

# Public Document Pack




**Meeting:** Area Planning Committee Thrapston  
**Date:** Monday 18th October, 2021  
**Time:** 7.00 pm  
**Venue:** Council Chamber, Cedar Drive, Thrapston, NN14 4LZ

To members of the Area Planning Committee Thrapston

Councillors Jennie Bone (Chair), Gill Mercer (Vice Chair), Annabel de Capell Brooke, Kirk Harrison, Barbara Jenney, Dorothy Maxwell, Roger Powell, Geoff Shacklock and Lee Wilkes

Substitutes: Councillors Wendy Brackenbury and Bert Jackson

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<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>7<sup>th</sup> October 2021</b></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.

This agenda has been published by Democratic Services.  
Committee Administrator: Louise Tyers - Democratic Services  
☎01832 742198  
✉louise.tyers@northnorthants.gov.uk

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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 Friday 15 October
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 Friday 15 October

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

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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.

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## Area Planning Committee (Thrapston)

At 7:00pm on Monday 20 September 2021

Held in the Council Chamber, Cedar Drive, Thrapston

### Present:

Councillor Jennie Bone (Chair)      Councillor Gill Mercer (Vice Chair)  
Councillor Wendy Brackenbury      Councillor Kirk Harrison  
Councillor Bert Jackson              Councillor Barbara Jenney  
Councillor Dorothy Maxwell          Councillor Roger Powell  
Councillor Lee Wilkes

### 23. Apologies for Non-attendance

Apologies for non-attendance were received from Councillors Annabel de Capell Brooke and Geoff Shacklock. Councillors Wendy Brackenbury and Bert Jackson attended as substitutes.

### 24. Members' Declarations of Interest

Councillors	Application	Nature of Interest	DPI	Other Interest
Jennie Bone	NE/21/00954/VAR 20 High Street, Higham Ferrers	Had provided advice to an objector on how to object to the application.		Yes
Wendy Brackenbury	20/01154/FUL & 20/01155LBC Home Farm Cottages, Lower Street, Twywell	Had been appointed as Chair of Twywell Parish Council		Yes (Did not take part in the debate or vote on the application)

### 25. Informal Site Visits

Councillor Jennie Bone declared that she had visited 4 Main Street, Hemington (20/01466/FUL), 20 High Street, Higham Ferrers (NE/21/00954/VAR), Home Farm Cottages, Lower Street, Twywell (20/01154/FUL & 20/01155/LBC), 119 High Street, Rushden (NE/21/00926/FUL), Land Rear of 7-12 The Willows, Thrapston (NE/21/00542/REM), 29 High Street, Stanwick (NE/21/00677/FUL) and Hall Farm, Main Street, Wigsthorpe (NE/21/00906/FUL).

Councillor Bert Jackson declared that he had visited 20 High Street, Higham Ferrers (NE/21/00954/VAR) and 119 High Street, Rushden (NE/21/00926/FUL)

when the previous applications had been considered by the former East Northamptonshire Council.

Councillor Barbara Jenney declared that she had visited 119 High Street, Rushden (NE/21/00926/FUL) when the previous application had been considered by the former East Northamptonshire Council.

Councillor Dorothy Maxwell declared that she had visited 4 Main Street, Hemington (20/01466/FUL), 20 High Street, Higham Ferrers (NE/21/00954/VAR), Home Farm Cottages, Lower Street, Twywell (20/01154/FUL & 20/01155/LBC), 119 High Street, Rushden (NE/21/00926/FUL), 29 High Street, Stanwick (NE/21/00677/FUL), Hall Farm, Main Street, Wigsthorpe (NE/21/00906/FUL) and Brickworks Farm, Church Street, Hargrave (NE/21/00791/FUL).

Councillor Gill Mercer declared that she had visited 119 High Street, Rushden (NE/21/00926/FUL) when the previous application had been considered by the former East Northamptonshire Council.

**26. Minutes of the Meeting held on 16 August 2021**

The minutes of the meeting held on 16 August 2021 were approved as a correct record.

**27. Public Speakers**

The following people spoke on the items as indicated:

- 20/01466/FUL 4 Main Street, Hemington – a representative of Hemington Parish Council and the applicant.
- NE/21/00954/VAR 20 High Street, Higham Ferrers – an objector.
- 20/01154/FUL Home Farm Cottages, Lower Street, Twywell – an objector and the Agent for the Applicant.
- NE/21/00926/FUL 119 High Street, Rushden – a representative of Rushden Town Council.
- NE/21/00542/REM Land Rear of 7-12 The Willows, Thrapston – the applicant.
- NE/21/00677/FUL 20 High Street, Stanwick – an objector.
- NE/21/00791/FUL Brickworks Farm, Church Street, Hargrave – the Agent for the Applicant.

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

The Committee considered the planning applications 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) 20/01466/FUL – 4 Main Street, Hemington**

The Committee considered an application for the erection of a new 3 bedroom home and provision of off street car parking for the applicant property and also

nos. 1-4 Main Street. The application had been brought to the Committee as there had been an objection from Hemington Parish Council, the application had been called in by Councillor Geoff Shacklock and there had been more than three neighbour objections to the application.

During the debate on the application, Members raised the issue of whether it would be possible to include a condition which would require a suitable boundary to be included which would prevent light from car headlights using the parking area affecting neighbouring houses. Members sought clarification as to whether the access drive would be maintained by the applicants or by the residents and how enforceable that would be.

In response to the issues raised, the planning officer advised that the boundary treatments condition could be amended to include reference to a boarded fence on the eastern boundary between the parking area and neighbouring property. The maintenance of the access driveway could also be conditioned with a condition which would go with the land.

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's report and an additional condition to agree a scheme of maintenance (including maintenance responsibilities) for the access road. To amend the recommended boundary screening condition to include reference to a close boarded fence on the eastern boundary between the parking and garden of Silver Birches.

Wording of the access maintenance condition only shall be delegated to the Director of Place and Economy in consultation with the Chair and Vice Chair.

**(ii) NE/21/00954/VAR – 20 High Street, Higham Ferrers**

The Committee considered an application for the variation of two conditions pursuant to application number 17/01941/FUL – change of use to B1, B2 and A3. Planning permission was granted on 5 December 2017 and was subject to eight conditions. This application sought to vary condition 4, which prohibited air conditioning condensers and other plant/equipment, and condition 8, the approved plans. The application had been brought to the Committee as there had been an objection from Higham Ferrers Town Council and from more than two neighbours and other interested parties.

During the debate on the application, Members questioned about the decibel levels of the air conditioning units and how they would be accessed for maintenance. Questions were also asked about the hours of operation of the proposed units and it was suggested that a condition be included to limit the operating hours of the units.

In response to the issues raised, the planning officer advised that access to the units would be through the adjacent restaurant. Officers had received a certain level of information about the condensers to be used and Environmental Protection had stated that the units were acceptable and had not suggested any conditions.

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's report and an additional condition limiting air conditioning unit operating hours. Hours to be negotiated with the applicant.

Wording of the additional condition shall be delegated to the Director of Place and Economy in consultation with the Chair and Vice Chair.

**(iii) 20/01154/FUL – Home Farm Cottages, Lower Street, Twywell**

The Committee considered an application for the conversion of a Grade II Listed farm building and attached cottage to create a single dwelling (Class C3); demolition of a modern extension to the barn and an outbuilding; and construction of a combined garage and carport. The application had been brought to the Committee as there had been more than three objections raising material matters.

During the debate on the application, Members questioned why the alternative access was not being used as it would have less impact on the neighbouring property. Questions were also asked about water run-off from the proposed road.

In response to the issues raised, the planning officer advised that the alternative access had been discussed with the applicant, but it was deemed by the Conservation Officer that the amount of road needed would be considerably more harmful than the access proposed. With regards to water run-off, condition 6 was a pre-commencement condition which required approval of details of the access road including the material for the road surface.

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's report and the rewording of condition 6 to include reference to the need of approval of surface water drainage for access, and the addition of conditions regarding water consumption and no burning.

**(iv) 20/01155/LBC – Home Farm Cottages, Lower Street, Twywell**

The Committee considered an application for listed building consent for external and internal alterations to Grade II Listed buildings to allow for their conversion into a residential dwelling; demolition of a modern extension and a curtilage listed building; and construction of a combined garage and carport. The application had been brought to the Committee as it was associated with full application 20/01154/FUL which was being considered by the Committee due to the number of objections received.

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

**The meeting adjourned at 9.10pm and reconvened at 9.15pm.**



**(v) NE/21/00926/FUL – 119 High Street, Rushden**

The Committee considered an application for the conversion and extension of a store to the rear of shops at 119 High Street, Rushden to form a single dwelling within Class C3 (resubmission of application 20/01654/FUL). The application had been brought to the Committee as there had been a material objection from Rushden Town Council which could not be satisfactorily resolved.

During the debate on the application, Members were concerned that no parking provision was being proposed, which highways had objected to, and would take up space on the highway and public car parks. It was members' view that the application was very poor and did not have a lot of merit. There were concerns that the application was an overdevelopment of the site as there were already four flats on the site. It was noted that a previous appeal had been dismissed but the Inspector had rejected four of the refusal reasons put forward by the Council.

It was moved and seconded that the application be refused. On being put to the vote the Committee **agreed to refuse** the application, contrary to officer recommendation, for the following reasons:

- Detrimental impact on future occupiers as living accommodation would need to be lit artificially and outlook would be oppressive.
- Would result in a detrimental impact on highway safety given the lack of parking.
- Overdevelopment of the site.

Wording of the refusal reasons shall be delegated to the Director of Place and Economy in consultation with the Chair and Vice Chair.

**29. Suspension of Meeting Procedure Rule 10**

**RESOLVED:**

That Meeting Procedure Rule 10 (Guillotine) be suspended to enable the Committee to continue the business on the agenda.

**30. Continuation of Planning Applications**

**(vi) NE/21/00542/REM – Land Rear of 7 – 12 The Willows, Thrapston**

The Committee considered a reserved matters application for revised house types within parameters of approved scale, appearance, landscaping and layout pursuant to application 18/02459/OUT – proposed residential development to erect four dwellings on redundant land. The application had been brought to the Committee as there had been more than three neighbour objections.

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's report.

**(vii) NE/21/00677/FUL – 29 High Street, Stanwick**

The Committee considered an application for a proposed single storey front and side extension, first floor extensions above garage and existing utility/dining room. Removal of columns and arches to the side/rear of the property. The application had been brought to the Committee as there had been an objection from Stanwick Parish Council.

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's report.

**(viii) NE/21/00906/FUL – Hall Farm, Main Street, Wigsthorpe**

The Committee considered an application for the construction of a Park railing fence, 1 metre from the edge of adopted highway on a grass verge. The application had been brought to the Committee as there had been an objection from Lilford, Wigsthorpe and Thorpe Achurch Parish Council.

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's report.

**(ix) NE/21/00791/FUL – Brickworks Farm, Church Street, Hargrave**

The Committee considered an application for the conversion of an agricultural building to one residential dwelling. The application had been brought to the Committee as there had been an objection from Hargrave Parish Council.

During the debate on the application, Members had concerns about the safety of the access road, which was currently used by large agricultural vehicles and would be unlit.

In response to the concerns raised, the planning officer confirmed that the use of the road by agricultural vehicles would cease and this could be conditioned if the Committee was minded to grant the application.

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's report and update sheet and an additional condition to ensure that agricultural use of the access ceases.

Wording of the additional condition to be delegated to the Director of Place and Economy in consultation with the Chair and Vice Chair.

**31. Close of Meeting**

The meeting closed at 22.35pm.

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Chair

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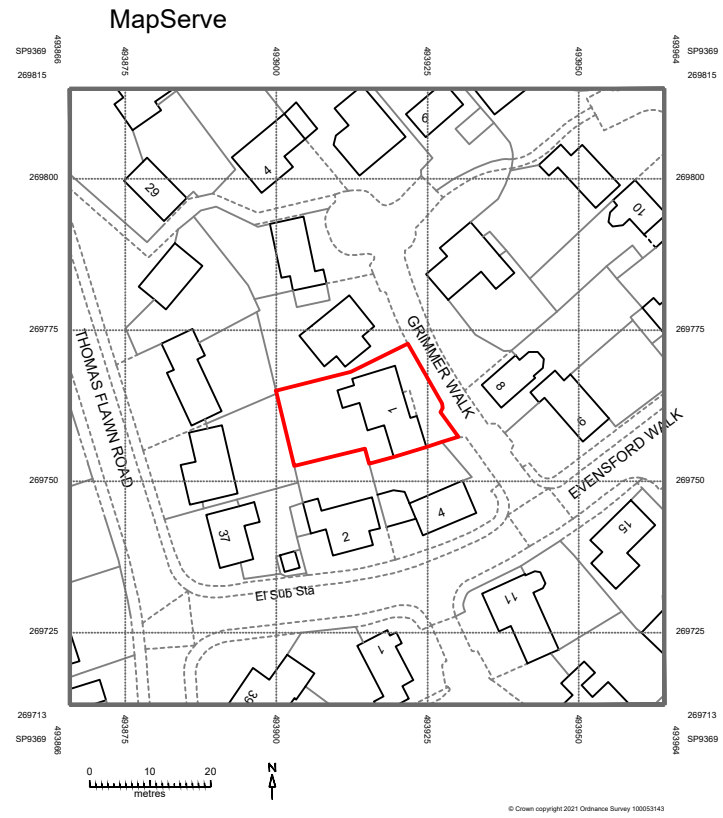
Date

**North Northamptonshire Area Planning Committee  
(Thrapston)  
Monday 18<sup>th</sup> October 2021 at 7.00 pm  
Council Chamber, Cedar Drive, Thrapston**

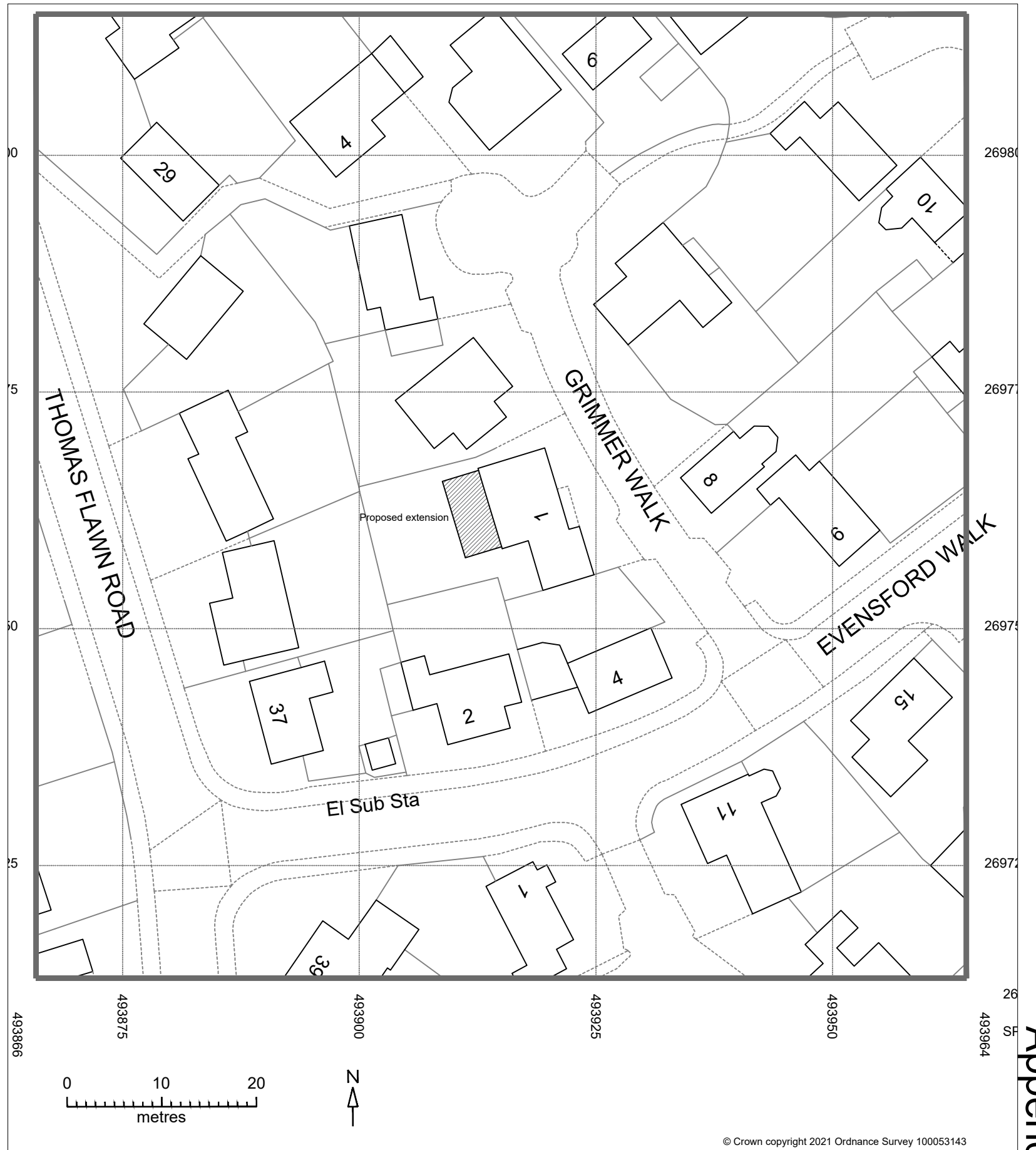
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1 Gimmer Walk, Irthlingborough, NN9 5PF  
Site location plan 1: 1250



1 Gimmer Walk, Irthlingborough, NN9 5PF  
Site layout plan 1: 500

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>NE/21/01093/FUL</b>
<b>Case Officer</b>	<b>Joe Davies</b>
<b>Location</b>	<b>1 Grimmer Walk, Irthlingborough</b>
<b>Development</b>	<b>Two storey extension to rear</b>
<b>Applicant</b>	<b>Mr B Reece</b>
<b>Agent</b>	<b>RMC Designs Ltd - Robert McCracken</b>
<b>Ward</b>	<b>Irthlingborough</b>
<b>Overall Expiry Date</b>	<b>09 September 2021</b>
<b>Agreed Extension of Time</b>	<b>N/A</b>

### **Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation, as there has been an objection from Irthlingborough Town Council (contrary to officer recommendation).

#### **1. Recommendation**

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- 1.1 That Planning permission is GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 The proposal involves the erection of a two storey extension to the rear of the dwelling with a pitched roof. It would be constructed using matching materials and would have the same ridge and eaves height as the existing dwelling. It would have 2 Juliet balconies to the rear and would have a length of 4 metres and a width of 8.48 metres. At ground floor level, the extension would accommodate an enlarged kitchen and dining area. At first floor level, the extension would accommodate a bedroom and an en-suite bathroom. The number of bedrooms at the property however would remain the same (at 5), albeit some would be slightly larger due to alterations to the internal layout of

the existing part of the property at first floor level.

### **3. Site Description**

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- 3.1 The application site comprises a detached dwelling on a cul-de-sac with a driveway to the front and garden to the rear. To the north of the site is the dwelling at 2 Grimmer Walk and to the south are the dwellings at 2 and 4 Evensford Walk. To the west of the site are the dwellings at 33 and 35 Thomas Flawn Road and to the east of the site on the opposite side of the road is the dwelling 7 Grimmer Walk.

### **4. Relevant Planning History**

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- 4.1 None relevant

### **5. Consultation Responses**

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

5.1 Irthlingborough Town Council

Object to the application on the grounds of loss of light and amenity to the neighbouring property.

5.2 Neighbours / Responses to Publicity

One letter of objection was received from a neighbour in response to the application. This can be summarised as follows:

- The proposed extension would represent a 90% increase in area on what presently exists, thus impacting on the amount of light received to the neighbour's property from the north.
- A large part of the light reduction would be because the new roof area is so large. We would approve the extension if it had a flat roof.
- The side garage of No 1 Grimmer Walk already forms part of the division between our two properties & is 7.5 metres away from the rear of our house.

5.3 Highways

No objection

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

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6.1 Statutory Duty

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

6.2 National Policy and Guidance

National Planning Policy Framework (NPPF) (2021)



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

- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)  
Policy 1 - Presumption in Favour of Sustainable Development  
Policy 8 - North Northamptonshire Place Shaping Principles
- 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  
Local Highway Authority Standing Advice for Local Planning Authorities (2016)  
Northamptonshire Parking Standards (2016)  
Domestic Waste Storage and Collection Supplementary Planning Document (2012)  
Householder Extensions Supplementary Planning Document (2020)

## **7. Evaluation**

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The key issues for consideration are:

- Design, Layout and Impact on the Character and Appearance of the Area
- Highway Safety and Parking
- Residential Amenity

### **7.1 Design, Layout and Impact on the Character and Appearance of the Area**

7.1.1 The proposed extension would be entirely to the rear of the dwelling and would not be prominent from the street scene given the screening effect of the tightly spaced layout of surrounding buildings. Furthermore, it would use matching materials and would have a pitched roof. It is also considered to be of a suitable scale and design in relation to the existing dwelling and given the amount of garden space remaining following the proposed development, it is not considered to represent overdevelopment.

7.2.2 The impact of the proposed development in relation to design and layout is therefore considered to be acceptable and would comply with Policy 2 and Policy 8 (d) of the Joint Core Strategy.

### **7.2 Residential Amenity**

7.2.1 In terms of the impact on the amenity of neighbouring occupiers, there are no side windows proposed on the extension that would overlook neighbouring properties, other than a window serving an en-suite, which will be conditioned to be obscure-glazed and non-opening below 1.7 metres. Furthermore, there are no side windows immediately adjacent to the proposed extension at the neighbouring property at 2 Grimmer Walk that would be impacted upon by loss of light or over-dominance. The proposed extension would be visible from the garden of 2 Grimmer Walk but as it does not extend beyond the east

facing gable of no. 2, its presence would not be unduly overbearing. The impact on this property is therefore considered to be acceptable.

7.2.2 In terms of the impact on the properties on Evensford Walk, the proposed extension is considered to be a sufficient distance away that there would be no significant impact in relation to loss of light or over-dominance being approximately 11.5 metres from number 2 and approximately 13 metres from number 4. Furthermore, the proposed extension would be to the north of both of these properties. Any overlooking over the rear garden of no. 2 would be at an oblique angle and not significantly harmful. The impact on both of these properties is therefore considered to be acceptable.

7.2.3 In terms of the impact on the properties to the rear, on Thomas Flawn Road, the proposed extension would be approximately 20 metres from the rear elevations of these properties and as a result of these separation distances, the impact of the proposed development on these properties is considered to be acceptable. Whilst the Household Extensions SPD (2020) advises that 21m between dwellings is a desirable 'back to back' distance of separation between the rear walls of properties, the judgement in this specific case is that approximately 20m is satisfactory to avoid an unacceptable loss of privacy to neighbouring occupiers. Although the floor levels at Grimmer Walk are slightly higher than the properties to the rear on Thomas Flawn Road, given the distance of the proposed extension from the properties on Thomas Flawn Road, it is considered that this would have no significant impact in relation to loss of light or overlooking. Furthermore, there is a high level of boundary screening between the properties, providing some screening and filtering of views between them.

7.2.4 The impact of the proposed development on residential amenity is therefore, on balance considered to be acceptable and would comply with Policy 8 (e) of the Joint Core Strategy.

### **7.3 Highway Safety and Parking**

7.3.1 There would be no loss of parking provision as a result of the proposed development and there would also be no increase in the number of bedrooms and therefore, no increase in demand for parking provision. Furthermore, with the proposed extension being entirely to the rear of the dwelling, there would be no impact on highway visibility. Highways have also stated that they have no objection to the application.

7.3.2 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.

## **8. Other Matters**

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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**

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- 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. There would also be no significant adverse impact on either neighbour amenity or highway safety.

## **10. Recommendation**

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- 10.1 That planning permission is GRANTED subject to conditions.

## **11. Conditions**

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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:

- Site Layout Plan;
- Site Location Plan;
- Proposed Elevations – 0101A;
- Proposed Ground Floor Layout – 0102; and
- Proposed First Floor Layout – 0103.

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

3. The development hereby permitted shall be finished externally in materials as detailed on the submitted application form and plans. The approved materials should be maintained and retained in perpetuity thereafter.

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

4. Before the first occupation of the extension hereby approved, the first floor windows on the southern, side elevation, serving the en-suite bathroom shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and any part of the windows that are less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings.

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Rev	Date	Details	Drawn	Checked
02	19.10.20	Planning Submission	DS	JHF
01	19.10.20	Issued for information	CFG	JFL

**SCROXTON & PARTNERS**

Northampton - 01933 698 001 London - 0203 745 8000  
 northampton@scroxtonandpartners.co.uk london@scroxtonandpartners.co.uk

Client:  
 Blenheim Homes [Bucks] Ltd

Project Name:  
 57 High Street, Twywell

Site Address:  
 57 High Street, Twywell,  
 Northamptonshire,  
 NN14 3AH

Drawing Number: 1270 SAP XX 00 DR A 10000 SO	Revision: 02
Drawing Title: Site Location Plan	Volume: V1

Project Lead: JHF	Stage: 03	Project Phase: Planning
Scale: 1:1250	Paper: A3	10m   20m   30m   40m   50m

Appendix



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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>20/01343/FUL</b>
<b>Case Officer</b>	<b>Joe Davies</b>
<b>Location</b>	<b>Land Rear Of 57 High Street, Twywell</b>
<b>Development</b>	<b>Erection of new detached dwelling and associated landscaping works</b>
<b>Applicant</b>	<b>Blenheim Realty Ltd - Mr Sugars</b>
<b>Agent</b>	<b>Scroxtton &amp; Partners - Mr Justin France</b>
<b>Ward</b>	<b>Thrapston</b>
<b>Overall Expiry Date</b>	<b>22 December 2020</b>
<b>Agreed Extension of Time</b>	<b>N/A</b>

### **Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation, as there has been an objection from Twywell Parish Council (contrary to officer recommendation) and more than three representations have been received from nearby residents.

#### **1. Recommendation**

---

- 1.1 That Planning permission is GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 This application seeks full planning permission for the erection of a detached, two storey dwelling. It would have a pitched roof with dormers at first floor level and would have a maximum height of 7.175 metres. It would be finished in red brick with a slate roof. There would be four parking spaces to the front of the dwelling and a large private amenity space to the rear. The site would be accessed from High Street via a shared driveway.

### **3. Site Description**

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- 3.1 The application site comprises land to the side and rear of an existing detached dwelling. Permission was granted for three dwellings on land to the north-west of the proposed site and to the rear of 57 High Street in 2020 and the proposed dwelling would use the same access. To the east of the site is the dwelling at Shrublands. To the west of the site are the dwellings at Woodland Cottage and 57 High Street. The site is in the Twywell Conservation Area.

### **4. Relevant Planning History**

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- 4.1 19/01119/FUL - Demolition of the existing stable and store buildings and construction of four new dwellings and associated landscaping work. – WITHDRAWN (05.11.2019)
- 19/01901/FUL - Demolition of the existing stable and store buildings and construction of three new dwellings and associated landscaping work (resubmission of 19/01119/FUL) – PERMITTED (28.07.2019)

### **5. Consultation Responses**

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

#### 5.1 Twywell Parish Council

Twywell Parish Council has objected to the application. The grounds for this objection can be summarised as follows:

- Twywell already has issues with the road infrastructure;
- The entrance and visibility splay do not meet Highway standards, this would be exacerbated by an additional dwelling.
- The proposal would result in more than 5 dwellings being accessed from a private drive, contrary to highway policy DM15.
- The proposed dwelling would result in harm to the character and appearance of the Twywell Conservation Area.
- The proposed dwelling would be outside the settlement boundary line of Twywell contrary to the Rural North, Oundle and Thrapston Plan.
- A number of other developments have been recently granted within Twywell and the wider implications of this have not been taken into account.
- An increase in just 13 properties equates to a 16% increase in residents and highway traffic which Twywell does not have the infrastructure for.

#### 5.2 Neighbours / Responses to Publicity

Eleven letters have been received from members of the public in response to the application. These can be summarised as follows:



- The proposed development would massively impact on surrounding dwellings particularly Shrublands and Woodland Cottage.
- There is currently an attractive view up High Street which would be destroyed by the proposed development.
- There would be an increase in vehicle movements.
- There could potentially be an impact in relation to water and sewage.
- Twywell is a conservation village and great care should be taken over new developments and their visual impact.
- The proposed development would fall outside of the village boundary.
- A traffic survey submitted has shown that there are vehicle movements of up to 400 cars per day at an average of 28.5 mph, with inadequate visibility splays danger arises.
- The Local Highway Authority have not visited the site and have only done a desktop study.
- There is already consent for 5 dwellings to be accessed from the private drive, anymore would be against Local Highway Authority policy.
- A previous application has been withdrawn at the site following objections from the Council's Conservation Officer.
- Twywell has recently become a rural development village, which conflicts with and becomes damaging to the Conservation Area.
- The land ownership on the site plan is incorrect.
- The proposed dwelling looks into the kitchen window and gardens of Shrublands, seriously compromising privacy.
- The proposed dwelling is too large for the site.
- The proposed dwelling would obstruct the view of the mature woodland which defines the settlement character as recognised in the Twywell Parish Plan and Village Design Statement.
- The dwelling would require crown lifting to peripheral trees, destroying their individual character and leaving them vulnerable to wind damage.
- The proposed dwelling, whilst set back slightly further from the street scene is 50% larger than that proposed on the 2019 application that was withdrawn.
- The front elevation is out of character for the area.
- There is insufficient visibility, Highways didn't object to the previous application as there they estimated the average vehicle speed to be no more than 20 mph, a recent traffic survey has shown it to be 28 mph. The proposed development would intensify vehicle movements on this access.
- The proposed dwelling would detract from the private amenity space at both Shrublands and Woodland Cottage.
- The proposed development, adding a 4th dwelling would provide a property density that is out of character with the local area.
- The proposed dwelling would cross the building line for the village.
- It would affect an already insufficient storm water drain.
- Any intensification of development in Twywell would exceed the capacity of the infrastructure.

### 5.3 Highways (LHA)

- The LHA has no objection to the proposed access as this has already been agreed in principle with the LHA under application 19/01901/FUL.
- The LHA has concerns over vehicles manoeuvring to the proposed parking spaces P03 and P04, these spaces should be reconfigured to allow for safe manoeuvring into the shared drive.
- The LHA requires confirmation of how many dwellings will be served from the proposed access, as more than 5 will be cause for objection as this will contravene NCC adopted policy (DM15), this includes parking arrangements for dwellings fronting the High Street.
- The application site is not affected by a Public Right of Way.

### 5.4 Waste Management

Waste collection containers will need to be presented at the adopted highway as the waste collection team would not enter a private driveway to empty them.

### 5.5 Environmental Protection

No objection but requested conditions regarding hours of construction and no burning.

### 5.6 Principal Conservation Officer

Initial comments raised concerns regarding the impact on the character and appearance of the Twywell Conservation Area, stating that the proposed development would appear incongruous in the street scene due to its design and siting. Following further discussion and amendments to the proposal, these concerns were satisfactorily addressed. This is explained in section 7 of this report.

### 5.7 Archaeology

The applicant has submitted the agreed Written Scheme of Investigation relating to 19/01901/FUL. This WSI does not cover the area of the new application, but the scheme of work would be the same and could be incorporated within the existing programme. An addendum to the WSI would need to be provided to confirm that this would be carried out. Subject to an addendum being provided, this could be secured by a suitably worded condition.

The proposed development will have a detrimental impact on any archaeological remains present. This does not however represent an overriding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. I will be happy to suggest appropriate wording for the condition once an addendum to the WSI is in place.

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

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### **6.1 Statutory Duty**

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

### **6.2 National Policy and Guidance**

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development

Policy 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 and Oundle**

Policy 1 – Settlement roles

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 EN3 – Settlement Boundary Criteria – Freestanding Villages

Policy EN13 – Design of Buildings/Extensions

Policy EN14 – Designated Heritage Assets

Policy EN30 – Housing Mix and Tenure to Meet Local Need

### **6.6 Other Documents**

Standing Advice for Local Planning Authorities (2016)

Parking Standards (2016)

Domestic Waste Storage and Collection Supplementary Planning Document (2012)

## **7. Evaluation**

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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

## **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.

7.1.2 Whilst part of the site of the proposed development lies partly outside of the settlement boundary (approximately half of the footprint of the dwelling would be built outside of the settlement boundary), Twywell is a linear settlement. The site is also directly bounded on three sides by residential development and is enclosed to the rear by dense woodland. Whilst it is appreciated that the settlement boundary is generally defined to prevent sprawl into open countryside, by virtue of the adjacent land uses and the site's semi-enclosed position, the portion of the site lying outside the settlement boundary is both visually and functionally contained within the settlement. As a result it would be difficult to justify a refusal of the application on the grounds of harm to the character and appearance of the open countryside, or the setting of the village. This was reinforced by the Planning Inspector's decision, when 15/02079/FUL, Braesby, Southwick Road, Glapthorn was appealed, where the Inspector found that given the nature of the site and its surrounding land uses, although it was partly outside the settlement boundary, it was considered that no harm to the character and appearance of the open countryside would result.

7.1.3 Furthermore, it is 10 years since the Rural North, Oundle and Thrapston Plan (2011) (RNOTP), in which mapped settlement boundaries are defined was adopted and these policies pre-date the National Planning Policy Framework 2021 and the Joint Core Strategy (JCS). The narrative criteria to determining whether land is within the built-up area of a settlement or outwith, as set out in both the supporting text to JCS Policy 11 (paragraph 5.17) and Policy EN3 of the Emerging Local Plan Part 2 are both more flexible to the facts of a particular case than those set out in the RNOTP, requiring a site specific assessment against the criteria in every case. Although it is accepted that the weight that can be given to Policy EN3 is limited as whilst it has been submitted for examination, it is not yet adopted policy, it is nevertheless consistent with the National Planning Policy Framework 2021, hence the allowed Appeal referred to above, and indicates the direction of travel towards superseding mapped settlement boundaries.

7.1.4 For these reasons, whilst there is a degree of conflict with Policy 2 of the RNOTP because part of the development lies outside of the settlement boundary, the principle of the proposed development is considered to be acceptable, subject to the development being acceptable in all other respects.

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

7.2.1 There were initially concerns raised by the Conservation Officer regarding the proposed development resulting in harm to the character and appearance of the Twywell Conservation Area. These concerns have now been resolved with the replacement of the UPVC windows initially proposed with timber and the repositioning of the building. The Conservation Officer has now stated

that he has no objection to the proposal. The significance of the Conservation Area as a designated heritage asset would be preserved in accordance with the NPPF and the statutory duty imposed on the Council under Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed development would be set well back from the street (25 meters approx.) and the design of the dwelling is considered to be in keeping with the design of the dwellings recently permitted to the west of the site. Development in depth and a varied building line with buildings of differing architectural styles are characteristics of the locality, and the proposed dwelling would reinforce these characteristics, rather than harmfully eroding them. The application site, in its current undeveloped and open state, does not make an important contribution to the character and appearance of the area. There are no important views across the land and the woodland to the rear will provide a pleasant green back drop and enclosure to the development.

- 7.2.2 The impact of the proposed development in relation to design, heritage and layout 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 neighbouring occupiers, the proposed development is considered to be a sufficient distance away from neighbouring dwellings that there would be no significant impact in relation to loss of light or over-dominance. Although a side window is proposed facing one of the recently permitted dwellings to the west, this would be at ground floor level and would serve a bathroom and would therefore be obscure-glazed. On the eastern elevation, there would be one first floor side window. However, this would also serve a bathroom and would be obscure-glazed, the ground floor window on this elevation is considered to be a sufficient distance away from neighbouring dwellings that there would be no significant impact in relation to overlooking. There would also be no overlooking from the windows on the front and rear. The impact of the proposed development on the amenity of neighbouring occupiers is therefore considered to be acceptable. The occupation of the dwelling, including the use of the access driveway by vehicles will increase levels noise and disturbance to adjacent properties. However, given the relatively spacious setting to the dwelling and the driveway, this would not cause unacceptable harm to neighbouring occupiers living conditions.

- 7.3.2 In terms of the impact on the amenity of future occupiers, the proposed dwelling would comply with National Space Standards as required by Policy 30 of the Joint Core Strategy. There would also be sufficient amenity space serving the dwelling.

- 7.3.3 The impact of the proposed development on residential amenity is therefore, on balance, considered to be acceptable and would be in compliance with Policy 8 (e) and Policy 30 of the Joint Core Strategy.

### **7.4 Highway Safety and Parking**

- 7.4.1 There would be 4 off-street parking spaces provided to serve the proposed

dwelling, which is one more than the required 3 spaces for a 4 bedroom dwelling. The parking provision is therefore considered to be acceptable and in accordance with adopted standards.

- 7.4.2 In relation to the access, Highways has stated that they have no objection to the proposed access as this has already been agreed in principle, including the visibility under the application 19/01901/FUL. Highways did however raise concerns over vehicles manoeuvring to the proposed parking spaces P03 and P04. These spaces have subsequently been repositioned in order to address this and the access to these spaces is now considered to be acceptable.
- 7.4.3 Highways has also raised concerns that more than 5 dwellings would be accessed from a private drive, contrary to their policy DM15. This is not sufficient justification for refusal, and refusals on this basis have been overturned at appeal in the past. To justify refusal the Council would need to demonstrate that a sixth dwelling using the access would cause unacceptable planning harm. No unacceptable harm has been demonstrated in this regard.
- 7.4.4 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.

## **8. Other Matters**

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- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Land Ownership: One of the neighbour comments raised an issue regarding the land ownership on the site plan being inaccurate. The Local Planning Authority has to take the information submitted regarding land ownership at face value, as the onus is on the applicant to submit an honest application. However, planning permission does not override land ownership or give the applicant permission to carry out development on land they don't own, without the consent of the land owner. It is an offence to knowingly or recklessly submit an inaccurate land ownership certificate.
- 8.3 Sewage and Drainage: Concerns have also been raised by neighbours and the Parish Council regarding the impact of the proposed development on sewage and drainage. The site lies in Flood Zone 1 and as a result, is not at risk of flooding. The issues of drainage and sewage are therefore a matter for building control.
- 8.4 Waste: The Council's Waste Management Team has stated that waste will need to be presented at the public highway with High Street. There is sufficient space to accommodate this and the provision of waste facilities for the proposed development is therefore considered acceptable.
- 8.5 Trees: Neighbours have raised concerns regarding tree works that would have to be undertaken as part of the proposed development. Advice has been sought from the Council's Senior Tree and Landscape Officer and will be reported on the update sheet.

8.6 Archaeology: In relation to archaeology, the proposed development would have a detrimental impact on any archaeological remains present. However, the Council's Archaeological Advisor has confirmed that this does not represent an over-riding constraint to development, provided that adequate provision is made for the investigation and recording of any remains. This will be conditioned and with this condition in place, the impact on archaeology is considered to be acceptable.

8.7 Environmental Matters: The Council's Environmental Protection Team has confirmed that it has no objection to the proposed development but conditions have been requested regarding no burning of materials on site and hours of construction to protect the amenity of neighbours during the construction period. With these conditions in place, there are no outstanding environmental concerns in relation to the proposed development.

## **9. Conclusion / Planning Balance**

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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. There would also be no significant adverse impact on either neighbouring amenity or highway safety, subject to the imposition of conditions. The benefits of the development and the lack of planning harms are material considerations that in this instance outweigh the minor degree of conflict with Policy 2 of the RNOTP, justifying development beyond the settlement boundary.

## **10. Recommendation**

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10.1 That Planning permission is GRANTED subject to conditions.

## **11. Conditions**

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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 Site Plan – 1270 SAP XX GF DR A 10100 SO Rev 05;
- Proposed Elevations - 1270 SAP V1 XX DR A 30100 SO Rev 05;
- Proposed Elevations - 1270 SAP V1 XX DR A 30110 SO Rev 05;
- Proposed Floor Plans - 1270 SAP XX GF DR A 10110 SO Rev 04;
- Site Location Plan - 1270 SAP XX 00 DR A 10000 SO Rev 02.

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 development 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. The development shall be carried out in accordance with the approved materials and finishes.

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

4. Prior to the first occupation of the 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 encourage water use to be 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. Notwithstanding the submitted details, prior to the occupation of the dwelling, details of the boundary treatments (materials, heights, positions and appearance) 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.

8. 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-excavation 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-excavation 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.

9. 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 or Public Holidays unless otherwise agreed with the local planning authority.

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

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.

11. Prior to the commencement of development, the access shall be constructed in accordance with the details set out on 'Proposed Site Plan - 1270 SAP XX GF DR A 10100 SO Rev 05'. Thereafter, the access shall be permanently maintained and retained in this condition.

Reason: In the interests of the dwellings having appropriate access.

12. Prior to the occupation of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority of the location of the storage and collection facilities for waste for the dwelling hereby permitted. The details shall include materials of any hard surfacing and the design and materials of any structure(s). The development shall be undertaken in accordance with these details prior to the occupation of the relevant dwellings and the facilities once provided shall be retained / maintained in perpetuity.

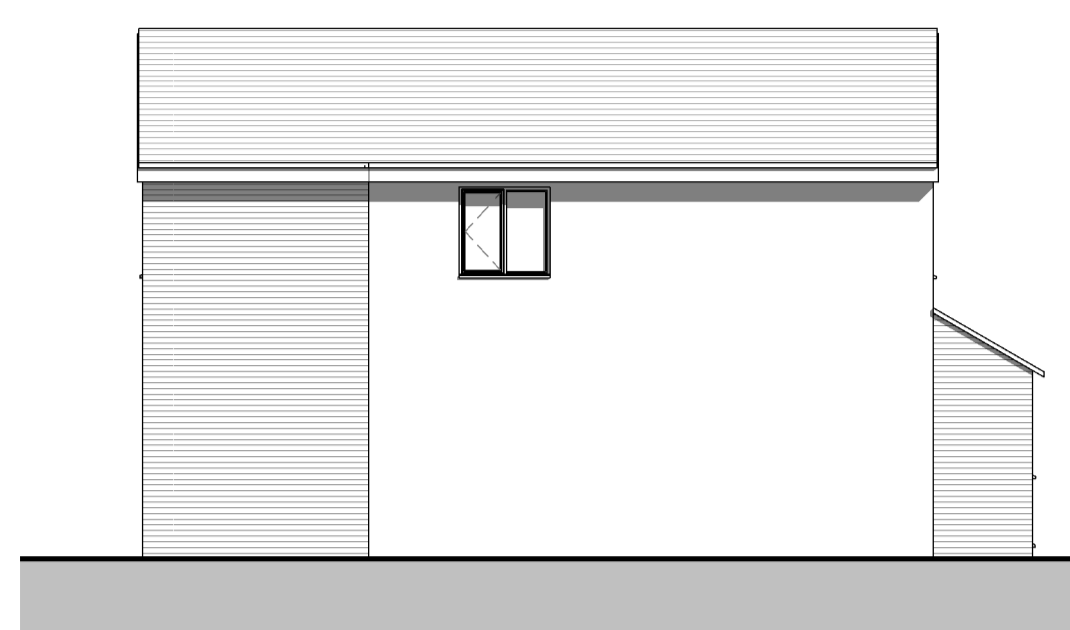
Reason: In the interests of securing appropriate waste arrangements.

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This drawing is © copyright protected.  
 All dimensions to be checked on site.  
 All dimensions in millimetres.  
 This drawing is for planning permission approval and is not to be used as working drawings.  
 Dimensions to be checked on site before any work is put in hand or prefabricated



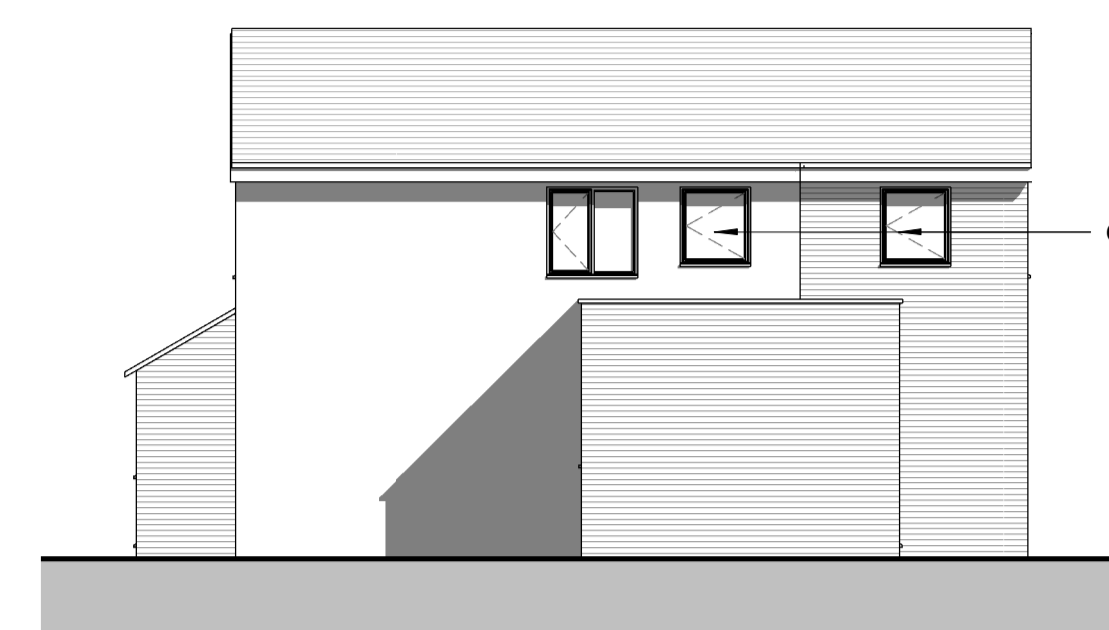
**Proposed Front Elevation**  
 1 : 100



**Proposed Side Elevation**  
 1 : 100



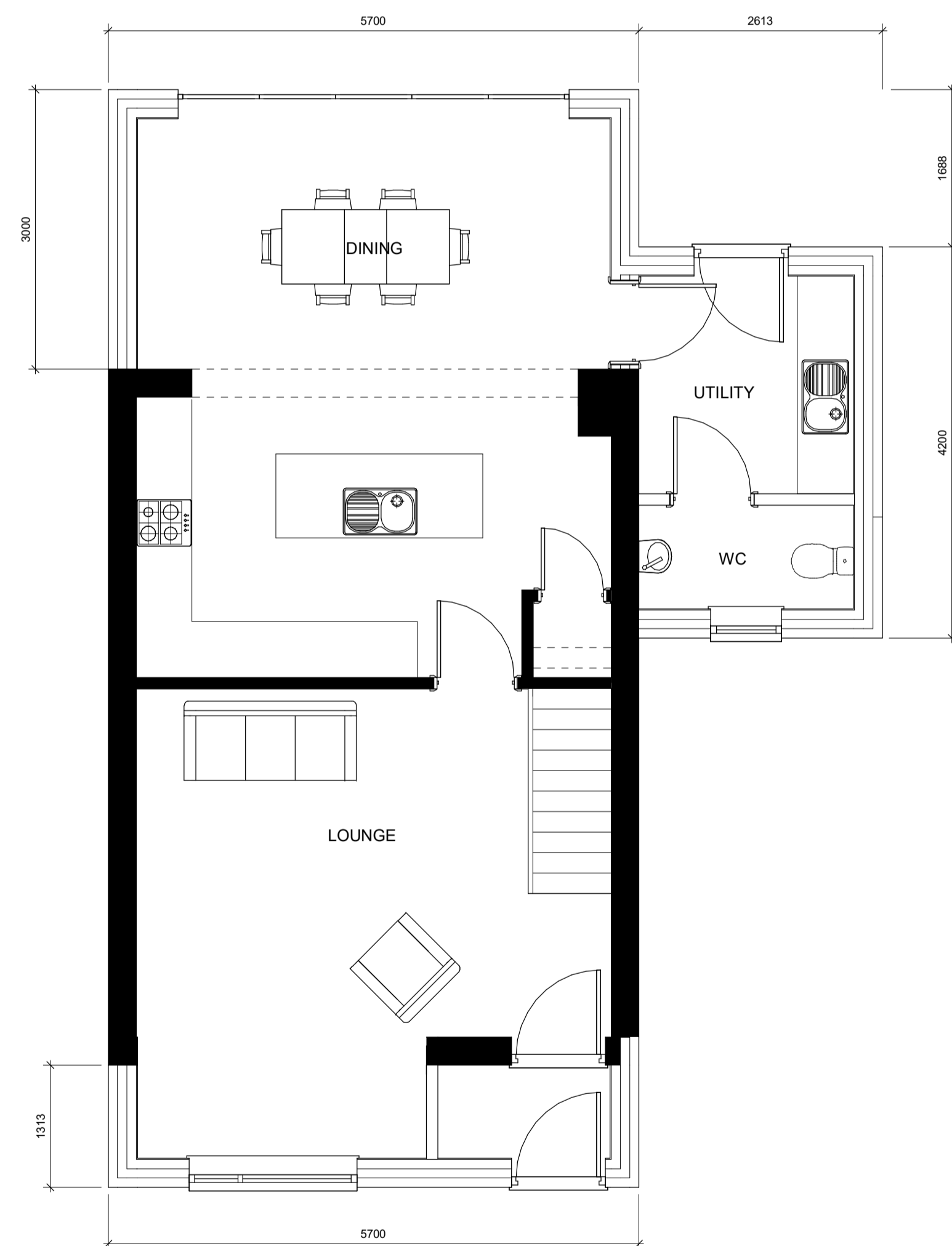
**Proposed Rear Elevation**  
 1 : 100



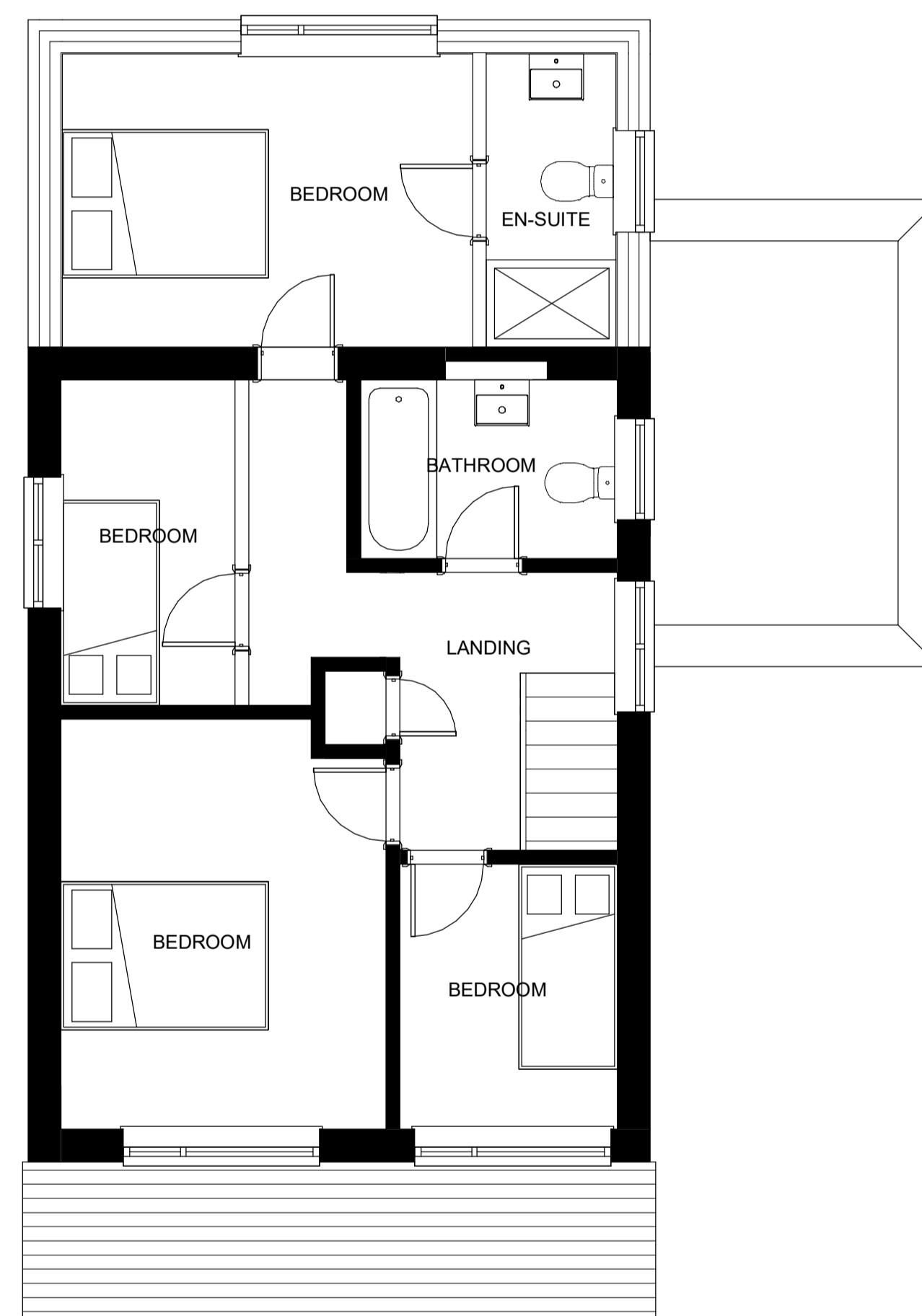
**Proposed Side Elevation**  
 1 : 100



**Proposed Site Plan**  
 1 : 500



**Proposed Ground Floor**  
 1 : 50



**Proposed First Floor**  
 1 : 50

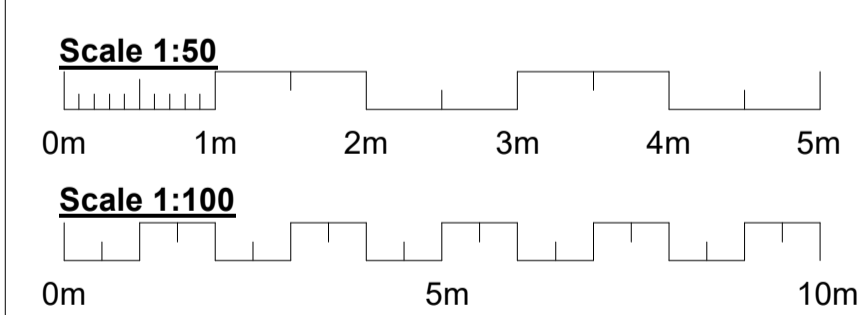


**Proposed Location Plan**  
 1 : 1250

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Revision Number	Revision Date	Revision Description	Issued by
B	16.09.21	Dimensions added	MR
A	23.08.21	Parking space added	MR

**Revision Schedule**



Project Number:	<b>2111</b>
Project Title:	<b>27 Webb Road Raunds</b>
Client(s):	<b>Roger Johnson</b>
Project Issue Date:	<b>July 21</b>
Drawn By:	<b>MR</b>
Checked By:	<b>MR</b>
<b>Drawing Number:</b>	<b>2111-02-B</b>
Drawing Name:	<b>Proposed Floor Plans, Elevations, Site and Location Plan</b>
Scale:	As indicated
Paper Size:	A1

Appendix

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>NE/21/01186/FUL</b>
<b>Case Officer</b>	<b>Susie Russell</b>
<b>Location</b>	<b>27 Webb Road, Raunds, Northamptonshire NN9 6HH</b>
<b>Development</b>	<b>Single storey front and side extension and two storey rear extension</b>
<b>Applicant</b>	<b>Mr And Mrs Johnson</b>
<b>Agent</b>	<b>Mr Reed</b>
<b>Ward</b>	<b>Raunds</b>
<b>Overall Expiry Date</b>	<b>28 September 2021</b>
<b>Agreed Extension of Time</b>	<b>28 October 2021</b>

### **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 Town Council's objection.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 The application proposes a single storey front extension measuring 1.3 metres in depth, by 5.7 metres in width, to match the width of the existing front elevation. It would provide an entrance lobby and enlarge part of the existing lounge. A mono-pitched and tiled roof is proposed with the eaves level at 2.4 metres and a ridge level height of 3.3 metres.
- 2.2 The proposal also includes two new windows in the main dwelling. There is an additional bedroom window proposed in the north side at first floor level

(clear glazed) and a bathroom window at first floor level in the south elevation (obscure glazed). Due to the position, the proposed bedroom window would not be classed as permitted development as it would not be obscure glazed or fixed shut. The additional bathroom window may be permitted development as it would be obscure glazed, but to meet the requirements it would also need to be either non-opening or more than 1.7 metres above the floor level, in order for it to be classed as permitted development.

- 2.3 In addition, a single storey side extension is proposed that would provide a utility and W.C. area off the south side of the kitchen. It would measure 4.2 metres in depth by 2.6 metres wide, with a flat roof approximately 3.4 metres in height.
- 2.3 Finally, a two-storey extension is proposed at the rear. It would measure 3 metres in depth by 5.7 metres in width, to match the existing rear elevation. It would create an open plan dining room on the ground floor next to the existing kitchen, and an additional (fourth ) bedroom and en-suite shower room would be provided above at first floor level. The roof slope, height and materials would match the existing pitched roof of the original dwelling.
- 2.4 Amended plans have been submitted during the determination of the application to satisfy the highway requirements and to provide additional dimension annotations on the drawing.

### **3. Site Description**

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- 3.1 The application site comprises a detached 1970s dwelling of brick construction with a pitched concrete tiled roof. There is an existing vehicular access serving a driveway which provides ample off-road parking for 3 cars at the front of the property.
- 3.2 The application site is situated in a residential area and is the last property at the northern end of Webb Road, where the road stops. The site adjoins a neighbouring semi to the southern (side) boundary. To the northern (side) boundary is a development of six maisonette style flats and the site directly adjoins the service / amenity area and car park of this flat development, which is accessed off Mallows Drive. There is a slight difference in ground level of around 0.5 metres with the application site at the south on a slightly lower level than the flats to the north.
- 3.3 The surrounding area has properties of various types and designs; mainly comprising a mix of red and buff colour brick. There are semi-detached and detached two storey dwellings and single storey bungalows, as well as two storey flats.

### **4. Relevant Planning History**

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- 4.1 75/00368/OUT – Residential development (outline) – APPROVED – 16.04.1975
- 4.2 75/01267/FUL – Residential development (89 houses) – APPROVED – 26.11.1975

## 5. Consultation Responses

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

### 5.1 Raunds Town Council

Raunds Town Council seek clarification that the quantity of parking spaces per number of bedrooms and dimensions are in accordance with the NCC Parking Standards 2016. The Town Council object on the grounds of overlooking and loss of privacy to neighbouring amenity space in relation to the window proposed in the existing bedroom as it is not labelled as obscure glazing.

### 5.2 Neighbours / Responses to Publicity

12 neighbouring properties were notified, and a notice was displayed at the site. Five objection letters have been received. The issues raised are summarised below:

- Overlooking of common garden area of flats;
- Loss of Privacy due to side bedroom window looking out towards common garden area for flats; and
- Guttering and building works encroaching over neighbouring boundary.

A letter was submitted by the applicant, in response to the concerns raised by neighbours and the Parish Council, relating to the side windows, which is summarised as follows:

- The host dwelling has no privacy from the flats as they are on higher ground – they can see into the garden of the application site just from standing in the car park area;
- The second floor flats and windows from the house next door, can also see straight into the garden; and
- One of the residents from the flat has commented about the amount time spent at the fish pond.

### 5.3 Highways (LHA)

#### Initial response

The dropped kerb will need to be extended to cover the full extent of the driveway (subject to a maximum 12m length). Standing advice relating to drainage and parking standards to match the number of bedrooms.

Following this response the applicant submitted amended plans to show the existing vehicular crossover to be extended to full driveway, the additional (3<sup>rd</sup>) parking space, and the drainage.

## Further response

The LHA confirms no objections or further observations as there are no further requirements.

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 4 - Biodiversity and Geodiversity  
Policy 8 - North Northamptonshire Place Shaping Principles

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

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

### 6.5 Neighbourhood Plan – Raunds Neighbourhood Plan (NP) (2017)

Policy R2 – Promoting Good Design

### 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 - Householder Extensions Supplementary Planning Document (June 2020)

## **7. Evaluation**

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The key issues for consideration are:

- Visual Impact
- Impact on Neighbouring Amenities
- Impact on Highway Safety and Parking
- Other issues

### 7.1 **Visual Impact**

7.1.1 National guidance contained within the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy 1 of the North Northamptonshire Joint Core Strategy (JCS) seeks to



secure sustainable development and Policy 8 requires new development to comply with a number of sustainable principles including being of a high standard of design.

- 7.1.2 Planning permission is sought for the erection of a single storey front entrance lobby, single storey side extension and two storey rear extension. The proposed single storey front extension would be visible from the public realm, and it has been designed with proportions to be subordinate to the main dwelling and constructed in materials to match. If approved, it is recommended a condition should be added to ensure matching materials are used.
- 7.1.3 The Council's (East area) Householder Extensions Supplementary Planning Document (June 2020) advises that side extensions should be set back from the front of the house and the ridge line should be slightly lower than the existing to help maintain the proportions of the original dwelling. The proposed single storey side extension would have a flat roof rather than a pitched roof, but it would be lower than the existing roof height and considerably set back from the frontage. Furthermore, the single storey extension would only be partially visible from the street and would appear subservient due to its set back position and modest single storey scale.
- 7.1.4 A first-floor window is proposed in the north facing elevation of the existing dwelling to serve an existing bedroom. It would be of a similar appearance, and in a similar position to the existing window in the opposite side (south facing) elevation. There is an additional (obscure glazed) window proposed to the bathroom in the south elevation. These windows would not appear prominent or out of character with the symmetry of the existing windows. These windows would not have a negative visual impact.
- 7.1.5 Situated within the rear garden area, the proposed two storey extension would not be prominent, particularly when viewed from the front of the site, given its position to the rear of the dwelling. Due to the scale and design of the proposed two storey extension, the proposed development would remain sympathetic to the character of the host property and would not have an adverse visual impact on the surrounding area.
- 7.1.6 The pitched roof of the proposed two-storey rear extension would be at the same height as the main ridge of the property. Paragraph 1.8 of the adopted Householder SPD design guidance confirms that rear extensions should be equal in height or lower when related to the original house. This is therefore acceptable. In addition the geometry would match that of the existing.
- 7.1.7 The property is sited at the end of a cul-de-sac on slightly lower ground than the neighbouring two storey properties to the north and with a good amount of space around the property, due to its detached nature. The neighbouring properties are also set in away from the shared boundaries resulting in a feeling of open space, preventing the site from appearing cramped or overdeveloped.

7.1.8 Overall, the proposed extensions are considered to be sympathetic in scale and design to the host property and the proposed windows would not have a detrimental visual impact. For the reasons above, the proposed extension would not result in a detrimental visual impact on the character and appearance of the street scene, the host dwelling or the surrounding area.

## 7.2 **Impact on Neighbouring Amenity**

7.2.1 The NPPF and Policy 8 of the Joint Core Strategy (2016) seek to protect amenity of neighbouring land 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".

### 7.2.2 Front Extension

The detached nature of the host dwelling would mean the proposed single storey front extension would be set away from the neighbouring properties. Also, as the front extension would be modest in scale and height it would not have any adverse impact on the residential amenity of any neighbouring properties. Dwellings to the front (west) within the cul-de-sac, and the rear (east) are a sufficient distance from the proposed development so as not to be adversely affected.

### 7.2.3 Side Extension

No. 25 Webb Road is the closest neighbouring dwelling and is the adjacent semi-detached property to the southern boundary. This neighbouring property is set away from the shared boundary by around 2 metres and the proposal would be set in from the host dwellings boundary by just under 1 metre. The proposed single storey side extension would be around 2.6 metres closer to this neighbouring property than the existing side elevation, however, it would be single storey in height and would be separated by the driveway and boundary treatment. This would prevent any negative impact on neighbouring amenity. No new windows are proposed to the side elevation facing No. 25 Webb Road.

### 7.2.4 Rear Extension

The proposed two storey rear extension would have one new window to serve the new en-suite, and the existing bathroom would also have a new window in this south facing elevation at first floor level. These would face out towards the side elevation of No. 25 Webb Road. There is an existing first floor window in the side elevation facing No. 25 Webb Road at first floor level which serves a landing. The two new first floor windows are shown to be obscure glazed on Drawing No. 2111-02-B, received 16<sup>th</sup> September 2021. The obscure glazing proposed would protect the privacy of the neighbouring dwelling and the occupiers of the host dwelling. Therefore the proposal would not have any adverse impact on the residential amenity of No. 25.

7.2.5 The proposed single storey front, side and two storey rear extension to the north of the property would not create any greater impact to No. 25 than the existing property.

- 7.2.6 The two-storey rear extension would be 10.7 metres away from the shared eastern rear boundary and around 22 metres away from the detached dwelling at the rear, No. 20 Mallows Drive. The orientation, which is offset from the rear garden, together with the separation distance, will prevent the two storey rear extension from having any impact on this neighbouring dwelling.
- 7.2.7 To the north of the site are 6 properties (14-18A Mallows Drive) contained within the two-storey flat building, which are separated by the garden to the host property and boundary treatment. The properties are around 12 metres away from the proposal. There is only one new bedroom window proposed in the first floor (north facing) side elevation of the existing dwelling, that would look out towards the north boundary.
- 7.2.8 This first-floor window would not be obscurely glazed or fixed shut and would overlook the shared amenity area and car park / service yard of Mallows Drive flats. Whilst, one additional window in the side of the existing house would introduce an additional viewpoint, this would not create any greater overlooking or significant negative impact overall. This is because the shared amenity area is already semi-private by nature of the number of residents already overlooking it. The flats are on slightly higher ground and can look out towards the garden of the host dwelling. Some degree of overlooking is not uncommon in a medium to high density residential housing estate. The proposal would not significantly impact on the privacy of the occupants of the neighbouring flats due to the 12 metre separation distance.
- 7.2.9 Having regard to the above, it is considered that the proposal would not impact significantly upon the residential amenity of neighbouring occupiers and would be acceptable.

### **7.3 Impact on Highway Safety and Parking**

- 7.3.1 The property has an existing driveway to the frontage of the property with ample off-street parking and an adjoining double garage. The application proposes an extension over the existing garage with the parking at ground floor retained. The application would result in the increase in the number of bedrooms at the property, from three to four. However, three parking spaces are already available within the curtilage of the site which would be unaffected by the development. Highways initially commented as only 2 spaces were originally shown on the plans, and the widening of the dropped kerb was not annotated. The plans have been amended to show the additional parking and widening of the existing access. Highways have now confirmed they have no further comments and are satisfied with the proposal. The proposal would accord with the requirements set out in the LHA Parking Standards document.
- 7.3.2 Accordingly, there is no impact on the existing parking provision to the frontage of the site and the development would not have a negative impact upon highway safety.

## **7.4 Ecology**

- 7.4.1 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.
- 7.4.2 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**

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- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Neighbour comments: Concerns raised by neighbours relating to the new first floor window proposed in the south facing (side) elevation serving an existing bedroom within the existing part of the dwelling. This has been assessed in the amenity section 7.2 above. The obscure glazing that is specified for the 2 windows in the south facing elevation (towards No. 25) is considered to be sufficient to protect residential amenity.
- 8.3 Overhanging guttering / encroachment over the shared southern boundary: Comments have been received by a neighbour who has stated they believe the proposal would result in overhanging guttering affecting the neighbouring land south of the application site. The extension is shown to be set in around 0.8 metres away from the shared boundary and there is no reason to believe that the associated guttering would overhang the boundary; particularly with a separation distance of this degree. The comments also state that they will not allow access onto their property to dig foundations or do any building works. This not a planning matter and would not be a material consideration. This is a civil matter for this landowner to seek further advice on outside of the planning process.

## **9. Conclusion / Planning Balance**

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- 9.1 In this instance, the proposed single and two storey extensions are considered to be of an appropriate scale and sympathetic design, using matching materials and would not have a harmful impact upon the character and appearance of the area. Due to the separation distance, it would not have a significantly detrimental impact upon the amenity of neighbours. It would not have a harmful impact upon highway safety as the existing access would be widened and the additional third off road parking space has now been provided on the submitted plans to the front, in order to meet the requirements of the Local Highway Authority Parking Standards 2016. This was demonstrated on an amended plan, following the initial highway comments, and Highways have since confirmed they are satisfied with the proposal and have no further comments to make.

- 9.2 Therefore the proposal is considered to be acceptable for the reasons mentioned above, and the concerns raised by the Town Council and neighbours relating to overlooking have been addressed and would not be considered reasonable grounds in order to justify a refusal.

## **10. Recommendation**

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

## **11. Conditions**

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- 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 29<sup>th</sup> July 2021,
- Location Plan, Existing Site Plan, Floor Plans and Elevations, Drawing No 2111-01, received 29<sup>th</sup> July 2021,
- Proposed Site Plan, Floor Plans and Elevations, Drawing No. 211 -2 B received 16<sup>th</sup> September 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 used on the existing building and as specified in the application form and submitted and approved drawings. These materials shall be retained in the agreed manner in perpetuity.

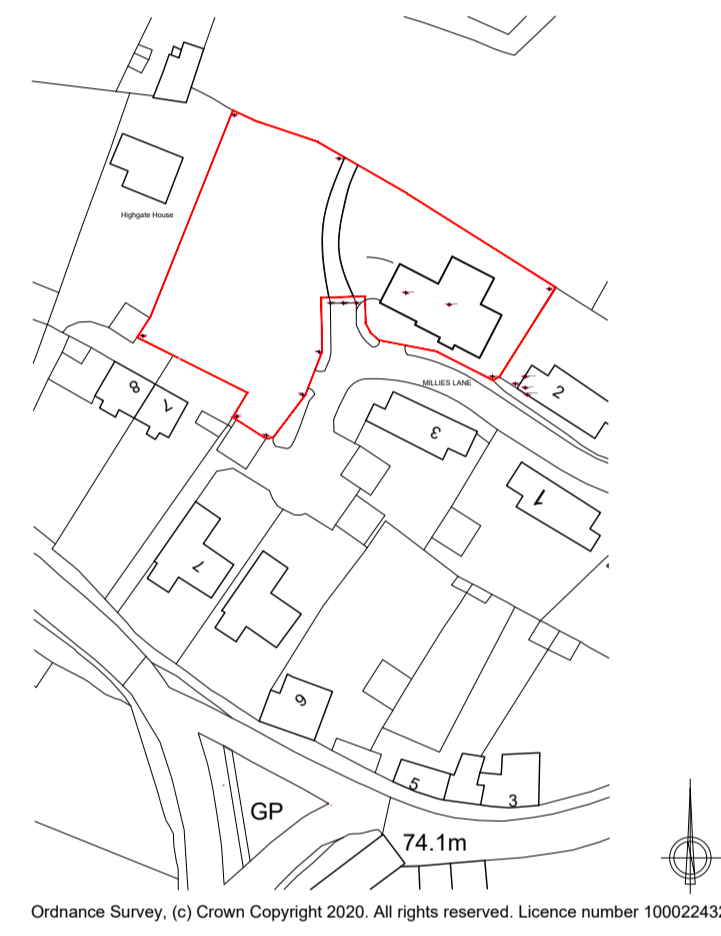
Reason: In the interests of visual amenity.

## **12. Informatives**

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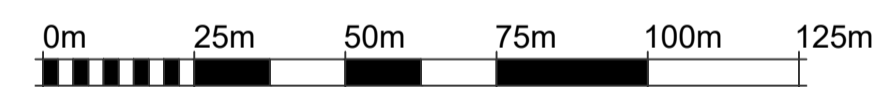
None.

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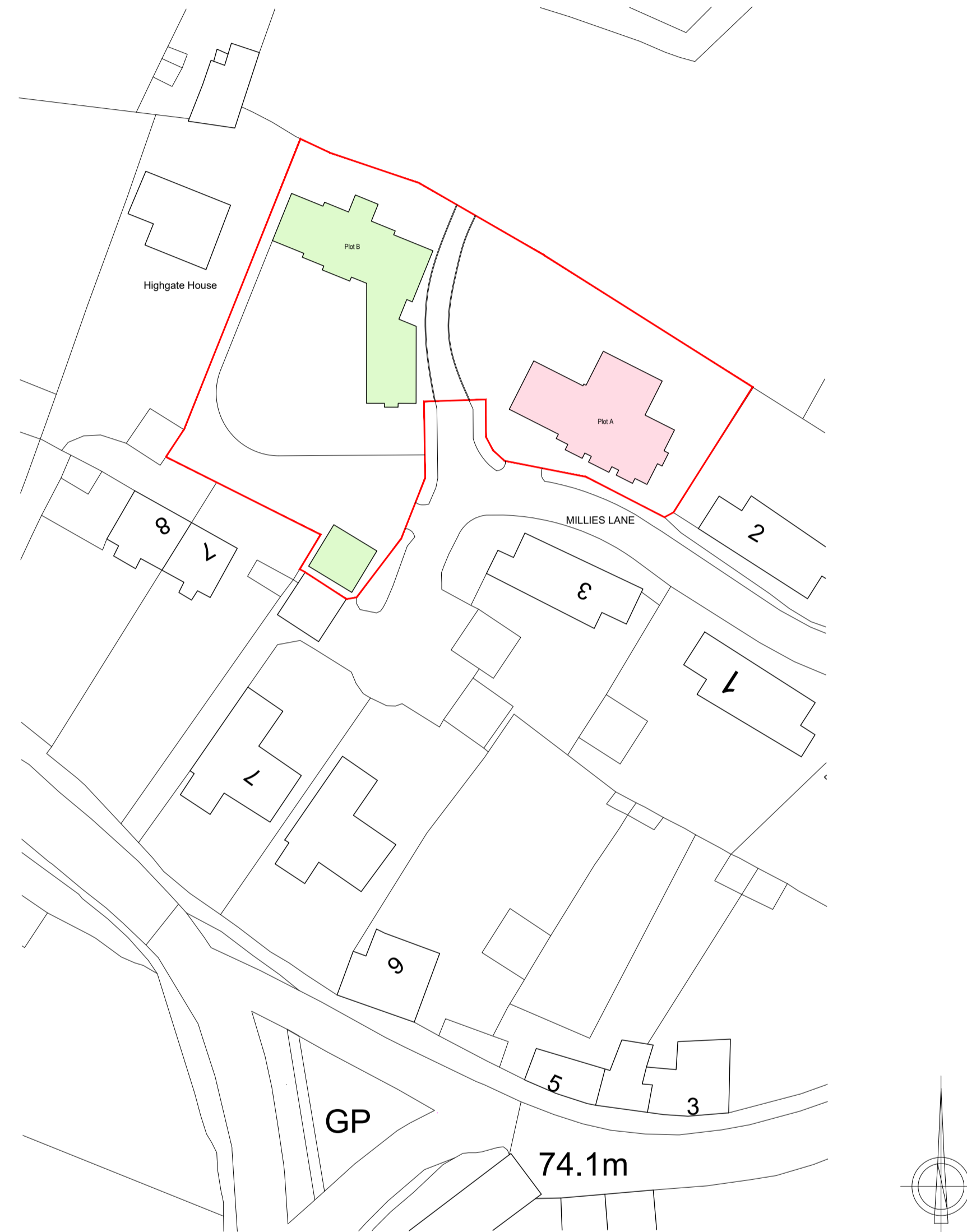


**Proposed OS Location Plan**

Scale 1:1250



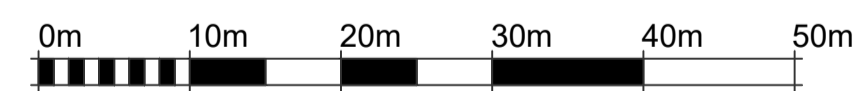
VISUAL SCALE 1:1250



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**Proposed Block Plan**

Scale 1:500



VISUAL SCALE 1:500

<b>FOR COMMENT</b>	Job No.	1402	2 New family Dwellings, Millies Lane, Bulwick
	Drawing No.	01P	<b>Proposed Location &amp; Block Plan</b>
	Revision	<b>B</b>	<b>RTK Stamford Ltd.</b>
	Scale	1:1250/500@A1	05/03/2021
Comments/Revision	N/A		

Drawing to be scaled for planning purposes only. All dimensions to be verified on site. All drawings are the copyright of RTK Stamford Ltd.

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>21/00405/FUL</b>
<b>Case Officer</b>	<b>Sunny Bains</b>
<b>Location</b>	<b>Blatherwycke Road, Bulwick, Northamptonshire</b>
<b>Development</b>	<b>Erection of two detached dwellings</b>
<b>Applicant</b>	<b>Jonathan Radcliffe</b>
<b>Agent</b>	<b>Ross Thain Architects – Mr Tim Grice</b>
<b>Ward</b>	<b>Oundle</b>
<b>Overall Expiry Date</b>	<b>29 October 2021</b>
<b>Agreed Extension of Time</b>	<b>29 October 2021</b>

### **Scheme of Delegation**

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

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 This application seeks full planning permission for the erection of 2No. detached dwellings. The Site Plan (1402 01P Rev B) identifies these dwellings as Plot A and Plot B which are subdivided by the proposed access road. Plot A is sited to the north-west of No.2 Millies Lane (No.2) and Plot B is sited to the east of Highgate House, Main Street .

- 2.2 Plot A would be a detached property sited near the road frontage and would consist of a side and rear extension. The dwelling would have a ridge height of 8 metres and would be a maximum width of 18.5 metres. The property would be accessed from the western boundary which leads to

a double integral garage.

- 2.3 Plot B would be a detached property sited near the rear boundary of the site with a two-storey extension sited close to the eastern boundary near Blatherwycke Road. The proposed dwelling would be an 'L' shape and measure 8.7 metres high with a width of 19.8 metres. The property would have two accesses along the eastern boundary and a detached car port towards to the southern boundary.
- 2.4 The existing access off Millies Lane would be used to serve the proposed dwellings and the land north of the application site (Paddock Land) by service vehicles for inspection and maintenance of the community septic tank (north of the site).

### **3. Site Description**

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- 3.1 The application site is situated on the periphery of the settlement of Bulwick and is located to the north of Millies Lane. The site comprises agricultural land and measures 0.17 hectares. Residential dwellings are located to the east, south and west of the site whilst to the north lies agricultural land.
- 3.2 The site lies within flood zone 1 (low risk) and within close proximity (circa 19 metres west of the application site) to Bulwick Conservation Area.

### **4. Relevant Planning History**

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- 4.1 20/01162/FUL – Erection of two detached dwellings – withdrawn – 09.02.21.
- 4.2 13/00874/FUL – Erection of 2 No. dwellings (class C3) with associated garages, car parking and other ancillary works – Withdrawn – 21.11.14
- 4.3 01/00461/FUL – Two detached dwellinghouses and garages – Grant – 06.09.01
- 4.4 01/00462/FUL - Two detached dwellinghouses and garages (revised scheme) – Grant – 06.09.01
- 4.5 00/00392/FUL – Four dwellings and access – Granted – 27.07.01
- 4.6 00/00051/FUL – Residential development (8 houses) with access road – Refused – 15.05.00 – This application was appealed and dismissed.
- 4.7 00/00107/FUL – Four detached houses with garaging (resubmission) – Refused – 15.05.00. This application was appealed and dismissed.
- 4.8 99/00489/FUL – Four detached houses with garaging –Refused – 14.10.99
- 4.9 96/00661/FUL - Five dwellinghouses (change of house types) – Granted – 13.03.97
- 4.10 95/00632/REM – Nine dwellings (approval of reserved matters -

EN/92/0091) – Approved – 19.10.95

4.11 95/00411/VAR – Variation of Condition No. 2 to extend period for submission of reserved matters until 05.11.97 (nine dwellings- EN/92/0091/OUT) –Refused – 27.07.95

4.12 92/00091/RWL - Residential development (9 dwellings) (outline renewal - time limited EN/88/1046 -Granted – 05.11.92

4.13 86/01102/OUT – Residential development – Withdrawn – 24.11.86

## **5. Consultation Responses**

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

### 5.1 Bulwick Parish Council

Object for the following reasons:

- The development is outside the village boundary.
- The development would create highway safety issues.

### 5.2 Neighbours / Responses to Publicity

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

- Poor outlook and loss of light on neighbouring properties;
- Loss of privacy due to the surrounding land levels and height of the proposed dwellings in contrast to neighbouring properties;
- Noise disruption during construction and from vehicles of future occupants;
- Lack of open space provision;
- The design, scale and mass would be out keeping with the local character;
- Outside the village settlement;
- Cause road congestion and safety hazard to local residents due to narrow road;
- No need for housing in Bulwick;
- Development would set a precedent if approved;
- Impact on the residents view of the open countryside;
- No affordable housing provided; and
- Impact on wildlife.

### 5.3 Natural England

The development site falls within the impact risk zone of Bulwick Meadows Site of Special Scientific Interest (SSSI). Natural England has not objected to the application but advised that comments are sought from the Council's Ecological Officer.

5.4 Highways (LHA)

No objection to the proposed development subject to the field access only being used by the sewage tanker and no other agricultural vehicles.

5.5 Archaeology

No objection subject to an archaeological pre-commencement condition being imposed.

5.6 Principal Ecology Officer

An objection on ecological grounds would not be substantiated and a condition for the external lighting is recommended.

5.7 Principal Conservation Officer

No objection.

5.8 Environmental Protection

No objection subject to conditions.

5.9 Waste Management

No representation received.

**6. Relevant Planning Policies and Considerations**

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6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 2 - Historic Environment  
Policy 3 - Landscape Character  
Policy 4 - Biodiversity and Geodiversity  
Policy 5 - Water Environment, Resources 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 13 - Rural Exceptions  
Policy 25 - Rural Economic Development and Diversification  
Policy 28 - Housing Requirements and Strategic Opportunities  
Policy 29 - Distribution of New homes

## Policy 30 - Housing Mix and Tenure

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

Policy 2 - Windfall Development in Settlements

Policy 6 - Residential Parking Standards

Policy 9 - Buildings of Local Architectural or Historic Interest

### 6.5 Other Relevant Documents

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

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

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

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

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Character, Appearance and Historic Environment
- Residential Amenity
- Highway Safety and Parking
- Natural Environment

### **7.1 Principle of Development**

7.1.1 The application site abuts the settlement boundary of Bulwick and is therefore technically located within the countryside. Albeit, it is surrounded by residential development to the east, south and west, of the site boundary, with the north facing agricultural land. Policy 2 of the RNOTP and Policy 11 of the JCS support new developments within the settlement with the exception of supporting residential development within the open countryside that is for agricultural purposes or satisfies the 'rural exception' criteria set out in Policy 13 of the JCS.

7.1.2 The proposed dwellings would be general market housing rather than affordable housing or for agricultural purposes. As such, the proposal fails to comply with the aforementioned policies.

7.1.3 Notwithstanding the above, the nature of this application is similar to the appeal application that was allowed on August 2016 (APP/G2815/W/16/3149683). The appealed site, similar to the application site, was outside the settlement boundary but abutted it and was encompassed by residential development on three sides of the appeal site with the fourth side abutting agricultural land. The Planning Inspector held that due to the visual and functional containment of the site within the settlement pattern as well as its limited use for agricultural land, that the site could not be considered as open countryside.

- 7.1.4 To this effect, the Inspector held that the condition and position of the site formed a material consideration and that the benefits afforded from the development would significantly and demonstrably outweigh any harm caused to the conflict with the settlement boundary which is in line with Paragraph 47 of the National Planning Policy Framework 2021 (NPPF).
- 7.1.5 Therefore, taking the above into consideration, it is considered that the principle of residential development on the site would be acceptable.
- 7.1.6 Notwithstanding the above, the applicant states that the site has a 'fallback' position due to Millies Lane being constructed in 1991 to serve 9 properties following approval from Highways. This would conflict with the planning history which denotes a reserved matters application was approved in 1995 (95/00632/REM) and the officer report for the refused application (00/00107/FUL) in 2000 noted that planning application 95/00632/REM had lapsed at the time. Therefore, in the absence of a certificate of lawfulness, it is considered that there is no 'fallback' position on the site.
- 7.1.7 Overall, the principle of residential development on the site is considered to be acceptable, subject to the below policy considerations.

## 7.2 **Character, Appearance and Historic Environment**

- 7.2.1 The proposed dwellings would be sited at the end of Millies Lane which is a cul-de-sac and comprises of large dwellings of a rural character. The topography of Millies Lane reduces towards the end of the road with the application site being the lowest level. The proposed dwellings would also be of a large scale and mass, with Plot B being larger than Plot A. The proposed dwellings in comparison to the size of the plots is not considered to result in overdevelopment and whilst the scale of the proposed dwellings would be larger than the other dwellings along Millies Lane, this is not considered to result in significant harm to the character of the area.
- 7.2.2 The architectural design of the proposed dwellings would contrast with the properties along Millies Lane, however, it is considered that the proposed dwellings would introduce a positive variation to the context of immediate setting, which given its position within the lane is not considered to significantly detract from the intrinsic character of the neighbouring properties. A materials condition can be imposed, should permission be granted, to ensure the proposed materials closely reflect those of the neighbouring properties so the local rustic vernacular is preserved and so a high quality development is delivered. In doing so, it is considered that the proposed dwellings would complement the local character.
- 7.2.3 Bulwick Conservation Area and a number of Grade II listed buildings, as well as St Nicholas's Church (Grade I listed building), are located near the application site to the west. The Conservation Area is circa 19 metres from the site and the closest Grade II listed building (Inchmore House, Main Street) being circa 50 metres with St Nicholas Church being circa 122 metres.

- 7.2.4 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.
- 7.2.5 The Principal Conservation Officer has verbally advised that the proposed development is not considered to cause harm to the historic and architectural merits of the Conservation Area or the settings of the listed buildings due to the siting of the proposed dwellings and the surrounding built form. The case officer concurs.
- 7.2.6 Overall, it is considered that the proposed dwellings would not cause adverse harm to the character of the local area or the architectural and historic setting of the conservation area and listed buildings. Therefore, the proposed development complies with Policy 2 and 8(d) of the JCS and Paragraph 130 of the NPPF.

### 7.3 **Residential Amenity**

- 7.3.1 Nos.2 and 3 Millies Lane (Nos. 2 and 3) would be sited closest to Plot A and Nos. 7, 8 (Nos. 7 and 8) and Highgate House (Highgate House), Main Street would be sited closest to Plot B.
- 7.3.2 The proposed dwelling on Plot A would be set into the site, away from the adjoining boundary by 4.2 metres and from the side elevation of No.2 by circa 8.5 metres. The side elevation of No.2 has a single-storey side extension with a flank gable wall and the main side elevation has a door serving a study room. No.2 also has a generous plot and would be at a higher ground to the proposed dwelling. The proposed dwelling would have two first-floor windows serving bedrooms that would face onto the side elevation of No.2, given that these are secondary windows a condition can be imposed for them to be obscure glazed which would mitigate the harm of overlooking. As such, it is considered that the proposed dwelling would not result in adverse harm to amenity of No.2.
- 7.3.3 Millies Lane separates No.3 and the proposed dwelling on Plot A resulting in a distance of circa 10 metres from the front elevations. The distance and arrangement of the properties is similar to the existing dwellings Nos.1 and 2 Millies Lane and therefore it is considered that outlook, privacy and natural light of No.2 would not be severely harmed.
- 7.3.4 The side elevation of Highgate House would be circa 7 metres from the side elevation of the proposed dwelling on Plot B. Highgate House is sited on a lower ground level than Millies Lane, as such the design and access statement expresses that the proposed dwelling would be positioned lower into the ground so the ground-floor finished floor level would be one metre lower than the level of the existing turning head. The street scene plan (1402B) illustrates that the proposed height of the dwelling would be slightly higher than Highgate House and the site plan (01P rev B) illustrates that the proposed dwelling would partially be setback from the

rear elevation of Highgate House.

- 7.3.5 Highgate House has two side windows, likely to serve bedrooms, that would face onto plot B but given that these are secondary windows, as well as the position of the proposed dwelling and the distance, it is considered the outlook from these windows would not be severely harmed. Similarly, it is considered that the outlook from the rear windows would also not be severely harmed. Also, the balcony on the side elevation would be at a sufficient distance (circa 20 metres) to not cause harm from overlooking.
- 7.3.6 Given the orientation of the built form, position of the proposed dwelling, size of the plot and separation distance, it is considered that the proposed dwelling would not cause adverse harm to the amenity of Highgate House.
- 7.3.7 No.7 and 8 Main Street are at a sufficient distance (circa 30 metres) in order for their residential amenity to not be affected by the proposed dwelling. It is also considered that the proposed garage near No.7 would not cause harm to its residential amenity.
- 7.3.8 There would be sufficient gap between the proposed dwellings and neighbouring properties for the amenity of the future occupants to not be severely harmed. A condition can be imposed for landscaping along the adjoining boundary of Highgate House to prevent overlooking from the side windows.
- 7.3.9 The proposed dwellings would provide adequate internal amenity space in line with National Space Standards and adequate external amenity space would also be provided.
- 7.3.10 Overall, it is considered that the proposed development would not cause adverse harm to the amenity of neighbouring properties and would provide adequate amenity for future occupants. Therefore, the proposed development complies with Policy 8(e) and 30 of the JCS and Paragraph 130 of the NPPF.

#### **7.4 Highway Safety and Parking**

- 7.4.1 The proposed development would utilise the existing access off Millies Lane to form a private shared access to the proposed dwellings and to the septic tank located to the land to the north-east of the site, which in the ownership of the applicant.
- 7.4.2 Highways has no objection to the proposed development subject to the access only being used by the sewage tanker and no agricultural vehicles. The applicant states that the agricultural land to rear of the site has an alternative vehicular access off Blatherwycke Road which they would use instead of Millies Lane access should permission be granted.
- 7.4.3 Notwithstanding the above, it is acknowledged from comments of the local residents that agricultural vehicles currently use Millies Lane. It is outside the planning remit to prohibit certain vehicles from using a road and a condition could not be imposed in line with Paragraph 55 of the NPPF due to it being unenforceable. As such, a reason for refusal on this matter



could not be substantiated. Nonetheless, an informative can be imposed to stipulate that the access is not to be used by agricultural vehicles.

- 7.4.4 The proposed development would provide adequate onsite parking provision in accordance with Northamptonshire Parking Standards.

## 7.5 **Natural Environment**

- 7.5.1 Bulwick Meadows Site of Special Scientific Interest (SSSI) is located near the site and the site has mature hedgerow along its boundary. It is noted that concerns have been raised by local residents about the proposed development causing negative impact on wildlife. The Principal Ecological Officer considers that the proposed dwellings would not generate a significant number of visitors putting pressure on the SSSI or nearby potential wildlife sites. It is also noted from the comments of the Ecological Officer that the proposed development would not cause significant harm in terms of biodiversity and therefore an objection on ecological grounds could not be substantiated.

- 7.5.2 As such, the proposed development is considered to comply with Policy 4 of the JCS.

## 8. **Other Matters**

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- 8.1 Representations: The concerns raised by objectors and the Parish Council have been considered and addressed within the above sections to which it is either considered that the proposed development would not result in significant harm or the concerns can be mitigated by condition. Notwithstanding this, some of the concerns fall outside of the above assessment and are addressed below:
- 8.2 Lack of open space: The application is for a minor development and does not require the provision of open space in accordance with the Open Space Supplementary Planning Document.
- 8.3 No affordable housing provided: The application is for a minor development and would not require the provision of affordable housing under Policy 30 of the JCS.
- 8.4 Noise disruption during construction and from vehicles of future occupants: The noise generated from construction phase would be temporary and the noise from vehicles of the future occupants is not considered to result in significant harm. Environmental Protection has also not expressed any concerns in regards to this matter. Therefore, a reason for refusal on these grounds would not be substantiated and the proposal is considered to accord with Policy 8(e) of the JCS.
- 8.5 Impact on the residents view of the open countryside: Right of view is not a material planning consideration.
- 8.6 Development would set a precedent: Each application is assessed on its own merits and therefore no precedent would be set with the approval of this application.

- 8.7 Sustainability: Policy 9 of the JCS seeks for developments to incorporate measures to ensure high standards of resources and energy efficiency and reduction in carbon emission. A condition can be imposed for details of the sustainable measures to be incorporated.
- 8.8 Waste: The refuse bin would be collected from the public highway, similar to the rest of the dwellings along Millies Lane.
- 8.9 Pre-commencement conditions: The applicant has agreed to the suggested pre-commencement conditions denoted within the 'conditions' section of this report.

## **9. Conclusion / Planning Balance**

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- 9.1 The application site, although located outside of the settlement boundary, has a close relationship, in visual and functionality terms, with the settlement. Therefore, taking into consideration the appeal decision (APP/G2815/W/16/3149683) and the character of the site in relation to the settlement, it is considered that the principle of residential development is acceptable.
- 9.2 The proposed development is also considered not to cause adverse harm in terms of local character, historic environment, residential amenity, highway safety and natural environment.
- 9.3 It is therefore considered that the proposed development complies with local and national policies and thus it is recommended that planning permission is granted.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions**

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- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall not be carried out above slab level, until product details of external materials including a sample panel of the wall and roof materials have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.
- Reason: To achieve a satisfactory elevational appearance for the development.

- 3 Before the first occupation of the development hereby approved, the windows on first-floor east side elevation of the proposed dwelling on Plot A that serve bedroom nos.3 and 4 (as per the floor plan 03P rev C) shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and any part of the window (s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings.

- 4 Prior to commencement of development hereby permitted, details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels, and cross sections, of the development including the neighbouring properties along Millies Lane and Main Street, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).

Reason: To protect and safeguard the amenities of the adjoining occupiers.

- 5 Prior to commencement of development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved prior to the occupation of the development hereby permitted and thereafter maintained and retained in perpetuity. The landscaping details to be submitted shall include:-

- a) means of enclosure
- b) hard surfacing, other hard landscape features and materials
- c) existing trees, hedges or other soft features to be retained
- d) planting plans, including specifications of species, sizes, planting centres number and percentage mix
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted.

- 6 Prior to the installation of external lighting, full details of a lighting scheme, including a plan showing the position and product specification, shall be submitted to and approved by the Local Planning Authority. Thereafter, the lighting shall be installed in accordance with the approved details and maintained and retained in the agreed manner in perpetuity.

Reason: To safeguard the ecological environment.

- 7 Prior to the first occupation of the development hereby permitted, details of biodiversity enhancement features (including product detail and location plan denoting the position of the biodiversity enhancement feature) shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development and maintained and retained in the agreed manner in perpetuity.

Reason: To safeguard and enhance the ecological environment.

- 8 Prior to the occupation of the dwellings hereby permitted the access, turning and parking spaces denoted on the site plan (02P rev C) shall be constructed and thereafter maintained and retained in perpetuity. The access shall be drained away from the public highway.

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

- 9 Prior to any development above slab level, details of sustainable measures to be incorporated within the proposed dwellings, shall be submitted to and approved in writing by the local planning authority. Thereafter, the proposed development shall be constructed in accordance with approved details. The details shall include electrical vehicle charging points and water and energy efficiency measures to demonstrate compliance with Policy 9 of the North Northamptonshire Joint Core Strategy 2016.

Reason: In the interest of climate change and environmental protection

- 10 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-excavation 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-excavation 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 205

- 11 No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary 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 unless otherwise agreed with the local planning authority.

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

- 12 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.

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

Location plan – 1402-01P Rev B

Proposed site layout plan – 1402-02P Rev C

Proposed elevation and floor plan (plot A) – 1402-03P Rev C

Proposed elevation (plot B) and streetscene plan – 1402-04P Rev C

Proposed elevation and floor plan (Plot B) – 1402-05P Rev D

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

## **12. Informatives**

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- 1 In the interest of highway safety and in order to prevent private motorists finding themselves in conflict with, and in opposition to the large vehicles associated with an agricultural interest, Millies Lane should not be used by agricultural vehicles at any time.

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>21/00784/FUL</b>
<b>Case Officer</b>	<b>Peter Baish</b>
<b>Location</b>	<b>Land rear of 23 - 25, St Marys Avenue, Rushden, Northamptonshire</b>
<b>Development</b>	<b>Construction of 3 bedroom detached bungalow with associated landscaping and car parking provision</b>
<b>Applicant</b>	<b>VJS Projects Ltd</b>
<b>Agent</b>	<b>Oak and Lime Limited – Mr Steve Bratby</b>
<b>Ward</b>	<b>Rushden Pemberton West</b>
<b>Overall Expiry Date</b>	<b>20 July 2021</b>
<b>Agreed Extension of Time</b>	<b>22 October 2021</b>

### Scheme of Delegation

This application is brought before the East Area Development Management Committee because it falls outside of the Councils Scheme of Delegation as the Town Council objects to the proposal and this is contrary to the Officer's recommendation.

#### **1. Recommendation**

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- 1.1 That Planning Permission be **GRANTED** subject to conditions.

#### **2. The Proposal**

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- 2.1 The proposal relates to a site at the end of the garden of No. 25 St Marys Avenue. Full planning permission is sought for the erection of a 3 bedroom bungalow fronting onto Hall Park Lane. In terms of height, the dwelling would measure a maximum of 2.45 metres to the eaves and 4.75 metres to the highest part of the ridge. In regard to size, the bungalow would measure 19.3 metres in depth and 6.75 metres in width. In terms of appearance, the

dwelling would be built of facing brick, cladding, concrete roof tiles and UPVC windows.

- 2.2 The application has been submitted following the lapse of planning permission reference 12/01517/FUL that was approved at planning committee for a 4 bedroom bungalow on land rear of both Nos.23 and 25 St Marys Avenue. The notable difference is that this application proposes a dwelling on just one of those gardens; at Number 25.
- 2.3 In 2019 the applicant submitted a planning application for a 1.5 storey chalet dwelling under reference 19/01914/FUL on the neighbouring site at land to the rear of No.23 St Marys Avenue. Following officer concerns with the height and scale of the proposal, the applicant subsequently withdrew the application and submitted a smaller bungalow that was approved at Planning Management Committee on 12<sup>th</sup> August 2020 under reference 20/00430/FUL.

### **3. Site Description**

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- 3.1 The site is currently garden land for 25 St Marys Avenue. The site is neighboured by residential properties that gain rear access from Hall Park Lane into their rear gardens or garages. Directly opposite the site to the south-east is Hall Park.
- 3.2 There are numerous examples of similar dwellings given planning permission along Hall Park Lane. These being Nos. 57 and 57a St Marys Avenue, Nos. 3, 7, 11 and 12 Hall Pak Lane, No.23 St Marys Avenue and the development of 5 dwellings at Brooke Close. These dwellings are all built in the rear gardens of properties along St Marys Avenue and access is made from either Skinner Hill at the northern part of Hall Park Lane or the junction of St Marys Avenue and Hall Avenue at the southern end of the Lane.
- 3.3 The site is not located within a Conservation Area. Rushden Hall is a grade II\* listed building and is positioned to the south east of the site within the grounds of Hall Park. Part of the stone wall associated with Rushden Hall runs along Hall Park Lane.
- 3.4 In terms of flood risk, the site is identified as being located within Flood Zone 1 and not at risk of flooding. The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA).

### **4. Relevant Planning History**

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- 4.1 20/00430/FUL - Proposed 3 bedroom detached bungalow with associated landscaping and car parking provision (re-submission of 19/01914/FUL) – APPROVED – 12.08.2020
- 4.2 19/01914/FUL - Proposed 3 bedroom chalet bungalow for residential use including car parking and landscaping – WITHDRAWN – 13.03.2020
- 4.3 12/01517/FUL - Proposed four bedroom bungalow for residential use with integral double garage and landscaping (Re-submission of 11/01981/FUL) – APPROVED – 05.09.2014

- 4.4 11/01981/FUL - Proposed four bedroom dwelling for residential use with integral double garage and landscaping – REFUSED – 12.03.2012

## **5. Consultation Responses**

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

### 5.1 Rushden Town Council

Rushden Town Council objects to this application for the following reason:

The access for this property will be onto an unadopted road. This road is in fact identified as a UK12 footpath. A number of properties have now been built with access onto this track and this now exceeds 5. If NNC are minded to grant this permission we would request that the road now has to be adopted to conform with current planning legislation.

### 5.2 Environmental Protection

There are no obvious environmental issues, but if minded to grant the application, conditions should be added to limit construction hours and to ensure there is no burning on site.

### 5.3 Natural England

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. This is via a financial contribution.

### 5.4 Highways (LHA)

This application represents an overdevelopment and contravenes NNC adopted policy (DM15), this substandard footpath raises concerns to highway safety with the width of the footpath narrowing to less than 3.7 metres. This is below the required width to allow a fire tender to pass easily.

### 5.5 Waste Management

The access to the proposed property is from the unadopted, unsurfaced, badly rutted / potholed and narrow track of Hall Park Lane. Waste collection staff experience difficulties collecting from existing properties on the track and cannot provide them with wheeled bins for their waste collection as Hall Park Lane is too narrow for a refuse collection vehicle to access. Ideally, the track needs to be surfaced, widened and brought up to adoption standard in order to provide the standard refuse collection.

### 5.6 Neighbours / Responses to Publicity

No representations received.

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

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- 6.1 Statutory Duty  
Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 National Policy and Guidance  
National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)
- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)  
Policy 1 - Presumption in Favour of Sustainable Development  
Policy 2 -Historic Environment  
Policy 3 - Landscape Character  
Policy 4 - Biodiversity and Geodiversity  
Policy 5 - Water Environment, Resources and Flood Risk Management  
Policy 6 - Development on Brownfield Land & Land Affected by Contamination  
Policy 8 - North Northamptonshire Place Shaping Principles  
Policy 9 - Sustainable Buildings  
Policy 11 - The Network of Urban and Rural Areas  
Policy 19 - The Delivery of Green Infrastructure  
Policy 20 - Nene and Ise Valleys  
Policy 28 - Housing Requirements  
Policy 29 - Distribution of New Homes  
Policy 30 - Housing Mix and Tenure
- 6.4 Rushden Neighbourhood Plan 2018  
Policy H1 - Settlement Boundary  
Policy H2 - Location of New Housing  
Policy H4 - Market Housing Type and Mix  
Policy EN1 - Design in Development  
Policy EN2 - Landscaping in Development  
Policy T1 - Development Generating a Transport Impact
- 6.5 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  
Policy EN14 - Designated Heritage Assets  
Policy EN30 - Housing Mix and Tenure to Meet Local Need
- 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)

## **7. Evaluation**

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Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Highway Safety and Parking
- Flood Risk
- Ecology

### **7.1 Principle of Development**

7.1.1 The National Planning Policy Framework (2021) supports sustainable residential development in the urban areas if it accords with the Development Plan. In this case, the adopted Development Plan consists of the North Northamptonshire Joint Core Strategy (JCS) and the Rushden Neighbourhood Plan (RNP). Policies 8, 11, 30 (JCS) and H1, H2 and H4 (RNP) are all relevant to the proposal.

7.1.2 The proposal is located within the built up area of the Growth Town of Rushden where development is permitted on suitable sites within the built up area that would not materially harm the character of the settlement or residential amenity.

7.1.3 The application proposes one 3 bedroom bungalow. Policy 30 of the JCS sets out that the mix of house types within a development should reflect the need to accommodate smaller households with an emphasis on the provision of small and medium sized homes with 1-3 bedrooms. In this instance, the proposed dwelling would have 3 bedrooms, would be single storey and provides an infill that makes the most effective and efficient use of the land available. Policy 30 also goes on to state that the internal floor areas of all new dwellings must meet the National Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities. The proposed dwelling meets the National Space Standards.

7.1.4 In terms of planning history, the site benefits from a previous permission (Ref: 12/01517/FUL) for a 4 bedroom bungalow. Furthermore, on the land directly adjacent to the east of the application site and on land to the rear of No.23 St Marys Avenue, a 3 bedroom bungalow was approved in 2020 (Ref: 20/00430/FUL). Further east of the site, two bungalows have also been

recently approved and constructed (Ref: 17/01394/FUL).

- 7.1.5 The principle for the erection of a dwelling to the rear of the existing properties along St Marys Avenue was taken into consideration by the Planning Inspectorate when outline permission was granted at appeal for a dwelling at the rear of 37 St Marys Avenue (Ref: 07/02178/OUT). The Inspector's decision on this neighbouring application is relevant to the determination of this application as it is very similar to the current proposal for the erection of a dwelling fronting onto this un-adopted lane. The application also needs to be assessed against the National Planning Policy Framework which has come into use since the previous applications were considered.
- 7.1.6 The previous Inspector's decision notes that a dwelling positioned to the rear of the existing dwellings along St Marys Avenue would be acceptable in principle, in terms of the impact on the character and layout of the area. The Inspector concluded that a dwelling fronting onto the private lane would instead relate to the quite different character of that lane and Rushden Park beyond, rather than the proposal having an adverse effect on the existing character and layout of St Marys Avenue. In light of this decision, planning permission for further dwellings to the rear of 57 St Marys Avenue (ref: 11/00874/FUL) the rear of Nos 23-25 (ref: 12/01517/FUL) the rear of No.15 (17/01394/FUL) and the rear of No.23 (ref: 20/00430/FUL) have been granted.
- 7.1.7 Like the dwellings permitted at numbers 15, 23-25, 37 and 57 St Marys Avenue, the proposed development as part of this current application would also front onto the private lane and would relate to the different character of that private lane. Given the similarities between this application and the previously approved dwellings, it would be difficult to argue that the proposed development would not be acceptable in terms of its impact on the character and layout of the area.
- 7.1.8 Similarly, the Inspector considered whether the use of the existing un-adopted access track was appropriate. The Inspector noted that whilst the route towards St Marys Avenue would be the preferred route due to its better condition, he made reference to the route towards Brooke Close being acceptable also. In this instance, the proposal is to upgrade and connect the 'unmade' lane to the tarmac to provide easy access southwards towards Brooke Close. Nonetheless, the previous Inspector's decision would mean that, whilst narrow and unmade, the proposed access route to the application site is considered to be acceptable and fit for purpose.
- 7.1.9 As highlighted, the site is considered to form part of the built-up area of Rushden. The site provides an opportunity within grounds on No.25 St Marys Avenue to construct a dwelling that would front Hall Park Lane and make effective and efficient use of land without impacting upon the character of the area, residential amenity or highway safety (as addressed later in this report). The provision of housing in Rushden, which has a wide range of services and facilities, on a site that is well located, with access to a range of sustainable modes of travel, will contribute to creating a more balanced and diverse local population and help sustain the available services and facilities in the town in accordance with policies 8, 11 and 30 of the adopted North

Northamptonshire Joint Core Strategy (2016) and policies H1, H2 and H4 of the Rushden Neighbourhood Plan 2018. With the outcome and comments in the previous appeal decision in mind, the development is therefore considered acceptable in principle.

## **7.2 Impact on the Character and Appearance of Area**

- 7.2.1 The application site comprises the garden land of No.25 St Marys Avenue, a semi-detached property. The site is enclosed by residential development to the north, east and west. To the south of the site is Hall Park. In terms of the site itself, it is side garden land. The host dwelling of No.25 is located directly to the west.
- 7.2.2 No.25 St Marys Avenue is a property with a large rear garden that extends at length to meet Hall Park Lane. It is considered that a dwelling within the boundary fronting onto Hall Park Lane would have no significant impact upon the character and appearance of the area by virtue of its design, scale (single storey) and positioning.
- 7.2.3 In terms of height, the dwelling would measure a maximum of 2.45 metres to the eaves and 4.75 metres to the highest part of the ridge. In regard to footprint, the bungalow would measure 19.3 metres in depth and 6.75 metres in width. In terms of appearance, the dwelling would be built of facing brick, cladding, concrete roof tiles and UPVC windows.
- 7.2.4 It is considered that, although the dwelling would be within the garden of No.25 St Marys Avenue, it is technically an area of land at the very rear of the long garden and would represent an infill plot to front onto Hall Park Lane and therefore not lead to an unacceptable relationship with the host property. The dwelling would front onto Hall Park Lane and be viewed within the context of the existing street scene and therefore considered to cause no significant harm to the character and appearance of the area.
- 7.2.5 The NPPF, policies 3 and 8 of the North Northamptonshire Joint Core Strategy and policies EN1 and EN2 of the Rushden Neighbourhood Plan expect developments to be designed sympathetically and in keeping with their surroundings, in terms of the detailed design, landscaping and the resultant curtilage size. In terms of appearance, the dwelling would be built of facing brick, cladding, concrete roof tiles and UPVC windows. In regards to the boundary treatment and landscaping, the proposal is for 1.8 metre close boarded fencing with a garden laid to lawn. To ensure a high quality development all material and landscaping details would be secured via condition.
- 7.2.6 The proposed dwelling would have no more impact on the character and appearance of the area than the dwelling previously approved on the site or the other dwellings approved along the lane. The site is relatively well concealed from the key public viewpoints and the proposed dwellings would only be visible from the track situated off Hall Park Lane and the immediate surrounding houses and gardens.

7.2.7 By virtue of the location of the site and the infill nature of the proposal, it is considered to have no significant adverse impact upon the existing character of development upon St Marys Avenue and Hall Park Lane or cause any harm to the wider area. Although the scheme would change the appearance of the site, it is considered to be acceptable subject to conditions (to secure appropriate materials and landscaping) and provide an opportunity for more efficient use of land within the confines of the built up area of the settlement. The proposal is considered to result in a minimal loss of openness given the nearby buildings and the existing situation on site whilst having no significant impact upon the setting of Grade II\* Rushden Hall set within the grounds of Hall Park. Accordingly, the proposal is considered to preserve the character and appearance of the area in accordance with the NPPF, Policies 2, 3 & 8 of the North Northamptonshire Joint Core Strategy (2016) and Policies EN1 & EN2 of the Rushden Neighbourhood Plan (2018).

### **7.3 Residential Amenity**

7.3.1 The NPPF and the Council's planning policy 8 of the Joint Core Strategy (2016) seeks 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 proposed dwelling would be positioned some 35 metres away from the rear elevations of the properties on St Marys Avenue (i.e. nos. 23 and 25 St Marys Avenue). The proposal is for a single storey property, which would create no significant overbearing impacts upon either the properties on Hall Park Lane or those on St Marys Avenue.

7.3.3 In terms of the relationship with neighbouring properties, the new dwelling would be at a maximum height of 4.75 metres to the ridge and will contain no windows that overlook any neighbouring property due to the single storey nature of the proposal. It is considered that due to its orientation and separation distance, there would be no direct impact upon loss of light or overshadowing on any neighbouring property. The recently approved neighbouring dwelling to the rear of No.23 St Marys Avenue is also single storey with no windows overlooking the proposed dwelling. Accordingly, there will be no significant issues with overlooking or overshadowing into any neighbouring private gardens.

7.3.4 There is a good level of boundary treatment proposed in the form of 1.8 metre fencing with the opportunity to further enhance through appropriate hard and soft landscaping which can be secured via condition. In this sense it is unlikely that there will be any significant impact in regard to the private residential amenity of any neighbouring dwellings.

7.3.5 The proposal is considered to have sufficient private amenity space in the form of a private garden area for a bungalow. The garden would measure approximately 15.6 metres in depth by 8.4 metres in width. The bin store is to be located in a suitable location so as to not impact unduly upon neighbouring amenity and allow for refuse sack collection as per the arrangement with the other properties on Hall Park Lane and confirmed as



acceptable by Waste Management.

- 7.3.6 The relationship with the neighbouring properties is considered to be acceptable; furthermore, given the scale, positioning and orientation of the proposal when viewed against the neighbouring properties, it is deemed that there will be no significant overbearing impacts. Details of hard and soft landscaping and finished floor levels would be secured via condition.
- 7.3.7 Overall, the proposal is considered to have no significant detrimental impact upon neighbouring amenity and is therefore in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

#### **7.4 Highway Safety and Parking**

- 7.4.1 The concerns of the Highways team (as set out in paragraph 5.4) have been noted, however, the principle of using the existing access to serve a residential development on the site was accepted by highways under the previous planning permission (Ref: 12/01517/FUL) which has since lapsed. The access was then considered appropriate for a dwelling on the neighbouring site under planning permission ref: 20/00430/FUL. The current submitted proposal seeks consent for an additional dwelling (one) off Hall Park Lane.
- 7.4.2 It is noted that Hall Park Lane currently provides access for a number of new dwellings and also the garages for the properties on St Marys Road. There is also a large car park associated with the Town Council building of which vehicles can freely access from Hall Park Lane. This current situation leaves the Local Planning Authority in a situation where the vehicle movements associated with the proposed single dwelling are unlikely to have any more additional impact upon Hall Park Lane, especially given the fact that the application proposes to upgrade part of the unmade road in order to connect the dwelling to the tarmac road.
- 7.4.3 Whilst the existing access track is substandard and has a poor surface, the requirement for improvements to be made to the existing track was removed by the appeal inspector as part of 15/00393/VAR. However, the applicant has nonetheless proposed to improve the lane by hard bounding the surface to join the existing tarmac that serves Nos.11 & 12 Hall Park Lane and the recently approved dwelling adjacent to the site to the rear of No. 23 St Marys Road. This highway improvement is welcomed and allows for a connection to the recently upgraded tarmac road and is a betterment for all users of the track / road
- 7.4.4 It is noted that the proposal would contravene the highway guidance which seeks to limit only 5 dwellings off a private drive. It is however noted that the Council's decision to refuse planning permission (Ref: 18/02209/OUT – 10 Mill Estate, Wymington Road, Rushden) rested almost entirely on the advice of the Local Highway Authority (LHA) (as they were at the time) which does not support more than five dwellings using a private road as it would be contrary to the requirements of the Northamptonshire Highways Standards. The inspector concluded...

*'While I have been provided with a copy of the Local Highways Authority Standing Advice for Planning Authorities 2016 there is nothing to confirm what the aims and objectives of the "5 off a private drive" restriction are, or, if it is breached, what the impact on highway safety would be. As the road already serves ten dwellings, the determinative issue in this case is whether the intensification of the use of Mill Estate, as a consequence of the single dwelling proposed, would lead to material harm to highway safety.'*

and

*'One must adopt the common-sense approach advocated in Manual for Streets, looking at all the relevant factors rather than a rigid and slavish adherence to highway standards. In the absence of trip rates to suggest otherwise, a single dwelling would only generate a minimal amount of traffic which would be imperceptible against existing flows along the private drive'*

- 7.4.5 Given the above statement from the Inspectorate, it is clear that there needs to be a material harm identified to highway safety in order to refuse an application rather than just resting on the seemingly arbitrary cut off stated by the highways guidance that there are more than 5 dwellings on an access. In this instance no material harm has been identified.
- 7.4.6 It is considered that the lane (Hall Park Lane) already serves in excess of 5 dwellings given the recent approvals and construction of the dwellings on the lane and the existing access to a number of garages that serve the dwellings on St Marys Avenue. The construction of one dwelling at the southern end of the lane with an upgraded access and tarmac connection to the recently approved dwellings (Nos. 11 & 12 Hall Park Lane and land rear of No.23 St Marys Avenue) would be an enhancement to the existing situation and with the minimal vehicle movements that a single dwelling would generate, it is considered that there would be no material harm to highway safety overall.
- 7.4.7 In terms of refuse lorry access, the waste management team has confirmed that a 'sack collection' already operates along the lane for the existing properties. The Waste Management Officer is concerned with the state of Hall Park Lane but has confirmed that the property would join the sack collection arrangements that currently exist for the neighbouring properties on Hall Park Lane.
- 7.4.8 In regard to fire safety, it is noted that the dwelling would be 45 metres from the highway and therefore under normal circumstance would need to accommodate a fire appliance with a 15 Ton axle loading. It would also be required to have a turning space to allow the fire appliance to access the site, turn around and leave. On this particular site it is not possible to accommodate these requirements. A sprinkler suppression system will be secured via condition. The condition would be attached to the permission and require the system to be installed and commissioned before the new dwelling is brought into use in accordance with building control and the fire service. This condition was considered acceptable on the previous approvals (ref: 12/01517/FUL and 20/00430/FUL).

7.4.9 The proposal is considered to provide suitable and safe access to the site that would be similar in nature to the surrounding dwellings with two off road parking spaces. Whilst the Local Planning Authority has concerns with the substandard road, it is considered that given the above highway improvements and the fact that there have been no objections from any neighbouring dwellings in regards to highways issues and no material highway safety harm has been identified by the Local Highway Authority, the proposal is considered to be, on balance, acceptable in this regard.

## **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, there should therefore be no additional surface water run-off impacts. 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. In order to protect any onsite biodiversity hard and soft landscaping would be secured via condition.

7.6.2 Policy 4 of the North Northamptonshire Joint Core Strategy 2016 requires all development to safeguard existing biodiversity. The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area and as such a mitigation fee is required to provide for mitigation against any harm caused as a result of the proposal. This fee has been paid.

7.6.3 The proposal would have a neutral impact upon biodiversity, with opportunities to enhance biodiversity on site through the inclusion of a landscaping condition, therefore the proposal is considered to be in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

## **8. Other Matters**

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

8.2 Sustainability: Policy 9 of the North Northamptonshire Joint Core Strategy states that development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All development should incorporate measures to encourage use to no more than 105 litres/person/day and external water use of no more than 5 litres / person / day or alternative national standard applying to areas of water stress. A condition has been attached to the permission to limit water use to no more than 105 litres / person / day.

## 9. Conclusion / Planning Balance

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9.1 In this instance the proposed construction of a 3 bedroom bungalow is 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:

- The principle of the development of this site for residential purposes is acceptable;
- The proposal would not have a harmful impact upon the character and appearance of the area due to its scale, bulk and massing;
- It would not have a significantly detrimental impact upon the amenity of neighbours;
- There are no overriding highways safety issues;
- It would have a neutral impact on the identified heritage assets;
- It would be acceptable in terms of flood risk;
- It would safeguard existing biodiversity; and
- The property would meet National Space Standards

There are no other material planning considerations which have a significant bearing on the determination of this application

## 10. Recommendation

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

## 11. Conditions

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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:

- 1038-001 V2 – Site Location Plan, Block Plan, Proposed Floor Plans & Proposed Elevations (25.05.2021)
- 1038-003 A – Access Road Existing & Proposed Surfacing (25.08.2021)

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 as specified on the following plan received by the Local Planning Authority on 25th May 2021 and thereafter maintained in perpetuity.

- 1038-002 B - Materials Plan

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

4. No development (excluding demolition works) shall begin until details of the finished floor level of all buildings and associated external ground levels have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: In the interests of visual and residential amenity. A pre-commencement condition is necessary in order to ensure that potential harm is minimised before development reaches an advanced stage.

5. No development above slab level shall take place in connection with the development hereby approved until full details of:

- i. Hard landscape works, to include but not be limited to, full details of boundary treatments (including the position, height, design, material) to be erected and paved surfaces (including manufacturer, type, colour and size).
- ii. Soft landscape works, to include planting plans (which show the relationship to all underground services and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree pit details (where appropriate) including, but not limited to, locations, soil volume in cubic metres, cross sections and dimensions.
- iii. Full details of landscape maintenance regimes.
- iv. An implementation programme for the landscape works.

have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in full in accordance with the approved details.

The works shall be carried out in the first planting season and maintained in perpetuity.

Any trees or plants planted in connection with the approved soft landscape details which within a period of five years from planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally approved.

Reason: To ensure the development is satisfactorily assimilated into the area

and enhances biodiversity in accordance with Policies 3 & 8 of the North Northamptonshire Joint Core Strategy 2016.

6. 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 or Public Holidays.

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

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. Prior to the first occupation of the residential unit hereby permitted, measures shall be implemented to encourage 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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows / dormer windows or any extensions to the dwellings hereby permitted, other than those expressly authorised by this permission, shall be erected.

Reason: To ensure adequate standards of privacy for neighbouring and future occupiers, in the interest residential amenity.

10. Prior to first occupation of the development hereby approved, full details of the fire suppression system are to be submitted and agreed in writing by the Local Planning Authority. The fire suppression system will thereafter be installed and commissioned only in accordance with the approved details and maintained in the agreed manner in perpetuity.

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

11. Notwithstanding the submitted plans and prior to the commencement of development, full details of the access road construction and road surface are to be submitted and agreed in writing by the Local Planning Authority. The road surface will be installed in accordance with the approved details and maintained in perpetuity.

Reason: In the interests of highway safety.

## 12. **Informatives**

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1. The details pursuant to conditions 4 & 11 are required prior to the commencement of development because it is critical to the material considerations of the scheme. The development would not be acceptable without these details being first approved.
2. Please note that an application is required to discharge any conditions that require the Local Planning Authority to consider further information, including the conditions specified above. This may take up to eight weeks and requires a fee. More information can be found at [www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)

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Produced on 18 February 2021 From the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.  
This map shows the area bounded by 495520 268757,495662 268757,495662 268899,495520 268899,495520 268757  
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Site Location Plan Scale 1:1250

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>NE/21/01085/FUL</b>
<b>Case Officer</b>	<b>Ian Baish</b>
<b>Location</b>	<b>25 Russell Way Higham Ferrers Rushden Northamptonshire NN10 8EJ</b>
<b>Development</b>	<b>Single storey rear extension and loft conversion with a rear dormer.</b>
<b>Applicant</b>	<b>Mr And Mrs Stuart-Smith</b>
<b>Agent</b>	<b>Harbur Design - Mr Daniel Clutterbuck</b>
<b>Ward</b>	<b>Higham Ferrers</b>
<b>Overall Expiry Date</b>	<b>9 September 2021</b>
<b>Agreed Extension of Time</b>	<b>21 October 2021</b>

### **Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation as a material written objection has been received from Higham Ferrers Town Council that is contrary to the officers proposed decision and cannot be satisfactorily resolved by design amendments or conditions.

### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

## 2. The Proposal

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- 2.1 The application proposes to remove an existing attached lean to style outbuilding to the rear of the dwelling which currently provides a store and a utility room. A single storey rear extension spanning across the rear elevation of the property would then be erected to provide an extended open plan kitchen diner. This would also allow for the re-configuration of the ground floor space to provide a downstairs W.C.
- 2.2 The rear extension would have a mono pitched roof and would measure approximately 3.300 metres in depth by 6.011 metres wide. The eaves height would measure 2.478 metres and the ridge height would be 3.516 metres.
- 2.3 A check of the Council's records has confirmed that the property has retained its permitted development rights and therefore a single storey rear extension with a depth of 3 metres and a maximum height of 4 metres could be erected without formal planning consent under Schedule 2, Part 1, Class A of the General Permitted Development (England) Order 2015 (as amended).
- 2.4 Therefore, the proposed single storey rear extension would only exceed the depth that would be classed as permitted development by 300mm.
- 2.5 The proposal also seeks to convert the roof space of the dwelling to provide a master bedroom with en-suite bathroom. This conversion would consist of an alteration to the roof, taking it from a hip to a gable. A roof dormer would also be inserted within the rear roofslope. The dormer would project from the roof by 3.475 metres at the highest part of the roof and have a height of 3 metres.
- 2.6 It is important to note that a hip to gable extension and a rear dormer with a maximum cubic content of 40m<sup>3</sup> could be erected without the need for planning consent under Schedule 2, Part 1, Class B of the General Permitted Development (England) Order 2015 (as amended). The proposal would increase the volume of the original roof space by approximately 62.646m<sup>3</sup>.
- 2.7 Therefore, the increase in volume for this proposal over what could be erected without planning consent is approximately 22.646m<sup>3</sup>
- 2.8 The proposal also seeks to install two roof windows on the front roof slope and a soil vent pipe on the side of the hip to gable extension. These items are covered by Schedule 2, Part 1, Classes C and G of the General Permitted Development (England) Order 2015 (as amended) respectively and do not require planning permission in their own right.
- 2.9 In essence, the proposed dormer extension is 22.646m<sup>3</sup> larger and the depth of the rear extension 300mm larger than Permitted Development rights allow.

### **3. Site Description**

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- 3.1 The application site comprises a three bedroomed 1940s style end of terrace dwelling of red brick construction under a concrete tiled roof. The dwelling is situated on a rectangular shaped plot with two off road parking spaces to the front and a garden to the rear.
- 3.2 The site is immediately surrounded by similar style terraced dwellings to the south and east with a pair of similar style semi detached dwellings to the west. The land to the north comprises a development of 1970s style semi- detached dwellings on Meadow Close which have a front to rear relationship with the dwellings on Russell Way.
- 3.3 The site is not listed or within a Conservation Area. It is within a Nature Improvement Area (NIA) and within the 2 kilometre, buffer of the Upper Nene Valley Gravel Pits Site of Special Scientific Interest (SSSI) and Ramsar site.

### **4. Relevant Planning History**

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- 4.1 None relevant

### **5. Consultation Responses**

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

#### **5.1 Higham Ferrers Town Council**

Objection which can be summarised below:

- Over development of the site
- Negative Impact on neighbouring amenity
- Contrary to policy HF. DE1 of the Higham Ferrers Neighbourhood Plan
- The increase in number of bedrooms requires additional parking

*Officer note: The Officer contacted Higham Ferrers Town Council and provided further information and clarity as to what could be carried out using permitted development rights without the need for formal planning consent. The similarities between the proposal and potential permitted development were pointed out, in terms of visual and amenity impact, along with the impact on parking.*

Further comments received:

The Council noted the information provided but resolved not to withdraw their objection – reasons are summarised below:

- The proposal extends beyond what can be carried out as permitted development and the limits have been set for a reason

- The additional bedroom provided would increase the number of bedrooms to five
- The Council remain concerned re: the impacts on parking and traffic related issues

*Officer note: The submitted plans show three existing bedrooms and a bathroom at first floor level and a bedroom with en-suite bathroom at second floor level. Therefore, the total number of bedrooms as a result of the proposal would be four, not five.*

## 5.2 Neighbours / Responses to Publicity

Ten neighbouring properties were notified by letter and no representations have been received.

## 5.3 Highways (LHA)

Observations which can be summarised below:

- A four-bedroom property is required to provide three off road parking spaces.
- The applicant is required to provide 2m x 2m visibility splays on either side of the access.
- The access must be constructed from a hard-bound material.

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 – Presumption in Favour of Sustainable Development  
Policy 4 - Biodiversity and Geodiversity  
Policy 8 - North Northamptonshire Place Shaping Principles

### 6.4 East Northamptonshire Council Local Plan (Saved Policies) (LP) (1996)

None relevant.

### 6.5 Emerging East Northamptonshire Local Plan (LPP2) (2021)

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

### 6.6 Higham Ferrers Neighbourhood Plan (RNP) (Made 2018)

HF DE1 – Achieving High Quality Design

## 6.7 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)

East Northamptonshire Council – Residential Extensions SPD (2020)

## 7. **Evaluation**

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The key issues for consideration are:

- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters

### 7.1 **Visual Impact**

#### 7.1.1 *Velux roof windows and soil vent pipe:*

The Velux windows and soil and vent pipe could be added to the property without the need for planning consent subject to limitations which are stipulated as part of the permitted development legislation, regarding the height at which the windows are located from the floor and the distance that they project from the roof slope, and the total height of the soil vent pipe. The proposal would conform with the legislation.

#### 7.1.2 *Hip to gable and flat roof rear dormer:*

The proposal also seeks to alter the roof on the west elevation of the property from a hip roof to a gable roof arrangement and construct a flat roof dormer to the rear (north elevation) to provide an additional bedroom within the roofspace. This would square off the existing roof slope in order to provide more internal space within the loft. This element of the proposal would be visible from the street scene at Russel Way and Meadow Close.

7.1.3 It is acknowledged that the hip to gable element of the proposal would add bulk to the front and rear elevations of the property when viewed from the street and would also alter the symmetry between the dwelling subject to this application and the dwelling at the eastern end of the terrace (number 31 Russell Way). However, a hip to gable alteration and a smaller rear dormer extension could be carried out as permitted development without requiring formal planning consent.

7.1.4 The only restriction as part of the permitted development regulations relates to the increase in the volume of the original roofspace which is limited to 40 cubic metres for a terraced property. The combination of the hip to gable extension and rear dormer would increase the volume of the roofspace by 62.646 cubic metres, which would exceed what could be carried out without planning consent by 22.646 cubic metres. Although it is acknowledged that the householder extensions SPD states that the use of flat roof dormers should be avoided, the proposed dormer is to the rear of the property and it is also noted that the roof of the dormer would not

exceed the height of the original roof of the dwelling. A combination of a hip to gable and a flat roof dormer under 40 cubic metres would be allowed without planning permission.

- 7.1.5 A soil vent pipe is also proposed to be installed on the side (west) elevation on the hip to gable extension to serve the ensuite. It is noted that Class B of the General Permitted Development (England) Order 2015 (as amended) contains a clause which restricts the installation of a soil and vent pipe. However, this is a feature that could be added under Class G of the same order without the need for planning consent. Vent pipes are a common feature to be found on residential properties and a refusal of planning permission on this basis would not be justified.
- 7.1.6 The ridge height of the hip to gable element of the proposal would be at the same height as that of the ridge of the original dwelling. It is noted that this type of extension would alter the symmetry of the appearance of the terrace. However, a hip to gable extension of an identical appearance could be erected without the need for planning consent. It is also considered that if the height of the hip to gable element were to be lowered, that the visual impact would be greater than at the proposed height as it would introduce another roof level and would appear further at odds with the appearance of the terrace than if it were at the same height as the ridge of the existing part of the roof.
- 7.1.7 Turning to the dormer element of the proposal, this would be located to the rear elevation of the property and would not be visible from the front of the property when viewed from Russell Way as it would be obscured by the hip to gable extension. Permitted development legislation would allow for a smaller flat roof dormer to be added to the property in addition to the hip to gable extension, and therefore it is only the visual impact that the additional 22.646m<sup>3</sup> of bulk would have on the rear elevation of the property and the roof scape of the terrace and the wider area that is for consideration as part of this proposal.
- 7.1.8 The rear flat roof dormer would be visible from the gardens of the properties on Russell Way and from the properties located to the rear on Meadow Close, however, this type of extension is a common feature to be found on residential properties and a smaller dormer of the same height and appearance could be constructed without planning. Whilst the shape and bulk of the proposed dormer would alter the roof scape of the terrace to a greater degree than the dormer that could be erected as a permitted development, its visual effect would not be sufficiently harmful to justify refusing planning permission. The proposed dormer would not be too dominant when seen against the large roof area and relatively steep roof pitch of the terrace.
- 7.1.9 *Single storey rear extension:*  
The proposal also seeks to create a single storey pitched roof extension off the rear of the property, to provide an extended open plan kitchen / diner. This element of the proposal would measure 3.3 metres in depth by 6.011 metres wide by a maximum height of 3.516 metres. The single storey nature and location of the rear extension would ensure that this element of the proposal appeared subservient to the host dwelling and would not be



visible from the street. It would be possible to view the top of this element of the proposal from the neighbouring and adjoining properties and their gardens, however, the low roof height would ensure that it would not raise any concerns in terms of its visual impact or impact on the character and appearance of the area.

- 7.1.10 Given the similarity between this proposal and what could be constructed without the need for planning consent, it must be noted that permitted development legislation requires the materials used in any external works to match those used on the original dwelling. To this end, the applicant has confirmed that the roof tiles and brickwork would match existing. However, the submitted plans show the windows as anthracite grey and the dormer to be clad in standing seam aluminium cladding (or similar) which would not be appropriate in this context. It is therefore recommended that a condition is included to secure that full details and samples of the materials for the dormer element of the proposal are submitted to and approved by the Local Planning Authority prior to works on the dormer commencing.

## **7.2 Highway Safety and Parking**

- 7.2.1 The proposal involves the creation of one additional bedroom within the roof space of the dwelling which would increase the total number of bedrooms from three to four. It is noted that the Local Highway Authority (LHA) require a three bedroom property to provide two off-road parking spaces and a property providing four or more bedrooms is to provide three off-road parking spaces.
- 7.2.2 Two existing off-road spaces are provided to the front of the property, as the former front garden has already been surfaced to provide two spaces.
- 7.2.3 The LHA has observed that three spaces should be provided as the number of bedrooms is increasing from three to four. However, it would not be possible to provide a further parking space within the curtilage of the property.
- 7.2.4 The LHA also stated that the applicant should provide pedestrian visibility splays at 2 x 2 meters in each direction. A site visit confirmed that the access is existing and consists of a dropped kerb which appears to be to local authority standards, and a driveway providing parking for two vehicles side by side at the required dimensions.
- 7.2.5 Whilst the observations of the LHA are noted, it must be considered that a loft conversion (albeit smaller) could be constructed which would allow for a fourth bedroom to be provided without the need for planning permission. On street parking is also available within the immediate area which is free of restriction and it is not considered that a refusal of planning permission based on the lack of a third parking space would be justified in this particular set of circumstances.

## **7.3 Impact on Neighbouring Amenity**

- 7.3.1 The nearest properties to the proposal are no's 14, 16, 23 and 27 Russell

Way and no's 5 and 6 Meadow Close.

7.3.2 *14 and 16 Russell Way*

These properties face the site and are located to the south at a distance of approximately 23 metres. It is therefore considered that the proposal will not have a detrimental impact on either of these properties in terms of overlooking, overshadowing or overbearing effects due to the separation distances.

7.3.3 *23 Russell Way*

This property is located directly to the west of the site at a distance of approximately 4.5 metres. The single storey nature of the rear extension, separation distance and the lack of any windows proposed at first floor level would ensure that the proposal would not have a detrimental impact in terms of overlooking, overshadowing or overbearing impact. It is noted that the proposal seeks to install three windows at ground floor level on the west elevation which would face the side boundary of number 23. However, a solid fence of approximately 1.8 metres in height marks the boundary between the two properties and the proposed windows would not directly align with any windows on the side elevation of number 23 and window openings could be added to the ground or first floor side elevations of either of these properties without the need for planning consent in any case.

7.3.4 *27 Russell Way*

This property adjoins number 25 to the east. The single storey nature and low overall roof height of the rear extension does not raise concerns in terms of the effects of overlooking, overshadowing or overbearing impact.

7.3.5 In terms of the impact of the loft conversion, number 27 has a deep rear garden and it is not considered that the rear facing dormer would raise concerns regarding overbearing impacts or a level of overlooking that would be any worse than the current situation. Any views would be across the garden of number 27 and would be relatively the same as from the existing first floor windows or as could be constructed under permitted development. It is also considered that as the rear of the properties face north that the additional bulk of the dormer would not have a significant impact in terms of overshadowing or loss of light.

7.3.6 *5 and 6 Meadow Close*

These properties are located to the north of the site at a distance of approximately 25 metres. The front of these properties face the rear of the application site. Further, a dense boundary hedge marks the boundary, along with fencing on the applicant's side. It is not uncommon for dwellings to have a front to rear relationship at this distance and it is not considered that the proposal would have a detrimental impact in terms of overlooking, overshadowing or overbearing effects.

7.3.7 *3 West Street*

No.3 West Street is located to the north of the application site and has no south facing windows. Therefore, there are no concerns regarding the impact of the proposal on this neighbouring property.

7.3.8 For the reasons noted above, it is considered that the impact of the proposed development on the amenity of nearby properties would be acceptable.

## 7.4 Ecology

7.4.1 The application site lies within the 2-kilometre buffer zone of the Upper Nene Valley Gravel Pits, Site of Specific Scientific Interest and a Nature Improvement Area. It is not considered that the proposal would have a detrimental impact on these sites. An application of this nature would not usually trigger a consultation with Natural England or the Councils Ecology Advisor, however on this occasion both were consulted and provided no response.

## 8. Other Matters

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

8.2 Fall back position: As detailed in this report, the applicant could construct a hip to gable extension and a rear dormer extension without the need for formal planning consent, this would enable the applicant to create a fourth bedroom. It must also be noted that the proposed single storey extension would be 3.3 metres in depth and it is also considered that a larger single storey home extension of up to 6 metres in depth could be constructed in this location without formal consent subject to neighbour notification.

8.3 Over development: A comment has been received from Higham Ferrers Town Council which states that the proposal would result in overdevelopment of the site. The footprint of the dwelling would only be extended by 3.3 metres as a result of this proposal and the dwelling would retain a moderately sized garden to the rear, a deep frontage and a space to the side to allow for access. It is therefore considered that the proposal would not amount to overdevelopment of the plot.

## 9. Conclusion / Planning Balance

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9.1 The proposal seeks to erect a single storey rear and a hip to gable roof and dormer extensions. The proposal would only be slightly larger than what could be erected without the need for formal planning consent. It is considered that the proposal would be acceptable in terms of its scale, visual impact, impact on neighbouring amenity, highway safety impact and its impact on ecology. A refusal of planning consent would not be justified.

## 10. Recommendation

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10.1 That Planning Permission be GRANTED subject to the following conditions:

## 11. Conditions

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1. The development hereby 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.

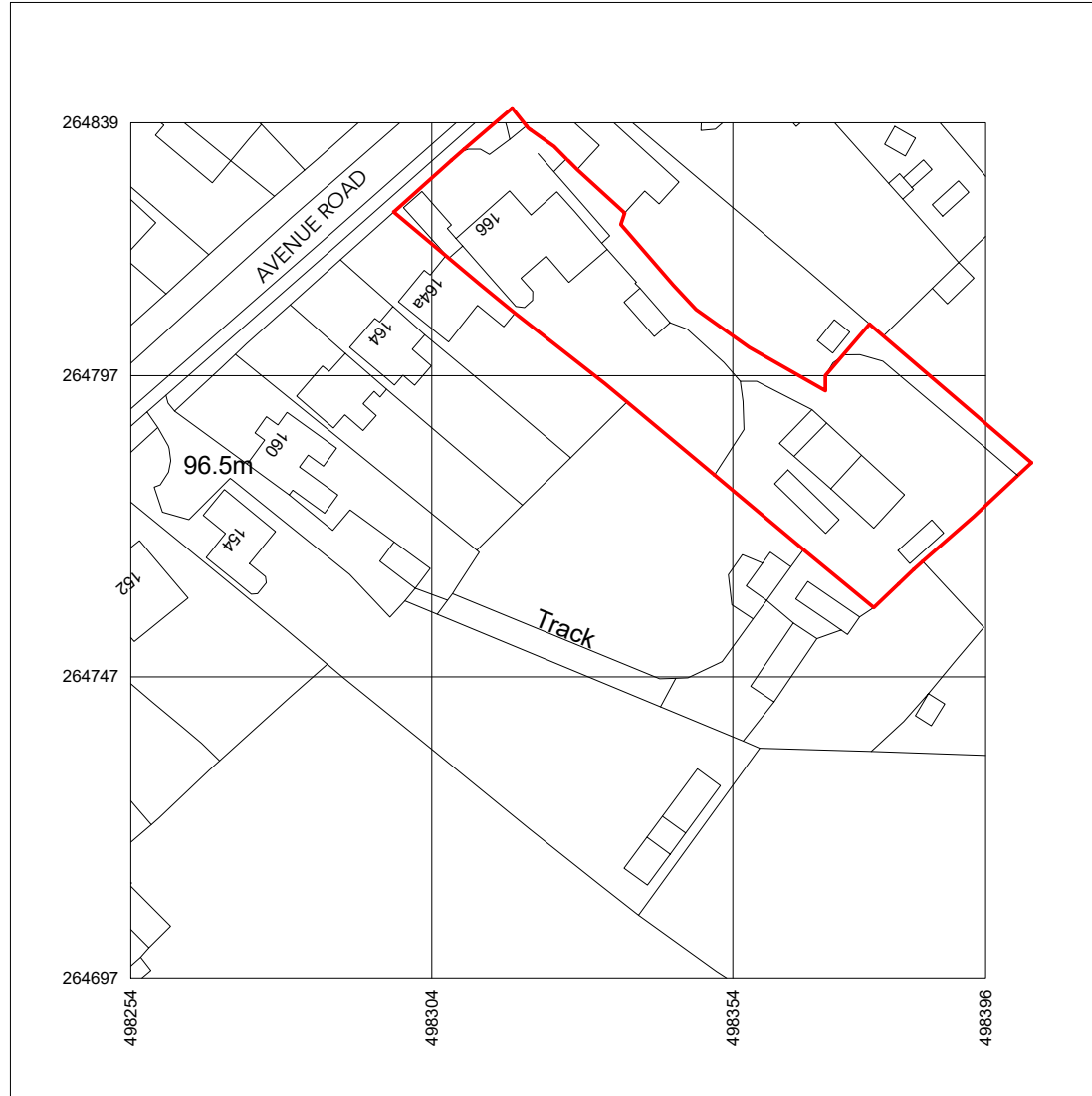
2. Prior to the construction of the rear dormer, full details or samples of the external cladding to be used shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved materials and retained in the agreed manner in perpetuity.

Reason: To ensure a satisfactory elevational appearance.

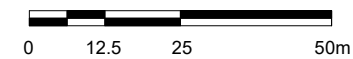
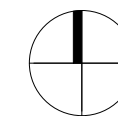
3. Except where expressly stipulated by condition, the development hereby permitted shall be carried out strictly in accordance with the following plans and documents:

- Application Form, received on 12th July 2021,
- Drawing number 200479-E-001, Existing Floorplan, Roof Plan, Block / Site Location Plans, received on 14th July 2021,
- Drawing number 200479-P-001, Proposed Floor Plans, Roof Plan and Block/Site Location Plans received on 14th July 2021,
- Drawing number 200479-P-002A, Proposed Elevations and Section, received on 23<sup>rd</sup> September 2021.

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



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 Map Source: Map Serve



P1	Initial Issue	30.07.20	BTL
P2	Plans added	01.12.20	BTL

Rev	Description	Date	By
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## ARCHITECTURE WORKSHOP.

No. 7 Market Square  
 Higham Ferrers  
 Northamptonshire

E: hello@architecture-workshop.co.uk  
 T: 020 3575 1195

www.architecture-workshop.co.uk

Project: 166 Avenue Road

Client: Mr Coulson

Title: Location Plan

Number: 20-19 A3.01

Scale @ A1: 1 : 1250

Revision: P2

Description: Plans added

Status: PLANNING

Drawn:

Date: 01.12.20

Use figured dimensions only, which are displayed in millimeters taken from structural surfaces unless stated otherwise. The contractor is requested to check all dimensions before work is put in hand. Any discrepancies within the drawing should be reported prior to commencement of works.

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>20/01712/FUL</b>
<b>Case Officer</b>	<b>Jennifer Wallis</b>
<b>Location</b>	<b>166 Avenue Road, Rushden, Northamptonshire</b>
<b>Development</b>	<b>Part demolition and conversion of existing storage barn to support the erection of a residential annexe ancillary to main dwelling</b>
<b>Applicant</b>	<b>Coulson</b>
<b>Agent</b>	<b>Architecture Workshop - Mr Bryn Lee</b>
<b>Ward</b>	<b>Rushden South</b>
<b>Overall Expiry Date</b>	<b>23 February 2021</b>
<b>Agreed Extension of Time</b>	<b>22 October 2021</b>

### **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 Town Council's objection.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 The application proposes the erection of a residential annexe for use in association with the host dwelling, No. 166 Avenue Road. The annexe will accommodate a games room / living room, office and bedroom with shower room at ground floor. An external staircase is proposed to serve a first floor storage room within the roof space. The ground floor accommodation will be 62 sqm and the first floor storage area will be 28 sqm.

- 2.2 The proposed building is to replace an existing storage barn and will have an identical footprint to the building it is replacing. The proposed replacement building will be slightly higher than the building it is replacing, with a ridge height of 5.32m. The original building is approximately 4.2m high with an eaves height of 3.1m. The building is to be constructed from rendered blockwork and horizontal timber boarding with clay roof tiles to the roof.
- 2.3 A supporting statement has been submitted with the application which states that the annexe will be reliant upon the main dwelling and will be used for purposes in association with the host dwelling.
- 2.4 Amended plans have been submitted during the determination of the application reducing the height of the proposed building from 6.33m to 5.32m and reducing the floor area of the first floor storage area. Externally, the number of roof lights have been reduced from four to two, with one on each roof plane.

### **3. Site Description**

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- 3.1 The application site is currently occupied by 166 Avenue Road and its garden, which includes a number of storage buildings and a summerhouse. No. 166 is located on Avenue Road within the open countryside, approximately 2 miles south east from the built up area of Rushden. The immediate surrounding area is characterised by agricultural farm land with a long linear pattern of development along Avenue Road, consisting of housing fronting the public highway.
- 3.2 No. 166 lies to the south of Avenue Road with a long rear garden containing a number of structures. Residential properties lie to the northwest and there are a number of buildings to the south west. Open countryside lies to the southeast.

### **4. Relevant Planning History**

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- 4.1 06/02507/OUT Outline approval for the erection of a single dwelling - Approved – 14.05.07
- 4.2 10/00814/RWL Replacement of extant permission 06/02507/OUT - Approved – 6.07.10
- 4.3 13/00987/RWL - Replacement of extant planning permission EN/10/00814/RWL: Domestic Dwelling dated 6.7.10 (Replacement of extant planning permission 06/02507/OUT Domestic dwelling dated 14.5.2007 – Approved 21.08.13)

### **5. Consultation Responses**

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



## 5.1 Rushden Town Council

The Town Council objects to this application. It feels the creation of the residential annexe constitutes back land development of the existing site. This is a standalone residential building, that is not joined to the property and would set a precedence for creating a separate dwelling behind an existing property.

Should the Council be minded to approve this application it is requested that it is conditioned to ensure the annexe has to remain with the existing property and cannot gain status as a separate dwelling.

*On receipt of amended plans 08.09.21 and 23.09.21:* Object. Reiterate previous comments.

## 5.2 Neighbours / Responses to Publicity

Letters sent to eight properties. One letter of representation has been received objecting on the following grounds:

- Ridge height/additional first floor east and north facing windows- The ridge height is proposed at 4.23m which is substantially higher than the current ridge by some of 1.10m, as shown on the east and north facing elevation drawings.
- If the first floor is to be used as storage in perpetuity, we would question the necessity of windows at all particularly, on the north elevation.
- Have concerns that if this application is granted it would lead to conversion of the first floor to residential use under permitted development rights.
- The proposal is to create a residential annexe in the rear garden which should be discouraged particularly in rural areas where land is ample. The applicant has retained sufficient vehicular access which may lead to a future application to separate this from the host dwelling.

*On receipt of amended plans;*

It is noted and appreciated that the ridge height has been reduced together with the number of roof windows. However, the window on the North elevation is to be retained and appears to be deeper and we question the necessity for this window. The window has potential for overlooking and loss of privacy. As per previous concerns regarding future permitted development of the upper floor, we would like to see a condition withdrawing the permitted development rights together with a condition ensuring the annexe cannot be separated from the host property at a later date. Further comments submitted regarding the height of the resultant building and that the reduced ridge line is still substantially high and note the impact of this to neighbouring property. The North facing window will have a direct view of the garden and master bedroom.

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

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### **6.1 Statutory Duty**

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

### **6.2 National Policy**

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 4 - Biodiversity and Geodiversity  
Policy 8 - North Northamptonshire Place Shaping Principles  
Policy 9 - (Sustainable Buildings)  
Policy 11 - (The Network of Urban and Rural Area)  
Policy 25 - (Rural Economic Development and Diversification)

### **6.5 Rushden Neighbourhood Plan (RNP) (Made 2018)**

Policy H1- Settlement Boundary  
Policy EN1 - Design in Development

### **6.6 Other Relevant Documents**

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)  
Residential Annexes Supplementary Planning Document (awaiting adoption)

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Impact on Highway Safety and Parking

### **7.1 Principle of Development**

7.1.1 The application site lies in the open countryside, forming part of a linear development of residential properties along Avenue Road, Rushden. The application seeks permission for a replacement building within the residential curtilage of No.166 Avenue Road to provide ancillary accommodation for the main dwelling.

7.1.2 Policy 11 of the North Northamptonshire Joint Core Strategy (JCS) states that development in rural area will be limited and the appropriate reuse of rural buildings will be supported in accordance with Policy 25. Whilst the application is not proposing the reuse of the building, but its replacement, the building will occupy the same footprint and is sited within the residential curtilage of No. 166 within a group of residential properties.

7.1.3 Policy H1 of the Rushden Neighbourhood Plan (RNP) supports the redevelopment of sites on Avenue Road, however, this is subject to set criteria and is in relation to new housing development.

7.1.4 This application relates to the redevelopment of a building with the residential curtilage of No. 166 Avenue Road and is to provide ancillary accommodation to the existing property. The building proposes to accommodate a games / living room, office and bedroom with shower room. The annexe would be reliant on the host property for its access, garden and kitchen facilities etc and could not be occupied as an independent dwelling. As such, the principle of the development is supported subject to the policy considerations addressed below.

## 7.2 **Visual Impact**

7.2.1 National guidance contained within the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy 1 of the JCS seeks to secure sustainable development and Policy 8 requires new development to comply with a number of sustainable principles including being of a high standard of design. Policy EN1 of the RNP states that all new developments should be of a high quality of design.

7.2.2 Planning permission is sought for the replacement of an existing storage barn, within the residential curtilage of No. 166 Avenue Road, with an annexe. The annexe is proposed to provide ancillary residential accommodation to the host property. The proposed annexe would provide ground floor accommodation with storage space within the attic. The building would utilise the same footprint as the existing storage building with the additional of first floor storage.

7.2.3 The existing storage building is constructed from painted blockwork and horizontal timber boarding with a corrugated metal sheeted roof. The annexe proposed would be constructed with coloured render to the blockwork and horizontal timber boarding. There are other ancillary structures within the garden which are timber clad and as such the proposed building would remain sympathetic to the application site.

7.2.4 Whilst the proposed replacement building would be slightly taller than the existing building, the first floor storage area has been reduced in size and would not occupy the same footprint as the ground floor. As a result, the first floor would have a narrower gable with a single storey lean to at ground floor. The proposed building is of a scale and design appropriate to a residential annexe and would remain sympathetic to the character of the host property and would not have an adverse impact upon the surrounding area.

7.2.5 Sited within the rear garden of No. 166 Avenue Road the proposed structure will not be visible or prominent from the public realm. The application property has a long rear garden with an enclosed frontage to Avenue Road. As such, the proposed building will have a limited impact on

the street frontage or the character and form of the surrounding area.

- 7.2.6 For these reasons the proposed annexe would not result in a detrimental visual impact on the character and appearance of the street scene, the host dwelling or the surrounding area.

### 7.3 Impact on Neighbouring 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 proposes the replacement of a storage building with ancillary residential accommodation in the form of a residential annexe. The building is located to the rear of the site, some distance from properties to the northwest fronting Avenue Road.

- 7.3.3 To the southeast is open countryside and to the southwest are outbuildings with open countryside beyond. To the north, properties on the opposite side of Avenue Road will be separated from the development by the host property and some distance separation. As a result, properties to the north, south and west are a sufficient distance from the proposed annexe so as not to be adversely affected by the development.

- 7.3.4 To the north of the site is the residential garden to No. 168 Avenue Road. The curtilage to No. 166 wraps around the rear garden of No. 168 and is currently enclosed by a high conifer hedge. Concern has been expressed by a neighbour over the height of the proposed structure, the number of windows at first floor and the use of the building. Following receipt of amended plans concern has still been expressed with regards to overlooking from the first floor and the height of the structure, in particular the window in the north elevation.

- 7.3.5 Amended plans have been submitted during the course of the application, reducing the height of the building and removing two rooflights. The first floor is proposed to be storage and is accessed via an external staircase to the south. A window is proposed within the north elevation within the attic space, however, this area is to be utilised for storage only. Due to the pitch of the roof and the height of the building only 28m<sup>2</sup> is useable area. The attic space is limited in size and, as a storage area, is not habitable living space.

- 7.3.6 Furthermore, the building is some distance from the rear of No. 168, over 45 metres away, and sited not directly to the rear. Due to the use of the first floor and separation distances involved, it is not considered that the proposed annexe would have any adverse impact on the occupant of No. 168 Avenue Road.

- 7.3.7 A condition can be imposed to restrict the use of the building to ancillary accommodation and restrict it from being used as an independent dwelling. If considered reasonable and necessary, a condition could also be imposed to restrict the first floor area to storage.
- 7.3.8 The application submission makes reference to the fallback position and what could be achieved without the express consent of the Council. Class E of the Town and County Planning (General Permitted Development) (England) Order 2015 allows for the erection of outbuildings within residential curtilages for use in association with the main dwelling. Class E permits an outbuilding within the residential curtilage, so long as it does not cover 50% of the curtilage, at single storey with a height restriction of 4m (with a dual pitch and over 2 metres from the boundary). The proposed structure is 5.32m, if the height were reduced by 1.3m and the first floor storage area were to be omitted, a similar structure could be build which would not require planning permission.
- 7.3.9 Having regard to the above, it is considered that the proposal would not impact significantly upon neighbouring properties and a satisfactory relationship would remain.

#### **7.4 Impact on Highway Safety and Parking**

- 7.4.1 The proposed annexe would utilise the existing access to No. 166 Avenue Road and is to be accessed via a pathway through the garden. The building is to be used as ancillary accommodation to the host property. The property has an existing driveway to the frontage with ample off-street parking and a adjoining garage. The application would result in the increase in bedrooms, with a bedroom proposed within the annexe, however, sufficient parking would be available within the curtilage of the site, to the site frontage off Avenue Road. The existing parking to the frontage of the property would be unaffected by the development.
- 7.4.2 Accordingly, there is no impact on the existing parking provision to the frontage of the site and the development would not impact upon highway safety.

#### **7.5 Ecology**

- 7.5.1 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.
- 7.5.2 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.

## **7.6 Flooding**

- 7.6.1 The application site is in Flood Zone 1, which means it has a low probability of flooding. In terms of drainage, the proposal would retain the footprint of an existing building and as such there should 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.

## **8. Other Matters**

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- 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**

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- 9.1 In this instance the proposed annexe is 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 highway 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**

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

## **11. Conditions**

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- 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:

- Site Location Plan, 20-19 A3.01, as received by the Local Planning

- Authority on 22 December 2020; and
- Site Plan Proposed, 20-19 A3.05, as received by the Local Planning Authority on 22 December 2020; and
- Proposed Floor Plans, 20-19 A1.01 Rev 4, as received by the Local Planning Authority on 29 April 2021; and
- Proposed Elevations, 20-19 A2.01 Rev 4, as received by the Local Planning Authority on 29 April 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 finished externally in materials as detailed on the submitted application form and plans. The approved materials shall be maintained and retained in perpetuity thereafter.

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

- 4 The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 166 Avenue Road, Rushden.

Reason: In order to safeguard the amenity of adjacent residential properties and in the interests of highway safety.

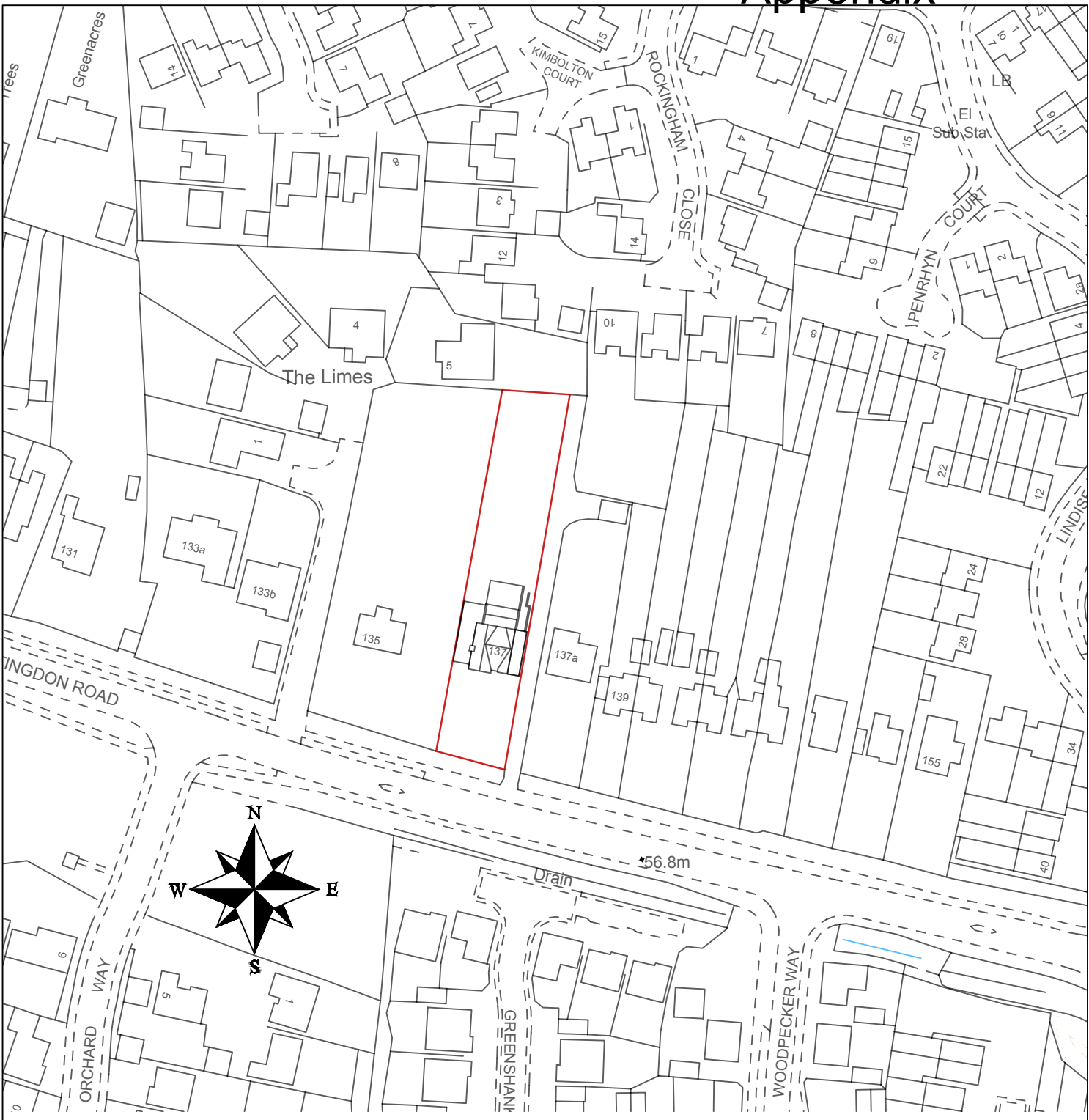
## **12. Informatives**

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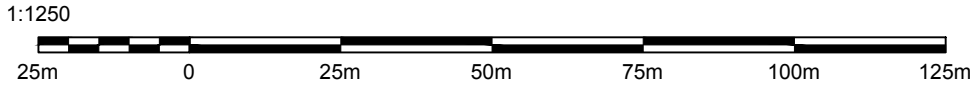
None

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**SITE LOCATION PLAN**  
**SCALE 1:1250**



**BASED ON THE OS MAP WITH THE SANCTION OF THE CONTROLLER OF HM STATIONARY OFFICE. CROWN COPYRIGHT RESERVED**

PROVIDED BY:

**nice(design)ltd**  
 DRAFTING & CONSULTATION

e: info@nicedesign.co.uk  
 t: 07572 423 889

<b>CLIENT:</b>	MR. ANTHONY BINNS
<b>PROJECT:</b>	137 HUNTINGDON ROAD THRAPSTON NORTHAMPTONSHIRE NN14 4NG
<b>Scales:</b>	1:1250 @ A4
<b>Date:</b>	26 JULY 2021
<b>Drawn by:</b>	JG
<b>Checked by:</b>	JG

<b>NOTES:</b>	All dims in millimeter (mm) ASSUMED SITE BOUNDARY IN RED
<b>TITLE:</b>	SITE LOCATION PLAN

<b>ISSUE:</b>	1.0
<b>DRAWING NO.:</b>	A4/2060/01

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>NE/21/01194/FUL</b>
<b>Case Officer</b>	<b>Carolyn Tait</b>
<b>Location</b>	<b>137 Huntingdon Road Thrapston Kettering Northamptonshire NN14 4NG</b>
<b>Development</b>	<b>Construction of a brick clad, tiled roof, with bi-fold doors, external outbuilding to house a swimming pool.</b>
<b>Applicant</b>	<b>Mr Anthony Binns</b>
<b>Agent</b>	<b>Nice(design)ltd - Mr Jason Ghayour</b>
<b>Ward</b>	<b>Thrapston</b>
<b>Overall Expiry Date</b>	<b>30 September 2021</b>
<b>Agreed Extension of Time</b>	<b>25 October 2021</b>

## **Scheme of Delegation**

This application is brought to Area Planning Committee because it falls outside of the Council's Scheme of Delegation because the Town Council has objected to the proposal contrary to the officer recommendation.

### **1. Recommendation**

---

1.1 That planning permission be GRANTED subject to conditions.

### **2. The Proposal**

---

2.1 The application proposes a single storey outbuilding at the rear of the garden to house a swimming pool, gym, changing area and pump room. The building would be brick clad with a tiled roof to match the existing dwelling. It would measure approximately 15 metres in length by 14 metres

in width with a height of 2.5 metres to the eaves and 3.9 metres to the ridge. The northern most part of the roof would be flat, following a re-design of the proposal.

### **3. Site Description**

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- 3.1 The site accommodates a large detached property with a large garden to the rear. The applicant has already erected two single storey outbuildings to the rear of the dwelling under permitted development rights.
- 3.2 The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA).

### **4. Relevant Planning History**

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- 4.1 07/00360/FUL - Demolition of existing dwelling and construction of dwelling and cellar – Permitted – 16.04.2007

### **5. Consultation Responses**

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

#### **5.1 Thrapston Town Council**

Object for the following reasons:

- Too close to 5 The Limes impacting on neighbouring amenity;
- The building is more than 4 metres in height which is too high as it is within 2.4 metres of the boundary and over 20 metres from the host dwelling; and
- Plans do not show where mechanical equipment would go, and this may impact on neighbouring amenity.

The Town Council has been re-consulted on amended plans, which have taken in to account the above objection, and revised comments are due by 11 October 2021. Any updated comments will be reported on the update sheet.

#### **5.2 Neighbours / Responses to Publicity**

One letter has been received. The issues raised are summarised below:

- Design is poor and contrary to Householder Extension SPD;
- There will be a cumulative effect with the other outbuildings;
- Impact on biodiversity;
- Too large for the site and too close to the boundary;
- Impact on neighbouring amenity;
- The proposal is more akin to a separate dwelling;
- The boundary / hedge is not shown accurately;
- Overdevelopment; and
- Plans are inaccurate

The neighbouring properties have been re-consulted on amended plans and revised comments are due by 12 October 2021. Any updated comments will be reported on the update sheet.

5.3 Environmental Protection

No objection.

5.4 Ecologist

No comments received.

5.5 Natural England

No comments received.

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

---

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 – Presumption in Favour of Sustainable Development  
Policy 4 – Biodiversity and Geodiversity  
Policy 8 – North Northamptonshire Place Shaping Principles

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

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

6.5 Other Relevant Documents

Householder Extensions Supplementary Planning Document (SPD) (2020)  
Residential Annexes SPD (not yet adopted)  
Upper Nene Valley Gravel Pits Special Protection Area SPD (2016)

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity

## **7.1 Principle of Development**

- 7.1.1 Concern has been expressed by a neighbour that the proposed building could be used as a separate dwelling. Given that the proposed outbuilding is large and positioned away from the main dwelling, it needs to be considered whether the proposal would be tantamount to a new dwelling and if it is, if the principle of developing the site would be acceptable or not.
- 7.1.2 It should be noted that the applicant has applied for a householder development using a householder application and this route cannot be used to gain planning permission for a dwelling. In addition, the plans show that there is no separate access to the building and that the curtilage of the existing dwelling is not being divided in any way. Therefore, it is considered that the building is not tantamount to a new dwelling in an unsuitable location. However, given that the building is of a scale which means it theoretically could accommodate a dwelling with some internal works, it is relevant to add a condition to ensure that it remains ancillary to the host dwelling and not to be used as a separate unit of accommodation.

## **7.2 Visual Impact**

- 7.2.1 The NPPF emphasises the importance of good design and this is reflected in Policy 8 of the JCS.
- 7.2.2 It is acknowledged that the outbuilding is large, however, it is located in a large rear garden and would not be visible in the street scene. It would be constructed from materials to match the existing dwelling. Therefore, it is considered that the proposal would not result in a detrimental visual impact on the character and appearance of the street scene, surrounding area or host dwelling.
- 7.2.3 It is also noted that the proposed outbuilding would be permitted development if the height was a maximum of 2.5 metres. This is because parts of the building are within 2 metres of the boundary. Where an outbuilding is sited more than 2 metres from the boundary, the maximum height under permitted development is 4 metres. Therefore, it is only reasonable to consider the additional height proposed. In this case the fallback position under permitted development would be a flat roofed outbuilding with a height of 2.5 metres.

## **7.3 Impact on Neighbouring Amenity**

- 7.3.1 The nearest property to the proposal is No.5 The Limes. The proposed building would be located adjacent to the southern boundary of this neighbouring property's garden. There will therefore be a level of overshadowing that occurs to the garden of this neighbouring property. However, given that the building would only be single storey in height, with a flat roof element closest to this neighbouring property, this level of overshadowing would not be detrimental. There are no windows that face toward this neighbouring property and as such no overlooking would occur. The single storey nature would also prevent any overbearing impact occurring.

- 7.3.2 All other nearby properties would be located far enough away not to be impacted upon by the proposal.
- 7.3.3 An additional plan has been submitted during the determination of the application which shows where the mechanical equipment will be housed. This, along with details of the proposed heating system (including sound data), has been sent to the Environmental Protection team for review. The heating system will be housed in a plant room within the proposed building. There will be an external vent next to the bifold doors. Based on the technical data and that the heating system will be housed inside, this should not result in adverse noise impact on neighbouring properties. As such there is no objection to the proposed development from the Council's Environmental Protection Team.

## **8. Other Matters**

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- 8.1 Neighbour comments: One neighbour has commented that the proposal would have a cumulative effect with the other outbuildings within the site. Whilst there would be a number of outbuildings to the rear of the property, the cumulative impact is not considered detrimental and the property would retain sufficient private amenity space.
- 8.2 It has been raised that the boundary / hedge shown on the plan is not shown correctly. The location of the hedge is not relevant to the determination of the application and is a civil matter between the two owners that it affects. The removal of any hedge is not necessary to implement the proposal and it could be removed without the need for planning permission in any case.
- 8.3 For the reasons set out in this report, the proposal is not considered to be an overdevelopment of the site that would be harmful to the character and appearance of the surrounding area.
- 8.4 The neighbour states that the plans are inaccurate. It is assumed that this is referring to the two outbuildings that have been erected in the rear garden and that they are not shown on the originally submitted plans. A site visit has been carried out by the case officer and the presence of the two outbuildings has been considered when putting forward the recommendation to grant planning permission. The presence of the outbuildings does not result in the officer forming a different opinion. In addition, the applicant has now submitted revised plans which show the two outbuildings and the neighbour has been sent a re-consultation. Any further comments will be reported on the update sheet.
- 8.5 Biodiversity: The site is a residential garden which is laid to lawn. There would therefore be no impact on biodiversity. Whilst the site is within 3km of the SPA, no mitigation is required as the proposal is not for a new residential unit.

## **9. Conclusion / Planning Balance**

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- 9.1 The proposed outbuilding would not be visible in the street scene and would be single storey in nature. As such it would not result in any detrimental visual harm or any unacceptable impact on neighbouring amenity. The proposed building requires planning permission because it is taller than the 2.5 metres which is allowed under permitted development rights. Overall, the proposed development is considered acceptable for the reasons set out in this report.

## **10. Recommendation**

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- 10.1 That planning permission be granted subject to the following conditions:

## **11. Conditions**

---

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

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 using materials to match those of the host dwelling at 137 Huntingdon Road and as specified in the application details.

Reason: In the interests of visual amenity.

- 3 The development hereby permitted shall be carried out in accordance with plans received by the local planning authority on 2 August 2021 and 13 September 2021, drawing numbers:

- A3 2053 06 Proposed floor plan
- A4/2060/01 Issue 1.0 Site Location Plan
- A3-2060-01 Issue 02 Site Block Plan
- A1-2060-01 Issue 2 Existing and Proposed Plans

Reason: To ensure that the development is carried out as permitted.

- 4 The development hereby permitted shall remain ancillary to the host dwelling at 137 Huntingdon Road and shall not be used as separate residential accommodation.

Reason: In the interests of neighbouring amenity and to the clarify the terms of this permission.





**Promap**

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>NE/21/00901/OUT</b>
<b>Case Officer</b>	<b>Patrick Reid</b>
<b>Location</b>	<b>Land Adjacent Brook Farm Cottage, Brooks Road, Raunds, Northamptonshire</b>
<b>Development</b>	<b>Outline: Erection of two dwellings (All matters reserved - resubmission of 19/01633/OUT)</b>
<b>Applicant</b>	<b>Ellis And Crawley</b>
<b>Agent</b>	<b>Henry H Bletsoe And Son - T Peck</b>
<b>Ward</b>	<b>Raunds</b>
<b>Overall Expiry Date</b>	<b>27 July 2021</b>
<b>Agreed Extension of Time</b>	<b>TBC</b>

**Appendices:**

- 1 – Appeal Decision 3259241
- 2 – Letter from Planning Inspectorate dated 12 January 2021

**Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because Raunds Town Council has objected and the Officer recommendation is for approval. In addition, there are more than three objections to the proposal. As such, the determination is to be by committee.

**1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

## 2. The Proposal

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- 2.1 Two dwellings are proposed for the application site. The application is in outline format with all matters reserved for later determination. As such, the details of the layout, appearance, scale, access and landscaping of the proposed development – as shown on the submitted drawings - are indicative and not for determination at this stage. The details indicate one option of how the land might be developed for two dwellings and the indicative scheme is designed to demonstrate that the application site can satisfactorily accommodate two dwellings without unacceptable harms arising.
- 2.2 The application follows a near identical application considered recently under reference 19/01633/OUT, which was refused planning permission on 16 June 2020 by East Northamptonshire Council's Planning Management Committee for the following reason:
- “The proposed development of two dwellings would be served by Brooks Road, which would not provide a safe means of pedestrian access for walkers between the dwellings, the local neighbourhood and the town centre. Due to the unacceptable pedestrian accessibility of the site, the proposal is considered to conflict with Policy 8, a (iv) and b (i) and (ii) of the North Northamptonshire Joint Core Strategy (2016). The proposal is considered to cause an unacceptable impact on pedestrian safety, and therefore does not meet the requirements of paragraph 109 of the National Planning Policy Framework. The social, economic and environmental benefits associated with the development are considered to be outweighed by the harm identified.”*
- 2.3 The application had a recommendation for approval by Officers. A subsequent appeal of the application was withdrawn after the Inspectorate noted that the application site did not include the verge, across which the access would necessarily be located. The Inspectorate raised the concern that a granting of planning permission would have resulted in it being unimplementable due to the separation of the site and the highway.
- 2.4 This application has a red line site area that includes the verge on the southern side of Brooks Road. This allows for an access to be created within this area. Aside from the procedural matters, the application is supported by an indicative site plan which shows two detached dwellings, set back from the road, each either rear garden space and a parking and turning area to their frontages. The plan also indicates a short footpath either side of the vehicular entrance and connecting to a longer indicative footpath that is shown as extending across the entire frontage of the adjacent application site for 5 dwellings
- 2.5 A separate outline planning application for 5 dwellings on adjacent land within the same applicants' ownership is also being considered at this Committee Meeting under ref. (NE/21/00902/OUT) as a resubmission of application 19/01630/OUT, following refusal by East Northamptonshire Council on 16 June 2020 for the same reason given above. The main planning issues are the same for both applications and the 7 homes are effectively a single development split into two separate planning

applications.

### **3. Site Description**

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- 3.1 The application site comprises an area of land situated to the south-east off Brooks Road which is to the northern end of Raunds. The site fronts the road and to its west is a private access drive leading to residential properties and an animal sanctuary. Beyond the access drive is another parcel of land which is the subject of the separate planning application as referred to above. Brooks Road runs in a general southwest / north-east orientation. It is characterised by a varied form of development and areas that are undeveloped.
- 3.2 The road extends away from the main built up area of Raunds and includes a number of dwellings which exhibit a variety of architectural styles. The road itself is relatively narrow and on both sides hedging and trees add to its soft appearance. A row of six terrace houses (even numbers 26 to 36) are located diagonally across from the site. Two detached dwellings of a different style to the terraced houses (36A and 38) are located nearer to the site, adjacent to the terraced row. The side (east) boundary of the site is shared with a detached two-storey house (one of a pair of dwellings granted outline planning permission in 2013 (ref. 13/00409/OUT) and again in 2014 and varied on 2015 (ref. 15/00156/VAR) and is defined by close boarded fencing.
- 3.3 The front of the site is occupied by mature vegetation including hedging and trees, which screen the site from view. A number of trees are dotted around the site and the land rises gently up away from the highway.
- 3.4 The site lies within the zone of influence of the Nene Valley Gravel Pits Special Protection Area. There are no other particular planning constraints (designations) affecting the site.

### **4. Relevant Planning History**

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- 4.1 19/01633/OUT – Outline: Erection of two dwellings (all matters reserved) – REFUSED (16.06.20) APPEAL THEN WITHDRAWN (25.01.21)
- Adjacent and other near sites:
- 4.2 19/1630/OUT – Outline: Erection of five dwellings (all matters reserved) – REFUSED (16.06.20) APPEAL THEN WITHDRAWN (25.01.21)
- 4.3 20/00486/FUL - Proposed Commercial Development for a B1 Office Unit and Ancillary Storage Barn at Blotts Barn – Approved 03.02.2021.
- Nearby site in Raunds subject of appeal decision – Land north of Midland Road and east of Brooks Road, Raunds:
- 4.4 Appeal reference 3259241 – Full application for 10 dwellings, including access, parking, landscaping and associated infrastructure – Allowed 25.01.2021

## 5. Consultation Responses

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

### 5.1 Raunds Town Council

Objection to the application for reasons summarised below:

- Brooks Road is not suitable for additional vehicular use due to its width and condition;
- There should be sufficient parking spaces of the appropriate size;
- Brooks Road has drainage issues and there is concern the development would affect this;
- Raunds has met its 'quota' for new dwellings;
- Reference to comments made by Environmental Protection.

### 5.2 Neighbours / Responses to Publicity

Four letters have been received, of which three are in objection and one makes neutral comments. The issues raised are summarised below:

- There are other properties closer than Brook Farm Cottage;
- Concern at pedestrian safety;
- Lack of turning space on site;
- Use of tandem parking;
- Impact on parking on the street;
- Impact on outlook of nearby houses;
- Additional use of road that is in need of repairs that is used by walkers, cyclists, farm vehicles and horse riders;
- No need for new houses in Raunds;
- Flooding concerns locally;
- Concern at how pedestrians would access the site;
- Parts of the footpaths of Brooks Road require to be improved;
- Too many houses, out of character with the area;
- Wildlife impact.

Positive comments received:

- Design and layout are satisfactory;
- The upgrading of the footpaths by the site is good.

### 5.3 Highways (LHA)

Comments summarised below:

- Tracking of large family vehicle entering the site in a forward gear, and leaving in a forward gear, requested;
- NCC Parking Standards of number of spaces per dwelling based on number of bedrooms noted;
- Distances between driveway of 25m noted in LHA Standing Advice Document cited.

#### 5.4 Natural England

As a result of this evidence the North Northamptonshire Joint Core Strategy has identified that mitigation is needed for the likely effects of new residential developments proposed within 3km of the Upper Nene Valley Gravel Pits SPA. A mitigation Strategy has been developed as a Supplementary Planning Document (available to view here) and identifies the required mitigation as a financial contribution of £299.95 per new dwelling within the 3km zone. This will contribute towards a package of Strategic Access Management and Monitoring to include fencing, screening and wardens to manage visitors within the SPA.

#### 5.5 Environmental Protection

No objection subject to recommended conditions and informatives.

#### 5.6 Waste Manager

The waste collection presentation points shown on drawing 18-091-02 REV B are not necessary and if provided may cause confusion as the collection point is the adopted highway - private driveways are not entered to collect waste.

#### 5.7 Lead Local Flood Authority (LLFA)

No comment due to the small-scale nature of the application.

#### 5.8 Archaeology Advisor

Condition recommended for an archaeological programme of works.

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

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#### 6.1 Statutory Duty

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

#### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 2 - Historic Environment  
Policy 4 - Biodiversity and Geodiversity  
Policy 5 - Water Environment, Resources and Flood Risk Management  
Policy 7 - Community Services and Facilities  
Policy 8 - North Northamptonshire Place Shaping Principles  
Policy 9 - Sustainable Buildings  
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 Raunds Neighbourhood Plan (RNP) (made 2018)

R1 - Ensuring an Appropriate Range of Sizes and Types of Houses

R2 - Promoting Good Design

R3 - Flexibility and Adaptability in New Housing Design

R4 - Car Parking in New Housing Development

R5 - Open Space Provision

R6 - Protected Open Spaces

R10 - Traffic and Transport in Raunds

R16 - Built and Natural Environment

R19 - Upper Nene Valley Gravel Pits Special Protection Area (SPA)/ Site of Special Scientific Interest (SSSI)

R20 - Movement and Connectivity

#### 6.5 Emerging Local Plan – East Northamptonshire Local Plan Part 2011-2031 (Submission Version March 2021)

EN1 – Spatial development strategy

EN2 - Settlement boundary criteria – urban areas

EN12 – Health and wellbeing

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)

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

East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2015), plus 2016 Addendum to the SPD setting out the access mitigation strategy.

## 7. **Evaluation**

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The main issues for consideration is whether the substantially similar proposal to that refused planning permission in 2020 has satisfactorily addressed the reason for refusal. If that reason has been satisfactorily addressed and there have been no other material changes in planning policy or other circumstances that justify refusal, then planning permission should be granted. The other issues are:

- Principle of Development
- Visual Impact
- Highway Safety and Parking
- Flood Risk and Drainage
- Ecology



- Impact on Neighbouring Amenity
- Range and Sizes of House Types
- Waste Management

## 7.1 Principle of Development

7.1.1 The previous application ref. 19/01633/OUT was recommended for approval by Officers and was put forward to committee for determination in May 2020. It was refused planning permission for the reason given above. The current proposal is identical to the one refused planning permission albeit the site is now slightly larger to include the verge beside the highway within the application site (bounded by the red-line), for the reason that the development would necessitate a new access being built across it. The Inspector noted that the red line boundary plan under that application would not have allowed the lawful implementation of the planning permission in the event that it was granted on Appeal. Secondly, the inclusion of the verge, owned by the Local Highway Authority, would also necessitate notice being served on them and Land Ownership Certificate B being submitted with the application. This nullified the purpose of pursuing the Appeal, influencing the applicant to submit a fresh planning application.

7.1.2 As what could be termed ‘procedural matters’, these have been addressed as part of this application to make the development capable of implementation. It is necessary to address any matters that have changed since the previous recommendation for approval. Since May 2020, there have been the following changes or additional material considerations:

- NPPF amended in July 2021;
- Appeal Decision ref. 3259241 Land North of Midland Road, Raunds;  
Change of the Local Planning Authority from East Northamptonshire to North Northamptonshire.

7.1.3 The development plan for the area remains the same as in May 2020 and the change of authority has not affected this. The physical context of the site has remained unaltered also. The only relevant changes since the earlier recommendation is the change to the NPPF in July 2021, and the issuing of an appeal decision in January 2021, relating to a development of 10 dwellings of undeveloped land on the edge of Raunds.

### *Amended NPPF July 2021*

7.1.4 The latest version of the NPPF can be characterised as having relatively small or modest changes to the 2019 version; the majority of the document remaining the same or fundamentally unaltered. The changes include an increased emphasis on design quality, with the word ‘beautiful’ introduced to the document. In this case, the proposal is in outline format and all the details of the development, including the landscaping and appearance of the dwellings, are not for determination

at this stage. Currently, the matter for determination is primarily principle. It is considered that the changes to the NPPF have no material bearing on this application.

*Appeal Decision – land off Midland Road and Brooks Road, Raunds*

7.1.5 On an undeveloped and unallocated piece of land not far from the application site, a proposal for 10 dwellings was considered by an Inspector in January 2021. The proposal shared similarities with the current proposal insofar as its siting being what could be termed ‘on-the-edge of Raunds’, being adjacent residential development and being unallocated. The Inspector’s consideration of the planning policy context is also informative in relation to the JCS and RNP.

7.1.6 The Inspector allowed the appeal and makes direct reference to the principle of new dwellings in paragraphs 25 to 27 of their report, including citing Policy 11 of the JCS. The following quote from the Inspector at paragraph 26 of the decision:

*‘Due to various planning permissions having been granted for residential development at Raunds in recent years, the RNP does not identify additional land for housing. Nevertheless, the proposal would not, to my mind, represent significant additional growth. Indeed, it would be in a location and at a scale appropriate to the character and infrastructure of the town. The proposal would suitably respond towards meeting the future needs of Raunds and of the wider local area, not least through the provision of affordable housing (in a form supported by the Council’s Housing Officer) and market dwellings of a variety of types and sizes with an emphasis placed upon smaller house types.’*

7.1.7 The above indicates that the development of 10 dwellings would be in accordance with Policy 11 of the JCS, given its status as ‘not significant growth’, the context of the site and the contribution of the development towards meeting the future needs of Raunds. The Inspector goes then on in paragraph 27 to conclude the following:

*‘I find that the proposal accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.  
Indeed, the Framework reaffirms the Government’s objective of significantly boosting the supply of homes.’*

7.1.8 The significance and relevance of the appeal decision indicates that the proposal was compliant with the RNP and the JCS, as well as according with the aims of the NPPF. The previous application ref. 19/01633/OUT was refused for one reason, relating to the increased use of Brooks Road. The development was deemed acceptable in principle and there is no reason to indicate this position has changed since. Instead, the appeal decision cited adds further weight to conclude the development is acceptable in principle.

## 7.2 **Visual Impact**

7.2.1 The proposal is the same as considered under ref. 19/01633/OUT and the matter is addressed in full in the associated Committee Report, which is included as an appendix. Also, as is currently the case, the application then was included in the same committee and both developments were considered together. Concern has been raised that the two dwellings would be out-of-character with the area by representation in this application and the previous application. For the reasons set out in the previous committee report, the addition of two dwellings on the site can be accommodated in a manner that is appropriate to the context of the area.

## 7.3 **Highway Safety and Parking**

7.3.1 The previous application 19/01633/OUT was refused for the sole reason relating to the additional use of Brooks Road to serve the two dwellings proposed. Specifically, the reason for refusal cited the pedestrian access for future occupants of the dwellings as the concern, and the routes to 'local neighbourhood and the town centre'.

7.3.2 The LHA have commented on this application, noting that vehicles should be able to turn within the site and each dwelling should have the requisite number of parking spaces, based on the number of bedrooms they would have. As the design of the dwellings and the layout of the site are not for determination at this stage, it is simply a matter of whether these could conceivably be appropriately incorporated into the space available. The submitted plans indicate there is sufficient space to accommodate all the necessary parking spaces, turning area, dwelling and outside amenity space.

7.3.3 The LHA have also confirmed that a separation distance of 10m is appropriate between driveways. Given the space available, taking account of the width of the frontage, it is considered that this would be accommodated. The comments of the LHA also support the inclusion of a footway along the frontage of the site.

7.3.4 From the site in a southerly direction, part of Brooks Road includes a pavement and part does not. It is this matter that was the principal reason that the previous application was refused by members of the committee. For the reasons set out in the previous committee report, this matter was not considered a sufficient reason to resist the granting of planning permission for the dwellings.

7.3.5 In further assessing this matter, focus is given to the extent of pavement that there is between the 'start' of Brooks Road and the application site. An approximate measurement is around 350 metres distance of which there is a form of footpath for 300 metres and it is without for around 50 metres. The part without a defined footpath is between two sections where there is a footpath on the southern side. This stretch is where pedestrians likely walk either on or beside the grass verge and driveways of various properties on that side of the road. The rest of the journey on foot does benefit from footpaths albeit the hard surface on

the southern side is relatively narrow between grass verge. Pedestrians can then cross onto the northern side where there is a wider pavement in front of the dwellings on that side.

7.3.6 In considering this, it is necessary to consider whether it is a necessity for there to be a footpath for the entirety of Brooks Road in the southerly direction. The safety of pedestrians is the focus, and their ability to walk or negotiate the route on the parts that are not paved. The relatively straight nature of Brooks Road and the visibility that motorists and pedestrians are afforded are relevant considerations. In this regard, parties exercising normal levels of consideration of the surroundings would see and if there are other people using Brooks Road nearby. For this reason and for the reasons set out in the earlier report, the partial extent of pavement on Brooks Road is not considered a sufficient reason to outweigh the benefits of the proposal.

7.3.7 Since the refusal of the previous planning application, the Council has granted planning permission (ref. 20/00486/FUL) for an Office Building at Blotts Farm, which was predicted, in the Transport Assessment, to generate in a worst case scenario 19 peak hour vehicle movements (one every 3 minutes) during a standard weekday, with a worst case of 17 of those in one direction consistent with commuting patterns. That Transport Assessment also noted the width of Brooks road to generally be around 5.2 metres, enabling two cars to pass each other. It is considered that Brooks Road is capable of accommodating the additional movements associated with the two proposed dwellings, as well as when considered in combination with the adjacent site proposal of five dwellings.

7.3.8 Planning permission for the commercial offices space cited above under 20/00486/FUL was granted on 3 February 2021, after members met to determine the application on 20 January 2021. At the time of the planning committee, two appeals were being considered for the adjoining sites subject of 19/01630/OUT and 19/01633/OUT. During the committee discussion, reference was made to the two potential schemes, totalling seven dwellings, as part of the consideration of the use of Brooks Road.

#### 7.4 **Flood Risk and Drainage**

7.4.1 There are no material changes since the previous application and the proposal is considered acceptable in this respect. The previous application was not refused for reasons of flood risk and drainage. There is no evidence to justify reaching a different conclusion and to do so would be unreasonable. Drainage details for the site access would be secured by condition.

#### 7.5 **Ecology**

7.5.1 Since the previous application, the fee per dwelling for mitigating the impact on the Upper Nene Valley Gravel Pits SPA has been updated. The applicant has paid the difference due to the increase, and the relevant amount has therefore been received to contribute to the cost of

implementing the access management and monitoring strategy (SAMM) set out in the 2016 addendum to the SPD. The applicant has also submitted the relevant form. The impact on the SPA is therefore considered to received adequate mitigation.

- 7.5.2 Under the previous application, it was recommended that a condition be applied to ensure a suitable lighting scheme. It is considered such condition be included under this application also.

## **7.6 Impact on Neighbouring Amenity**

- 7.6.1 The site allows for two dwellings to be accommodated in a manner that does not harm the amenities of nearby properties. The previous application reached this conclusion and this matter is considered unchanged.

## **7.7 Range and Sizes of House Types**

- 7.7.1 The matter is unchanged from the previous application.. Because the numbers of bedrooms in a dwelling is not determined by the reserved matters (although there is a relationship between scale and number of bedrooms) it is necessary to impose a condition to control the development to achieve a housing mix compliant with Policy 30 of the Joint Core Strategy 2016 across this site and the adjacent site proposed for 5 dwellings that is within the same land ownership.

## **7.8 Waste Management**

- 7.8.1 The proposal includes the verge and allows for the reserved matters application to provide space for the presentation of bins.

## **7.9 Archaeology**

Given the site lies within in an area of demonstrated archaeological potential, there is a reasonable presumption that sub-surface archaeological remains may survive within the application site boundary. Therefore, a condition requiring a programme of archaeological evaluation of the land is justified as necessary.

## **8. Other Matters**

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- 8.1 Neighbour comments: The matters of concern raised by representation are primarily addressed in the above report, or the report for 19/01633/OUT to which this is associated.
- 8.2 Equality: The proposal raises no matters of equality concern beyond that which are already addressed by the relevant planning policies.
- 8.3 Health Impact Assessment: Paragraph 92 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. 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.

## **9. Conclusion / Planning Balance**

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- 9.1 The proposal and planning policy context are near identical to that considered under 19/01633/OUT in May 2020. There are no changes that alter the considerations of the various material considerations and as such, the recommendation remains for approval as the proposal accords with the relevant planning policies.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions / Reasons for Refusal**

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- 1 Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is commenced.

Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority

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

Reason: This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include details and samples of the external roofing and facing materials to be used for the construction of the dwellings hereby approved. The development shall thereafter be implemented in accordance with the approved details and retained in the agreed manner perpetuity.

Reason: To achieve a satisfactory appearance for the development.

- 5 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include the provision

of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before each respective dwelling is occupied and shall be retained and maintained in the agreed manner in perpetuity.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

- 6 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include drawings showing the slab levels and finished floor levels of the dwellings hereby approved in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties. The development shall thereafter be constructed in accordance with the details so approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings and the street scene.

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

- Location Plan 1:1250 received 01 June 2021.

Reason: To assist in defining the terms of the planning permission.

- 8 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include a Tree Constraints plan, a Tree Removal Plan, an Arboricultural Impact Assessment and an Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of securing appropriate landscaping and tree works.

- 9 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include details of a lighting strategy, as recommended in section 8.1 of the submitted Phase 1 Habitat and Protected Species Survey, dated 23 October 2019. The lighting should be consistent with the latest guidance 'Bats and artificial lighting in the UK (2018)' and the development shall thereafter be carried out in accordance with the approved details prior to the occupation of the first dwelling hereby permitted.

Reason: In the interest of ensuring appropriate measures for protecting bats and other protected species.

- 10 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above, shall include details of the access gradient, drainage arrangements and surfacing of the proposed

access. The access shall be paved with a hard surface for the first 5 metres from the highway boundary and shall not exceed a gradient of 1 in 15. The development shall thereafter be implemented in accordance with the approved details prior to the occupation of either of the dwellings hereby permitted and thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

- 11 The details required to be submitted by condition No. 1 above, shall include the provision of parking within the site. Each space shall measure a minimum of 3 metres by 5.5 metres. A minimum of two spaces shall be provided for a dwelling of two or three bedrooms, and three spaces for a dwelling with four or more bedrooms. This parking provision shall then be provided in accordance with the details so approved before each respective dwelling is occupied and shall be retained thereafter in perpetuity for the purposes of car parking.

Reason: To ensure adequate parking provision on the site.

- 12 The access details required to be submitted in connection with condition 1 above, shall demonstrate that the vehicular access has vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m measured from the centre of the vehicular access along the carriageway edge. The details submitted shall also demonstrate pedestrian visibility splays of 2m by 2m. The access shall be implemented in accordance with the approved details prior to the first occupation of either dwelling and the splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above the carriageway level.

Reason: In the interests of highways safety.

- 13 The details required to be submitted by condition No. 1 above, must demonstrate that the dwellings hereby permitted will comply with the Technical Housing Standards - Nationally Described Space Standard 2015 (or any document which supersedes this).

Reason: To ensure that the proposed development is in compliance with Policy 30 of the North Northamptonshire Joint Core Strategy 2016.

- 14 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above, shall include a scheme of the proposed landscaping of the site. This shall include the location and species to be planted, in addition to any hard landscaping. The landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development. Any trees or plants which, within a period of five years of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a reasonable standard of development and visual amenity for the area.



- 15 Each dwelling shall each be fitted with measures to encourage as far as is reasonably possible the expected water consumption to no more than 105 litres of water per person per day and external water use of no more than 5 litres per person per day.

Reason: In the interests of complying with Policy 9 of the North Northamptonshire Joint Core Strategy and ensuring water resource is limited to acceptable levels.

- 16 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 Holidays unless otherwise agreed with the local planning authority.

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

- 17 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.

- 18 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 (above) shall include a detailed engineering scheme for the construction of a footway across the highway frontage of the application site (adjacent Brooks Road) and continuing off-site across the highway frontage of the adjacent site (subject of planning application NE/21/00902/OUT) in broad accordance with the footway details shown on indicative drawing 18-091-05 Revision B . No dwelling shall be occupied until the approved footway has been constructed.

Reason: In the interests of Highway safety and to encourage walking as a means of transport.

- 19 No development shall take place until a scheme for the internal layout of the proposed dwellings has been submitted to and approved in writing by the local planning authority as part of the reserved matters submission required by condition 1. The scheme shall include the details of the number of bedrooms in each proposed dwelling. The development shall be implemented in accordance with the approved details.

Reason: To control housing mix in accordance with the objectives of Policy 30 of the North Northamptonshire Joint Core Strategy.

- 20 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-excavation 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-excavation 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 194.

## **12 Informatives**

- 12.1 Whilst there are no recent issues with noise from existing development, the applicant should note that should complaints of noise be received, then the Environmental Protection team will investigate them under the relevant legislation and take enforcement action where necessary.



### Appeal Decision

Site visit made on 21 December 2020

**by Andrew Smith BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 January 2021**

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**Appeal Ref: APP/G2815/W/20/3259241**

**Land north of Midland Road and east of Brooks Road, Raunds**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr James Griffiths on behalf of Kier Living Ltd against the decision of East Northants District Council.
  - The application Ref 18/01109/FUL, dated 31 May 2018, was refused by notice dated 16 March 2020.
  - The development proposed is full application for 10 dwellings, including access, parking, landscaping and associated infrastructure.
- 

#### Decision

1. The appeal is allowed and planning permission is granted for 10 dwellings, including access, parking, landscaping and associated infrastructure at Land north of Midland Road and east of Brooks Road, Raunds in accordance with the terms of the application, Ref 18/01109/FUL, dated 31 May 2018, subject to the conditions set out at the end of this decision.

#### Preliminary Matters

2. The East Northamptonshire Local Plan Part 2 (the LPP2) is emerging. There is nothing before me to indicate that the LPP2 is currently at a stage that should attract anything more than limited weight. I shall consider the appeal on this basis.
3. A Unilateral Undertaking pursuant to Section 106 of the Act (the UU) is before me, which contains provisions related to affordable housing, primary and secondary education contributions, a health care contribution and a library contribution. The UU is dated 30 November 2020 and is signed by the site's landowners. I refer to the version with manuscript amendments submitted to the Council and the Planning Inspectorate via email dated 11 January 2021. I shall return to the UU later.
4. A Habitats Mitigation Contribution Agreement pursuant to Section 111 of the Local Government Act 1972 (the HMCA) first dated 8 January 2020 is also before me, which seeks to mitigate the effect of the development upon The Upper Nene Valley Gravel Pits Special Protection Area (the SPA) by way of a contribution towards Strategic Access Management and Monitoring (SAMM). I shall also return to the HMCA later and have elevated SPA considerations to be considered under a main issue in this appeal due to the statutory duties that apply.

## **Main Issues**

5. The main issues are:

- Whether or not the proposal is suitably well-designed, having particular regard to on-site parking and waste storage/collection arrangements; and
- The effect upon the SPA.

## **Reasons**

### *Parking and waste storage/collection arrangements*

6. The appeal site is made up of undeveloped land located to the edge of a modern residential estate that is typified by similarly designed dwellings that are often routinely positioned along consistent building lines and upon relatively generous sized plots. There is thus a formal and somewhat spacious residential character and appearance in place across the estate. The proposed development would be broadly respectful of these existing characteristics. Indeed, each dwelling would be positioned upon an individual plot of suitable size and an unduly dense form of development would be avoided.
7. It is the case that, with respect to four of the proposed dwellings, tandem parking would be solely relied upon due to the provision of no side-by-side private parking. It is indicated within the Northamptonshire Parking Standards (September 2016), as adopted by the Highway Authority, that tandem parking is inconvenient and generally best avoided where possible.
8. Even so, a relatively small proportion of the dwellings proposed would be served solely by tandem parking arrangements. I do not consider that this represents an over-reliance on tandem parking and have no clear reason to consider that the proposal, as a result, would not function well in a parking context. It is also relevant to note that a relatively generous number of private parking spaces would be brought forward across the proposed development when considered as a whole. There would thus be limited potential for vehicles being forced or encouraged to park in communal areas or upon nearby roads/streets.
9. As regards waste storage and collection facilities, each dwelling would be served by its own private rear amenity space where waste storage vessels would be able to be stored on a secure basis. Waste collection points would be anticipated to be provided in immediate proximity to a newly proposed turning head feature, which would be able to accommodate the manoeuvres of a refuse collection lorry. This has been demonstrated through a submitted vehicle tracking plan.
10. Indeed, I am content that full details of intended waste storage and collection points could be satisfactorily secured by way of an appropriately worded planning condition. The site would be able to accommodate designated waste collection points without compromising a functional or well-designed development. This finding is broadly consistent with comments received from the Council's Waste Manager at planning application stage.
11. For the above reasons I find that the proposal is suitably well-designed, having particular regard to on-site parking and waste storage/collection arrangements. The proposal accords with Policy 2 of the Raunds Neighbourhood Plan 2011-

2031 (made November 2017) (the RNP) and with the National Planning Policy Framework (February 2019) (the Framework) in so far as these policies require that all new development in Raunds will be encouraged to be of good design and that planning decisions should ensure that developments will function well and add to the overall quality of the area.

*The SPA*

12. The site lies in proximity to the SPA such that I must consider the appeal against The Conservation of Habitats and Species Regulations 2017 (as amended). These regulations require that, where the project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), the competent authority must make an appropriate assessment of the project's implications in view of the relevant site's conservation objectives.
13. I note from the evidence before me that the Council, in the process of considering the planning application that is now the subject of this appeal, undertook its own appropriate assessment. This ultimately identified that mitigation measures that comply with the Council's adopted guidance would be secured and that harm to the integrity of the SPA would be avoided.
14. However, for the purposes of this appeal, I am the competent authority and must undertake my own appropriate assessment prior to considering the issue of mitigation. It is apparent from the evidence before me that the SPA was designated for its importance as wetland habitat for non-breeding water birds and due to the number and types of bird species present.
15. As set out in the supporting text to Policy 4 of the North Northamptonshire Joint Core Strategy 2011-2031 (adopted July 2016) (the JCS) and within The Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document Mitigation Strategy Addendum (adopted November 2016) (the SPD), all new development within 3km of the SPA will result in a significant effect on the SPA that would result in an adverse effect upon its integrity unless avoidance and mitigation measures are in place. The SPD sets out that a financial contribution towards SAMM at £269.44 per new dwelling is considered to represent suitable mitigation. Although I note that Natural England (NE), in their role as Statutory Nature Conservation Body, has indicated that the relevant figure raised to £296.55 per new dwelling in October 2020.
16. As detailed in the SPD, various access management measures have been formulated and costed in accordance with a mitigation needs assessment. The relevant avoidance and mitigation measures identified include fencing, screening, path redirection, wardening, interpretation/education and the provision of off-lead dog exercise areas.
17. The HMCA has secured a payment of £2,963.84 towards SAMM, which, based upon a 10-unit scheme, exceeds the per-unit figure specified in the SPD and very marginally falls short of the per-unit figure specified by NE. Indeed, the shortfall is so minor it is immaterial. The Council has confirmed receipt of this payment.
18. Whilst the HMCA does not set out specific requirements for where the contribution is to be directed (other than towards mitigating the development's effect upon the SAP in broad terms), it is apparent that various access

management initiatives are in existence and thus eligible for direct funding. Indeed, I am content that adequate assurances are in place to ensure that proportionate mitigation and avoidance measures would be implemented expediently should planning permission be granted. I note here that, for the purposes of my appropriate assessment, NE have been consulted and I have subsequently taken into account the response received.

19. For the above reasons, the proposal would mitigate its impact upon the SPA, and I am thus satisfied that the proposed development would not adversely affect its integrity. The proposal accords with Policy 4 of the JCS and the guidance contained in the SPD in so far as this policy and guidance require that development that is likely to have an adverse impact upon the SPA must satisfy the requirements of the Habitats Regulations.

### **Planning Obligations**

20. The UU secures the on-site provision of two affordable housing units, both bungalows (one two-bed and one three-bed). When noting that a total of 10 residential units are proposed, the provision of two affordable dwellings would exceed requirements as set out at Policy 30 of the JCS. The Council's Housing Officer is supportive of the provision of two affordable bungalows and I am satisfied that this would constitute an acceptable level of provision.
21. I am content that the UU's definition of 'Qualifying Persons' makes adequate reference to the Council's Housing Allocation Policy and does not need to be expanded for the purposes of the undertaking. The UU's definition of 'Registered Provider', which references specific registration and nomination requirements, is similarly fit for purpose. Indeed, the related definition for 'HCA' includes reference to both Homes England and the Housing Regeneration Act 2008. Furthermore, I am content that all other UU provisions related to affordable housing can be satisfactorily understood.
22. The required primary and secondary education contributions have been calculated by the Local Education Authority (the LEA) based on their standard formulae. I note that specific educational establishments local to the site have been earmarked for capacity expansion where operating close, or very close, to full capacity. Whilst the LEA has also suggested that an early years services contribution be made due to a lack of capacity in the area, the Council has not sought to pursue this and there is limited supporting justification before me to clearly demonstrate that I should take an approach otherwise.
23. The health care contribution follows a request made from NHS England based upon a standard per-unit calculation tool, which would go towards either the construction of new premises or the refurbishment or extension of existing consultation/treatment facilities local to the site. Furthermore, a library contribution is secured towards planned improvements in accordance with the County Council's Library Strategy and an adopted tariff formula.
24. I am satisfied that the various contributions secured through the UU are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind. I am also content, from the evidence before me, that the UU is fit for purpose. Indeed, any suggestion that manuscript amendments cannot be made in the manner that has occurred has not been clearly substantiated.

## **Other Matters**

25. Policy 11 of the JCS sets out that Market Towns (including Raunds) will provide a strong service role for their local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services.
26. Due to various planning permissions having been granted for residential development at Raunds in recent years, the RNP does not identify additional land for housing. Nevertheless, the proposal would not, to my mind, represent significant additional growth. Indeed, it would be in a location and at a scale appropriate to the character and infrastructure of the town. The proposal would suitably respond towards meeting the future needs of Raunds and of the wider local area, not least through the provision of affordable housing (in a form supported by the Council's Housing Officer) and market dwellings of a variety of types and sizes with an emphasis placed upon smaller house types.
27. I find that the proposal accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise. Indeed, the Framework reaffirms the Government's objective of significantly boosting the supply of homes.

## **Conditions**

28. The Council has suggested a number of conditions that the appellant has had the opportunity to comment upon and which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity purposes. Pre-commencement conditions have only been imposed where agreed to in writing by the appellant.
29. In the interests of certainty, a condition specifying the approved plans is required. I have added the submitted Drainage Strategy as it is referred to as an approved document within other conditions listed in the schedule below, which relate to attaining full details of the surface water drainage system to be installed and of a Verification Report post-installation. These conditions, alongside a further condition securing a scheme of ownership and maintenance for the drainage system, are reasonable and necessary for the means of guarding against flood risk and ensuring that a fit-for-purpose drainage system is indeed installed and thereafter retained.
30. In the interests of protecting the character and appearance of the area, a condition is reasonable and necessary that secures the use of external-facing materials in compliance with already submitted details. For the same reason, it is reasonable and necessary to secure the submission of full details of intended hard and soft landscaping, as well as the subsequent implementation and maintenance of new planting.
31. In a character and appearance context and in the interests of seeking to minimise crime, a condition requiring the full details and implementation of a scheme of means of enclosure is both reasonable and necessary to impose. Given that such measures would be likely to be installed relatively late in the construction phase, a reasonable trigger-point for the provision of such details is prior to the first occupation of the development.
32. Also, in the interests of protecting the character and appearance of the area and of guarding against any potential overbearing relationship to the detriment

- of neighbouring living conditions, a planning condition to secure full details of finished floor levels is reasonable and necessary.
33. In the interests of promoting accessible and inclusive development and in broad compliance with the requirements of Policy 30 of the JCS, a condition is reasonable and necessary that secures that the bungalows hereby permitted provide wet room facilities and meet wheel-chair accessibility standards.
  34. In the interests of highway safety and of ensuring that a satisfactory number of on-site parking spaces are provided, a condition is reasonable and necessary that secures the provision and retention of all permitted parking spaces solely for parking purposes. Also, in the interests of highway safety and of ensuring suitable and fit-for-purpose turning opportunities, a condition requiring full details of the turning head feature as depicted upon the approved site plan is both reasonable and necessary. The turning head has been designed to meet adoptable standards and the Highway Authority has not raised objections to the proposal. Indeed, where private drives are intended to be installed, each would serve only a limited number of dwellings.
  35. In the interests of ensuring adequate water infrastructure provision and in compliance with Policy 8 of the JCS, which promotes proportionate and appropriate community and fire safety measures, a scheme for the provision of fire hydrants, sprinkler systems and associated infrastructure is both reasonable and necessary to secure via condition.
  36. To promote the achievement of a sustainable development in broad accordance with the specified requirements of Policy 9 of the JCS, a condition is reasonable and necessary that secures a scheme of sustainability measures to include mechanisms to limit water use.
  37. Furthermore, to ensure that any features of archaeological interest are properly examined and recorded, a Written Scheme of Investigation is appropriate to secure via condition.

### **Conclusion**

38. For the reasons given above, the appeal is allowed subject to conditions.

*Andrew Smith*

INSPECTOR



### **Schedule of Conditions**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and document: L01; P01D; P02D; P04; P300; COL-01; COL-02; Proposed 4b.1 House Type Plans & Elevations; House Type 3B.1, Private, Floor Plans and Elevations (including Front Elevation Variation E); Drainage Strategy Revision A, 304-FRA-01-0, January 2020.
- 3) No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation to be submitted to and approved in writing by the Local Planning Authority. The satisfactory completion of each of the following components of the written scheme shall trigger the phased discharge of the condition: (i) approval of a Written Scheme of Investigation; (ii) fieldwork in accordance with the agreed Written Scheme of Investigation; (iii) completion of a Post-Excavation Assessment report and approval in writing of an Updated Project Design to be submitted to the Local Planning Authority within six months of the completion of fieldwork, unless otherwise agreed in writing in advance; (iv) completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC), production of an archive report and submission of a publication report: to be completed and submitted to and approved in writing by the Local Planning Authority within two years of the completion of fieldwork unless otherwise agreed in writing in advance.
- 4) 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. Subsequently, these works shall be carried out as approved. Should the agreed planting become substantially diseased, die or otherwise be removed within five years of the date of the planting of the landscaping, it shall be replaced within the next seasonal planting season with the agreed species as specified. The landscaping details to be submitted shall include: (i) hard surfacing and other hard landscape features and materials; (ii) details of existing trees, hedges or soft features to be retained; (iii) planting plans, including specification of species and sizes; (iv) details of siting and timing of all construction activities to avoid harm to planted features; (v) details of the timing of the implementation of the hard and soft landscaping measures for the site.
- 5) No development shall take place until full details of the finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.
- 6) Notwithstanding the approved site plan (P01D), no development shall take place until full details of the turning head feature, including of its dimensions and materials, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local

Highway Authority. Thereafter the development shall be carried out in accordance with the approved details.

- 7) Prior to any above-ground works commencing, full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy Revision A, 304-FRA-01-0, January 2020 prepared by Martin Andrews Consulting Limited, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include: (i) details (designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures; (ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations that indicate a maximum discharge of 2l/s; (iii) cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves to be submitted for all hydrobrakes and other flow control devices; (iv) details of permeable paving.
- 8) Prior to any above-ground works commencing, a detailed scheme for the ownership and maintenance of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme of ownership and maintenance shall be carried out in full thereafter. Details are required of which organisation or body shall be the main maintaining body where the area is multifunctional (open space play areas containing SuDS, for example) with evidence that the organisation/body has agreed to such adoption. The scheme shall include: (i) a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used; (ii) a site plan including access points, maintenance access easements and outfalls; (iii) maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site; (iv) details of the expected design life of all assets with a schedule of when replacement assets may be required.
- 9) Prior to the first occupation of the development hereby permitted, a Verification Report for the installed surface water drainage system for the site, based on the approved Drainage Strategy Revision A, 304-FRA-01-0, January 2020 prepared by Martin Andrews Consulting Limited, shall be approved in writing by a suitably qualified independent drainage engineer and thereafter submitted to and approved in writing by the Local Planning Authority. The Report shall include: (i) confirmation that any departure from the agreed design is in keeping with the approved principles; (ii) any as-built drawings and accompanying photos; (iii) results of any performance testing undertaken as part of the planning process (if required / necessary); (iv) copies of any Statutory Approvals, such as Land Drainage Consent for Discharges; (v) confirmation that the system is free from defects, damage and foreign objects; (vi) confirmation of adoption or a maintenance agreement for all SuDS elements as detailed within the drainage strategy in place.

- 10) Prior to the first occupation of the development hereby permitted, full details of the position, materials of construction and design of all means of enclosure and details of any additional measures intended to minimise the risk of crime shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwellings to which they relate and shall be retained at all times thereafter.
- 11) Prior to the first occupation of the development hereby permitted, full details of the waste storage and collection points to serve each of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The waste storage/collection points shall then be implemented in accordance with the approved details prior to the first occupation of each relevant dwelling and thereafter retained in perpetuity.
- 12) Prior to the first occupation of each dwelling hereby permitted, its related parking spaces as depicted upon approved plan P01D shall be made available for the parking of vehicles and shall be retained solely for this purpose in perpetuity.
- 13) Prior to the first occupation of the development hereby permitted, a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be provided in accordance with the approved details and timetable.
- 14) Prior to the first occupation of the development hereby permitted, details of the following sustainability measures shall be submitted to and approved in writing by the Local Planning Authority: measures to limit water use to no more than 105 litres per person per day and external water use to no more than 5 litres per person per day as well as minimum standards for gas fired boilers. The development shall be carried out in accordance with the approved details and all measures shall be available for use upon first occupation of each respective dwelling hereby permitted.
- 15) The materials to be used for the external treatments of the dwellings shall be in accordance with the details set out on approved plan P02D and shall be retained in this manner in perpetuity.
- 16) Notwithstanding the details of the internal floor plans of Plots six and seven, as depicted on approved plans P01D and P300, each bathroom shall be fitted as a wet room and retained in this manner in perpetuity in order to meet the needs of those requiring an adapted property. The bungalows shall be built to Category 3 wheel-chair accessible standards.

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Head of Planning Services  
East Northamptonshire Council  
East Northants House  
Cedar Drive  
Thrapston  
Northants  
NN14 4LZ

Your Ref: 19/01633/OUT

Our Ref: APP/G2815/W/20/3256513

12 January 2021

Dear Sir/Madam,

Town and Country Planning Act 1990  
Appeal by MR & MS R & S CRAWLEY & ELLIS  
Site Address: Land Adjacent Brook Farm Cottage, Brooks Road, Raunds,  
Northamptonshire, NN9 6NS

The Inspector acknowledges that the planning applications sought outline planning permission with all matters, including access, reserved for subsequent approval. However, it will be necessary for the Inspector to consider whether the proposal is acceptable in principle from an access point of view and as part of this process it will therefore be necessary to be certain that such an access can be achieved in terms of any necessary ownership constraint(s) and also in terms of highway safety matters. Article 2 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) amongst other things defines "access" in relation to reserved matters and states that it 'means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made'.

The drawings provided indicate that there would need to be connections between the sites to the hard-bound carriageway on Brooks Road. The Highway Authority have advised a Section 184 licence would be required to install the site accesses and the vehicle crossovers of public highway land. Even so, such connections would be likely to consist of operational development requiring planning permission. Therefore would the parties agree that if development on the grass verge is needed to facilitate access to the sites, then this land would need to be incorporated within the red edged site boundaries?

Furthermore, had the grass verge been incorporated within the sites, appropriate notices would also have been required to have been served on the Highway Authority as landowner.

In the circumstances, would the parties also agree that the Inspector would be forced to consider the principle of the developments where in principle access to and from the sites is not certain and that in the event that outline planning permissions were granted, and having regard to the definition in the DMPO, this would make any subsequent reserved matters application problematic?

The Inspector invites the parties to comment on these matters within the next 3 working days.

This letter has also been sent to the appellants' agent.

Yours sincerely,

***Dot Kujawa***

Dot Kujawa

*Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>*



**Promap**

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
18<sup>th</sup> October 2021**

<b>Application Reference</b>	<b>NE/21/00902/OUT</b>
<b>Case Officer</b>	<b>Patrick Reid</b>
<b>Location</b>	<b>Land Adjacent Brook Farm Cottage, Brooks Road, Raunds, Northamptonshire</b>
<b>Development</b>	<b>The resubmission (within 12 months of decision notice) of planning application 19/01630/OUT Outline: Erection of five dwellings (All matters reserved)</b>
<b>Applicant</b>	<b>Ellis And Crawley</b>
<b>Agent</b>	<b>Henry H Bletsoe And Son - T Peck</b>
<b>Ward</b>	<b>Raunds</b>
<b>Overall Expiry Date</b>	<b>27 July 2021</b>
<b>Agreed Extension of Time</b>	<b>TBC</b>

**Appendices:**

- 1 – Appeal Decision 3259241
- 2 – Letter from Planning Inspectorate dated 12 January 2021

**Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because Raunds Town Council has objected and the Officer recommendation is for approval. In addition, there are more than three objections to the proposal. As such, the determination is to be by committee

**1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

## 2. The Proposal

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2.1 Five dwellings on the land are proposed. The application is in outline format with all matters reserved for later determination. Two dwellings are proposed for the application site. The application is in outline format with all matters reserved for later determination. As such, the details of the layout, appearance, scale, access and landscaping of the proposed development – as shown on the submitted drawings - are indicative and not for determination at this stage. The details indicate one option of how the land might be developed for five dwellings and the indicative scheme is designed to demonstrate that the application site can satisfactorily accommodate five dwellings without unacceptable harms arising.

2.2 The application follows a near identical application considered recently under reference 19/01633/OUT, which was refused on 16 June 2020 for the following reason:.

*“The proposed development of two dwellings would be served by Brooks Road, which would not provide a safe means of pedestrian access for walkers between the dwellings, the local neighbourhood and the town centre. Due to the unacceptable pedestrian accessibility of the site, the proposal is considered to conflict with Policy 8, a (iv) and b (i) and (ii) of the North Northamptonshire Joint Core Strategy (2016). The proposal is considered to cause an unacceptable impact on pedestrian safety, and therefore does not meet the requirements of paragraph 109 of the National Planning Policy Framework. The social, economic and environmental benefits associated with the development are considered to be outweighed by the harm identified.”*

2.3 The decision was made by East Northamptonshire Council's Planning Management Committee. The application had a recommendation for approval by Officers. A subsequent appeal of the application was withdrawn after the Inspectorate noted that the application site did not include the verge, across which the access would necessarily be located. The Inspectorate raised the concern that a granting of planning permission would have resulted in it being unimplementable due to the separation of the site and the highway.

2.4 This application has a red line site area that includes the verge on the southern side of Brooks Road. This allows for an access to be created at any point in the application site. Aside from the procedural matters, the application is supported by an indicative site plan which shows five detached dwellings, set back from the road, each either rear garden space and a parking and turning area to their frontages. The plan also indicates a short footpath at the front of the site across from a footpath proposed at the front of the site subject of an application for two dwellings.

2.5 A separate outline planning application for 2 dwellings on adjacent land within the same applicants' ownership is also being considered at this Committee Meeting under ref. (NE/21/00901/OUT) as a resubmission of application 19/01633/OUT, following refusal by East Northamptonshire Council on 16 June 2020 for the same reason given above. The main planning issues are the same for both applications and the 7 homes are

effectively a single development split into two separate planning applications.

### **3. Site Description**

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- 3.1 The application site comprises an area of land situated to the south-east off Brooks Road which is to the northern end of Raunds. The site fronts the road and to its west is a private access drive leading to residential properties and an animal sanctuary. Beyond the access drive is another parcel of land which is the subject of the separate planning application as referred to above.. Brooks Road runs in a general southwest/north-east orientation. It is characterised by a varied form of development and areas that are undeveloped.
- 3.2 The road extends away from the main built up area of Raunds and includes a number of dwellings which exhibit a variety of architectural styles. The road itself is relatively narrow and on both sides hedging and trees add to its soft appearance. A row of six terrace houses (even numbers 26 to 36) are located diagonally across from the site. To the east of the site is an area of undeveloped land beyond which are two detached dwellings. The undeveloped land to the east is subject of the concurrent application referred to previously.
- 3.3 The front of the site is occupied by mature vegetation including hedging and trees, which screen the site from view. A number of trees are dotted around the site and the land rises gently up away from the highway.
- 3.4 The site lies within the zone of influence of the Nene Valley Gravel Pits Special Protection Area. There are no other particular planning constraints (designations) affecting the site.

### **4. Relevant Planning History**

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- 4.1 19/1633/OUT – Outline: Erection of five dwellings (all matters reserved) – REFUSED (16.06.20) APPEAL THEN WITHDRAWN (25.01.21)
- Adjacent and other near sites:
- 4.2 19/01630/OUT – Outline: Erection of two dwellings (all matters reserved) – REFUSED (16.06.20) APPEAL THEN WITHDRAWN (25.01.21)
- 4.3 20/00486/FUL - Proposed Commercial Development for a B1 Office Unit and Ancillary Storage Barn at Blotts Barn – Approved 03.02.2021
- 4.4 Appeal reference 3259241 – Full application for 10 dwellings, including access, parking, landscaping and associated infrastructure – Allowed 25.01.2021

### **5. Consultation Responses**

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

## 5.1 Raunds Town Council

Objection to the application for reasons summarised below:

- Brooks Road is not suitable for additional vehicular use due to its width and condition;
- There should be sufficient parking spaces of the appropriate size;
- Brooks Road has drainage issues and there is concern the development would affect this;
- Raunds has met its 'quota' for new dwellings;
- Reference to comments made by Environmental Protection.

## 5.2 Neighbours / Responses to Publicity

Seven representations have been received, of which six are in objection and one makes neutral comments. The issues raised are summarised below:

- Concern at pedestrian safety;
- Impact on parking on the street, road now wide enough;
- Impact on outlook of nearby houses;
- Additional use of road that is in need of repairs that is used by walkers, cyclists, farm vehicles and horse riders;
- No need for new houses in Raunds;
- Flooding concerns locally;
- Concern at how pedestrians would access the site;
- Parts of the footpaths of Brooks Road require to be improved;
- Too many houses, out of character with the area;
- Wildlife impact.

Positive comments received:

- Design and layout are satisfactory.

## 5.3 Highways (LHA)

Comments summarised below:

- Tracking of large family vehicle entering the site in a forward gear, and leaving in a forward gear, requested;
- further intensification of a carriageway with no footway provision and a carriageway width which is substandard;
- NCC Parking Standards of number of spaces per dwelling based on number of bedrooms noted;
- The 10m offset is accepted in this instance given the status of the adjacent access;
- note the above applications are providing footway along the frontage which is welcomed.

## 5.4 Natural England

As a result of this evidence the North Northamptonshire Joint Core Strategy has identified that mitigation is needed for the likely effects of new

residential developments proposed within 3km of the Upper Nene Valley Gravel Pits SPA. A mitigation Strategy has been developed as a Supplementary Planning Document (available to view here) and identifies the required mitigation as a financial contribution of £299.95 per new dwelling within the 3km zone. This will contribute towards a package of Strategic Access Management and Monitoring to include fencing, screening and wardens to manage visitors within the SPA.

5.5 Environmental Protection

No objection subject to the use of conditions and informatives.

5.6 Waste Manager

No comments received. (Officer comment: there are comments on the concurrent application on adjacent land under 21.00901/OUT). These stated waste collectors do not enter private driveways for collection.

5.7 Lead Local Flood Authority

No comment due to the small-scale nature of the application.

5.8 Wildlife Officer

Recommended that a pre-occupation condition for a lighting strategy, as recommended in section 8.1 of the ecology survey, is added to any planning permission. The lighting should be consistent with the latest guidance Bats and artificial lighting in the UK (2018).

5.9 Archaeology

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

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

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6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 2 - Historic Environment  
Policy 4 - Biodiversity and Geodiversity  
Policy 5 - Water Environment, Resources and Flood Risk Management  
Policy 7 - Community Services and Facilities  
Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings  
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 Raunds Neighbourhood Plan (RNP) (made 2018)

R1 - Ensuring an Appropriate Range of Sizes and Types of Houses  
R2 - Promoting Good Design  
R3 - Flexibility and Adaptability in New Housing Design  
R4 - Car Parking in New Housing Development  
R5 - Open Space Provision  
R6 - Protected Open Spaces  
R10 - Traffic and Transport in Raunds  
R16 - Built and Natural Environment  
R19 - Upper Nene Valley Gravel Pits Special Protection Area (SPA)/ Site of Special Scientific Interest (SSSI)  
R20 - Movement and Connectivity

6.5 Emerging Local Plan – East Northamptonshire Local Plan Part 2011-2031 (Submission Version March 2021)

EN1 – Spatial development strategy  
EN2 - Settlement boundary criteria – urban areas  
EN12 – Health and wellbeing  
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)  
East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)  
East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2015), plus 2016 Addendum to the SPD setting out the access mitigation strategy.

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Highway Safety and Parking
- Flood Risk and Drainage
- Ecology
- Impact on Neighbouring Amenities
- Range and Sizes of House Types
- Waste Management

## 7.1 Principle of Development

7.1.1 The previous application ref. 19/01633/OUT was deemed acceptable by Officers when the application was put forward to committee for determination in May 2020. It was refused planning permission for reason given above. The proposal is identical to that considered then albeit the site is now slightly larger to include the verge beside the highway within the application site (bounded by the red-line), for the reason that the development would necessitate a new access being built across it. The Inspector noted that the red line under that application would not have been implementable. Secondly, the inclusion of the verge, owned by the Local Highway Authority, would also necessitate notice being served on them and Certificate B being submitted with the application. This nullified the purpose of pursuing the Appeal, influencing the applicant to submit a fresh planning application.

7.1.2 As what could be termed 'procedural matters' have been addressed as part of this application, it is necessary to address any matters that have changed since the previous recommendation for approval. Since May 2020, there have been the following changes or additional material considerations:

- NPPF amended in July 2021;
- Appeal Decision ref. 3259241 Land North of Midland Road, Raunds;
- Change of the Local Planning Authority from East Northamptonshire to North Northamptonshire.

7.1.3 The development plan for the area remains the same as in May 2020 and the change of authority has not affected this. The physical context of the site has remained unaltered also. The only relevant changes since the earlier recommendation is the change to the NPPF in July 2021, and the issuing of an appeal decision in January 2021, relating to a development of 10 dwellings of undeveloped land on the edge of Raunds.

### *Amended NPPF July 2021*

7.1.4 The latest version of the NPPF can be characterised as having relatively small or modest changes to the 2019 version, the majority of the document remaining the same or fundamentally unaltered. The changes include an increased emphasis on design quality, with the word 'beautiful' introduced to the document. In this case, the proposal is in outline format and all the details of the development, including the landscaping and appearance of the dwellings, are not for determination at this stage. Currently, the matter for determination is primarily principle. It is considered that the changes to the NPPF have no material bearing on this application.

### *Appeal Decision – land off Midland Road and Brooks Road, Raunds*

7.1.5 On an undeveloped and unallocated piece of land not far from the application site, a proposal for 10 dwellings was considered by an Inspector in January 2021. The proposal shared similarities with the current proposal insofar as its siting being what could be termed 'on-the-edge of Raunds', being adjacent residential development and being unallocated.

The Inspector's consideration of the planning policy context is also informative in relation to the JCS and RNP.

- 7.1.6 The Inspector allowed the appeal makes direct reference to the principle of new dwellings in paragraphs 25 to 27 of their report, including citing Policy 11 of the JCS. The following quote from the Inspector at paragraph 26 of the decision:

*'Due to various planning permissions having been granted for residential development at Raunds in recent years, the RNP does not identify additional land for housing. Nevertheless, the proposal would not, to my mind, represent significant additional growth. Indeed, it would be in a location and at a scale appropriate to the character and infrastructure of the town. The proposal would suitably respond towards meeting the future needs of Raunds and of the wider local area, not least through the provision of affordable housing (in a form supported by the Council's Housing Officer) and market dwellings of a variety of types and sizes with an emphasis placed upon smaller house types.'*

- 7.1.7 The above indicates that the development of 10 dwellings would be in accordance with Policy 11 of the JCS, given its status as 'not significant growth', the context of the site and the contribution of the development towards meeting the future needs of Raunds. The Inspector goes then on in paragraph 27 to conclude the following:

*'I find that the proposal accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise. Indeed, the Framework reaffirms the Government's objective of significantly boosting the supply of homes.'*

- 7.1.8 The significance and relevance of the appeal decision indicates that the proposal was compliant with the RNP and the JCS, as well as according with the aims of the NPPF. The previous application ref. 19/01630/OUT was refused for one reason, relating to the increased use of Brooks Road. The development was deemed acceptable in principle and there is no reason to indicate this position has changed since. Instead, the appeal decision cited adds further weight to conclude the development is acceptable in principle.

## 7.2 **Visual Impact**

- 7.2.1 The proposal is the same as considered under ref. 19/01633/OUT and the matter is addressed in full in the associated Committee Report, which is included as an appendix. Also, as is currently the case, the application then was included in the same committee and both developments were considered together. Concern has been raised that the five dwellings would be out-of-character with the area by representation in this application and the previous application. For the reasons set out in the previous committee report, the addition of five dwellings on the site can be accommodated in a manner that is appropriate to the context of the area



### **7.3 Highway Safety and Parking**

- 7.3.1 The previous application 19/01633/OUT was refused for the sole reason relating to the additional use of Brooks Road to serve the five dwellings proposed. Specifically, the reason for refusal cited the means of pedestrian access for residents to reach the town centre and the local neighbourhood..
- 7.3.2 The LHA have commented on this application, noting that vehicle should be able to turn within the site and each dwelling should have the requisite number of parking spaces, based on the number of bedrooms they would have. As the design of the dwellings and the layout of the site are not for determination at this stage, it is simply a matter of whether these could conceivably be appropriately incorporated into the space available. The submitted plans indicate there is sufficient space to accommodate all the necessary parking spaces, turning area, dwelling and outside amenity space.
- 7.3.3 The LHA have also confirmed that a separation distance of 10m is appropriate between driveways. Given the space available, taking account of the width of the frontage, it is considered that this would be accommodated. The LHA also have raised concern that the Brooks Road carriageway does not meet current standards due to its width not meeting its standards for new roads.
- 7.3.4 From the site in a southerly direction, part of Brooks Road includes a pavement and part does not. It is this matter that was the principal reason that the previous application was refused by members of the committee. For the reasons set out in the previous committee report, this matter was not considered a sufficient reason to resist the granting of planning permission for the dwellings.
- 7.3.5 In further assessing this matter, focus is given to the extent of pavement that there is between the 'start' of Brooks Road and the application site. An approximate measurement is around 330 metres distance of which there is a form of footpath for 300 metres and it is without for around 50 metres. The part without a defined footpath is between two sections where there is a footpath on the southern side. This stretch is where pedestrians likely walk either on or beside the grass verge and driveways of various properties on that side of the road. The rest of the journey on foot does benefit from footpaths albeit the hard surface on the southern side is relatively narrow between grass verge. Pedestrians can then cross onto the northern side where there is a wider pavement in front of the dwellings on that side.
- 7.3.6 In considering this matter further, it is necessary to consider whether it is a necessity for there to be a footpath for the entirety of Brooks Road in the southerly direction. The safety of pedestrians is the focus, and their ability to walk or negotiate the route on the parts that are not paved. The relatively straight nature of Brooks Road and the visibility that motorists and pedestrians are afforded are relevant considerations. In this regard, parties exercising normal levels of consideration of the surroundings would see

and if there are other people using Brooks Road nearby. For this reason and for the reasons set out in the earlier report, the partial extent of pavement on Brooks Road is not considered a sufficient reason to outweigh the benefits of the proposal.

- 7.3.7 The proposal includes the provision of a footpath along the frontage and this is commented by the LHA as a positive inclusion. It would benefit future residents and other pedestrians using Brooks Road.
- 7.3.8 The LHA have expressed concern at the additional use of Brooks Road. that the proposed five dwellings would cause. Specifically, they cite the width, which is less than the extent that new roads are expected to meet in such circumstances. A current standard width for a highway is understood to be 5.5 metres. The width of Brooks Road varies and it is used for the parking of residents' vehicles. This means at certain points, particularly where there are cars parked, it is not possible for cars travelling in opposite directions to pass. However, whilst this applies to some extent, there are stretches of Brooks Road where cars can pass when exercising reasonable caution. The precise width of Brooks Road has not been specified at the various points along the carriageway, but between visually it does not appear to be significantly less than 5.5 metres for the majority of the carriageway towards the centre of the town.
- 7.3.9. Since the refusal of the previous planning application, the Council has granted planning permission (ref. 20/00486/FUL) for an Office Building at Blotts Farm, which was predicted, in the Transport Assessment, to generate in a worst case scenario 19 peak hour vehicle movements (one every 3 minutes) during a standard weekday, with a worst case of 17 of those in one direction consistent with commuting patterns. That Transport Assessment also noted the width of Brooks road to generally be around 5.2 metres, enabling two cars to pass each other. Planning permission for the commercial offices space cited above under 20/00486/FUL was granted on 3 February 2021, after members met to determine the application on 20 January 2021. At the time of the planning committee, two appeals were being considered for the adjoining sites subject of 19/01630/OUT and 19/01633/OUT. During the committee discussion, reference was made to the two potential schemes, totalling seven dwellings, as part of the consideration of the use of Brooks Road.
- 7.3.10 It is considered therefore that the carriageway is capable of accommodating the additional movements associated with the proposed five dwellings. The cumulative impact of the adjacent two dwellings, totalling seven, is also considered to be acceptable.

#### **7.4 Flood Risk and Drainage**

- 7.4.1 There are no material changes since the previous application and the proposal is considered acceptable in this respect. The previous application was not refused for reasons of flood risk and drainage. There is no evidence to justify reaching a different conclusion and to do so would be unreasonable. Drainage details for the site access would be secured by condition.

## **7.5 Ecology**

- 7.5.1 Since the previous application, the fee per dwelling for mitigating the impact on the Upper Nene Valley Gravel Pits SPA has been updated. The applicant has paid the difference due to the increase, and the relevant amount has therefore been received. The applicant has also submitted the relevant form. The impact on the SPA is therefore considered to received adequate mitigation.
- 7.5.2 Under the previous application, it was recommended that a condition be applied to ensure a suitable lighting scheme. It is considered such condition be included under this application also.

## **7.6 Impact on Neighbouring Amenity**

- 7.6.1 The site allows for five dwellings to be accommodated in a manner that does not harm the amenities of nearby properties. The previous application reached this conclusion and this matter is considered unchanged.

## **7.7 Range and Sizes of House Types**

- 7.7.1 The matter is unchanged from the previous application and is for determination at reserved matters stage.

## **7.8 Waste Management**

- 7.8.1 The proposal includes the verge and allows for the reserved matters application to provide space for the presentation of bins.

## **7.9 Archaeology**

- 7.9.1 Given the site lies within in an area of demonstrated archaeological potential there is a reasonable presumption that sub-surface archaeological remains may survive within the application site boundary. Therefore a condition requiring a programme of archaeological evaluation of the land is justified as necessary.

## **8. Other Matters**

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- 8.1 Neighbour comments: The matters of concern raised by representation are primarily addressed in the above report, or the report for 19/01630/OUT to which this is associated.
- 8.2 Equality: The proposal no matters of equality concern beyond that which are already addressed by the relevant planning policies.
- 8.3 Health Impact Assessment: Paragraph 92 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. 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.

## **9. Conclusion / Planning Balance**

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- 9.1 The proposal and planning policy context is near identical to that considered under 19/01633/OUT in May 2020. There are no changes that alter the considerations of the various material considerations and as such, the recommendation remains for approval as the proposal accords with the development plan when considered as a whole.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions / Reasons for Refusal**

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- 1 Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before the development is commenced.

Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority

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

Reason: This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This is a statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include details and samples of the external roofing and facing materials to be used for the construction of the dwellings hereby approved. The development shall thereafter be implemented in accordance with the approved details and retained in the agreed matter in perpetuity.

Reason: To achieve a satisfactory appearance for the development.

- 5 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include the provision of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be

erected. This boundary screening shall then be provided in accordance with the details so approved before each respective dwelling is occupied and shall be retained and maintained in the agreed manner in perpetuity.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

- 6 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include drawings showing the slab levels and finished floor levels of the dwellings hereby approved in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties. The development shall thereafter be constructed in accordance with the details so approved in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings and the street scene.

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

- Location Plan 1:1250 received 01 June 2021.

Reason: To assist in defining the terms of the planning permission.

- 8 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include a Tree Constraints plan, a Tree Removal Plan, an Arboricultural Impact Assessment and an Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of securing appropriate landscaping and tree works.

- 9 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include details of a lighting strategy, as recommended in section 8.1 of the submitted Phase 1 Habitat and Protected Species Survey, dated 23 October 2019. The lighting should be consistent with the latest guidance 'Bats and artificial lighting in the UK (2018)' and the development shall thereafter be carried out in accordance with the approved details prior to the occupation of the first dwelling hereby permitted.

Reason: In the interest of ensuring appropriate measures for protecting bats and other protected species.

- 10 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above, shall include details of the access gradient, drainage arrangements and surfacing of the proposed access. The access shall be paved with a hard surface for the first 5 metres from the highway boundary and shall not exceed a gradient of 1 in

15. The development shall thereafter be implemented in accordance with the approved details prior to the occupation of either of the dwellings hereby permitted and thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

- 11 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above, shall include a scheme of the proposed landscaping of the site. This shall include the location and species to be planted, in addition to any hard landscaping. The landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development. Any trees or plants which, within a period of five years of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure to ensure a reasonable standard of development and visual amenity for the area.

- 12 The details required to be submitted by condition No. 1 above shall include the provision of parking within the site. Each space shall measure a minimum of 3 metres by 5.5 metres. A minimum of two spaces shall be provided for a dwelling of two or three bedrooms, and three spaces for a dwelling with four or more bedrooms. This parking provision shall then be provided in accordance with the details so approved before each dwelling is occupied and shall be retained thereafter in perpetuity for the purposes of car parking.

Reason: To ensure adequate parking provision on the site.

- 13 Each dwelling shall each be fitted with measures to encourage as far as is reasonably possible the expected water consumption to no more than 105 litres of water per person per day and external water use of no more than 5 litres per person per day.

Reason: In the interests of complying with Policy 9 of the North Northamptonshire Joint Core Strategy and ensuring water resource is limited to acceptable levels.

- 14 The access details required to be submitted in connection with condition 1 above, shall demonstrate that the vehicular access has vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m measured from the centre of the vehicular access along the carriageway edge. The details submitted shall also demonstrate pedestrian visibility splays of 2m by 2m. The access shall be implemented in accordance with the approved details prior to the first occupation of any dwelling and the splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above the carriageway level.

Reason: In the interests of highways safety.

- 15 The details required to be submitted by condition No. 1 above, must demonstrate that the dwellings hereby permitted will comply with the Technical Housing Standards - Nationally Described Space Standard 2015 (or any document which supersedes this).

Reason: To ensure that the proposed development is in compliance with Policy 30 of the North Northamptonshire Joint Core Strategy 2016.

- 16 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 Holidays unless otherwise agreed with the local planning authority.

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

- 17 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.

- 18 The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 (above) shall include provision for a footway across the front of the site (adjacent Brooks Road) and a tactile crossing to enable pedestrians to join the footpath on the alternate side of the road.

Reason: In the interests of Highway safety and to encourage walking as a means of transport.

- 19 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-excavation 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-excavation 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 194.

- 20 No development shall take place until a scheme for the internal layout of the proposed dwellings has been submitted to and approved in writing by the local planning authority as part of the reserved matters submission required by condition 1. The scheme shall include the details of the number of bedrooms in each proposed dwelling. The development shall be implemented in accordance with the approved details.

Reason: To control housing mix in accordance with the objectives of Policy 30 of the North Northamptonshire Joint Core Strategy.

## **12 Informatives**

- 12.1 Whilst there are no recent issues with noise from existing development, the applicant should note that should complaints of noise be received, then the Environmental Protection team will investigate them under the relevant legislation and take enforcement action where necessary.





### Appeal Decision

Site visit made on 21 December 2020

**by Andrew Smith BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 January 2021**

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**Appeal Ref: APP/G2815/W/20/3259241**

**Land north of Midland Road and east of Brooks Road, Raunds**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr James Griffiths on behalf of Kier Living Ltd against the decision of East Northants District Council.
  - The application Ref 18/01109/FUL, dated 31 May 2018, was refused by notice dated 16 March 2020.
  - The development proposed is full application for 10 dwellings, including access, parking, landscaping and associated infrastructure.
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#### Decision

1. The appeal is allowed and planning permission is granted for 10 dwellings, including access, parking, landscaping and associated infrastructure at Land north of Midland Road and east of Brooks Road, Raunds in accordance with the terms of the application, Ref 18/01109/FUL, dated 31 May 2018, subject to the conditions set out at the end of this decision.

#### Preliminary Matters

2. The East Northamptonshire Local Plan Part 2 (the LPP2) is emerging. There is nothing before me to indicate that the LPP2 is currently at a stage that should attract anything more than limited weight. I shall consider the appeal on this basis.
3. A Unilateral Undertaking pursuant to Section 106 of the Act (the UU) is before me, which contains provisions related to affordable housing, primary and secondary education contributions, a health care contribution and a library contribution. The UU is dated 30 November 2020 and is signed by the site's landowners. I refer to the version with manuscript amendments submitted to the Council and the Planning Inspectorate via email dated 11 January 2021. I shall return to the UU later.
4. A Habitats Mitigation Contribution Agreement pursuant to Section 111 of the Local Government Act 1972 (the HMCA) first dated 8 January 2020 is also before me, which seeks to mitigate the effect of the development upon The Upper Nene Valley Gravel Pits Special Protection Area (the SPA) by way of a contribution towards Strategic Access Management and Monitoring (SAMM). I shall also return to the HMCA later and have elevated SPA considerations to be considered under a main issue in this appeal due to the statutory duties that apply.

## **Main Issues**

5. The main issues are:

- Whether or not the proposal is suitably well-designed, having particular regard to on-site parking and waste storage/collection arrangements; and
- The effect upon the SPA.

## **Reasons**

### *Parking and waste storage/collection arrangements*

6. The appeal site is made up of undeveloped land located to the edge of a modern residential estate that is typified by similarly designed dwellings that are often routinely positioned along consistent building lines and upon relatively generous sized plots. There is thus a formal and somewhat spacious residential character and appearance in place across the estate. The proposed development would be broadly respectful of these existing characteristics. Indeed, each dwelling would be positioned upon an individual plot of suitable size and an unduly dense form of development would be avoided.
7. It is the case that, with respect to four of the proposed dwellings, tandem parking would be solely relied upon due to the provision of no side-by-side private parking. It is indicated within the Northamptonshire Parking Standards (September 2016), as adopted by the Highway Authority, that tandem parking is inconvenient and generally best avoided where possible.
8. Even so, a relatively small proportion of the dwellings proposed would be served solely by tandem parking arrangements. I do not consider that this represents an over-reliance on tandem parking and have no clear reason to consider that the proposal, as a result, would not function well in a parking context. It is also relevant to note that a relatively generous number of private parking spaces would be brought forward across the proposed development when considered as a whole. There would thus be limited potential for vehicles being forced or encouraged to park in communal areas or upon nearby roads/streets.
9. As regards waste storage and collection facilities, each dwelling would be served by its own private rear amenity space where waste storage vessels would be able to be stored on a secure basis. Waste collection points would be anticipated to be provided in immediate proximity to a newly proposed turning head feature, which would be able to accommodate the manoeuvres of a refuse collection lorry. This has been demonstrated through a submitted vehicle tracking plan.
10. Indeed, I am content that full details of intended waste storage and collection points could be satisfactorily secured by way of an appropriately worded planning condition. The site would be able to accommodate designated waste collection points without compromising a functional or well-designed development. This finding is broadly consistent with comments received from the Council's Waste Manager at planning application stage.
11. For the above reasons I find that the proposal is suitably well-designed, having particular regard to on-site parking and waste storage/collection arrangements. The proposal accords with Policy 2 of the Raunds Neighbourhood Plan 2011-

2031 (made November 2017) (the RNP) and with the National Planning Policy Framework (February 2019) (the Framework) in so far as these policies require that all new development in Raunds will be encouraged to be of good design and that planning decisions should ensure that developments will function well and add to the overall quality of the area.

*The SPA*

12. The site lies in proximity to the SPA such that I must consider the appeal against The Conservation of Habitats and Species Regulations 2017 (as amended). These regulations require that, where the project is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), the competent authority must make an appropriate assessment of the project's implications in view of the relevant site's conservation objectives.
13. I note from the evidence before me that the Council, in the process of considering the planning application that is now the subject of this appeal, undertook its own appropriate assessment. This ultimately identified that mitigation measures that comply with the Council's adopted guidance would be secured and that harm to the integrity of the SPA would be avoided.
14. However, for the purposes of this appeal, I am the competent authority and must undertake my own appropriate assessment prior to considering the issue of mitigation. It is apparent from the evidence before me that the SPA was designated for its importance as wetland habitat for non-breeding water birds and due to the number and types of bird species present.
15. As set out in the supporting text to Policy 4 of the North Northamptonshire Joint Core Strategy 2011-2031 (adopted July 2016) (the JCS) and within The Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document Mitigation Strategy Addendum (adopted November 2016) (the SPD), all new development within 3km of the SPA will result in a significant effect on the SPA that would result in an adverse effect upon its integrity unless avoidance and mitigation measures are in place. The SPD sets out that a financial contribution towards SAMM at £269.44 per new dwelling is considered to represent suitable mitigation. Although I note that Natural England (NE), in their role as Statutory Nature Conservation Body, has indicated that the relevant figure raised to £296.55 per new dwelling in October 2020.
16. As detailed in the SPD, various access management measures have been formulated and costed in accordance with a mitigation needs assessment. The relevant avoidance and mitigation measures identified include fencing, screening, path redirection, wardening, interpretation/education and the provision of off-lead dog exercise areas.
17. The HMCA has secured a payment of £2,963.84 towards SAMM, which, based upon a 10-unit scheme, exceeds the per-unit figure specified in the SPD and very marginally falls short of the per-unit figure specified by NE. Indeed, the shortfall is so minor it is immaterial. The Council has confirmed receipt of this payment.
18. Whilst the HMCA does not set out specific requirements for where the contribution is to be directed (other than towards mitigating the development's effect upon the SAP in broad terms), it is apparent that various access

management initiatives are in existence and thus eligible for direct funding. Indeed, I am content that adequate assurances are in place to ensure that proportionate mitigation and avoidance measures would be implemented expediently should planning permission be granted. I note here that, for the purposes of my appropriate assessment, NE have been consulted and I have subsequently taken into account the response received.

19. For the above reasons, the proposal would mitigate its impact upon the SPA, and I am thus satisfied that the proposed development would not adversely affect its integrity. The proposal accords with Policy 4 of the JCS and the guidance contained in the SPD in so far as this policy and guidance require that development that is likely to have an adverse impact upon the SPA must satisfy the requirements of the Habitats Regulations.

### **Planning Obligations**

20. The UU secures the on-site provision of two affordable housing units, both bungalows (one two-bed and one three-bed). When noting that a total of 10 residential units are proposed, the provision of two affordable dwellings would exceed requirements as set out at Policy 30 of the JCS. The Council's Housing Officer is supportive of the provision of two affordable bungalows and I am satisfied that this would constitute an acceptable level of provision.
21. I am content that the UU's definition of 'Qualifying Persons' makes adequate reference to the Council's Housing Allocation Policy and does not need to be expanded for the purposes of the undertaking. The UU's definition of 'Registered Provider', which references specific registration and nomination requirements, is similarly fit for purpose. Indeed, the related definition for 'HCA' includes reference to both Homes England and the Housing Regeneration Act 2008. Furthermore, I am content that all other UU provisions related to affordable housing can be satisfactorily understood.
22. The required primary and secondary education contributions have been calculated by the Local Education Authority (the LEA) based on their standard formulae. I note that specific educational establishments local to the site have been earmarked for capacity expansion where operating close, or very close, to full capacity. Whilst the LEA has also suggested that an early years services contribution be made due to a lack of capacity in the area, the Council has not sought to pursue this and there is limited supporting justification before me to clearly demonstrate that I should take an approach otherwise.
23. The health care contribution follows a request made from NHS England based upon a standard per-unit calculation tool, which would go towards either the construction of new premises or the refurbishment or extension of existing consultation/treatment facilities local to the site. Furthermore, a library contribution is secured towards planned improvements in accordance with the County Council's Library Strategy and an adopted tariff formula.
24. I am satisfied that the various contributions secured through the UU are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind. I am also content, from the evidence before me, that the UU is fit for purpose. Indeed, any suggestion that manuscript amendments cannot be made in the manner that has occurred has not been clearly substantiated.

## **Other Matters**

25. Policy 11 of the JCS sets out that Market Towns (including Raunds) will provide a strong service role for their local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services.
26. Due to various planning permissions having been granted for residential development at Raunds in recent years, the RNP does not identify additional land for housing. Nevertheless, the proposal would not, to my mind, represent significant additional growth. Indeed, it would be in a location and at a scale appropriate to the character and infrastructure of the town. The proposal would suitably respond towards meeting the future needs of Raunds and of the wider local area, not least through the provision of affordable housing (in a form supported by the Council's Housing Officer) and market dwellings of a variety of types and sizes with an emphasis placed upon smaller house types.
27. I find that the proposal accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise. Indeed, the Framework reaffirms the Government's objective of significantly boosting the supply of homes.

## **Conditions**

28. The Council has suggested a number of conditions that the appellant has had the opportunity to comment upon and which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency and clarity purposes. Pre-commencement conditions have only been imposed where agreed to in writing by the appellant.
29. In the interests of certainty, a condition specifying the approved plans is required. I have added the submitted Drainage Strategy as it is referred to as an approved document within other conditions listed in the schedule below, which relate to attaining full details of the surface water drainage system to be installed and of a Verification Report post-installation. These conditions, alongside a further condition securing a scheme of ownership and maintenance for the drainage system, are reasonable and necessary for the means of guarding against flood risk and ensuring that a fit-for-purpose drainage system is indeed installed and thereafter retained.
30. In the interests of protecting the character and appearance of the area, a condition is reasonable and necessary that secures the use of external-facing materials in compliance with already submitted details. For the same reason, it is reasonable and necessary to secure the submission of full details of intended hard and soft landscaping, as well as the subsequent implementation and maintenance of new planting.
31. In a character and appearance context and in the interests of seeking to minimise crime, a condition requiring the full details and implementation of a scheme of means of enclosure is both reasonable and necessary to impose. Given that such measures would be likely to be installed relatively late in the construction phase, a reasonable trigger-point for the provision of such details is prior to the first occupation of the development.
32. Also, in the interests of protecting the character and appearance of the area and of guarding against any potential overbearing relationship to the detriment

- of neighbouring living conditions, a planning condition to secure full details of finished floor levels is reasonable and necessary.
33. In the interests of promoting accessible and inclusive development and in broad compliance with the requirements of Policy 30 of the JCS, a condition is reasonable and necessary that secures that the bungalows hereby permitted provide wet room facilities and meet wheel-chair accessibility standards.
34. In the interests of highway safety and of ensuring that a satisfactory number of on-site parking spaces are provided, a condition is reasonable and necessary that secures the provision and retention of all permitted parking spaces solely for parking purposes. Also, in the interests of highway safety and of ensuring suitable and fit-for-purpose turning opportunities, a condition requiring full details of the turning head feature as depicted upon the approved site plan is both reasonable and necessary. The turning head has been designed to meet adoptable standards and the Highway Authority has not raised objections to the proposal. Indeed, where private drives are intended to be installed, each would serve only a limited number of dwellings.
35. In the interests of ensuring adequate water infrastructure provision and in compliance with Policy 8 of the JCS, which promotes proportionate and appropriate community and fire safety measures, a scheme for the provision of fire hydrants, sprinkler systems and associated infrastructure is both reasonable and necessary to secure via condition.
36. To promote the achievement of a sustainable development in broad accordance with the specified requirements of Policy 9 of the JCS, a condition is reasonable and necessary that secures a scheme of sustainability measures to include mechanisms to limit water use.
37. Furthermore, to ensure that any features of archaeological interest are properly examined and recorded, a Written Scheme of Investigation is appropriate to secure via condition.

### **Conclusion**

38. For the reasons given above, the appeal is allowed subject to conditions.

*Andrew Smith*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and document: L01; P01D; P02D; P04; P300; COL-01; COL-02; Proposed 4b.1 House Type Plans & Elevations; House Type 3B.1, Private, Floor Plans and Elevations (including Front Elevation Variation E); Drainage Strategy Revision A, 304-FRA-01-0, January 2020.
- 3) No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation to be submitted to and approved in writing by the Local Planning Authority. The satisfactory completion of each of the following components of the written scheme shall trigger the phased discharge of the condition: (i) approval of a Written Scheme of Investigation; (ii) fieldwork in accordance with the agreed Written Scheme of Investigation; (iii) completion of a Post-Excavation Assessment report and approval in writing of an Updated Project Design to be submitted to the Local Planning Authority within six months of the completion of fieldwork, unless otherwise agreed in writing in advance; (iv) completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC), production of an archive report and submission of a publication report: to be completed and submitted to and approved in writing by the Local Planning Authority within two years of the completion of fieldwork unless otherwise agreed in writing in advance.
- 4) 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. Subsequently, these works shall be carried out as approved. Should the agreed planting become substantially diseased, die or otherwise be removed within five years of the date of the planting of the landscaping, it shall be replaced within the next seasonal planting season with the agreed species as specified. The landscaping details to be submitted shall include: (i) hard surfacing and other hard landscape features and materials; (ii) details of existing trees, hedges or soft features to be retained; (iii) planting plans, including specification of species and sizes; (iv) details of siting and timing of all construction activities to avoid harm to planted features; (v) details of the timing of the implementation of the hard and soft landscaping measures for the site.
- 5) No development shall take place until full details of the finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.
- 6) Notwithstanding the approved site plan (P01D), no development shall take place until full details of the turning head feature, including of its dimensions and materials, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local

Highway Authority. Thereafter the development shall be carried out in accordance with the approved details.

- 7) Prior to any above-ground works commencing, full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy Revision A, 304-FRA-01-0, January 2020 prepared by Martin Andrews Consulting Limited, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include: (i) details (designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures; (ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations that indicate a maximum discharge of 2l/s; (iii) cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves to be submitted for all hydrobrakes and other flow control devices; (iv) details of permeable paving.
- 8) Prior to any above-ground works commencing, a detailed scheme for the ownership and maintenance of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme of ownership and maintenance shall be carried out in full thereafter. Details are required of which organisation or body shall be the main maintaining body where the area is multifunctional (open space play areas containing SuDS, for example) with evidence that the organisation/body has agreed to such adoption. The scheme shall include: (i) a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used; (ii) a site plan including access points, maintenance access easements and outfalls; (iii) maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site; (iv) details of the expected design life of all assets with a schedule of when replacement assets may be required.
- 9) Prior to the first occupation of the development hereby permitted, a Verification Report for the installed surface water drainage system for the site, based on the approved Drainage Strategy Revision A, 304-FRA-01-0, January 2020 prepared by Martin Andrews Consulting Limited, shall be approved in writing by a suitably qualified independent drainage engineer and thereafter submitted to and approved in writing by the Local Planning Authority. The Report shall include: (i) confirmation that any departure from the agreed design is in keeping with the approved principles; (ii) any as-built drawings and accompanying photos; (iii) results of any performance testing undertaken as part of the planning process (if required / necessary); (iv) copies of any Statutory Approvals, such as Land Drainage Consent for Discharges; (v) confirmation that the system is free from defects, damage and foreign objects; (vi) confirmation of adoption or a maintenance agreement for all SuDS elements as detailed within the drainage strategy in place.



- 10) Prior to the first occupation of the development hereby permitted, full details of the position, materials of construction and design of all means of enclosure and details of any additional measures intended to minimise the risk of crime shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwellings to which they relate and shall be retained at all times thereafter.
- 11) Prior to the first occupation of the development hereby permitted, full details of the waste storage and collection points to serve each of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The waste storage/collection points shall then be implemented in accordance with the approved details prior to the first occupation of each relevant dwelling and thereafter retained in perpetuity.
- 12) Prior to the first occupation of each dwelling hereby permitted, its related parking spaces as depicted upon approved plan P01D shall be made available for the parking of vehicles and shall be retained solely for this purpose in perpetuity.
- 13) Prior to the first occupation of the development hereby permitted, a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be provided in accordance with the approved details and timetable.
- 14) Prior to the first occupation of the development hereby permitted, details of the following sustainability measures shall be submitted to and approved in writing by the Local Planning Authority: measures to limit water use to no more than 105 litres per person per day and external water use to no more than 5 litres per person per day as well as minimum standards for gas fired boilers. The development shall be carried out in accordance with the approved details and all measures shall be available for use upon first occupation of each respective dwelling hereby permitted.
- 15) The materials to be used for the external treatments of the dwellings shall be in accordance with the details set out on approved plan P02D and shall be retained in this manner in perpetuity.
- 16) Notwithstanding the details of the internal floor plans of Plots six and seven, as depicted on approved plans P01D and P300, each bathroom shall be fitted as a wet room and retained in this manner in perpetuity in order to meet the needs of those requiring an adapted property. The bungalows shall be built to Category 3 wheel-chair accessible standards.

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Head of Planning Services  
East Northamptonshire Council  
East Northants House  
Cedar Drive  
Thrapston  
Northants  
NN14 4LZ

Your Ref: 19/01633/OUT  
Our Ref: APP/G2815/W/20/3256513

12 January 2021

Dear Sir/Madam,

Town and Country Planning Act 1990  
Appeal by MR & MS R & S CRAWLEY & ELLIS  
Site Address: Land Adjacent Brook Farm Cottage, Brooks Road, Raunds,  
Northamptonshire, NN9 6NS

The Inspector acknowledges that the planning applications sought outline planning permission with all matters, including access, reserved for subsequent approval. However, it will be necessary for the Inspector to consider whether the proposal is acceptable in principle from an access point of view and as part of this process it will therefore be necessary to be certain that such an access can be achieved in terms of any necessary ownership constraint(s) and also in terms of highway safety matters. Article 2 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) amongst other things defines "access" in relation to reserved matters and states that it 'means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made'.

The drawings provided indicate that there would need to be connections between the sites to the hard-bound carriageway on Brooks Road. The Highway Authority have advised a Section 184 licence would be required to install the site accesses and the vehicle crossovers of public highway land. Even so, such connections would be likely to consist of operational development requiring planning permission. Therefore would the parties agree that if development on the grass verge is needed to facilitate access to the sites, then this land would need to be incorporated within the red edged site boundaries?

Furthermore, had the grass verge been incorporated within the sites, appropriate notices would also have been required to have been served on the Highway Authority as landowner.

In the circumstances, would the parties also agree that the Inspector would be forced to consider the principle of the developments where in principle access to and from the sites is not certain and that in the event that outline planning permissions were granted, and having regard to the definition in the DMPO, this would make any subsequent reserved matters application problematic?

The Inspector invites the parties to comment on these matters within the next 3 working days.

This letter has also been sent to the appellants' agent.

Yours sincerely,

***Dot Kujawa***

Dot Kujawa

*Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>*