton Road this will never be the case as the site will never extend the crane to operate at the full reach. It operates to a maximum radius of 28.5m as per the submitted plan and that it is not possible to extend over Ashton Road as the high level trees along the rear elevation and slew lock on the crane prevent the crane arm from operating over this area.
- 7.3.3 Despite the applicant's confirmation that the crane would not overhang the highway or the verge, the LHA has confirmed that as the crane has the potential to overhang the highway or highway verge, that a suitably worded condition is used to ensure that this would not be the case. A check of the previous permission confirmed that a condition was placed on the original planning permission in this regard. This condition is recommended to be added again to any planning permission, should it be granted.
- 7.3.4 It is noted that these conditions clarify the operating area for the crane, however it would be physically possible for the crane to be used to lift objects from outside of the yard or for instance to over stretch, or attempt to lift an item that was too heavy. Comments have been received stating that the crane has been used to perform lifting operations from the shared parking area in the past. Concerns have also been raised about the stability of the crane in high winds, and the fear of the crane toppling over and further concerns regarding the demountable nature of the crane being designed to be put up and taken down rather than in permanent use. These concerns are noted, however they are matters for Health and Safety Legislation and not valid planning considerations.
- 7.3.5 The Local Highway Authority have also provided a second response advising that the applicant will require an oversail licence for the crane. Given that the crane has been operating at the site for a number of years and that this application merely seeks permission to keep the crane erected 24 hours a day 7 days a week without the restriction of the previous consent in terms of dismantling the crane over the weekend it is considered that an informative note can be added to the planning permission advising the applicant to apply to the Regulations Team at Northamptonshire Highways for an oversail licence.

7.4 Impact on Neighbouring Amenity

- 7.4.1 The closest properties on Ashton Road face the crane and it is accepted that the rear gardens are located at the furthest point from the crane. The height of the crane, at 32 metres, is considerably taller than the predominantly two storey dwellings that surround the site. This means that the crane is visible from the gardens of the surrounding dwellings, however the tree coverage to the front of the properties would ensure that the view of the crane at eye level from ground and first floor windows would be adequately screened.
- 7.4.2 Whilst it is acknowledged that the crane is taller than the trees which form a boundary between the site and Ashton Road it is felt that a condition to restrict the operating hours to 07.30 to 18.00 Monday to Friday and 07.30 to 12.30 on Saturdays would be sufficient to protect the amenity of the occupants of the dwellings in the surrounding residential properties. It is not considered that the crane being present 7 days a week would result in any further harm over and above what is experienced during the current permitted days. It would be difficult to justify why the additional days would cause harm to the occupiers of neighbouring properties compared to the current approved development.

7.5 Environmental Matters

- 7.5.1 The Council's Environmental Protection Team has raised no objection to the proposal, however it has requested that should permission be granted conditions are added to ensure that the crane should only be operated between 0730 - 1800 Monday – Friday, 0730 - 1200 on Saturdays and not operated at all on Sundays or Bank Holidays in order to protect the amenity of nearby residents. It is considered that these are reasonable conditions given the location of the industrial estate in relation to the surrounding residential properties in terms of the potential for noise associated with lifting and lowering of equipment around the yard. The condition will be further restricted by adding public holidays.
- 7.5.2 Light Pollution: Comments have been received regarding light pollution; however, these relate to the flood lights for the site which it is alleged are regularly left on overnight. The crane itself is not flood lit and issues relating to the lighting of the wider site are not for consideration in this planning application.
- 7.5.3 Noise: Some of the comments received regarding noise on the site relate to the wider operations of the plant hire business which are not necessarily linked to the crane. It has been stated that the current use as a plant hire yard generates more noise than the previous use as a mail sorting depot. Whilst this is noted, only the noise impacts of the crane and associated activity can be considered on this application. It must also be noted that the crane already benefits from planning consent and this application is merely seeking a determination as to whether it can be left erected permanently rather than the principle of it being on site or its use. If anything, the proposal would cause less disruption as there would be no noise associated with the dismantling of the crane on Saturday mornings and its erection on Monday mornings.

7.6 Ecology

- 7.6.1 The nature of the proposal is not considered to have a detrimental impact on local biodiversity or ecology, particularly given the industrial nature of the site. A consultation was issued to the Council's Ecological Advisor who has not provided a response.

7.7 Impact on Air Space

- 7.7.1 The site is within the MOD safeguarding zone which requires a consultation to be issued to the Ministry of Defence for any structure exceeding 91.4 metres in height in order for its impact on aviation and air-based activities to be assessed with particular regard to RAF Wittering. The proposal falls below the prescribed height, nevertheless the Ministry of Defence were consulted and responded to confirm that it has no objection.

8. Other Matters

- 8.1 The crane is already left up at weekends: Comments have been received stating that the crane is left erected over the weekend period. This point is noted, and the retrospective nature of the application acknowledges this point. The Council's Planning Enforcement Team have been made aware by residents of the breaches in planning conditions in this regard. Should Planning consent be refused, the Council's Enforcement Team will take appropriate action.
- 8.2 Privacy issues relating to a camera: Concerns have been raised regarding the privacy of adjacent residents due to the presence of a camera on the crane. The applicant has confirmed in writing that there is not or never has been a camera installed on this crane. The applicant has also confirmed that should planning permission be granted they would agree to a condition being added to the decision notice to prevent a camera being installed to the crane in the future.
- 8.3 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9. Conclusion / Planning Balance

- 9.1 It is considered that the visual impact of the proposal on the setting of the adjacent residential area is not at a level that would cause a detrimental impact on the character and appearance of the area or adversely impact on the amenity of the occupants of nearby residential properties. The matter to consider here is whether the proposal would result in any additional harm over and above that which is currently permitted. It is considered that it would not and as such it is recommended that the proposed development is approved.

10. Recommendation

- 10.1 That Planning Permission is GRANTED subject to conditions.

11. Conditions

1. No part of the crane shall overhang the area edged in blue and identified as turning circle on drawing 445/02a received 22nd March 2021.

Reason: In the interests of highway safety.

2. The crane must only be operated between the hours of 07.30 and 18.00 Monday to Friday and 07.30 to 12.30 on Saturdays. The crane must not be operated after 12.30 on Saturdays or at all on Sundays or Bank Holidays or Public Holidays.

Reason: In the interest of neighbouring amenity.

3. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the details submitted on the approved application form, design and access statement, product guide and drawing no. 445/02a Location Plan received 22nd March 2021, and Site Plan, received 22nd March 2021.

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

4. The crane shall only be used to lift or lower items from within the yard area marked on drawing number 445/02a and not within the car park area.

Reason: In the interest of public safety.

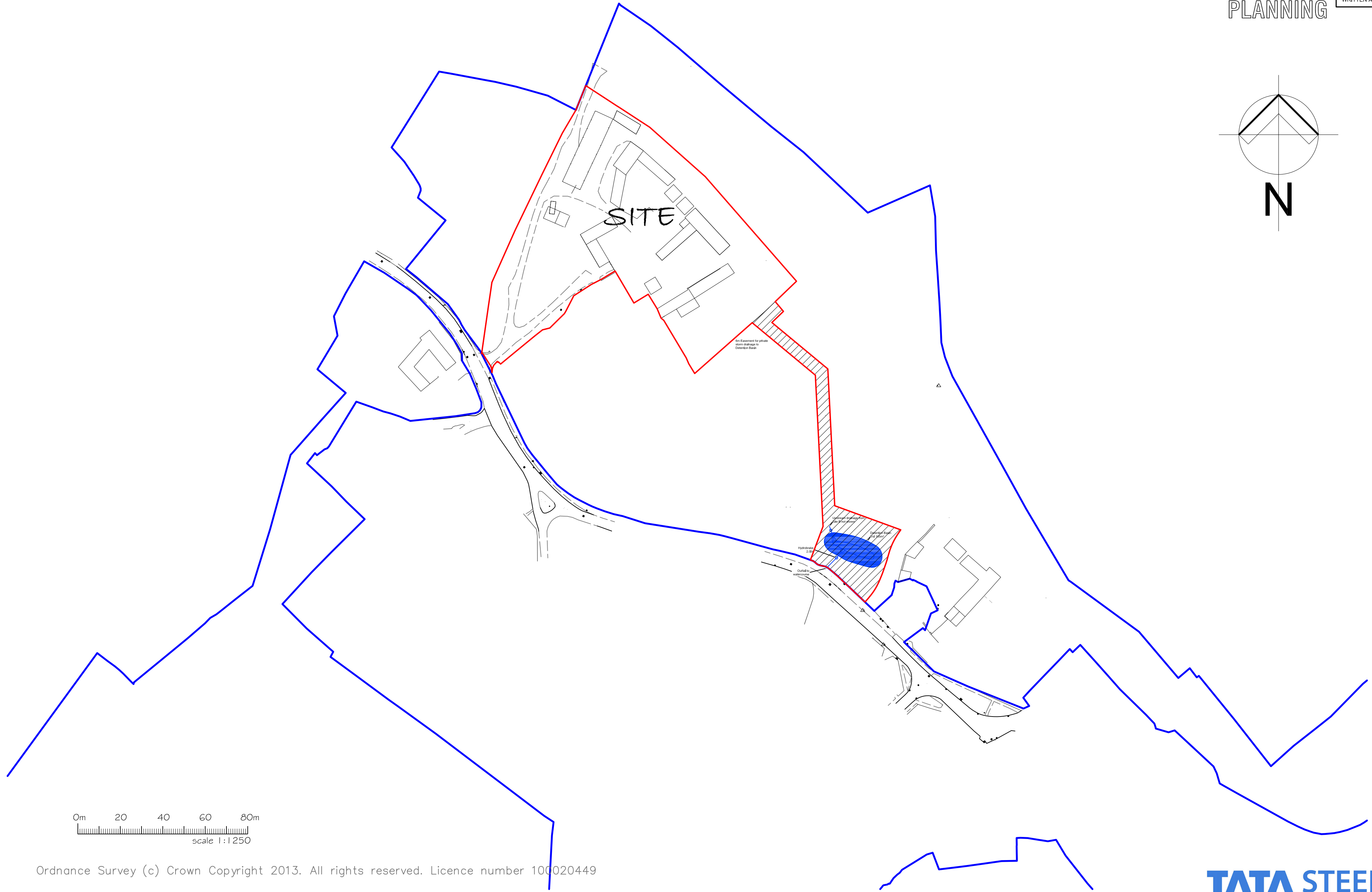
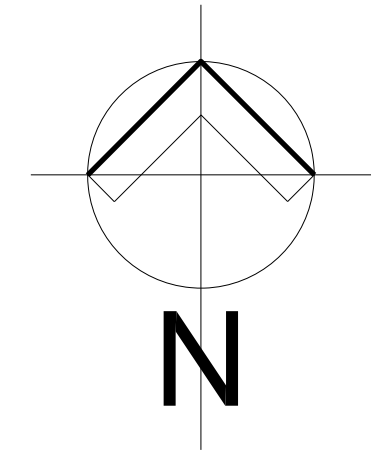
12. Informatives

1. The applicant is advised to obtain an oversail licence from the Regulations Team at Northamptonshire Councils Local Highway Authority

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PLANNING



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SITE B LOCATION PLAN



Twywell Site A

Revision	Date	Drn	Ckd
A	31.07.20	MA	SC

OS Copyright added. Paper Size amended

Date	Scale	Drawn by	Check by
OCT 2019	1:1250@A2	SR	SC
Project No	Drawing No	Revision	
RDC1081	LP-001	A	

Project
BARN CONVERSION
TWYWELL

Drawing Title
SITE B LOCATION PLAN



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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	20/01019/FUL
Case Officer	Dean Wishart
Location	Manor Farm High Street Twywell Kettering Northamptonshire NN14 3AH
Development	Alteration and conversion of four disused agricultural buildings into four residential dwellings (Class C3), to include extension works, new car ports, associated site layout and landscaping works
Applicant	Tata Steel (UK) Ltd
Agent	Sean Rooney - Harris Lamb
Ward	Thrapston
Overall Expiry Date	30th April 2021
Agreed Extension of Time	23rd July 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there have been 3 or more objections from local residents and an objection from the Parish Council.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 This application seeks consent for the alteration and conversion of four disused curtilage listed agricultural barn buildings into four residential dwellings (Use Class C3). The barns are currently in very poor condition. The proposals would include extension works, new car ports, site layout and landscaping alterations. A diversion of public footpath PA10 to a new alignment further north had been proposed but this element has now been deleted from the scheme. The schedule of accommodation would be as follows:

- Barn 1 – 3 bed (no extension)
- Barn 2 – 4/5 bed (no extension)
- Barn 3 – 4/5 bed (no extension)
- Barn 4 – 3 bed (single storey extension)

2.2 A parallel application for listed building consent (20/01020/LBC) has also been submitted.

3. Site Description

3.1 The application site is a farmyard on the edge of Twywell village and within the conservation area. The principal site access is from High Street to the south. Twywell has two settlement boundaries within the Rural North, Oundle and Thrapston Plan (RNOTP) and this site, although located between the two built up areas of the village, is technically in open countryside to the north side of High Street. There are small areas of woodland to the west and south east of the site and open countryside to the north / north-west / north-east and east.

3.2 Public footpath PA10 runs to the north boundary of the site and connects into the village to the south east at Lower Street. Public Footpath PA12 runs along the west boundary and connects into the village to the south at High Street. The two paths currently meet at a crossroads at the north west corner of the site.

4. Relevant Planning History

4.1 20/01020/LBC – Listed Building Consent for the external and internal alterations to these barns to facilitate their conversion to four residential dwellings – Pending Consideration.

5. Consultation Responses

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

5.1 Twywell Parish Council

Originally supported the proposal but changed their stance to one of objection, raising the following points:

- Disappointed that the issue regarding reinstatement of the granite setts - a historical feature - has not been addressed;

- Seek confirmation that the barns will retain their original names - another historical feature;
- Wish to draw attention to the fact, that although footpath PA10 is shown on the drawings, with a proposal to reroute, that there is no inclusion of PA12, which runs along the north-west boundary of the site. Seek clarification on this matter; and
- Share concerns with waste department regarding the lack of provision for waste bins

Officer response: The Parish Council did not respond to the latest reconsultation which shows that the footpath diversion has now been deleted from the scheme. The Principal Conservation Officer has also confirmed in their comments below that the granite setts are not a historic feature.

5.2 Neighbours / Responses to Publicity

Seven letters of representation have been received. The material planning issues raised are summarised below:

- The principle is unacceptable as the buildings are:
 - In agricultural use and should remain so; and
 - Outside the settlement boundary
- Negative impacts upon:
 - Historic environment (listed buildings / conservation area) as a result of the design / layout;
 - Wildlife, including protected species;
 - The public footpath – will there be stiles in on the new alignment?
 - Residential amenity due to light / noise pollution;
 - Highway safety due to visibility and additional traffic; and
 - Drainage – current system is old and cannot cope (flooding occurs further down the road)
- Cumulative impact of development as multiple applications in the village are not being dealt with together

5.3 Local Highway Authority (LHA)

Originally sought further information on the following matters:

- Access onto High Street should comply with adoptable standards;
- Whether or not there would be a mix of residential and agricultural/commercial properties served from the same private access;
- The number of properties to be served from High Street; and
- Confirmation that the site is not accessible from two (vehicle) access points

Following clarification the above matters, are satisfied and raise no objections subject to a condition relating to any works to the public footpath (a new fence and gate are proposed)

Also provides information and informative notes relating to Public Rights of Way, which can be attached to a decision notice.

5.4 Fire and Rescue

Provide comments on minimum width, turning areas, specification of access strength and maximum distance the buildings should be from any road.

5.5 Waste Management

Not satisfied with the lack of detail shown on the plans but acknowledges that there appears to be ample space at the entrance on High Street to provide a sufficiently sized hardstanding presentation point.

5.6 Ramblers Association

No objection subject to a satisfactory segregation of pedestrians using PA12 from vehicles accessing the proposed dwellings. Also ask that the diversion of PA10 should be the least possible to allow the development to take place and would prefer the diversion line to follow the new boundary rural rail fencing.

5.7 Surface Water Drainage Assessment Team (Lead Local Flood Authority)

No objection and refers to standing guidance – any relevant informatives can be added to a decision notice

5.8 Environment Agency

No objection / does not wish to make any comments.

5.9 Natural England

No objection / does not wish to make any comments.

5.10 Principal Conservation Officer

Had concerns with the proposal as originally submitted but has no objections to the revised plans.

Recommends the inclusion of conditions for all external materials and joinery details, in addition to the programme of archaeology recommended by the council's Archaeological Advisor.

Notes the concerns which have been raised about the granite setts at the entrance to the site. Agrees that it would be good to retain this feature (or replicate a similar detail) but does not believe the existing setts are historic.

5.11 Archaeology

No objection subject to a condition for an archaeological programme of works.

5.12 Ecology

Bat roosts were identified. A protected species license will be needed but no objection subject to a condition.

Also recommends that the 1.8m 'hit and miss' timber fencing include small 'hedgehog holes' to allow hedgehogs to move between the gardens to forage and provide a measure of pest control for residents.

Also supports the ecologist's suggestion that a barn owl box be mounted in an appropriate place on the outside of one of the buildings.

5.13 Historic England

Do not wish to offer any comments and suggest that the council seeks the views of its specialist conservation adviser.

5.14 Environmental Protection

No objection on grounds of construction management or contamination subject to conditions.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2019)
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 2 - Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 11 - The Network of Urban and Rural Areas
Policy 25 - Rural Economic Development and Diversification
Policy 28 - Housing Requirements
Policy 29 - Distribution of New Homes
Policy 30 - Housing Mix and Tenure

6.4 Rural North, Oundle and Thrapston Plan (2011)

Policy 4 – Green Infrastructure
Policy 23 – Rural Buildings – General Approach

- 6.5 Emerging East Northamptonshire Local Plan Part 2 – Submission Plan (March 2021)
Policy EN1 – Spatial Development Strategy
Policy EN12 – Health and Wellbeing
Policy EN13 – Design of Buildings / Extensions
Policy EN14 – Designated Heritage Assets
Policy EN29 – Delivering Wheelchair Accessible Housing
Policy EN30 – Housing Mix and Tenure to Meet Local Need
- 6.6 Other Relevant Documents
Domestic Waste Storage and Collection Supplementary Planning Document (SPD), 2012
Northamptonshire County Council – Highways Parking Standards, 2016
Local Highway Authority Standing Advice for Local Planning Authorities, 2016

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Design / Layout / Amenity
- Highway Safety / Parking
- Ecology
- Archaeology
- Impact on Listed Buildings / Conservation Area
- Impact on Trees / Landscaping
- Sustainable Construction
- Drainage / Flooding

7.1 Principle of Development

- 7.1.1 The application site comprises of curtilage listed farm buildings associated with the Manor Farm complex in Twywell. Agricultural land does not represent previously developed land (as defined in the NPPF) and the farm complex is not within the identified settlement boundary for Twywell, however the majority of the site is within the conservation area, and the farm complex is located between the two main built areas of the village.
- 7.1.2 Development of the site would not only see the retention and re-use of curtilage listed buildings; it would also preserve the existing built form of the village with only marginal encroachment beyond the conservation area into open countryside to the north. This would be for amenity space only and would not encroach any further than the existing public footpath alignment. An existing Dutch barn at the north east corner of the site would be demolished and new car ports would be constructed for barns B1, B2 and B3. Barn B4, to the south of the site, would be extended at single storey level.

7.1.3 Some of the buildings are in clear need of renovation as they are in a poor state of repair. There are no specific policies which restrict or resist the suitable conversion/adaptation of rural buildings and in many cases, it can be a permitted development right. That is not the case here as the site is within the conservation area and within the curtilage of a listed building (Manor House). That in itself does not make the principle of development unacceptable; rather it ensures that the Council is able to exercise greater control over the detail of such proposals. Given the size and form of the buildings, their conversion to residential development is considered to be acceptable in principle.

7.2 Design / Layout / Amenity

7.2.1 Four barns, identified as B1, B2, B3 and B4 on the plans are proposed to be converted. The schedule of accommodation would be as follows:

- B1 – 3 bed (no extension)
- B2 – 4/5 bed (no extension)
- B3 – 4/5 bed (no extension)
- B4 – 3 bed (single storey extension)

7.2.2 There would be a single storey extension to the east of barn 4 but the others would all retain their existing size and form and where they are damaged / partially collapsed, they would be restored to their original form. An existing set of non-historic barns to the north east of barn 1 would also be demolished.

7.2.3 The site layout has been the subject of extensive discussions with the applicant's agent and Principal Conservation Officer. The application as originally submitted:

- Proposed a much larger curtilage to some of the properties;
- Included diverting the public footpath to the north boundary;
- Included elevation detailing and garages, which were considered to be inappropriate in design / historic impact terms.

The revised proposals have:

- Reduced the residential curtilages;
- Deleted the footpath diversion altogether; and
- Amended the elevations (including omission of the large glazed gable end to Barn B3), omitted one garage and redesigned another as a car port, all to the satisfaction of the Principal Conservation Officer

7.2.4 The revised layout now for consideration would have no impact on the alignment of either of the public footpaths which run to the north and west of the site, and would sympathetically alter / extend the buildings to provide four new dwellinghouses within the curtilage of the listed Manor Farmhouse. The new dwellings would share the same point of access onto the High Street, but would be served by their own shared driveway, thus allowing the farmhouse to retain its own driveway arrangements. The new dwellings would remain in the location of the existing buildings and would form a courtyard style development, which reflects the previous use of the site for agriculture.

- 7.2.5 The final / finer detail of materials for the properties, boundaries and access / parking areas can be agreed through condition, but the style and quality of these will reflect the curtilage listed status of the buildings, their former use for agriculture and the rural / historic / conservation area setting (e.g. Stone / slate / timber / conservation roof lights and pantiles).
- 7.2.6 The Council's Waste Management Officer has expressed concern about lack of information relating to bin collection, as it has not been highlighted on the site plan. It is clear from the site visit that bins for the existing and new properties could be placed adjacent to High Street on collection day to allow for a kerbside collection; a point that the Waste Management Officer also accepts. The site plan drawing has been updated to demonstrate this, and will be included in the condition which lists the approved drawings.
- 7.2.7 The layout provides for adequate internal and external amenity space for all four properties, whilst not affecting the amenity, in terms of privacy, light and space of the listed Manor Farmhouse. Internally the properties would meet the space standards as required by JCS Policy 3. The size of properties has largely been dictated by the existing building footprints but in terms of mix, there would be both smaller (3-bed) and larger (4-5 bed) properties which is considered to be acceptable.

7.3 Highway Safety / Parking

- 7.3.1 There would be ample parking for each of the new properties, in excess of the Local Highway Authority's standards of 2 spaces for a 3-bed and 3 spaces for a 4-bedroom property. There would also be two turning areas:
- To the west boundary of the site; and
 - Internally, between B2, B3 and B4's parking spaces
- 7.3.2 There would be a single point of access onto High Street and although the initial part of the access would be shared with the existing farmhouse, overall this would not exceed 5 properties off a shared drive, so wouldn't need to be constructed to an adoptable standard. In addition, the proposal would remove agricultural use from the site, so would represent an improvement in safety in this regard as there would not be a combination of residential and commercial uses.
- 7.3.3 The existing access point onto High Street is bounded by stone walls which are a prominent visual feature in the street scene. These would not be altered by the proposals and the LHA has not raised any concerns with regard to the access width, or visibility onto the High Street. The width, turning areas and distance between buildings and the nearest road also comply with the standards set by Northamptonshire Fire and Rescue. The LHA is satisfied subject to a condition relating to any works to the public right of way.

7.4 Ecology

- 7.4.1 There have been objections from the local community in respect of ecology. Relevant consultation has been undertaken and there has been no objection to the application from Natural England, whilst the Council's ecologist has requested conditions relating to a protected species license and replacement bird nesting facilities, together with an informative to warn the applicant about works taking place outside of the bird nesting season.
- 7.4.2 The Council's ecologist has advised that bat roosts were identified and a protected species license will be needed but has no objection subject to a condition to secure this. They also recommend that the 1.8m 'hit and miss' timber fencing should include small 'hedgehog holes' to allow hedgehogs to move between the gardens to forage and provide a measure of pest control for residents. They also support the inclusion of a barn owl box, to be mounted in an appropriate place on the outside of one of the buildings.
- 7.4.3 Subject to the above measures being secured, which are all reasonable, the proposal is considered to be acceptable in this regard.

7.5 Archaeology

- 7.5.1 The Council's archaeologist raises no objection to the application subject to a pre-commencement condition for an archaeological programme of works. This requirement is also supported by the Principal Conservation Officer. Subject to this condition being included, the proposal is considered to be acceptable in this regard.

7.6 Impact on Listed Buildings / Conservation Area

- 7.6.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 7.6.2 Furthermore, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.
- 7.6.3 The application site is in the conservation area and within the curtilage of the Grade II listed Manor Farmhouse. The scheme, in its amended form, has been the subject of discussions with the applicant's agent and the Principal Conservation Officer, who is raising no objections to the proposal subject to conditions to secure materials, as well as the archaeological programme of works being requested by the Archaeological Advisor. Joinery details can be secured on the parallel listed building consent application.
- 7.6.4 There is also a public benefit to the proposal in that it will bring these curtilage listed buildings back into permanent use, and will restore the damaged / collapsing parts to their previous state. This is desirable and will aid in preserving / enhancing the character and setting of not only the listed building, but also the wider conservation area.

7.6.5 The stone setts along the High Street (on the highway), which the Principal Conservation Officer has adjudged not to be historic, would be retained, and a condition is proposed to ensure that any damage caused during construction results in repair / replacement as appropriate.

7.7 Impact on Trees / Landscaping

7.7.1 Trees on the site already benefit from statutory protection afforded to them by virtue of being within the conservation area. The majority of trees on the site are confined to the west boundary, following the access route from High Street along to the north west corner of the site.

7.7.2 Larger wooded areas, also within the conservation area, lie to the west and south east of the site, and will be unaffected by the proposals.

7.7.3 The tree survey supplied with the application appraises most of the trees on the site as being of the lower 'C' or 'U' categories and proposes the removal of 8 individual trees (T9, T10, T16, T22, T30, T43, T44 and T45) and a small group (G19), all of which are within these lesser categories.

7.7.4 The removal of these trees would not adversely affect the overall woodland setting of the site, and will allow for improved access and amenity areas to be provided within the new layout, as well as protecting curtilage listed barn B1 from damage in future, as it is within very close proximity.

7.7.5 For the remaining trees, protection methods are proposed and these can be secured by condition, as can final hard and soft landscaping details.

7.8 Sustainable Construction

7.8.1 JCS Policy 9 requires development to incorporate measures to ensure high standards of resource and energy efficiency, together with reductions in carbon emissions. All residential developments should incorporate measures to limit use to no more than 105 litres / person / day and external water use of no more than 5 litres/person/day, or an alternative national standard in areas of water stress.

7.8.2 Measures to limit use to no more than 105 litres / person / day and external water use of no more than 5 litres / person / day can be secured by condition, as can:

- Minimum standards for gas fired boilers; and
- Electric vehicle charging points

7.8.3 Given the site's rural location, with very limited access to public transport, the development will be almost entirely reliant on the private car, so the inclusion of electric vehicle charging points is considered to be necessary.

7.9 Drainage / Flooding

7.9.1 A small drainage pond is proposed to the south east of the site (on the applicant's land), with a connection to the exiting watercourse. Although concerns have been raised by local residents, there has been no objection to the proposal from the Surface Water Management Team or Environment Agency. The onus will be on the applicant to liaise with the relevant water bodies to ensure that connections to the drainage system are carried out appropriately, and that the pond is maintained in a reasonable state.

8. Other Matters

8.1 Neighbour / Parish comments:

- *Developments being dealt with in a piecemeal fashion (reference drawn to current applications at Home Farm Cottages):* These applications have been made by the same applicant / agent, but the sites are distinct and distant from one another, and have their own individual setting. Theoretically one application could have been made for both sites as they are reasonably close to one another but equally it is reasonable to consider them separately on their individual planning merits. These proposals do not represent artificial subdivision of a site to deliberately circumnavigate planning obligations; it is reasonable to treat them as separate sites / applications.
- *Perceptions of preferential treatment of one applicant over another, and a wish for applications by this applicant to either all be approved or refused for consistency:* Each application must be determined on its individual planning merits, irrespective of who the applicant is. The council cannot determine applications based on who an applicant is. Planning permission goes with the land and not the applicant. There has been no preferential treatment of one applicant over another.
- *Names of the barns should be retained:* This is desirable but not a material planning consideration; however, an informative will be included to encourage this.

8.2 Equality: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.3 Health Impact Assessment: Paragraph 91 of the NFFP 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. This is a rural site which abuts two public footpaths, which will allow for recreation. There is also ample amenity space for each property and footpath links to the wider village on High Street.

8.4 Contamination: A range of conditions are proposed to mitigate any impact arising from contamination.

- 8.5 Construction Management: Conditions are proposed to limit construction hours and limit nuisance associated with mud, dust and burning.

9. Conclusion / Planning Balance

- 9.1 The application represents an opportunity to convert, repair and re-use a range of curtilage listed barn buildings which are in poor condition. Subject to a range of conditions as set out below the proposal would be acceptable in terms of its impacts upon:

- The setting of the conservation area or, existing listed building;
- Users of the public footpaths;
- Existing and new residents;
- Highway safety and parking;
- Ecology;
- Archaeology;
- Drainage / flood risk

and is considered to be acceptable in all other regards.

- 9.2 The principle of development is acceptable and there are public benefits associated with the retention and repair of the buildings.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to 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 permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

- 2 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) fieldwork in accordance with the agreed written scheme of investigation;

(ii) post-fieldwork assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

(iii) completion of post-fieldwork analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 199.

3 Building works relating to the roof or interior of the farm buildings as identified on the approved plans listed in condition 22 must not commence shall not in any circumstances commence unless the local planning authority has been provided with either:

a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or

b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or

c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

Reason: To mitigate the impact of the development upon protected species.

4 No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank / Public Holidays.

Reason: To ensure the protection of the local amenity throughout construction works.

5 There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity

6 No demolition products (concrete, bricks, soil, etc) shall be processed (crushed or sorted) on-site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the protection of the local amenity throughout construction works

- 7 Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud refuse etc. deposited on the road as a result of the development must be removed immediately by the operator/contractor.

Reason: In the interests of residential amenity, highway safety and visual amenity.

- 8 During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

Reason: To ensure the protection of the local amenity throughout construction works

- 9 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed

- 10 Where the risk assessment identifies any unacceptable risk or risks, 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'.

Reason: To ensure the proposed remediation plan is appropriate.

- 11 Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

- 12 On completion of remediation, two copies of a closure 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 Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

- 13 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.

Reason: To ensure all contamination within the site is dealt with.

- 14 Prior to the commencement of development above slab level, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas;

(b) details of the hard surface areas, including the access drive (which must be able to take the weight of a 15 tonne fire appliance) pavements, pedestrian areas, reduced-dig areas, any crossing points and steps;

(c) details of boundary treatments, which are to include provision for hedgehog holes; and

(d) details of a waste collection point adjacent to High Street.

The agreed boundary treatments shall be in situ before each respective property is occupied and all planting shall take place no later than the first planting season following first occupation of the building(s) or on the completion of the development, whichever is the sooner.

Within the first 5 years any species which die, become damaged, diseased or are removed shall be replaced in the current/next planting season with others of similar size and species unless written consent is obtained from the Local Planning Authority to any variation.

Reason: In the interests of the visual amenity, residential amenity, ecology and crime prevention.

- 15 During construction, tree protection shall take place strictly in accordance with the details shown on drawing PR122496-03A Phase B (Tree Protection Plan).

Reason: In the interests of biodiversity, visual amenity and to ensure that protected trees are not harmed during the construction phase of development.

- 16 Before commencement of development above slab level, details and samples of the external roofing and facing materials (including all windows, doors and roof lights) to be used in construction of the dwellings / alterations shall have been provided on site and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and setting of the conservation area and listed building.

- 17 A scheme for the provision of at least one barn owl box shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the property / properties to which the new facilities relate.

Reason: To compensate for the loss of existing bird nesting facilities and in the interests of promoting biodiversity.

18 No occupation of dwellings shall take place until details have been submitted to and approved in writing which demonstrate the following sustainability measures for the new buildings

- Electric vehicle charging points;
- Measures to limit use to no more than 105 litres / person / day and external water use of no more than 5 litres / person / day; and
- Minimum standards for gas fired boilers

Development shall only take place in accordance with the approved details and all measures shall be available for use upon first occupation of each respective property.

Reason: In the interests of sustainability.

19 Prior to first occupation, the shared site access and parking and turning facilities shall be constructed in accordance with the approved plans. All parking & turning areas shall be retained for these purposes in perpetuity and no surface water shall drain onto the public highway.

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

20 Any damage caused to the granite setts at the site entrance on High Street during construction shall be repaired / replaced on a like-for-like basis.

Reason: To preserve the character of the conservation area in accordance with Policy 2 of the North Northamptonshire Joint Core Strategy.

21 Prior to the commencement of works affecting any existing public right of way full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the local planning authority.

Reason: In the interests of safety of users of the public rights of way which abut the site.

22 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order):

- No outbuildings shall be erected on the amenity area to the north of B3 or its car port, as shown on Drawing LA-001 Rev G (Site B Block Plan); and
- The areas identified as “paddock area” in yellow on approved plan LA-002 (Curtilages Plan) shall not be enclosed or sub-divided and shall only be used for agricultural purposes.

Reason: For the avoidance of doubt, to clarify the extent of domestic curtilage, in the interests of visual amenity and to avoid encroachment of domestic curtilage into open countryside, which would be contrary to policy, and could affect the setting of the conservation area and listed building.

23 The development hereby permitted shall be carried out strictly in accordance with the following plans / documents:

- Application form
- Tree Report ref PRI22496ts by ACD Environmental, dated 03.06.2019
- LP-001 Rev A – Site B Location Plan
- LA-001 Rev G – Site B Block Plan (including bin collection area inset)
- LA-002 Rev A – Curtilages Plan
- PL-203 Rev B – Proposed Plans (Barn B1)
- PL-204 Rev B – Proposed Elevations (Barn B1)
- PL-205 Rev C – Proposed Plans (Barn B2)
- PL-206 Rev C – Proposed Elevations (Barn B2)
- PL-207 Rev B – Proposed Plans (Barn B3)
- PL-208 Rev B – Proposed Elevations (Barn B3)
- PL-209 Rev B – Proposed Plans (Barn B4)
- PL-210 Rev B – Proposed Elevations (Barn B4)
- PL-213 Rev B – Proposed Plan and Elevations (Carports)

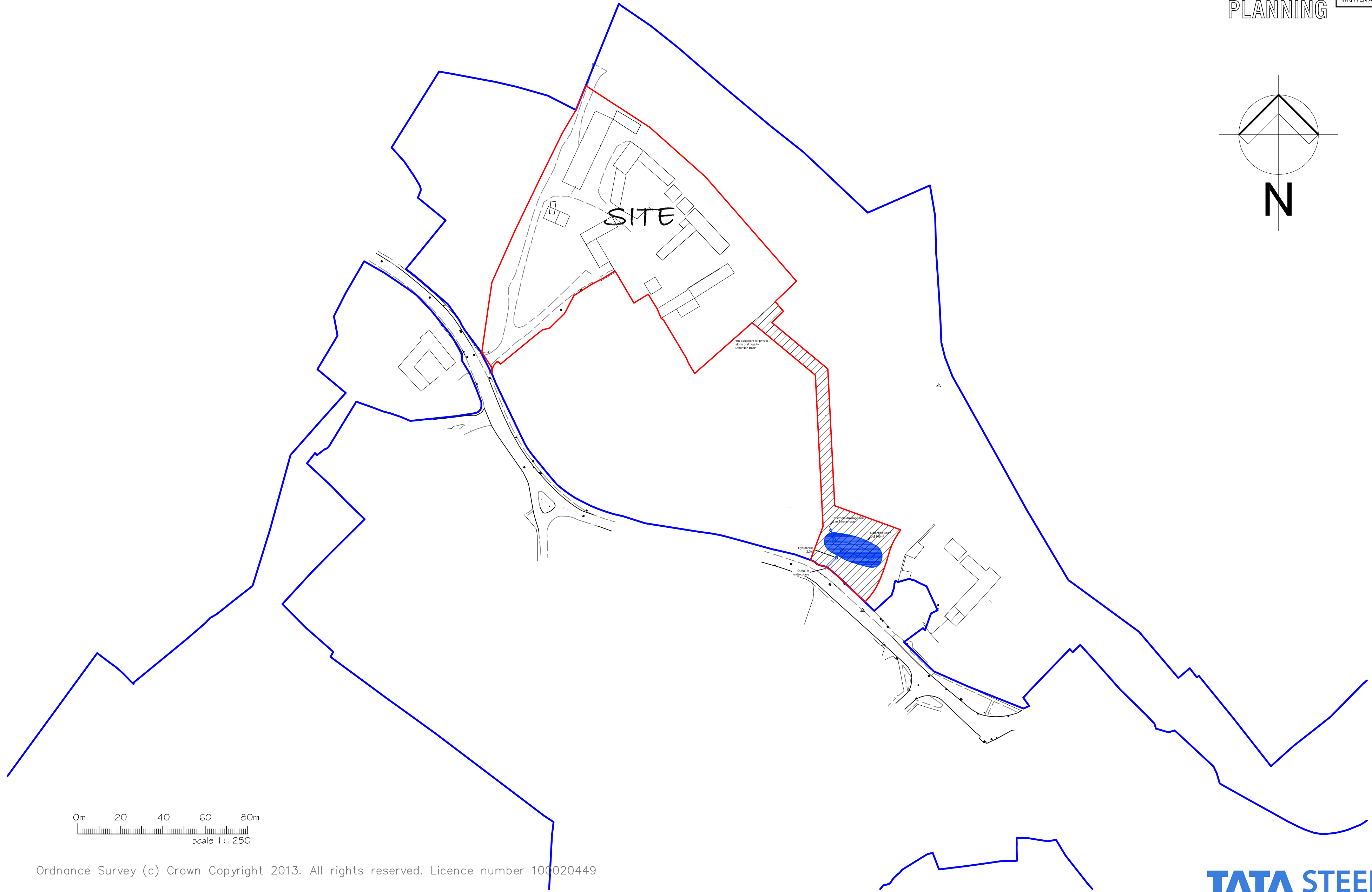
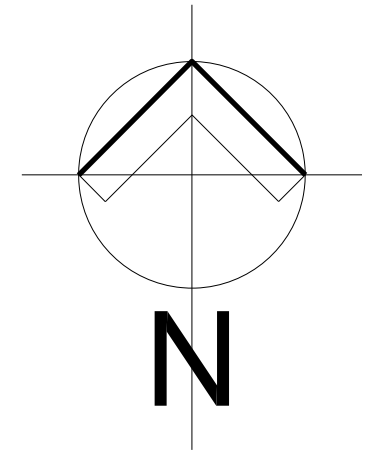
Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

12. Informatives

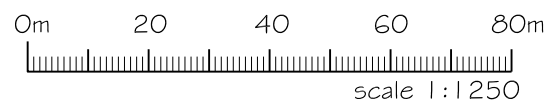
1. Asbestos
2. Public Rights of Way
3. Drainage
4. Bird Nesting Season
5. Property Names

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PLANNING



Page 107



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SITE B LOCATION PLAN



Twywell Site A

Revision	Date	Drn	Ckd
A	31.07.20	MA	SC

OS Copyright added. Paper Size amended

Date	Scale	Drawn by	Check by
OCT 2019	1:1250@A2	SR	SC
Project No	Drawing No	Revision	
RDC1081	LP-001	A	

Project
BARN CONVERSION
TWYWELL

Drawing Title
SITE B LOCATION PLAN



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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	20/01020/LBC
Case Officer	Dean Wishart
Location	Manor Farm High Street Twywell Kettering Northamptonshire NN14 3AH
Development	Listed Building Consent for the external and internal alterations to these barns to facilitate their conversion to four residential dwellings
Applicant	Tata Steel (UK) Ltd
Agent	Sean Rooney - Harris Lamb
Ward	Thrapston
Overall Expiry Date	30th April 2021
Agreed Extension of Time	23rd July 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there has been an objection from the Parish Council.

1. Recommendation

- 1.1 That Listed Building Consent be GRANTED subject to conditions.

2. The Proposal

- 2.1 This application seeks consent for the alteration and conversion of four disused curtilage listed agricultural barn buildings into four residential dwellings (Use Class C3). The barns are currently in very poor condition. The proposals would include extension works, new car ports, site layout and landscaping alterations. A diversion of public footpath PA10 to a new alignment further north had been proposed but this element has now been deleted from the scheme. The schedule of accommodation would be as follows:

- Barn 1 – 3 bed (no extension)
- Barn 2 – 4/5 bed (no extension)
- Barn 3 – 4/5 bed (no extension)
- Barn 4 – 3 bed (single storey extension)

2.2 A parallel application for full planning consent (20/01019/FUL) has also been submitted.

3. Site Description

3.1 The application site is a farmyard on the edge of Twywell village and within the conservation area. The principal site access is from High Street to the south. Twywell has two settlement boundaries within the Rural North, Oundle and Thrapston Plan (RNOTP) and this site, although located between the two built up areas of the village, is technically in open countryside to the north side of High Street. There are small areas of woodland to the west and south east of the site and open countryside to the north / north-west / north-east and east.

3.2 Public footpath PA10 runs to the north boundary of the site and connects into the village to the south east at Lower Street. Public Footpath PA12 runs along the west boundary and connects into the village to the south at High Street. The two paths currently meet at a crossroads at the north west corner of the site.

4. Relevant Planning History

4.1 20/01019/LBC – Listed Building Consent for the external and internal alterations to these barns to facilitate their conversion to four residential dwellings – Pending Consideration.

5. Consultation Responses

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

5.1 Twywell Parish Council

Originally supported the proposal but changed their stance to one of objection, raising the following points:

- Disappointed that the issue regarding reinstatement of the granite setts - a historical feature - has not been addressed;
- Seek confirmation that the barns will retain their original names - another historical feature;
- Wish to draw attention to the fact, that although footpath PA10 is shown on the drawings, with a proposal to reroute, that there is no inclusion of PA12, which runs along the north-west boundary of the site. Seek clarification on this matter; and
- Share concerns with waste department regarding the lack of provision for waste bins

Officer response: The Parish Council did not respond to the latest reconsultation which shows that the footpath diversion has now been deleted from the scheme. The Principal Conservation Officer has also confirmed in their comments below that the granite setts are not a historic feature.

5.2 Neighbours / Responses to Publicity

Two letters of representation have been received. The material planning issues raised are summarised below:

- The principle is unacceptable as the buildings are:
 - In agricultural use and should remain so; and
 - Outside the settlement boundary
- Negative impacts upon:
 - Historic environment (listed buildings / conservation area) as a result of the design / layout;
 - Wildlife, including protected species;
 - The public footpath

5.3 Natural England

No objection / does not wish to make any comments.

5.4 Principal Conservation Officer

Had concerns with the proposal as originally submitted but has no objections to the revised plans.

Recommends the inclusion of conditions for all external materials and joinery details, in addition to the programme of archaeology recommended by the council's Archaeological Advisor.

Notes the concerns which have been raised about the granite setts at the entrance to the site. Agrees that it would be good to retain this feature (or replicate a similar detail) but does not believe the existing setts are historic.

5.5 Archaeology

No objection subject to a condition for an archaeological programme of works.

5.6 Historic England

Do not wish to offer any comments and suggest that the council seeks the views of its specialist conservation adviser.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

- 6.2 National Policy
National Planning Policy Framework (NPPF) (2019)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)
- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 – Presumption in Favour of Sustainable Development
Policy 2 – Historic Environment
Policy 3 – Landscape Character
Policy 4 – Biodiversity and Geodiversity
Policy 8 – North Northamptonshire Place Shaping Principles
- 6.4 Rural North, Oundle and Thrapston Plan (2011)
Policy 4 – Green Infrastructure
Policy 23 – Rural Buildings – General Approach
- 6.5 Emerging East Northamptonshire Local Plan Part 2 – Submission Plan (March 2021)
Policy EN13 – Design of Buildings / Extensions
Policy EN14 – Designated Heritage Assets

7. Evaluation

The key issue for consideration is the impact on Listed Buildings / Conservation Area.

7.1 Impact on Listed Buildings / Conservation Area

- 7.1.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 7.1.2 Furthermore, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.
- 7.1.3 Four barns, identified as B1, B2, B3 and B4 on the plans are proposed to be converted. The schedule of accommodation would be as follows:
- B1 – 3 bed (no extension)
 - B2 – 4/5 bed (no extension)
 - B3 – 4/5 bed (no extension)
 - B4 – 3 bed (single storey extension)
- 7.1.4 There would be a single storey extension to the east of barn 4 but the others would all retain their existing size and form and where they are damaged / partially collapsed, they would be restored to their original form. An existing set of non-historic barns to the north east of barn 1 would also be demolished.

7.1.5 The site layout has been the subject of extensive discussions with the applicant's agent and Principal Conservation Officer. The application as originally submitted:

- Proposed a much larger curtilage to some of the properties;
- Included diverting the public footpath to the north boundary;
- Included elevation detailing and garages, which were considered to be inappropriate in design / historic impact terms.

The revised proposals have:

- Reduced the residential curtilages;
- Deleted the footpath diversion altogether; and
- Amended the elevations (including omission of the large glazed gable end to Barn B3), omitted one garage and redesigned another as a car port, all to the satisfaction of the Principal Conservation Officer

7.1.6 The Principal Conservation Officer is raising no objections to the proposal subject to conditions to secure materials and joinery details. The archaeological programme of works being requested by the Archaeological Advisor will be imposed on the linked planning application (20/01019/FUL).

7.1.7 There is also a public benefit to the proposal in that it will bring these curtilage listed buildings back into permanent use, and will restore the damaged / collapsing parts to their previous state. This is desirable and will aid in preserving / enhancing the character and setting of not only the listed building, but also the wider conservation area.

7.1.8 The stone setts along the High Street (on the highway), which the Principal Conservation Officer has adjudged not to be historic, would be retained, and a condition is proposed to ensure that any damage caused during construction results in repair / replacement as appropriate.

8. Other Matters

8.1 Neighbour / Parish comments:

- *Perceptions of preferential treatment of one applicant over another, and a wish for applications by this applicant to either all be approved or refused for consistency:* Each application must be determined on its individual planning merits, irrespective of who the applicant is. The council cannot determine applications based on who an applicant is. Planning permission goes with the land and not the applicant. There has been no preferential treatment of one applicant over another.
- *Names of the barns should be retained:* This is desirable but not a material planning consideration; however, an informative will be included to encourage this.

- *Other negative impacts:* This proposal is for listed building consent for works to the buildings only. Impacts upon the footpath, wildlife, highways etc are all discussed further in the report for the parallel full planning application (20/01019/FUL)

8.2 Equality: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9. Conclusion / Planning Balance

9.1 The application represents an opportunity to convert, repair and re-use a range of curtilage listed barn buildings which are in poor condition. Subject to a range of conditions as set out below the proposal would be acceptable.

10. Recommendation

10.1 That Listed Building Consent be GRANTED subject to conditions.

11. Conditions

1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To ensure compliance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Prior to the installation of the windows and doors hereby approved, full joinery details shall be submitted to and approved in writing by the Local Planning Authority. Details shall include elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and details of specific mouldings at a scale of at least 1:2. Details shall confirm the finish, depth of reveal and include their opening method and sill. The works shall thereafter be carried out in accordance with the approved particulars.

Reason: To preserve the character and special interest of the listed buildings in accordance with Policy 2 (b) of the North Northamptonshire Joint Core Strategy.

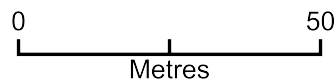
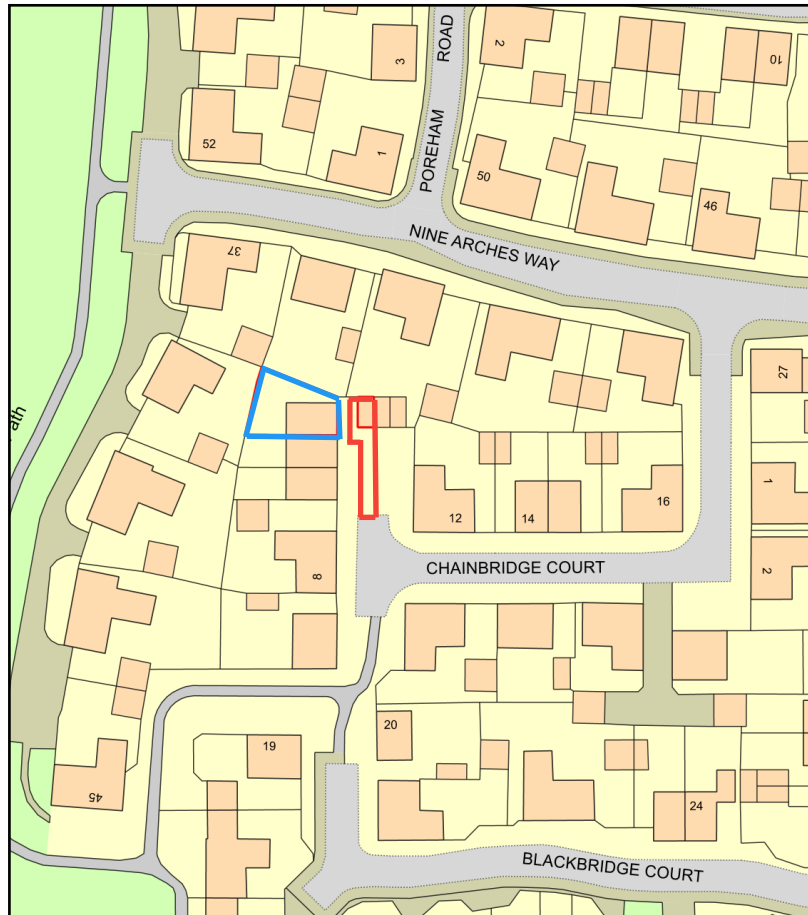
3 The development hereby permitted shall be carried out strictly in accordance with the following plans / documents:

- Application form
- Tree Report ref PRI22496ts by ACD Environmental, dated 03.06.2019
- LP-001 Rev A – Site B Location Plan
- LA-001 Rev G – Site B Block Plan
- PL-203 Rev B – Proposed Plans (Barn B1)
- PL-204 Rev B – Proposed Elevations (Barn B1)
- PL-205 Rev C – Proposed Plans (Barn B2)
- PL-206 Rev C – Proposed Elevations (Barn B2)
- PL-207 Rev B – Proposed Plans (Barn B3)
- PL-208 Rev B – Proposed Elevations (Barn B3)
- PL-209 Rev B – Proposed Plans (Barn B4)
- PL-210 Rev B – Proposed Elevations (Barn B4)
- PL-213 Rev B – Proposed Plan and Elevations (Carports)

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

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11 Chainbridge Court, Location Plan



Plan Produced for: Nicola Lowe
Date Produced: 21 Dec 2020
Plan Reference Number: TQRQM20356120632519
Scale: 1:1250 @ A4

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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00033/FUL
Case Officer	Joe Davies
Location	11 Chainbridge Court, Thrapston, NN14 4FJ
Development	Change of use of existing outbuilding from garage to part massage therapy clinic and part storage.
Applicant	Mrs Nicola Lowe
Agent	N/A
Ward	Thrapston
Overall Expiry Date	11 March 2021
Agreed Extension of Time	N/A

List of Appendices

None

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there has been an objection from Thrapston Town Council

1. Recommendation

- 1.1 That Planning permission is GRANTED subject to conditions.

2. The Proposal

- 2.1 This application seeks full planning permission for the change of use of an existing domestic garage. Part of the garage would be used as a massage therapy clinic, with the rest retained as storage. An additional window would be inserted on the western elevation, facing the main dwelling.

3. Site Description

- 3.1 The application site comprises a semi-detached dwelling with a driveway and garage to the front. The garage is attached to two other garages believed to serve the dwellings at 9 and 10 Chainbridge Court. To the north of the site is dwelling at 33 Nine Arches Way, to the north west is the dwelling at 35 Nine Arches Way, to the east of the dwelling is the garage, that is subject to this proposal, and the attached garages believed to serve 9 and 10 Chainbridge Court and to the west south west of the garage and south of the main dwelling are the dwellings at 9 and 10 Chainbridge Court.

4. Relevant Planning History

- 4.1 04/01093/REM - Erection of 115 dwellings and associated roads – PERMITTED (08.11.2004)

5. Consultation Responses

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

6.1 Thrapston Town Council

Object on the following grounds:

By changing the garage to a business premises, it means the loss of a parking space. Add this to the fact that 'clients' will be visiting the property for appointments and will likely need a parking space this means that at least one additional car will need to be parked on the road. Chainbridge Court is a small cul-de-sac and parking is already tight so adding to the number of traffic and vehicles accessing and parking there on a daily basis could impact on highway safety. Although the Council has no issue with the change of use or the resident operating a business from home, we have serious concerns about the issue of parking.

5.2 Neighbours / Responses to Publicity

Four letters were received in response to the application. Two of these were in support of the application and two objected to the application. The letters in support raised the following matters:

- All possible concerns have been addressed to ensure there will be no impact on residents;
- The issue of parking has been addressed and will not cause any problems;
- Fully support the application for the converted garage for the business.

The letters of objection raised the following issues:

- Concerns regarding limited parking, particularly in relation to covenants on the property and the loss of the garage;
- Light pollution from a security light;
- The red line on the site location plan is incorrect;
- The application stated that the proposal is for a change of use of an existing outbuilding, when it is a purpose-built garage.
- Notwithstanding the fact the National Design Guide is intended to influence the design of future residential developments, it is a reminder of what is expected.
- The area should remain residential and the proposal would introduce a commercial element.
- The properties have not been designed to be anything other than residential in use.
- The parking spaces in front of each garage are in tandem making it difficult for residents to manoeuvre in and out of their spaces.
- The area has existing parking problems.
- The application form conflicts with the Change of Use Statement in relation to the use class of the change of use and the hours of operation.
- The use should be classed as Sui Generis
- The grant of a premises licence shall be dependent on a number of factors, with hygiene facilities being one of the most important. However, in her Design and Access Statement/Request for Change of Use Statement the applicant tells us "... there will be no need for any plumbing needs" – which serves to further illustrate the fact this application is ill conceived and inappropriate for a garage in a residential area.

5.3 Local Highway Authority (LHA)

- The LHA query whether there will be any larger commercial vehicles that will be accessing the site? As it would be contrary to NCC Adopted Policy to allow a mixed-use access serving both residential and commercial vehicles.
- Please note the required number of parking spaces for a Massage Therapy Clinic. The applicant will need to provide evidence of 1 space per member of staff and 1 space per room.
- As a garage is being removed the applicant will need to demonstrate the required number of parking spaces per number of bedrooms (in accordance with the NCC Parking Standard Documents dated September 2016);
 - Parking for a 1 Bed = 1 Space,
 - Parking for a 2 Bed = 2 Spaces,
 - Parking for a 3 Bed = 2 Spaces,
 - Parking for a 4+ Bed = 3 spaces.
- Residential spaces must be a minimum of 3 metres x 5.5 metres in size.
- Please note the below dimensions for a garage as per the NNC Parking Standard Documents dated September 2016;
 - Single garage - 3.3 metres (W) x 6 metres (L) x 2.4 metres (H)

Double garage - 5.8 metres (W) x 6 metres (L) x 2.4 meters (H)

Updated comments following clarification on loss of the garage:

It is noted that comments were made regarding loss of the garage parking space which is valid given that whilst it does not meet current dimensions the space could be utilised for this purpose, albeit a small vehicle.

It boils down to whether the additional on-street parking demand can be accommodated in a worst-case scenario (with 2 homeowner vehicles present plus a visitor). From street view observations, whilst on-street parking is limited, due to the number of vehicle crossovers, it is suggested that a survey would possibly demonstrate sufficient capacity during the proposed operating hours.

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 and Guidance

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

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

Policy 1 – Presumption in Favour of Sustainable Development
Policy 8 – North Northamptonshire Place Shaping Principles
Policy 9 – Sustainable Buildings and Allowable Solutions
Policy 11 – The Network of Urban and Rural Areas
Policy 22 – Delivering Economic Prosperity

6.4 Rural North, Oundle and Thrapston Plan (2011)

Policy 2 – Windfall Development in Settlements

6.5 Emerging East Northamptonshire Part 2 Local Plan - Submission Draft March 2021

Policy EN1 – Spatial Development Strategy
Policy EN18 – Commercial Space to Support Economic Growth
Policy EN20 – Relocation and/or expansion of existing businesses

6.6 Other Documents

Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Local Highway Authority Parking Standards (2016)
Domestic Waste Storage and Collection Supplementary Planning Document (2012)

7. Evaluation

The key issues for consideration are:

- Principle of Development;
- Design and Visual Amenity;
- Residential Amenity; and
- Highway Safety and Parking Provision.

7.1 Principle of Development

7.1.1 In general terms, Policy within the National Planning Policy Framework (NPPF), the North Northamptonshire Joint Core Strategy (JCS) (The Local Plan, Part 1) and the Council's emerging Part 2 Local Plan should be applied to the proposed development. In brief, the NPPF promotes a presumption in favour of windfall and infill development within the boundaries of existing settlements.

7.1.2 There are no specific policies in the Joint Core Strategy that are relevant to the principle of the proposed development. However, Policy 1 of the JCS seeks to secure sustainable development and Policy 22 seeks to deliver economic prosperity. Policy 2 of the Rural North, Oundle and Thrapston Plan covers windfall development in settlements and states that planning permission will be granted for proposals for employment related development that are of a scale and nature appropriate to their location and character of the locality. Therefore, under current local planning policy, there are no specific policies that constrain the principle of the proposed development, subject to other material considerations.

7.1.3 In relation to emerging planning policy, Policy EN18 of the Emerging Local Plan states that future proposals for development of new commercial employment space will be supported where these deliver flexible managed workspace for small and micro-businesses. Policy EN20 seeks to support proposals to relocate businesses where they are adjacent to an existing built up area and would not result in a significant impact on the character of the surroundings or on the amenity of neighbouring properties. There are also other criteria which are not relevant to this specific proposal. The principle of the proposed development would therefore be supported by emerging local planning policy subject to other material considerations.

7.1.4 In relation to national planning policy, Paragraph 80 of the National Planning Policy Framework 2019 states that planning decisions should support economic growth and productivity and the principle of development is therefore also supported by national planning policy.

7.2 Design, Layout and Impact on the Character and Appearance of the Area

7.2.1 In terms of design, there would be no increase in built footprint of the existing garage, with only minor alterations to enable the change of use being proposed with a new window being proposed on the side elevation. Furthermore, in terms of the impact of the proposed development on the character of the area. Due to the small-scale nature of the proposed employment use, it is considered that

there would be no significant impact. The impact of the proposed development on the character and appearance of the area is therefore considered to be acceptable and would be in compliance with Policy 8(c) and 8(d) of the North Northamptonshire Joint Core Strategy 2016.

7.3 Highway Safety and Parking

7.3.1 In relation to highway safety, the existing property is believed to have 3 bedrooms and therefore requires 2 off-street parking spaces. There are currently 2 off-street parking spaces for the property on the shared driveway (excluding the garage). Using the Local Highway Authority's standards, the existing garage is too small to count as a useable parking space, having a width of just 2.5 metres, however, the LHA has commented to say that it is still an existing space and should count as such. It is not clear whether the garage is currently being used for parking, but it would be safe to assume that it is not given that the driveway also accommodates two spaces. Regardless of the LHA stating that the garage should count as a space, despite being contrary to the standing advice, the drive accommodates two parking spaces, only one of which would be in use during the business hours so clients can use the second space, according to the applicant. In addition, the LHA has stated that they consider that the street should have sufficient space to accommodate any low level on-street parking without causing issues in the surrounding area.

7.3.2 Furthermore, given the minor nature of the proposed works, there would be no impact on highway visibility.

7.3.3 Although the Local Highway Authority has queried whether any large vehicles would be accessing the site, due to the scale and nature of the proposed use, it is considered that this would be highly unlikely other than for the delivery of equipment to set up the proposed use, which would be no worse than a neighbour or the applicant currently having a sofa or other large household goods delivered.

7.3.4 In relation to the potential increase in spaces as a result of the proposed use, the proposed use would require one space per employee. As the only person working at the site would be the current householder, there would be no need for additional employee parking. In terms of customers visiting the site, there would only be a maximum of one additional vehicle visiting the site at a time with a 15 minute gap between appointments to ensure this is the case. It is considered that the provision of one additional car at the site at a time would not result in significant harm to highway safety that would justify a refusal of planning permission in line with Paragraph 109 of the National Planning Policy

Framework 2019. The LHA has also confirmed that a parking beat survey is also likely to indicate that there is sufficient on-street parking in the surrounding area. The proposed use would also primarily be during standard working hours when there would be fewer other vehicles around (residents would be at work) and therefore more scope for incidental on-street parking. It is also proposed to condition any planning permission so that it is linked to the existing property and can't be separated off as a separate commercial unit.

7.3.5 The impact of the proposed development on highway safety and parking provision is therefore considered to be acceptable and in compliance with Policy 8(b) of the North Northamptonshire Joint Core Strategy 2016.

7.4 Residential Amenity

7.4.1 In terms of the impact on neighbouring amenity, there would be no increase in the built footprint of the garage as a result of the proposed development and therefore no impact in relation to loss of light or over-dominance. The proposed window to the garage would also not directly overlook any neighbouring properties.

7.4.2 In terms of noise and disturbance it is considered that one additional person at the site and the use proposed would not result in any significant noise and disturbance to neighbours, especially given that the business would only operate between 9am and 8pm. In terms of light pollution from a security light, this is an existing issue and planning permission is not required for this security light. As a result a refusal of planning permission could not be justified because of this. The impact of the proposed development on neighbouring amenity is therefore considered to be acceptable and in accordance with Policy 8(e) of the North Northamptonshire Joint Core Strategy 2016.

8. Other Matters

8.1 Land Ownership: In relation to land ownership, a neighbour has stated that the red line on the Site Location Plan includes land outside of the applicant's ownership and they have signed Certificate A. Land ownership is not a material planning consideration and the Council has to deal with the application as submitted. However this issue was raised with the applicant and they have asserted that all relevant land is within their ownership. Accordingly, and because the applicant has signed Certificate A on the application form, this is taken at face value.

8.2 Licensing: The issue of the proposed use requiring a premises licence has also been raised. This is not a material planning consideration and is a matter to be dealt with by licensing should planning permission be granted.

8.3 Covenants: The issue of covenants has also been raised and this also isn't a material planning consideration that can be taken into account when determining a planning application.

8.4 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

- 8.5 Use Class: One of the comments received in response to the application refers to an incorrect use class referred to on the application form. Whilst this is a minor error in the supporting documentation, it is clear the nature of the use that is proposed. The use of the building can also be controlled by a condition.

9. Conclusion / Planning Balance

- 9.1 The proposed development is considered to be acceptable as it is not considered to cause adverse harm regarding the character of the local area, or adverse harm to neighbouring amenity. Whilst there could be the loss of one parking space at the property because of the loss of a sub-standard garage, there would be two remaining spaces within the site and the LHA has commented that a parking beat survey would likely identify suitable space within the surrounding streets for any visitors. The principle of the proposed development is also supported by both local and national planning policy. It is therefore recommended that planning permission is granted.

10. Recommendation

- 10.1 That Planning permission is GRANTED subject to conditions.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans as detailed below:

- 11 Chainbridge Court, Location Plan; and
- Garage Conversion.

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

3. The use of the garage for the massage business hereby permitted shall only take place between the following hours:

- 9.30am to 2pm and 6pm to 8pm on Tuesdays and Thursdays (excluding Public Holidays)
- 9.30am to 2pm on Mondays, Wednesdays and Fridays (excluding Public Holidays).

Reason: To ensure that the impact of the proposed development on neighbour amenity is acceptable.

4. There shall be a 15 minute gap between each appointment at the site for the use hereby permitted

Reason: To ensure that there is only one additional vehicle at the site at a time in the interests of highway safety.

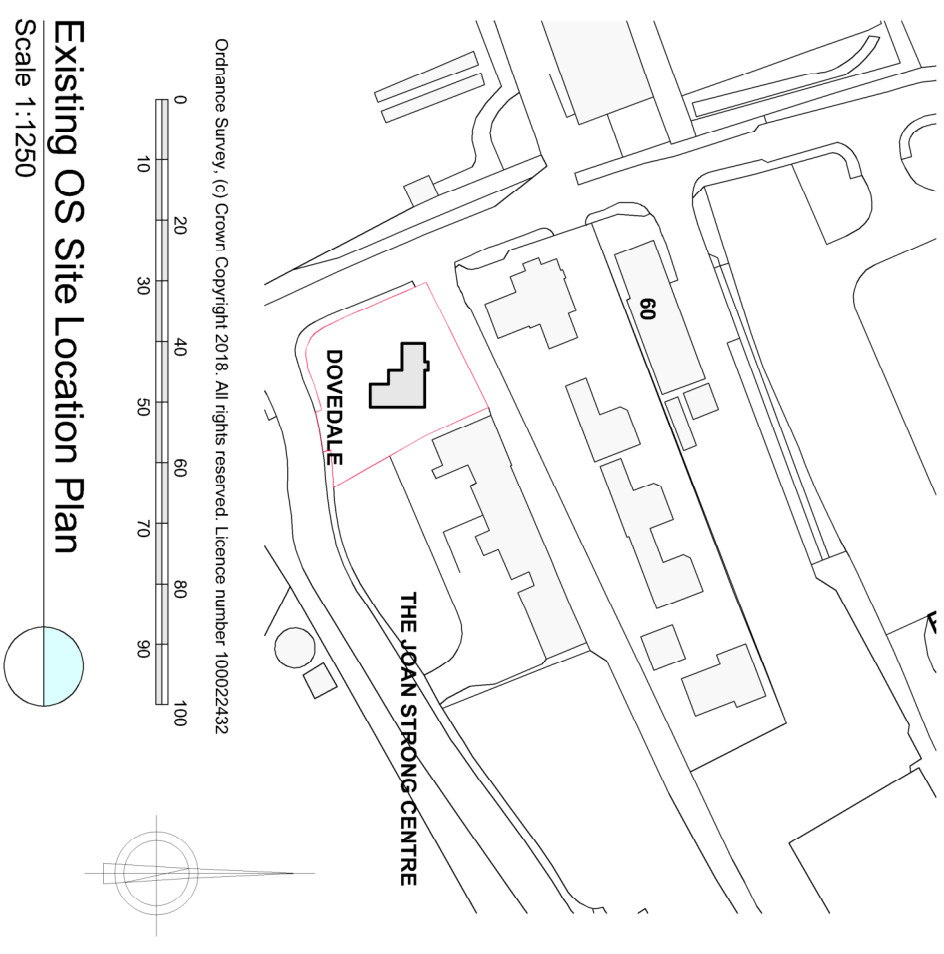
5. The use hereby permitted shall only be carried out by the occupiers of 11 Chainbridge Court and the converted garage shall not be rented, leased or sold as a separate commercial unit. It shall only operate as a massage therapy clinic and for no other use.

Reason: To ensure that there is no intensification of the use of the site should another person take over the property.

12. **Informatives**

N/A

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Job No. **1434**
 New Dwellings, Dove Dale, Qundle, Peterborough

Drawn By: **001**

Revision

Ross Train Architects
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Scale: **1:100 @A1**

Issue Date: 22.09.2020 Drawn: CH



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**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00625/FUL
Case Officer	Joe Davies
Location	Dovedale, Herne Park, East Road, Oundle, PE8 4BZ
Development	The demolition of an existing bungalow and the erection of 1 replacement dwelling and 1 New build dwelling.
Applicant	Russon Campbell Developments - Mr Tim Grice
Agent	RTK Stamford - Mr Ross Thain
Ward	Oundle
Overall Expiry Date	17 June 2021
Agreed Extension of Time	N/A

List of Appendices

None

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there has been an objection from Oundle Town Council.

1. Recommendation

- 1.1 That Planning permission is GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposal involves the demolition of an existing bungalow at the site and the erection of two, two storey, detached dwellings. Both dwellings would have 3 bedrooms and a study. They would both have a height to the eaves of 4.98 metres and a height to the ridge of 8.73 metres. Both dwellings would also have a width of 9.65 metres and a length of 8.85 metres. They would be finished in brickwork with smooth coloured render with natural slate roof tiles.

3. Site Description

- 3.1 The application site comprises an existing bungalow on a corner plot. The bungalow appears to have been used as a day centre for social groups and most recently as the site office for the adjacent development at 60A East Road under the reference 19/00643/FUL, although this use has now ceased and the building is vacant. To the north of the site is a track with the dwellings at 1 and 2 Athena Way on the opposite side of this track, which form part of a recent development for 4 dwellings. To the west of the site is the public highway with a park on the opposite side of this. To the east of the site is the Joan Strong Centre and to the south is public highway.
- 3.2 The site lies just outside of the Conservation Area, which is on the opposite side of the road. There is also a tree at the site that is protected by a Tree Preservation Order.

4. Relevant Planning History

- 4.1 20/01246/FUL - The demolition of an existing bungalow and the erection of 3 new terraced dwelling houses – WITHDRAWN (24.03.2021)

5. Consultation Responses

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

6.1 Oundle Town Council

The council notes that the applicant has reduced the number of dwellings on the site from three to two thereby improving the on-site parking position and the amount of amenity land available. The Applicant's Design and Access Statement, however, continues to be misleading failing to acknowledge that the Council's Joan Strong Centre adjoins the development site and is (covid permitting) in regular use by Scouts and Guides, Cubs and Brownies and failing to acknowledge that the long stay car park operated by the council is accessed off the same road that serves this development site and the JSC. The council is aware that permission was granted for 5 dwellings off East Road just beyond the proposed site but is concerned that permitting 2 additional dwellings on this site will add to the existing traffic and safety issues in this area resulting from;

1. the existing residential properties in this stretch of East Road including the 5 new dwellings
2. the traffic generated by the existing commercial premises on this stretch of East Road or accessed from it
3. the Laxton Junior School
4. the Joan Strong Centre
5. the long stay car park
6. the existing residential properties on Ashton Road and accessed from it
7. the additional traffic that will use Ashton Road following the grant of outline planning permission for residential development on land of St Christopher's Drive.

The council is also aware of the implications for traffic using East Road of the current temporary one way system operating in St Osyth's Lane and the possibility of that one way system being made permanent.

Against this background the council objects to the application although it accepts that the replacement of the existing building on site with a single new dwelling could not be said to exacerbate the traffic situation given that the existing property formerly had a residential use and was more recently operated by MIND.

5.2 Neighbours / Responses to Publicity

One letter of objection was received in response to the application. This raised the following issues:

- Concerns regarding the impact on the privacy of first floor external balcony and balcony room with its large glass sliding doors.
- The balcony room includes a private external sitting area (approx. 6m²), which is 2.5m above ground level on the west end of my property looking directly 1 o'clock and south towards the proposed development.
- Due to the elevated position of the balcony room which is a feature of my recently built house, this secluded space would be in the direct line of sight of an adult standing in the gardens of the proposed development as well of course be directly seen from the north first floor windows.
- A neighbour stated that they would not object to the development if the fence height on the north boundary of the property be extended to be at least 2.75m high and a group of trees (such as Silver Birch) which are at least 5m high were planted in the north east corner of the site to break up the intrusion of the proposed 2 storey properties on their privacy.

5.3 Environmental Protection Team

No objection, subject to the imposition of conditions relating to contamination investigation.

5.4 Senior Tree and Landscape Officer

In respect of this application, I have no objection to the removal of the sycamore tree seemingly protected by tree preservation order Tree Preservation Order 120 (Ashton Rd, Oundle) 1991, as it is a very poor quality tree unsuitable for long term retention. There are no other trees on site.

The arboricultural report mentions significant soft landscaping and the site layout drawing includes two groups of silver birch trees and pleached hornbeams along two boundaries.

A landscaping condition would secure these planting details, please use the suggested conditions below, especially in mind of the issues on the adjacent site.

Suggested condition:

No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate and tree planting pit details, including soil volumes in cubic metres, suspended surfaces if under hard surfaces and methods of staking, cross sections and dimensions.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

5.5 Local Highway Authority (LHA)

In respect of the above planning application, the local highway authority (LHA) has the following observations, comments and recommendations:

- The applicant will be required to demonstrate the necessary vehicular visibility splays of 2 metres x 43 metres (for a 30mph road) on both sides of the access. These splays must not contain any other third party owned land and shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.
- Please note the required number of parking spaces per number of bedrooms (in accordance with the NCC Parking Standard Documents dated September 2016);
 - Parking for a 1 Bed = 1 Space,
 - Parking for a 2 Bed = 2 Spaces,
 - Parking for a 3 Bed = 2 Spaces,
 - Parking for a 4+ Bed = 3 spaces,
 - Visitor Parking provision is at 0.25 spaces/dwelling,
 - Residential Spaces must be a minimum of 3 metres x 5.5 metres in size,
- 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.
- Please note that the applicant will be required to obtain a Section 184 licence, from Northamptonshire Highways Regulations in order to install 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.

5.6 Principal Conservation Officer

I can confirm that I have no comments to make in relation to the setting of the Oundle Conservation Area. Notwithstanding this, in my view the design of the proposed development would be improved if the buildings were repositioned to front of East Road, as per the established character of the street.

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 and Guidance

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

- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)
 Policy 1 – Presumption in Favour of Sustainable Development
 Policy 2 – Historic Environment
 Policy 3 – Landscape Character
 Policy 7 – Community Services and Facilities
 Policy 8 – North Northamptonshire Place Shaping Principles
 Policy 9 – Sustainable Buildings and Allowable Solutions
 Policy 11 – The Network of Urban and Rural Areas
 Policy 28 – Housing Requirements
 Policy 29 – Distribution of New Homes
 Policy 30 – Housing Mix and Tenure
- 6.4 Emerging East Northamptonshire Part 2 Local Plan - Submission Draft March 2021
 Policy EN1 – Spatial Development Strategy
 Policy EN13 – Design of Buildings/Extensions
- 6.5 Other 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)
 Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Design, Layout and Impact on the Character and Appearance of the Area
- Highway Safety and Parking
- Residential Amenity
- Flooding
- Ecology / Biodiversity
- Refuse and Recyclables
- Impact on Trees

7.1 Principle of Development

- 7.1.1 In general terms, Policy within the National Planning Policy Framework (NPPF), the North Northamptonshire Joint Core Strategy (JCS) (The Local Plan, Part 1) and the Council's emerging Part 2 Local Plan should be applied to the proposed development. In brief, the NPPF promotes a presumption in favour of windfall and infill development within the boundaries of existing settlements.

- 7.1.2 Policy 1 of the JCS seeks to secure sustainable development and Policy 29 of the same document identifies where housing will be supported across North Northamptonshire. It states that the reuse of previously developed land and buildings in the growth towns and market towns is encouraged. Table 5 of this policy identifies Oundle as a market town. Policy 7 of the Joint Core Strategy aims to safeguard community facilities unless it can be demonstrated that they are no longer viable, not needed by the community that they serve and are not needed for any other community use.
- 7.1.3 Whilst the building has been used as a day centre for social groups, and this is believed to have been granted planning permission in 1994, it has historically been used as a dwelling and its most recent use has been as the site office for the adjacent development at 60A East Road under the reference 19/00643/FUL. As the site has most recently been used as a site office for the adjacent development, this indicates that it is no longer needed for community use and is surplus to requirements, as no complaints were received regarding this change of use and there are plenty of other community facilities in Oundle. Although it is acknowledged that there was no planning permission for this use and as such the lawful use is likely to be that of a day centre. It is evidence however, that this use is no longer required.
- 7.1.4 The principle of the proposed development is therefore considered to be acceptable subject to other material planning considerations and would be in compliance with planning policy, due to it being located on a previously developed infill site in a highly sustainable location.

7.2 Design, Layout and Impact on the Character and Appearance of the Area

- 7.2.1 In terms of design, the previous application at the site for a terrace of 3 dwellings, all of which were 3 storeys, was withdrawn as there were concerns that this would have resulted in a cramped and overdeveloped appearance. The third floor of the dwellings has subsequently been removed and the number of dwellings has been reduced from 3 to 2. This proposal for 2 detached properties has significantly improved the visual impact of the proposed development and the site no longer has a cramped over-developed appearance and is of a density more in keeping with its surroundings.
- 7.2.2 Although there is a Conservation Area on the opposite side of East Road, the proposed development is considered to have a minimal impact on this and is not considered to result in harm, especially as the existing bungalow has little aesthetic merit and detracts from the appearance of the street scene and wider Conservation Area. The proposed dwellings are also considered to be in keeping with the recently constructed dwellings on the adjoining site. Whilst the Council's Principal Conservation Officer has stated that he would prefer the properties to front East Road, given the need for parking, it is considered that the current layout is acceptable and it is not necessary to insist on such an amendment to the scheme to make it acceptable in planning terms.
- 7.2.3 The impact of the proposed development in relation to design and heritage is therefore considered to be acceptable and would be in compliance with Policy 2 and Policy 8 (d) of the Joint Core Strategy.

7.3 Residential Amenity

- 7.3.1 In terms of the impact on the amenity of future occupiers, the proposed dwellings would both comply with space standards and there would be sufficient amenity space to the rear. Whilst the proposed gardens would not be particularly large, there are properties to the north with small gardens, recently granted permission, and the proposed dwellings would also be marked sale properties and it would therefore be a matter of personal choice for future residents. In addition there are no policies within the Development Plan that specify minimum space standards for gardens. It is therefore a matter of judgement.
- 7.3.2 In terms of the impact on the amenity of neighbouring occupiers, there are no immediately adjoining dwellings to the south, east or west of the proposed development that would be impacted upon by loss of light or overlooking. In terms of the impact on the properties to the rear, the only properties that would have the potential to be overlooked by the proposed development are the properties at 1 and 2 Athena Way. The nearest part of the property at number 1, facing the proposed dwellings, is the garage and there are no side windows to this dwelling at first floor level that would be directly overlooked by the proposed development. At ground floor level, there is only a very small window to the drawing room which would not give significant views into this room. There is also a kitchen window, but this would be sited over 20 metres away from the proposed development.
- 7.3.3 The property at 2 Athena Way would be angled away from the proposed dwellings in such a way that the impact in relation to overlooking would not be significant, especially as this dwelling is approximately 22 metres away from the nearest part of the proposed development. There would also be trees on the boundary providing screening between the proposed dwellings and the dwellings on Athena Way. Although a neighbour has raised the prospect of a high level wall being inserted to prevent overlooking, this would have adverse design implications and the impact is considered to be acceptable without this wall in place. A landscaping condition will however be included as part of any planning permission and it is proposed to ensure that sufficient screening is provided. The impact of the proposed development on residential amenity is therefore considered to be acceptable and would be in compliance with Policy 8 (e) of the Joint Core Strategy.

7.4 Highway Safety and Parking

- 7.4.1 In relation to highway safety, current parking guidance requires 3 parking off-street parking spaces for dwellings with 4 or more bedrooms. The proposed dwellings both have 3 bedrooms and a study shown on the floor plans, although this study could be used as a 4th bedroom. Even if these studies were to be used as bedrooms, there would still be sufficient parking provision with 3 spaces provided for each dwelling.

- 7.4.2 The LHA has requested that visibility splays are provided on either side of the access. The proposed development would have no significant impact on visibility, being set far enough back from the street scene that they would not affect the required visibility splays. In addition the access is broadly in line with the existing one and traffic speeds are considered to be low in the surrounding area due to traffic calming in the form of speed bumps, a nearby mini roundabout, a zebra crossing and parked cars.
- 7.4.3 The Local Highway Authority has not objected to the intensification of vehicle movements at the site, as raised by the Town Council. The introduction of one additional dwelling is not considered to increase vehicle movements so significantly that it would warrant a refusal of planning permission. It could also be argued that the existing permitted use of the building is as a day care centre, which would be likely to experience more vehicle movements than a dwelling.
- 7.4.4 The Local Highway Authority has also expressed concerns regarding drainage and a Section 184 agreement being required for the proposed access to the development. It is proposed to deal with both of these matters via condition. The impact of the proposed development on highway safety and parking provision is therefore also considered to be acceptable and would be in accordance with Policy 8(b) of the North Northamptonshire Joint Core Strategy 2016.

7.5 Flooding

- 7.5.1 The site lies within Flood Zone 1, which is at the lowest risk of flooding. The impact of the proposed development on flood risk is therefore considered to be acceptable.

7.6 Refuse and Recyclables

- 7.8.1 The site is considered to have sufficient space for the storage of bins for refuse and recyclables and also for them to be placed adjacent to the highway on collection day. The impact on refuse is therefore considered to be acceptable.

7.7 Impact on Trees

Whilst there is a Tree Preservation Order on the site, the Council's Senior Tree and Landscaping Officer has confirmed that the Sycamore tree to which this relates is of very poor quality and is unsuitable for long term retention. There are no other trees on the site that would be impacted upon by the proposed development and the impact on trees is therefore considered to be acceptable.

8. Other Matters

- 8.1 Contamination: In relation to contamination, the Council's Environmental Protection Team has raised concerns regarding the potential for contamination on the site. However, it has suggested that this can be dealt with via condition and it is proposed to include these conditions as part of any planning permission. With these conditions in place, the impact of the proposed development in relation to contamination is considered to be acceptable.
- 8.3 Pre-commencement Conditions: A number of pre-commencement conditions are proposed if the development is to be granted planning permission. These include the submission of information in relation to levels, contamination and landscaping. Applicants are required to agree pre-commencement conditions and in this case the applicant has agreed them.
- 8.5 Water Reduction: Policy 9 of the Joint Core Strategy states that all residential development should incorporate measures to limit water use to no more than 105 litres per person per day and no more than 5 litres outdoors per person per day. Measures to ensure this shall be conditioned as part of any planning permission.
- 8.6 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9. Conclusion / Planning Balance

- 9.1 The proposed development is considered to be acceptable as it is not considered to cause adverse harm regarding the character of the local area and there would be no significant adverse impact on either neighbour amenity or highway safety. The impact on the amenity of future occupiers is also considered to be acceptable and the impact on landscaping and contamination is considered to be acceptable, subject to the imposition of conditions.

10. Recommendation

- 10.1 That Planning permission is GRANTED subject to conditions.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans as detailed below:

- Proposed Location and Block Plan – 1434-001;
- Proposed Floor Plans – 1434-002; and
- Proposed Elevations – 1434-003.

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

3. Before any work is commenced on the development hereby permitted above slab level, samples of the external materials to be used in the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To achieve a satisfactory elevational appearance for the development.

4. Prior to the first occupation of each dwelling the parking and turning facilities, as shown on the approved plans shall be provided and retained thereafter in perpetuity.

Reason: In the interests of highway safety.

5. Prior to the commencement of development, details of the existing ground floor levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development hereby approved and adjoining sites shall have been submitted to and approved in writing by the local planning authority. All works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the precise height of the development can be considered in relation to its surroundings.

6. Prior to the first occupation of the residential unit hereby permitted, measures shall be implemented to limit water use to no more than 105 litres/person/day (plus 5 litres/person/day external water use).

Reason: As this is an area of water stress and to accord with Policy 9 of the North Northamptonshire Joint Core Strategy.

7. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

8. Where the risk assessment identifies any unacceptable risk or risks, 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'.

Reason: To ensure the proposed remediation plan is appropriate.

9. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

10. On completion of remediation, two copies of a closure 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 Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

11. 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.

Reason: To ensure all contamination within the site is dealt with.

12. Prior to the commencement of the development hereby permitted, details of 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 shall be submitted and agreed in writing by the Local Planning Authority. This means of drainage shall be implemented in accordance with the details submitted and retained and maintained in perpetuity.

Reason: To ensure sufficient drainage at the site.

13. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate and tree planting pit details, including soil volumes in cubic metres, suspended surfaces if under hard surfaces and methods of staking, cross sections and dimensions.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

Reason: To ensure that any landscaping scheme to be carried out will be suitable for the site.

14. Notwithstanding the submitted details, prior to the occupation of each dwelling, details of the boundary treatments to be used at the site must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the associated dwelling and thereafter retained and maintained in perpetuity.

Reason: In the interests of neighbour amenity and visual amenity.

12. **Informatives**

1. A Section 184 Licence from the Local Highway Authority will be required to install the site access and vehicular crossing.