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**North
Northamptonshire
Council**

Meeting: Area Planning Committee Thrapston
Date: Wednesday 8th June, 2022
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), Kirk Harrison, Bert Jackson, Barbara Jenney, Dorothy Maxwell, Roger Powell, Geoff Shacklock and Lee Wilkes

Substitutes: Councillors Wendy Brackenbury and Michael Tye

Agenda			
Item	Subject	Presenting Officer	Page no.
01	Apologies for absence		
02	Members' Declarations of Interest		
03	Minutes of the meeting held on 3 May 2022		5 - 14
Items requiring a decision			
04	Planning Application NE/22/00184/FUL Wilanow, Berrister Place, Raunds Erection of Proposed Annex to Create Home Office & Partial Conversion of Double Garage to Form Utility Room Recommendation: Grant	Relevant Case Officer	15 - 22
05	Planning Application NE/21/01774/FUL 142 Westfield Avenue, Rushden Plot division to allow for construction of 2no new semi-detached two bedroom dwelling houses adjacent to the existing dwelling. Recommendation: Grant	Relevant Case Officer	23 - 38
06	Planning Application NE/21/01843/FUL Middlefield Farm Site, Church Street, Ringstead Residential dwelling to replace existing agricultural building. Recommendation: Grant	Relevant Case Officer	39 - 54

07	Planning Application NE22/00238/FUL The Samuel Pepys, Slipton Lane, Slipton Partial demolition and conversion of public house to a single residential dwelling with associated development including garage, access, parking and landscaping. Recommendation: Grant	Relevant Case Officer	55 - 76
08	Planning Application NE/21/01767/FUL Blackthorn Lake, Station Road, Ringstead Replacement of existing site manager's office/accommodation with a new site manager's cabin. Recommendation: Grant	Relevant Case Officer	77 - 88
Urgent Items			
To consider any items of business of which notice has been given to the Proper Officer and the Chair considers to be urgent, pursuant to the Local Government Act 1972			
09	Close of meeting		
<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 27 May 2022</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

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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 Tuesday 7 June

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 Tuesday 7 June
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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.

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Minutes of the Area Planning Committee Thrapston

At 5.30pm on Tuesday 3rd May 2022

Held in the Council Chamber, Cedar Drive, Thrapston

Present:-

Members

Councillor Jennie Bone (Chair)	Councillor Gill Mercer (Vice Chair)
Councillor Kirk Harrison	Councillor Dorothy Maxwell
Councillor Bert Jackson	Councillor Roger Powell
Councillor Barbara Jenney	Councillor Michael Tye

Officers

Carolyn Tait (Planning Development Manager)
 Amie Baxter (Principal Development Management Officer)
 Gavin Sylvester (Principal Development Management Officer)
 Patrick Reid (Senior Development Management Officer)
 Susie Russell (Development Management Officer)
 Ian Baish (Development Management Officer)
 Emma Granger (Senior Planning Lawyer)
 Troy Healy (Principal Planning Manager)
 Carol Conway (Housing Strategy and Delivery Manager)
 Mandy Dennis (Senior Environmental Health Officer)
 Fiona Hubbard (Senior Democratic Services Officer)
 Louise Tyers (Senior Democratic Services Officer)

68 Apologies for non-attendance

Apologies for non-attendance were received from Councillors Geoff Shacklock and Lee Wilkes. Councillor Michael Tye attended as substitute.

69 Members' Declarations of Interest

The Chair invited those who wished to do so to declare interests in respect of items on the agenda.

Councillors	Application	Nature of Interest	DPI	Other Interest
Roger Powell	NE/22/01607/FUL 110 Wharf Road, Higham Ferrers	Marsh Industries was known to him.		Yes
Kirk Harrison	NE/21/00379/FUL Land Opposite Elizabeth Close, Raunds	Had voted on the previous application at Raunds Town Council and had previously undertaken consultancy work on behalf of the		Yes

		developers.		
Gill Mercer	NE/21/01330/REM & NE/21/01309/REM Land at St Christopher's Drive, Oundle	Had previously been advised that she was unable to consider the outline planning application as she was a member of the former ENC Planning Policy Committee.		Yes

70 Informal Site Visits

Councillors Jennie Bone and Dorothy Maxwell declared that they had visited all the sites on the agenda.

Councillor Michael Tye declared that he had visited a number of the sites on the agenda.

Councillor Bert Jackson declared that he had visited all the sites on the agenda except 20 New Road, Oundle (NE/22/00134/LDP) and 110 Main Street, Aldwinckle (NE/22/00088/FUL).

Councillor Roger Powell declared that he had visited Land Opposite Elizabeth Close, Raunds (NE/21/00319/FUL).

71 Minutes of the meeting held on 21 March 2022

RESOLVED:-

That the minutes of the Area Planning Committee Thrapston held on 21 March 2022 be confirmed as a correct record and signed.

72 Applications for planning permission, listed building consent and appeal information

The Committee considered the planning application report and noted any additional information on the applications included in the Committee Update Report.

(i) Planning Application NE/22/01607/FUL – 110 Wharf Road, Higham Ferrers

The Committee considered an application for a single storey garage.

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

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

The Chair invited the Committee to determine the application.

Members raised concerns that the garage could in the future become a habitable room and in response, officers confirmed that there was a condition which ensured the garage remained ancillary to the existing dwelling and was not to be used as a separate dwelling.

It was proposed by Councillor Roger Powell and seconded by Councillor Bert Jackson that planning permission be granted.

On being put to the vote, there were six votes for the motion, none against and one abstention, therefore the motion for approval was carried.

RESOLVED:-

That planning permission be granted, subject to the conditions (and reasons) numbered in the report.

(ii) Planning Application NE/21/01807/FUL – 10 Burystead Rise, Raunds

The Committee considered an application for a single storey rear extension.

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

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

A request to address the meeting had been received from Judy Floyd, an objector, and the Committee was given the opportunity to ask questions for clarification.

Ms Floyd addressed the Committee and stated that Members of the Committee had visited the application site but had not visited No.8 despite being requested to. The application had been rejected twice by Raunds Town Council as being an overdevelopment of the site and due to the elevations. There were several omissions in the report and there appeared to be a bias to support the application. The proposed extension was larger than other alterations on the street and would block out the sun and light to No.8. Comments made on trees and gardens and the root protection area had been ignored. A smaller extension would be agreeable. The application should be deferred pending further investigations.

The Chair invited the Committee to determine the application.

Members commented that it had been disputed by the neighbours that the 60° angle lines had not been carried out properly with the wrong window being used. Issues had also been raised about trees and root protection area. It was questioned whether there was a need to visit No.8 to assess the impact. It was felt that some weight needed to be given to the objections of neighbours. Members felt that the development would be significantly

overbearing to No.8, would be oppressive and could have a negative impact on the wellbeing of the neighbours.

In response, officers clarified that the 60° lines were indicators for consideration, and it was important to see the land levels. With regards to the trees and roots, there were some trees, but they were not significant, and it was felt that the development was far enough away not to affect roots. The site had been very well assessed and it was not mandatory to visit the site or its neighbours.

It was proposed by Councillor Kirk Harrison and seconded by Councillor Dorothy Maxwell that planning permission be refused.

On being put to the vote, the motion for refusal was unanimously carried.

RESOLVED:-

That planning permission be refused, contrary to officer recommendation, for the reason of overbearing impact on the neighbouring property at No.8 Burystead Rise.

The wording of the reason for refusal is delegated to officers, in consultation with the Chair and Vice Chair of the Area Planning Committee.

(iii) Planning Application NE/21/00783/FUL – Carinya, Main Street, Barnwell

The Committee considered an application for the demolition of an existing bungalow to floor level and construction of a new dwelling, re-using, in part, existing foundations and floor slab.

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

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

A request to address the meeting had been received from Mr Birchall, the applicant, and the Committee was given the opportunity to ask questions for clarification.

Mr Birchall addressed the Committee and stated that in 2017 a similar scheme had been approved and technical issues had now been addressed. Objections had been made about overlooking, but dormer windows could be installed through permitted development. The bathrooms would be at the rear and would have obscure glass. The ground level rises towards the neighbour's house. There had been no changes to policy since the 2017 application.

The Chair invited the Committee to determine the application.

It was proposed by Councillor Gill Mercer and seconded by Councillor Roger Powell that planning permission be granted.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That planning permission be granted, subject to the conditions (and reasons) numbered in the report.

(iv) Planning Application NE/22/00134/LDP – 20 New Road, Oundle

The Committee considered an application for a lawful development certificate for a loft conversion with flat roof dormer to rear elevation and three rooflights to front elevation.

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

It was recommended that the lawful development certificate be granted.

The Chair invited the Committee to determine the application.

It was proposed by Councillor Kirk Harrison and seconded by Councillor Roger Powell that the lawful development certificate be granted.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That the lawful development certificate be granted.

(v) Planning Application NE/22/00088/FUL – 110 Main Street, Aldwincle

The Committee considered an application for an extension to and conversion of existing detached garage block into two storey dwelling with integral garage and porch.

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

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

The Chair invited the Committee to determine the application.

It was proposed by Councillor Kirk Harrison and seconded by Councillor Roger Powell that planning permission be granted.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That planning permission be granted, subject to the conditions (and reasons) numbered in the report.

The meeting adjourned at 6.35pm and reconvened at 6.45pm.

(vi) Planning Application NE/21/00379/FUL - Land Opposite Elizabeth Close. Raunds

The Committee considered an application for the construction of up to 35 affordable dwellings with associated drainage, access and landscaping.

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

It was recommended that planning permission not be granted until the Lead Local Flood Authority (LLFA) had given its advice.

A request to address the meeting had been received from Mark Collins, on behalf of the applicant, and the Committee was given the opportunity to ask questions for clarification.

Mr Collins addressed the Committee and stated that the application had been held up by the LLFA. Comments had been received early in the application and the site was solely in flood zone 1. Information had been provided on the drainage hierarchy and drainage design had been provided. Sufficient information had been provided to support the application and it was suggested that a pre-commencement condition could be used to address the outstanding issues.

The Chair invited the Committee to determine the application.

Members raised concerns about the lack of provision of a fire hydrant and this should be included in the conditions, along with ensuring that the road was adopted before the first house was occupied. There were major concerns about the S106. The local schools were close to or already over capacity and a request for a contribution of £200k had been made, however the applicants would be providing only £20k. It was accepted that the site needed to be developed but there were concerns with the access onto Brick Kiln Road. The lack of play equipment was also highlighted.

In response, officers accepted that the S106 was deficient, but Members needed to be mindful of the number of affordable housing units which would be provided. Housing colleagues had quantified the level of need for housing in Raunds. With regards to the access, the Local Highways Authority had stated that the proposed access was acceptable. The provision of a fire

hydrant and play equipment would be required to come out of the proposed £20k for S106.

It was proposed by Councillor Roger Powell and seconded by Councillor Kirk Harrison that the application be deferred.

On being put to the vote, there were six votes for the motion and one against, therefore the motion for deferral was carried.

RESOLVED:-

That the application be deferred to a later Area Planning Committee to allow Officers to provide more information regarding possible developer contributions towards education provision and to await the advice of the Lead Local Flood Authority.

73 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.

74 Continuation of Planning Applications

(vii) Planning Application NE/21/01309/REM – Land at St Christopher’s Drive, Oundle

The Committee considered a reserved matters application for approval of appearance, landscaping, layout and scale pursuant to application number 19/01355/OUT – Outline planning permission for the erection of 65 dwellings and an extra care facility of up to 65 units.

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

It was recommended that planning permission not be granted until the Lead Local Flood Authority (LLFA) had given its advice.

Requests to address the meeting had been received from Tony Robinson, an objector; Rob Hill, a supporter; Councillor Ian Clark on behalf of Oundle Town Council; Councillor Helen Harrison, a Ward Member; and Katie Dowling, the applicant and the Committee was given the opportunity to ask questions for clarification.

Mr Robinson addressed the Committee and stated that the proposed access to Prince William School was not needed or wanted. The field flooded several times a year with ground water and sewerage was regularly pumped onto Ashton Road. Anglian Water had stated that the development was

acceptable, but a credible sewerage plan was needed. A traffic management report was also needed.

Mr Hill addressed the Committee and stated that drainage had been considered at the outline planning stage. This stage was to meet the Flood Risk Assessment and the adopted drainage system had been designed to meet several different storm events. The foul water system had also been agreed at the outline stage. The comments made by the LLFA had now been addressed and submitted. The drainage scheme presented today met the requirements of the outline scheme.

Councillor Clark addressed the Committee and stated that several policies were being overruled including parking, self-build plots, visitor parking spaces and the number of houses onto a single entrance. Concessions had been made to the developer when asked for. A well-designed development was needed, and this application should be sent back for redesign.

Councillor Harrison addressed the Committee and explained that as the Executive Member for health she encourages the Council to put health and wellbeing at the very centre of decision making. Anglian Water had previously said that the system was overloaded but were now saying it was okay. Raw sewerage flooded down Ashton Road, but nothing was done about it. There were too few parking spaces proposed and there was a large amount of tandem parking. There should be less houses on a very tight site. No one wanted the gate to Prince William School, including the school, and it should be removed. The Committee should say no to this application and send it back to get an exemplar development.

Ms Dowling addressed the Committee and stated that the application had been designed with the character of Oundle in mind. It would be an attractive place for residents. The S106 would be over £800k and £59,475 would be given to Anglian Water for infrastructure. The LLFA comments had been addressed. The development would support the wider community and would be a sustainable development.

The Chair invited the Committee to determine the application.

Members raised concerns about the noise which would be coming from the A605 and how this would be mitigated, particularly for internal rooms. There were also concerns about the access to the School, which the Committee had heard was not wanted or needed. It was also concerning that there was a lack of commitment that the £59k to be given to Anglian Water would be invested properly. The use of tandem parking was also highlighted.

In response, officers explained that acoustic fences were effective, and the proposed barrier would run the entire length of the eastern boundary and part of the northern boundary. The proposed fence was now much nearer to the A605 which was better and would be more effective in reducing noise levels. The barrier would also benefit the residents of St Christopher's Drive. It was believed that the 2017 noise assessment was still valid for this application. With regards to the access to the school, this was one of the conditions of the outline application. If there was no response from the school, it was likely that

it would not go ahead. With respect to tandem parking, the committee were reminded that several appeals had been lost when this had been used as a refusal reason.

It was proposed by Councillor Kirk Harrison and seconded by Councillor Bert Jackson that the application be deferred.

On being put to the vote, the motion for deferral was unanimously carried.

RESOLVED:-

That the application be deferred to a later Area Planning Committee for Officers to report back on matters relating to:

- Sewerage capacity
- Drainage – A response from the Lead Local Flood Authority is required
- Trees – A response from the Senior Tree and Conservation Officer is required

(viii) Planning Application NE/21/01330/REM – Land at St Christopher’s Drive, Oundle

This application would be considered at a future meeting.

74 Adjournment of the Meeting

Due to the time, it was proposed by Councillor Dorothy Maxwell and seconded by Councillor Kirk Harrison that the meeting adjourn and that applications NE/21/01309/REM and NE/21/01330/REM – Land at St Christopher’s Drive, Oundle be considered at a separate meeting.

On being put to the vote, the motion to adjourn was unanimously carried.

75 Close of Meeting

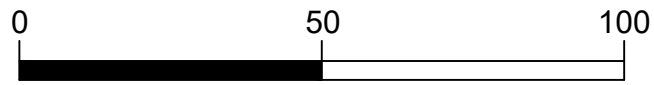
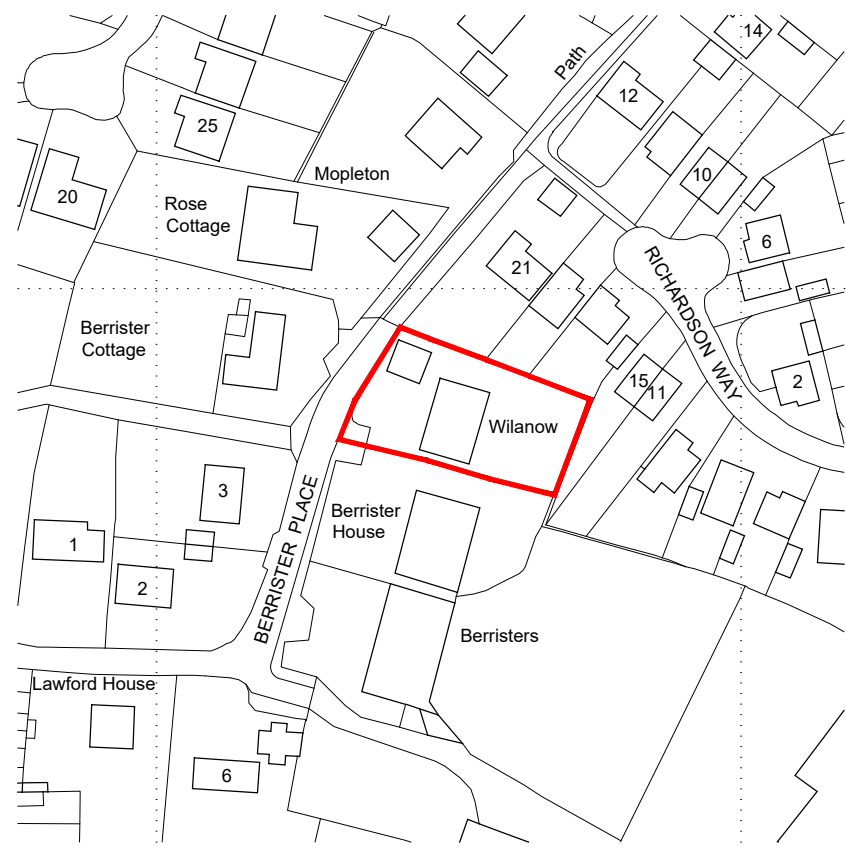
The Chair thanked members, officers and the public for their attendance and closed the meeting.

The meeting closed at 9.10pm.

Chair

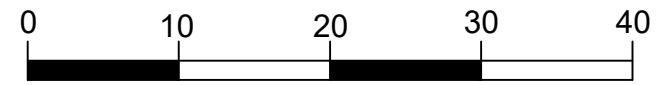
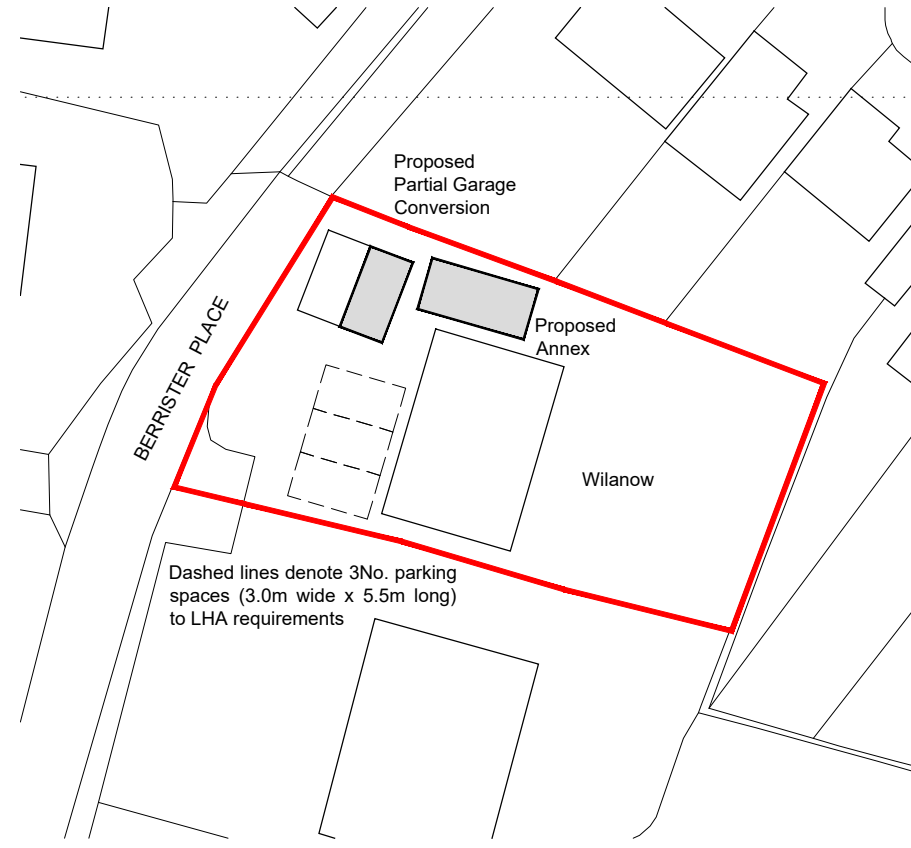
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LOCATION PLAN SCALE 1:1250

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BLOCK PLAN SCALE 1:500

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**North Northamptonshire Area Planning Committee
(Thrapston)
8 June 2022**

Application Reference	NE/22/00184/FUL
Case Officer	Ellen Carr
Location	Wilanow, Berrister Place, Raunds, Wellingborough, NN9 6JN
Development	Erection of Proposed Annex to Create Home Office & Partial Conversion of Double Garage to Form Utility Room
Applicant	Mr & Mrs R Levell
Agent	Andrew J. Porter Architectural Consultant - Mr Andrew Porter
Ward	Raunds
Overall Expiry Date	10.06.2022
Agreed Extension of Time	10.06.2022

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the applicant is a Unitary Councillor for North Northamptonshire Council.

1. Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 The applicant seeks to convert part of the existing garage into a utility room and erect an annex to create a home office with associated kitchen area and WC.

3. Site Description

- 3.1 The site is a detached three storey dwellinghouse with detached double garage to front and access through gated gravel driveway off Berrister Place.
- 3.2 The site is not located within a Conservation Area, however, the neighbouring property to the South is a Grade II Listed Building.

4. Relevant Planning History

- 4.1 05/02308/FUL– Conservatory – Approved – 10.01.2006
- 4.2 99/00016/FUL– Dwellinghouse, garage and vehicular access. – Approved – 24.02.1999
- 4.3 97/00341/OUT - Detached dwelling and access – Approved – 31.07.1997

5. Consultation Responses

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

5.1 Raunds Town Council

No objection.

5.2 Neighbours / Responses to Publicity

None received.

5.3 Local Highway Authority (LHA)

The LHA can confirm no objections to this application as the proposal does not demonstrate any intensification of the access. However, they did make the following observations;

- The access must be constructed in a hard bound material for the first 5.5 metres from the highway boundary in the interests of highway safety. This prevents loose material such as gravel being transferred to the public highway where it is a danger, particularly to cyclists and motorcyclists. Please note that this authority does not accept resin bound gravel as a hard bound material due to the fact that, over time, the gravel often comes away from the binder.
- Any gates across a private drive must be set back a minimum 5.5 metres from the highway boundary to enable a vehicle to stand clear of the highway before gates are opened. Alternatively, they must be operated by electric remote fobs and in this case the setback will not be required. Gates must be hung to open inwards only.

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 2 – Historic Environment
Policy 8 - North Northamptonshire Place Shaping Principles

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

EN1 – Spatial Development Strategy
EN13 - Design of Buildings / Extensions
EN14 – Designated Heritage Assets
EN15 – Non designated Heritage Assets

6.5 Neighbourhood Plan – Raunds Neighbourhood Plan (2017)

Policy R2 - Promoting Good Design
Policy R18 – Locally Listed Buildings.

6.6 Other Relevant Documents

Northamptonshire Highways Parking Standards (2016)
Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Householder Extensions Supplementary Planning Document (8th June 2020)
Residential Annexes Supplementary Planning Document (September 2021)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact and Impact on Neighbouring Amenity
- Highway Matters
- Heritage

7.1 Principle of Development

7.1.1 The proposed annex is to measure 2775mm to eaves and 4075mm to ridge with a footprint of 7300mm by 3477.5mm and the floor plans show it would be used incidental to the host dwelling as a home office with WC and separate sink area. Paragraph 13 of the Residential Annexes SPD (September 2021) does suggest that a supporting statement should support the planning application outlining who the annex would be used by, their relationship to the occupants of the host dwelling and how the annex would be used. A supporting statement has not been requested as the details given do state that the annex is to be used as a home office and not additional sleeping accommodation in addition to the host dwelling. That said, it could also be used for sleeping accommodation incidental to the main dwellinghouse.

7.1.2 The distance from the proposed annex to the boundary line is 110mm at its closest point to the rear of the structure, increasing to 467mm at its widest point, towards the front. The existing 1900mm high stone boundary wall is to be removed from the location of the existing potting shed to the front of the site as shown on plan 327/22/01 C. The wall is to be replaced with a 1800mm high close boarded timber fence. The stone salvaged by the removal of the stone wall is to be reused in the construction of the proposed annex. It is also noted that the existing wall to the front of the site is to remain in place.

7.1.3 Half of the existing detached double garage is proposed to be converted into a utility room. The other half remaining as a garage space. The front elevation of the garage is to remain looking as its existing appearance.

7.1.4 It is considered that the principle of the proposed annex and part garage conversion is acceptable and the annex would be conditioned to be used incidental to the host dwelling and not be used as a separate business for which a further planning application will be required.

7.2 Visual Impact and Impact on Neighbouring Amenity

7.2.1 The proposed annex is to be constructed from natural stone salvaged from the removal of the boundary wall with painted hardwood door and frame and timber windows. It would be subservient to the main dwelling and would relate well to its character and appearance. The existing garage would provide substantial screening of the proposed Annex in public views. As such it would not materially harm the street scene.

Windows are proposed on the rear and south-west elevation, with a door to the front elevation and velux to both the north-east and south-west elevation.

7.2.2 The part conversion of the existing garage into a utility room is confined to interior alterations that would not change its current front elevation, retaining the existing garage door. Its appearance in the street scene would not be altered.

7.2.3 Due to the positioning of the proposed works and the distance to the neighbouring property, 21 Richardson, there is little impact in terms of overshadowing, overlooking, loss of privacy, loss of light. It would not have a significantly harmful impact upon residential amenity.

7.3 Highway Matters

7.3.1 Given the scale and siting of the proposal, it is considered that the proposal would not have an adverse impact on highways safety. The informative comments of the highways team are noted but are not relevant to this proposal as the access arrangements exist and the proposal would not materially intensify its use.

7.4 Heritage

7.4.1 The Council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

7.4.2 Due to the scale and location of the proposed development, it is considered that there would be no harm to the special architectural or historic interest of the adjacent Grade II listed building to the south of the site, including its wider setting. For the same reasons, the proposal would have no impact on the locally listed (Raunds Neighbourhood Plan Policy R18) no. 4 Berrister Place (The Old Vicarage).

8. Other Matters

8.1 N/A

9. Conclusion / Planning Balance

9.1 The proposed development complies with the relevant development plan policies and is consistent with the provisions in the National Planning Policy Framework. It is recommended that the proposal be approved subject to condition/s.

10. Recommendation

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 the existing dwelling.

Reason: In the interests of visual amenity.

- 3 The development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority on 11th February and 19th March 2022:

- 327/22/02 - Location & Block Plans (11th February 2022)
- 327/22/01 C – Existing & Proposed Plans/Elevations/Sections & Location Block Plans (19th March 2022)

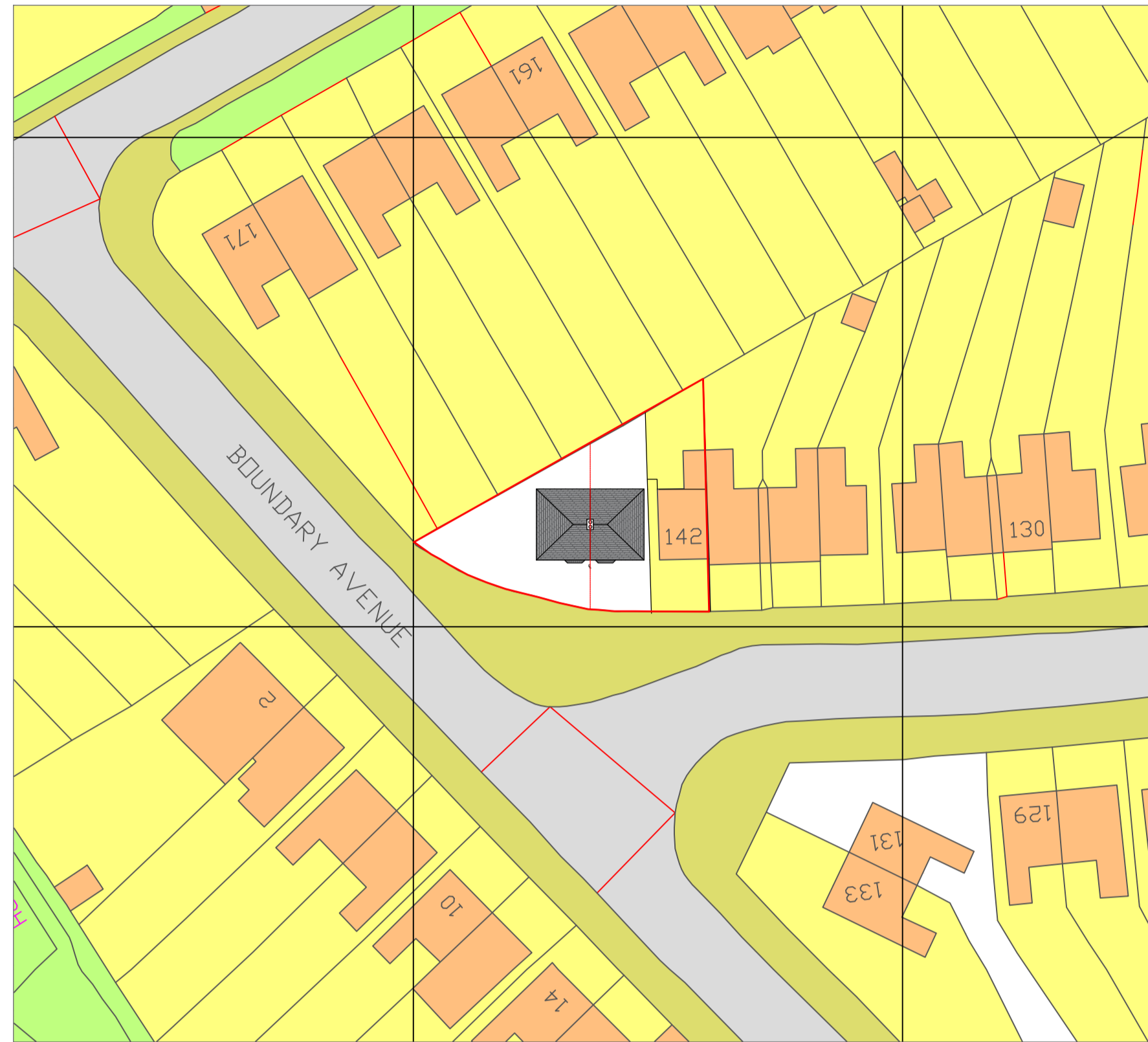
Reason: In order to clarify the terms of this consent and to ensure that the development is carried out as permitted.

- 4 The annex hereby approved shall be used only in association with, and ancillary to the occupation of the existing dwelling at Wilanow, Berrister Place, Raunds, and shall not be used as a separate business or dwelling unit.

Reason: The application has been determined on this basis and any other use would require further assessment under Local and National Policies.

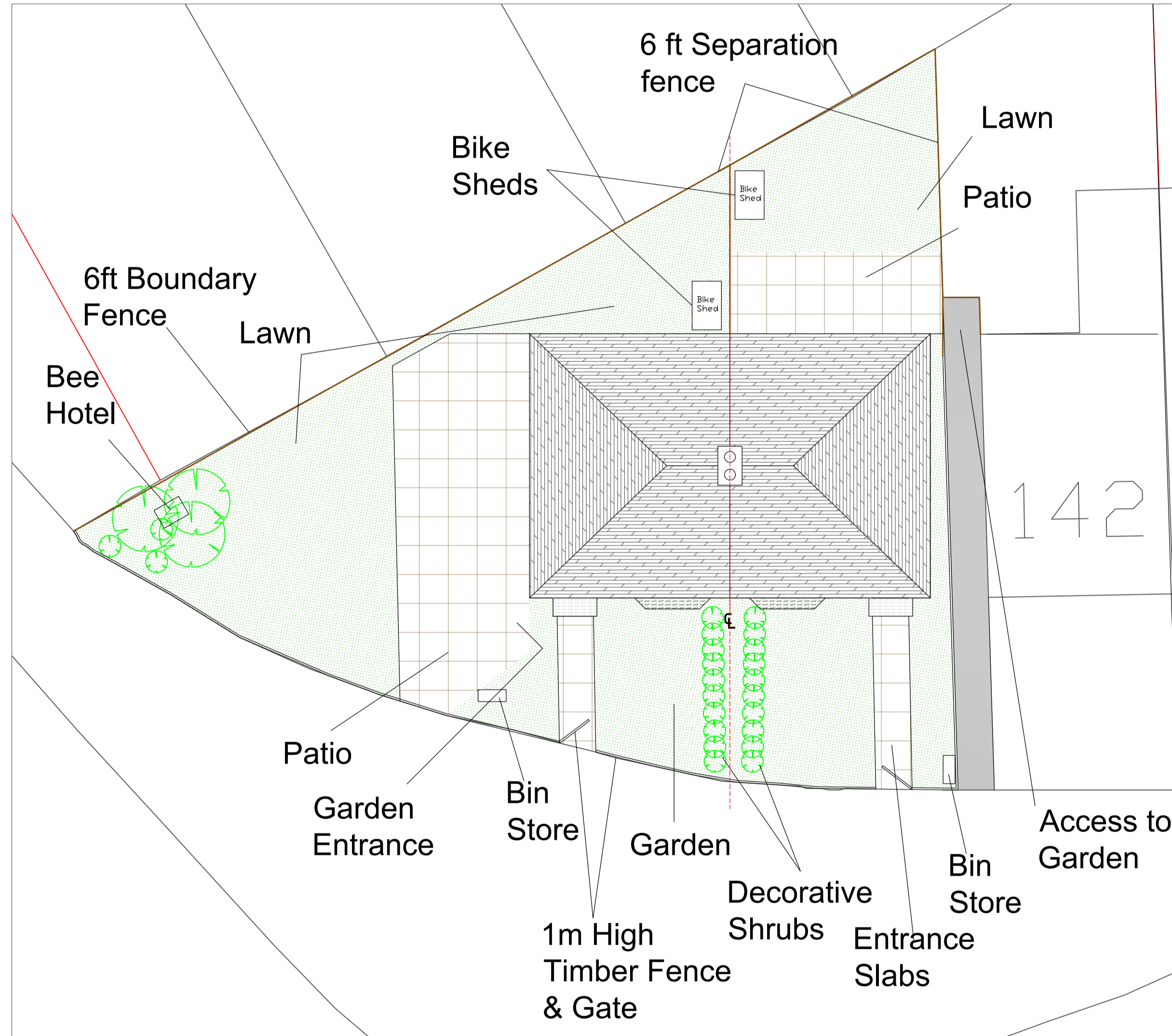
12. Informatives

None



Proposed Block Plan Scale 1:500

Proposed Site Location Plan Scale 1:1250



Proposed Site Plan Scale 1:100

Disclaimer

PLANNING DRAWINGS
 All drawings are provided for planning purposes only. Drawings have been created from a non-intrusive survey and all dimensions must be checked on site before any work commences.
 If in doubt please contact the main contractor if one has been appointed.
 No responsibility can be taken with any errors if building from this drawing.
 Main Contractor To Set Any Works Out Prior To Build To Ensure Buildability Before Commencing Works.
 Any Required Party Wall Act Or Build Over Agreements Will Not Be Organized By Harbur Design And Will Need To Be Completed By The Client Or A 3rd Party.

CDM Regulations

Hazards	Date Added	Date Mitigated	Risk Assessment Date

Revision notes:

Rev:	Date:	Notes:
A	07/01/22	Site Location Plan Amended.
B	07/03/22	Plans Amended Following Floor Plan Alterations To Planning Officers Comments
C	18.05.22	Amended External Materials and feature to match neighbouring properties

Drawn by: DB	Managers Check: *	Directors Check: DB
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Client:
 Rylex Property Development LTD

Project:
 Plot Division And The Erection Of Two New Semi-Detached Dwellinghouses.
 142 Westfield Avenue, Rushden, Northamptonshire, NN10 9RB.

Drawing Title:
 Proposed Site, Location & Block Plans

Scale @ A1: 1:100/1:500/1:1250	Date: 12/11/2021	Revision: C
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Project no: 200773	Drawing no: 200773-P-003
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Contact:
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**North Northamptonshire Area Planning Committee
(Thrapston)
8 June 2022**

Application Reference	21/01774/FUL
Case Officer	Peter Baish
Location	142 Westfield Avenue, Rushden, Northamptonshire, NN10 9RB
Development	Plot division to allow for construction of 2no new semi-detached two bedroom dwelling houses adjacent to the existing dwelling
Applicant	Graham Hall-Watkins
Agent	Harbur Design – Mr Daniel Clutterbuck
Ward	Rushden Pemberton West Ward
Overall Expiry Date	4 March 2022
Agreed Extension of Time	9 June 2022

Scheme of Delegation

This application is brought before the Area Planning Committee because it falls outside of the Council's Scheme of Delegation as the proposal has received more than 5 objections from neighbours and an objection from Rushden Town Council that constitutes a material planning consideration. The Town Council maintained their material objection following a re-consultation.

1. Recommendation

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

2. The Proposal

- 2.1 The proposed development is for the plot division of number 142 Westfield Avenue and the construction of two semi-detached, two bedroom dwellings in the side garden.

- 2.2 In terms of size, the dwellings would be similar in scale to the surrounding semi-detached dwellings on Westfield Avenue. Each dwelling would measure 7.2 metres in depth by 5.5 metres in width. In terms of height, they would measure 7.6 metres to the ridge which is comparable to the neighbouring dwellings.
- 2.3 In terms of appearance, the dwellings have been re-designed as part of the application process to closely reflect the local vernacular and in particular the appearance of the semi-detached dwellings found close to the site through the use of materials, proportions and detailing such as the bay windows, porch detail and pebble dash rendering.

3. Site Description

- 3.1 The site is located within the town of Rushden, more specifically on Westfield Avenue which is accessed via adjoining roads Boundary Avenue or West Crescent. Boundary Avenue and West Crescent are both 'minor' roads off the B569, Irchester Road.
- 3.2 The site comprises a two-bedroom, end of terrace, dwelling house with large amenity space to the rear and side of the plot. There is a front garden with a timber picket fence to the boundary of the footpath. Various properties (including No. 142) appear to have removed sections of the boundary fencing to provide at least one off-road parking space.
- 3.3 The site is surrounded in all directions by residential housing. The application site is not located in a Conservation Area and is fully within Flood Zone 1. 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.

4. Relevant Planning History

- 4.1 None Relevant

5. Consultation Responses

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

- 5.1 Rushden Town Council

Objection, for the following reasons-

- Overdevelopment of the site. There is very little amenity space and room sizes are cramped offering inferior living space. We feel this application is contrary to Policy EN1 Design in Development of the Rushden Neighbourhood Plan.

The scheme has been squeezed onto the plot and has resulted in very little parking space (although we note Highways comments) we feel the neighbours comments are probably more noteworthy as they already experience parking congestion in this area and there is no provision for visitor parking.

5.2 Environmental Protection

No objection, subject to conditions relating to construction times, dust mitigation, prevention of mud on roads and no burning.

5.3 Natural England

No objection, subject to the payment of the SPA mitigation contribution..

5.4 Northamptonshire Highways

No Objection. Comment as follows:

- The proposed dwellings would require a total of four residential parking spaces. However, having reviewed the parking beat survey provided there is enough capacity to support the proposed 2No. dwellings.
- Please note that existing street furniture or features such as street lighting columns, trees, traffic signs, bollards, road markings, cabinets, post boxes etc. may be affected by the proposed dwelling. Works to such furniture and infrastructure would need to be agreed with the Local Highway Authority and whoever maintains such features. All costs associated with the alteration, protection, relocation or removal of such features rest with the developer.

5.5 Waste Management

No comments. Bins to be presented to highway.

5.6 Neighbours / Responses to Publicity

Eight representations have been received. Five objecting and three in support stating the following:

Objections

- Lack of parking spaces
- Detrimental impact on wildlife
- Dwellings would be close to the boundary of 167 and 165 Irchester Road causing overshadowing, loss of light and privacy
- Impact on drainage
- Not enough room in proposed dwellings for family
- Noise from properties
- Overlooking from properties into rear gardens

Support

- Highways confirm parking beat survey that there is enough parking in the area to accommodate the need
- Rushden is a growing town with need for housing
- Bushes and vegetation are in private gardens
- Substantial distance between proposed properties and those on Irchester Road
- Dense trees on boundary between proposed properties and Irchester Road housing, mitigating overlooking and overshadowing
- Drainage is building regs matter
- No noise impacts
- Suitable for family life
- Site is large corner plot and does not represent overdevelopment

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy and Guidance

National Planning Policy Framework (NPPF) (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 and Land Affected by Contamination

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings

Policy 11 - The Network of Urban and Rural Areas

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
- 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
Northamptonshire County Council – Planning Out Crime Supplementary Planning Document (December 2003)
Joint Planning Unit – Design Supplementary Planning Document (March 2009)
East Northamptonshire Council – Domestic Waste Storage and Collection Supplementary Planning Document (July 2012)
Biodiversity Supplementary Planning Document (February 2016)
Upper Neve Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

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 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 two x 2 bedroom dwellings. 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 dwellings would have two bedrooms and the scheme would provide an infill development that makes the most effective and efficient use of the land available.
- 7.1.4 The site is surrounded by dwellings that appear to have 2 – 3 bedrooms, therefore the dwellings will add to the local mix. 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 dwellings meet the National Space Standards, contrary to the Town Council's objection relating to room sizes being cramped.
- 7.1.5 As highlighted, the site is considered to form part of the built-up area of Rushden. The site provides an infill opportunity to construct two dwellings that would front Westfield Avenue and make effective and efficient use of land without significantly impacting upon the character of the area, residential amenity or highway safety (as addressed later in this report).
- 7.1.6 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 would 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. The development is therefore considered acceptable in principle.

7.2 Impact on the Character and Appearance of Area

- 7.2.1 The NPPF, policies 3 and 8 of the North Northamptonshire Joint Core Strategy 2016 and policies EN1 and EN2 of the Rushden Neighbourhood Plan 2018 expect developments to be designed sympathetically and in keeping with their surroundings.
- 7.2.2 The application site is currently side garden land associated with No.142 Westfield Avenue. This land fronts onto the public highway and does provide an opportunity to create a new development that accords with the pattern of development within the immediate vicinity. The surrounding properties are a mixture of terrace and semi-detached of a consistent appearance, similar size and matching materials.
- 7.2.3 The proposal is for a pair of semi-detached dwellings that closely reflect the appearance of the other semi-detached dwelling types on both Westfield Avenue and Boundary Avenue. In this sense, the proposed dwellings are considered to accord to the character and appearance of the area by virtue of their design, scale and positioning on the street scene.

- 7.2.4 In terms of size, both of the semi-detached dwellings proposed would measure approximately 7.2 metres in depth by 5.5 metres in width. In terms of height they would measure 5.1 metres to the eaves and 7.6 metres to the ridge. In terms of the detailed appearance of the dwellings, they would be built using facing bricks, render and roof tiles to closely match the neighbouring properties. Full sample material details would be secured via condition.
- 7.2.5 It is considered that the development, would not lead to an unacceptable relationship with the host property (No.142) due to its positioning to the side of the property. The dwelling would front onto Westfield Avenue 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.
- 7.2.6 In terms of appearance, the dwelling would be built of facing brick, roof tiles and UPVC windows to match neighbouring properties. In regard 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.
- 7.2.7 It is acknowledged that the plot sizes and resultant amenity space of the proposed semi-detached dwellings are not to the same size of the surrounding neighbouring plots. However, the neighbouring plots, along with other plots in the vicinity, are exceptionally large, especially considering today's standards. The fact that the proposed dwellings have smaller gardens than those of the neighbours would not materially affect the overall character of the area.
- 7.2.8 The proposed rear gardens of both properties are considered to be on the small side with the plot closest to No.142 Westfield Avenue having a garden measuring roughly 6 metres by 6 metres. It is considered that whilst this garden is not large, not all people want a big garden to maintain and the space provided does allow for a patio area, lawn and space to dry washing and sit outside. This does not represent an overdevelopment of the site.
- 7.2.9 The plot to the west would have a larger garden that wraps to the side of the property. This amenity space measures approximately 12 metres by 10 metres which is considered more than adequate for a two-bedroom dwelling. The existing dwelling (No.142 Westfield Avenue) would also left with an acceptable level of rear garden amenity space. Any boundary screening in this location would need to be considered carefully to ensure that any privacy is retained but to ensure that the street scene is not harmed, given the prominent corner location. As such a condition for boundary screening details is recommended.

7.2.10 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 Westfield Avenue or cause harm to the wider area. Although the scheme would change the appearance of the site and the plot sizes are smaller than those in the local vicinity, it is considered to be acceptable subject to conditions (secure appropriate materials and landscaping), and provides an opportunity for more efficient use of land within the confines of the built up area of the settlement. Accordingly, the proposal is considered to preserve the character and appearance of the area in accordance with the NPPF (paragraph 127), Policies 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) 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 proposal is of a similar design, scale and form when compared to the neighbouring properties. The proposed two storey dwellings would be positioned directly to the west of No.142 Westfield Avenue and to the rear of Nos. 163, 165, 167, 169 and 171 Irchester Road.

7.3.3 In terms of the relationship with neighbouring properties, the proposed dwellings would have no significant impact upon the amenity of No.142 Westfield Avenue due to their positioning and orientation to the side of the property. There would be no side windows that would overlook the amenity area of this property. An objection has been received that raised the prospect of noise from the proposed properties, however this is not considered significant due to the conforming residential use and would likely not cause any disturbance over and above the current residential relationships between existing properties.

7.3.4 The relationship with those properties on Irchester Road (Nos. 163, 165, 167, 169 and 171) is considered, to be acceptable. The properties on Irchester Road have substantial large and long gardens extending some 28 metres at an angle to the boundary of the site. The site boundary also has substantial vegetation and trees that add to the current 1.8 metre high close boarded fencing.

- 7.3.5 The proposed dwellings have been designed so as not to give rise to unacceptable levels of overlooking. The plot closest to No.142 Westfield Avenue has two windows at first floor level that look towards the very end of the rear gardens of Irchester Road. The proposed 6 metre deep garden coupled with the existing and proposed boundary treatment would only lead to glimpsed views into the very ends of the long gardens of those on Irchester Road. This is not an uncommon relationship in a built up area such as Rushden. For example, you can stand in most houses in a town or suburban area and look out of a rear bedroom window into parts of a neighbouring garden.
- 7.3.6 It is acknowledged that the westernmost proposed semi-detached dwelling would be close to the boundary of the neighbouring Irchester Road properties (approximately 1.5 metres at the closest point), however, due to the long rear gardens, existing mature vegetation and as the design of the first floor omits a bedroom window (positioning it on the side elevation) it is considered that there would be no direct overlooking towards any of the properties. As with the other proposed dwelling (the eastern-most), partial views of the rear extent of the long gardens of the properties on Irchester Road could be experienced through the existing vegetation, but this is not considered significant enough to warrant refusal on loss of neighbouring residential amenity grounds.
- 7.3.7 Overall, it is considered that due to their orientation and separation distances, there would be no direct impact upon loss of light, direct overlooking or direct overshadowing to a degree that is considered harmful. Accordingly, on balance, it is considered that there would be no significant issues with overlooking or overshadowing into any neighbouring private gardens.
- 7.3.8 There is a good level of boundary treatment proposed for the private garden areas 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.
- 7.3.9 As discussed earlier in the report, the proposal is considered to provide sufficient private amenity space in the form of private garden areas. It is acknowledged that when viewed against the general character and form of the surrounding area the gardens are smaller than those in the vicinity, however it is considered that there is sufficient space for the modest two bedroom dwellings with enough room for people to enjoy modest private outdoor space.
- 7.3.10 The bins for both properties would be kept within their curtilage in a suitable location so to not impact unduly upon neighbouring amenity and allow for waste to be taken to the kerbside of Westfield Avenue for collection.

7.3.11 To conclude, the relationship of the proposal 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 can be secured via condition. Accordingly, 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 and Policy EN1 of the Rushden Neighbourhood Plan 2018.

7.4 Highway Safety and Parking

7.4.1 The applicant has confirmed that there will be no car parking provided for the proposed dwellings. The applicant has provided a parking beat survey which shows that there is adequate on-road parking within the vicinity of the site to cater for the four vehicles that the site could be expected to generate. The Local Highway Authority has been consulted and confirm that the parking beat survey is sound and agree that there is no need for on-site parking on this occasion.

7.4.2 It is unfortunate that car parking is not provided, however the site is relatively small and any parking on the frontage of the site plots would likely be detrimental to highway and pedestrian safety due to the large footpath verge. It would not appear practical or safe to provide parking with such a deep crossover on the corner of a junction (Westfield Avenue and Boundary Avenue).

7.4.3 Following the details submitted to demonstrate the availability of on-road parking and the no objection response received from the Local Highway Authority, the proposal is considered to be acceptable in highways safety and parking terms, and is in compliance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

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 as drainage would be dealt with on site as per building regulations. 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 private garden land and hardstanding, is considered to be of low biodiversity potential.

7.6.2 As the site lies within 3km of the Nene Valley Gravel Pits Special Protection Area (SPA). An SPA Mitigation payment is required. This fee was paid. As a result, the impact of the proposed development on the Special Protection Area is considered to be acceptable.

- 7.6.3 The proposal would therefore 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

- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 National Space Standards: Policy 30 states 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 dwellings meet the National Space Standards.
- 8.3 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 limit 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 is recommended to limit water use to no more than 105 litres/person/day.

9. Conclusion / Planning Balance

- 9.1 In this instance the proposed construction of two new semi-detached two bedroom dwelling houses adjacent to No.142 Westfield Avenue is not considered to, on balance, 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 size;
 - Would not have a harmful impact upon the character and appearance of the area;
 - Would not have a significantly detrimental impact upon the amenity of neighbours;
 - Would not have a harmful impact upon highways safety and provide sufficient off road parking provision;
 - Would be acceptable in terms of flood risk;
 - Would safeguard existing biodiversity; and
 - There are no other material planning considerations which have a significant bearing on the determination of this application

10. Recommendation

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

11. Conditions

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

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

2. Except where stipulated elsewhere by condition, the development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority on the following dates:

- 200773-E-001 – Site Location Plan (07.12.2021)
- 200773-P-001 Rev C – Proposed Floor Plans (18.05.2022)
- 200773-P-002 Rev C – Proposed Elevations (18.05.2022)
- 200773-P-003 Rev C – Proposed Site Plan (18.05.2022)
- 200773-P-004 – Proposed Street Scene Elevation (18.05.2022)

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

3. No development above slab level shall take place until sample details of the materials to be used in the construction of the external surfaces of the proposed dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained in the approved manner in perpetuity.

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

4. Notwithstanding the submitted details, 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.

5. No development (excluding demolition works) shall begin until drawings showing the slab levels and finished floor levels of the buildings in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the approved details.

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

6. There shall be no burning of any material during construction or site preparation works.

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

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

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

8. During the demolition and construction phases, the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site.

The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site.

The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

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

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

Reason: In the interests of residential amenity, highway safety and visual amenity in accordance with policy 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008)

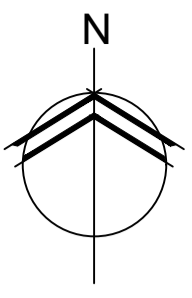
10. Prior to the first occupation of the residential units hereby permitted, measures shall be implemented to limit water use to no more than 105 litres/person/day (plus 5 litres/person/day external water use).

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following development or alterations within the identified red line area only as indicated on the Site Location Plan.

- a) The erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks (as detailed in Schedule 2, Part 1 Classes A and E);
- b) The erection of any extensions, porches or alterations to the roof (as detailed in Schedule 2 Part 1 Classes A, B, C and D).

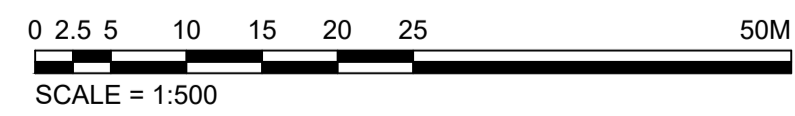
Reason: To ensure that the Local Planning Authority retains control over the future development, in the interests of its visual integrity and impact upon the character and appearance of the countryside.



01 Proposed Site Plan
 PL-01 1:500

- Notes
1. Drawing used for the status indicated only
 2. All dimensions and setting out shall be checked and confirmed and any discrepancies to be reported to the Architect prior to commencement of any work
 3. All work and materials to be in accordance with current statutory legislation, relevant codes of practice and British Standards
 4. Drawing to be read in accordance with relevant consultants and sub-contractors drawings and specifications

Site Boundary:
 - Site boundary assumed and indicated as shown based on interpretation of topographical survey.
 - Should exact clarification of boundary be required then a third party boundary professional must be appointed



No	Revision	Date
A	provision for storage and collection of waste and recyclables added as requested by planning consultant	2022-01-10

Project		Title	
New Middlefield Farm, Church Street, Ringstead, Northamptonshire, NN14 4DH		Proposed Site Plan	
Client	Drawing Status	Project No.	
Private Client	Planning	071	
Scale	Sheet	Date	Drawing No.
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**North Northamptonshire Area Planning Committee
(Thrapston)
8 June 2022**

Application Reference	21/01843/FUL
Case Officer	Peter Baish
Location	Middlefield Farm Site, Church Street, Ringstead, NN14 4DH
Development	Residential dwelling to replace existing agricultural building
Applicant	Mr Norman
Agent	Amet Property – Mrs Sophie Fulton
Ward	Irthlingborough Ward
Overall Expiry Date	10 March 2022
Agreed Extension of Time	9 June 2022

Scheme of Delegation

This application is brought before the Area Planning Committee because it falls outside of the Council's Scheme of Delegation as the proposal has received a material planning objection from Ringstead Parish Council.

1. Recommendation

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

2. The Proposal

- 2.1 The proposed development is to remove the existing agricultural building and replace it with a single dwelling of a smaller size and scale at Middlefield Farm, Church Street, Ringstead.

- 2.2 In terms of planning history, planning permission has been confirmed via a prior notification application submitted under Class Q (a) and (b) Schedule 2: Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the conversion of an existing agricultural building to a Class C3 residential dwelling.
- 2.3 Under a prior notification application the Council can only consider whether the proposal is 'Permitted Development' under Class Q and, if so, whether prior approval is a) required and b) whether this would be granted. On this occasion, prior approval was granted under reference 20/01523/PDU for the conversion of the agricultural building to a residential dwelling, shortly followed by full planning permission for the same development under reference 21/00083/FUL.
- 2.4 This application is to remove the agricultural building which could be converted to a dwelling and to build a new but smaller dwelling on the same site.

3. Site Description

- 3.1 New Middlefield Farm is located to the south of the village of Ringstead. The location of the building is immediately adjacent to an existing mature hedgerow and is served by an access track that runs from Raunds Road.
- 3.2 The farmyard occupies approximately 0.65 acres and consists of hard standing and agricultural buildings. The main farmyard is located to the south of Church Street and west of Raunds Road and is set back from the roads.
- 3.3 The farmyard is accessed from Church Street and Raunds Road. This current proposal would utilise the access track off Raunds Road which has good visibility in both directions.
- 3.4 In terms of surrounding land uses, to the north of the site are a number of farm buildings, with open countryside in all other directions. The application site is not located in a Conservation Area and is fully within Flood Zone 1. 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 under application reference 21/00083/FUL and only one of the two schemes could go ahead so the fee can be transferred

4. Relevant Planning History

- 4.1 21/00083/FUL - Conversion of an agricultural building into one residential dwelling – APPROVED – 22.03.2021
- 4.2 20/01523/PDU - Change of use of an agricultural building to residential (C3) - 1 no. dwelling (Schedule 2, Part 3 Class Q) – PERMITTED 11.01.2021

5. Consultation Responses

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

5.1 Ringstead Parish Council

Object for following reason:

- the site seems to be being developed in sections or blocks and with this application it has become a major development area within the village with a total of 8 new dwellings without consideration of the cumulative effect of the development.
- Under the North Northamptonshire Joint core strategy 2011-2031 Ringstead Parish Council believes the development fails to take into consideration the following policy statement
- Our major concern is that the extra traffic caused by such development will outstrip available parking and traffic movement space in the area.

Further comments received on 10.05.2022:

RPC have considered this application, and we recommend Refusal

The reason for the objection is that the site seems to be being developed in sections or blocks and with this application has become a major developer in the village. Under the North Northamptonshire Joint Core Strategy 2011-2031 Ringstead Parish Council believes the development fails to take into consideration the Neighbourhood Plan with major concerns that such a development in instigate infill into an area of farmland and ingress in to the Village / parish buffer zone.

Policy R16: Providing for Housing The additional housing provision for Ringstead to 2031 is around 30 dwellings. This will be met by the allocation of a housing site in accordance with Policy R17. In addition, housing development within the Ringstead Settlement Boundary (as shown on Map 7 (page 47) and the Policies Maps on pages 84 & 85) will be supported where it meets the other policies of the Neighbourhood Plan. Outside the Ringstead Settlement Boundaries, housing development will be limited to: A. Rural Exception Housing, rural worker accommodation and individual dwellings of exceptional quality or innovative design in accordance with North Northamptonshire Joint Core Strategy Policy 14; B. The subdivision of an existing residential dwelling; C. The redevelopment of brownfield land in accordance with Policy R19; and D. The re-use and/or adaptation of rural buildings in accordance with Policy R18

5.2 Environmental Protection

No objection. Comment as follows:

There have been a number of earlier applications for this site for residential development. Having looked through the information submitted and our records it is considered that contamination does not pose a significant risk to the proposed use.

Comments were made on previous applications with respect to noise. The site is located approximately 360 metres from the boundary of Ringstead Grange Quarry. The nearest residential property to the quarry at present is some 440 metres from the boundary. Noise from the quarry is controlled under planning conditions enforced by Minerals and Waste Planning at North Northamptonshire Council. It is quite possible noise from the quarry may be audible at times at the proposed development. However, there is no significant level of complaint from quarrying activities and it would be assumed that any prospective resident will be aware of the quarry. Compliance monitoring data from the quarry operator indicates that noise levels are kept within the planning criteria.

- The proposed development is some distance from existing residential development. However, to ensure there is no detriment to amenity during demolition and construction please place conditions relating to construction and demolitions hours and burning.

5.3 Natural England

No objection subject to SPA mitigation fee being paid.

Officer Comment

The original SPA fee that was paid under reference 21/00083/FUL was £299.95. This has since increased to £322.41. The applicant has paid the increased £22.46 fee.

5.4 Northamptonshire Highways

No Objection. Recommendation that:

- The access to be resurfaced and constructed of a hard bound material for the first 5.5 metres from the highway boundary.
- Any gates to be set back a minimum of 5.5 metres from the highway boundary.
- A means of drainage to be installed across the back of the highway boundary .

5.5 Waste Management

No objection. Comment as follows:

With regard to the above application bins will need to be presented immediately adjacent to the closest adopted highway which is Raunds Road.

5.6 Neighbours / Responses to Publicity

No representations 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 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 3 – Landscape Character

Policy 4 - Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

Policy 6 - Development on Brownfield Land and Land Affected by Contamination

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings

Policy 11 - The Network of Urban and Rural Areas

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 Rural North, Oundle And Thrapston Plan (RNOTP)

None relevant

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

Policy EN1 – Spatial Development Strategy

Policy EN3 – Settlement Boundary Criteria – Freestanding Villages

Policy EN13 – Design of Buildings/Extensions

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

Northamptonshire County Council – Planning Out Crime Supplementary Planning Document (December 2003)

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

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

Biodiversity Supplementary Planning Document (February 2016)

Upper Neve Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

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
- Waste

7.1 Principle of Development

- 7.1.1 The proposal is for a residential dwelling to replace an existing agricultural building within the open countryside. National and local planning policy indicates that development should be focussed within the built-up areas of settlements. However, the government introduced a form of permitted development that could be achieved through the prior notification process for agricultural buildings within the open countryside.
- 7.1.2 As such, permission was granted via a prior notification application submitted under Class Q (a) and (b) Schedule 2: Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the conversion of an existing agricultural building to a Class C3 residential dwelling.
- 7.1.3 Under normal circumstances, this form of development in the open countryside would be resisted as it would result in urban creep and encroachment into the countryside and be contrary to both the NPPF and Policy 11 in the North Northamptonshire Joint Core Strategy. However, in this particular instance, it is acknowledged that the applicant firstly secured a permitted conversion of the existing building from agricultural to residential (Ref: 20/01523/PDU) and then secured this further through a full application which was granted full planning permission for the same development (Ref: 21/00083/FUL).
- 7.1.4 It is accepted that the applicant has a valid fall-back position that can be achieved without the need for any further planning consents. The principle of a dwelling is therefore established on the site by way of the recent approval for the conversion of the existing agricultural building. The current application is to demolish the existing agricultural building (rather than convert it) and rebuild a new residential dwelling of a smaller scale, size and similar appearance.

7.1.5 The main issues to consider are those that are material to the consideration of the scheme, mainly the impacts of the proposal upon the character and appearance of the area when compared to the fall-back position that was secured via planning permission 21/00083/FUL.

7.2 Impact on the Character and Appearance of Area

7.2.1 The NPPF and policies 2, 3 and 8 of the North Northamptonshire Joint Core Strategy expect developments to be designed sympathetically and in keeping with their surroundings and historic context, in terms of the detailed design, landscaping and the resultant curtilage size.

7.2.2 Given the history of the site, harm would already be caused to the character and appearance of the area through the conversion of the existing agricultural building to a residential dwelling, if implemented. It is considered that the current proposal to replace the existing agricultural building with a new residential dwelling of a similar appearance is likely to cause less harm than what has already been approved due to a reduction in the size and scale of the building.

7.2.3 The existing agricultural building measures 18.5 metres in width by 24 metres in length at a height of 7.4 metres. The proposed replacement building would be reduced to 13.4 metres in width by 21.5 metres in length at a height of just under 7.4 metres. The reduction in size is considered to have less of an impact on the surrounding area than the conversion scheme which already has consent.

7.2.4 In terms of materials, the proposal would use appropriate materials to give the appearance of an agricultural building; these being, metal cladding for the walls and roof and glazed windows, which is similar to what was approved under application reference 21/00083/FUL. Due to the new build nature of the proposal, all materials would be secured via condition to ensure that the proposal is acceptable in terms of its impacts upon the character and appearance of the area.

7.2.5 It is acknowledged that the current proposal does include more glazing (windows) than the previously consented scheme, however it is not considered that this would have a significant detrimental impact upon the character and appearance of the wider area in itself due to relatively well screened location of the building and the fact that its structure would still resemble the appearance of an agricultural building. It is also acknowledged that the building is to be moved slightly to the west by approximately 5 metres. This is considered acceptable as it moves the building away from a mature tree belt, thus protecting the tree roots.

7.2.6 No boundary treatment details have been submitted and, given the open nature of the site, these shall be required. Therefore, subject to conditions relating to boundary treatment and the removal of permitted development rights (to allow the LPA to assess any significant alterations to the dwelling), the proposal is considered to preserve the character and appearance of the area in accordance with the NPPF and Policies 3 & 8 of the North Northamptonshire Joint Core Strategy (2016).

7.3 Residential Amenity

- 7.3.1 The NPPF and policy 8 of the Joint Core Strategy (2016) seek to protect amenity of neighbouring users. The policy also seeks to ensure residential amenity is not harmed as a result of development; the NPPF within the core principles states that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".
- 7.3.2 There are no residential properties in the immediate vicinity of the site that would be impacted upon by the proposed development and the proposed dwelling would comply with national space standards. Given that a quarry is located approximately 360 metres away and as the site is agricultural in nature, the Council's Environmental Protection Team was consulted and has confirmed that the impact in relation to noise and contamination is considered to be acceptable, subject to the conditions set out in the consultee section above.
- 7.3.3 The private residential amenity space is considered adequate for the occupiers of the proposed property. Internally the dwelling exceeds minimum national space standards Accordingly, the proposal is considered to be in accordance with the NPPF and Policies 8 and 30 of the North Northamptonshire Joint Core Strategy 2016.

7.4 Highway Safety and Parking

- 7.4.1 It is confirmed that the access will only serve the residential dwelling and no agricultural traffic will use it. Residential visibility splays onto Raunds Road of 21.5 metres in each direction can also be achieved. In terms of parking, there is more than adequate space to park numerous vehicles (4+ spaces indicated – but space for more if needed) and the scheme is therefore deemed to provide sufficient parking on site in accordance with the guidance contained within the Local Highway Authority Standing Advice for Local Planning Authorities.
- 7.4.2 Northamptonshire Highways have been consulted and offer no objection to the scheme subject to conditions relating to the hard surfacing of the first 5.5 metres of the access, no gates within 5.5 metres of the highway boundary and drainage to be installed on the highway access boundary. These conditions are considered reasonable and necessary and are therefore recommended. It is also recognised that notwithstanding the highways' comments, the applicant has an implementable permission for a dwelling, therefore this current application provides an opportunity to improve the access via conditions.
- 7.4.3 Subject to the conditions as indicated above, the impact on highway safety is considered to be acceptable and in compliance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

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 due to the fact that the replacement building is smaller and there will be no additional non-permeable surfacing. 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 grassed land and hardstanding, it is considered to be of low biodiversity potential.

7.6.2 As the site lies within 2km of the Nene Valley Gravel Pits Special Protection Area (SPA). An SPA Mitigation payment is required. This fee was paid by the applicant through the previous approval (21/00083/FUL), however since this approval the fee has increased, and the applicant subsequently paid the small increase as part of the current application. As a result, the impact of the proposed development on the Special Protection Area is considered to be acceptable.

7.6.3 The proposal would therefore 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.

7.7 Waste

7.7.1 The Councils Waste Management team has been consulted and offer no objection to the proposal. There is sufficient space on site to store household waste bins which must be brought to the kerbside of Raunds Road for collection on the relevant day. Notwithstanding this acceptable arrangement, the applicant has confirmed that they are likely to use a private waste collection contractor.

8. Other Matters

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

8.2 National Space Standards: Policy 30 states 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 dwellings meet the National Space Standards.

- 8.3 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 limit 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

- 9.1 In this instance the proposed removal of the existing agricultural building and replacement with a residential dwelling of smaller size and scale but similar appearance 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 size
- Would not have a harmful impact upon the character and appearance of the area
- Would not have a significantly detrimental impact upon the amenity of neighbours
- Would not have a harmful impact upon highways safety and provide sufficient off-road parking provision
- Would be acceptable in terms of flood risk
- Would safeguard existing biodiversity
- There are no other material planning considerations which have a significant bearing on the determination of this application

10. Recommendation

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

11. Conditions

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

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

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

- PL-00 Rev A - Site Location Plans (13.01.2022)
- PL-01 Rev A - Site Plan (13.01.2022)
- EX-01 – Existing Ground Floor Plan (20.12.2021)
- PL-02 Rev A – Proposed Ground Floor Plan (13.01.2022)
- PL-03 – Proposed First Floor Plan (20.12.2021)
- EX-03 – Existing East & West Elevations (20.12.2021)
- PL-05 – Proposed East & West Elevations (20.12.2021)
- EX-04 – Existing North & South Elevations (20.12.2021)
- PL-06 – Proposed North & South Elevations (20.12.2021)
- EX-02 – Existing Roof Plan (20.12.2021)
- PL-04 – Proposed Roof Plan (20.12.2021)

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

3. No development above slab level shall take place until samples of the materials to be used in the construction of the external surfaces of the proposed dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained and maintained in the approved manner in perpetuity.

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

4. 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 hard and soft landscaping works shall be carried out in the first planting season following the completion or occupation of the development hereby permitted (whichever is soonest) and thereafter 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.

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

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

6. There shall be no burning of any material during construction or site preparation works.

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

7. No development above slab level shall take place until the proposed vehicular access (including visibility splays as indicated on the visibility splay plan received by the LPA on 25.02.2022) has been completed and the first 5.5 metres of the access drive from the highway boundary (Raunds Road) has been resurfaced in a hard bound material. The approved access arrangements shall thereafter remain in perpetuity.

Reason: In the interest of highways safety.

8. No gates shall be erected within 5.5 metres of the highway boundary (Raunds Road). Any gates must be hung to open inwards only.

Reason: In the interest of highways safety.

9. Prior to first use or occupation of the dwelling hereby approved, a positive means of drainage shall be provided to ensure that surface water from the vehicular access does not discharge onto the highway or adjacent land. Such drainage features shall thereafter be retained and maintained in full working order in perpetuity.

Reason: In the interests of highway safety.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following development or alterations within the identified red line area only as indicated on the Site Location Plan.

- a) The erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks (as detailed in Schedule 2, Part 1 Classes A and E);
- b) The erection of any walls, fences or other means of enclosure to all boundaries (as detailed in Schedule 2, Part 2, Class A);
- c) The erection of any extensions, porches or alterations to the roof (as detailed in Schedule 2 Part 1 Classes A, B, C and D).

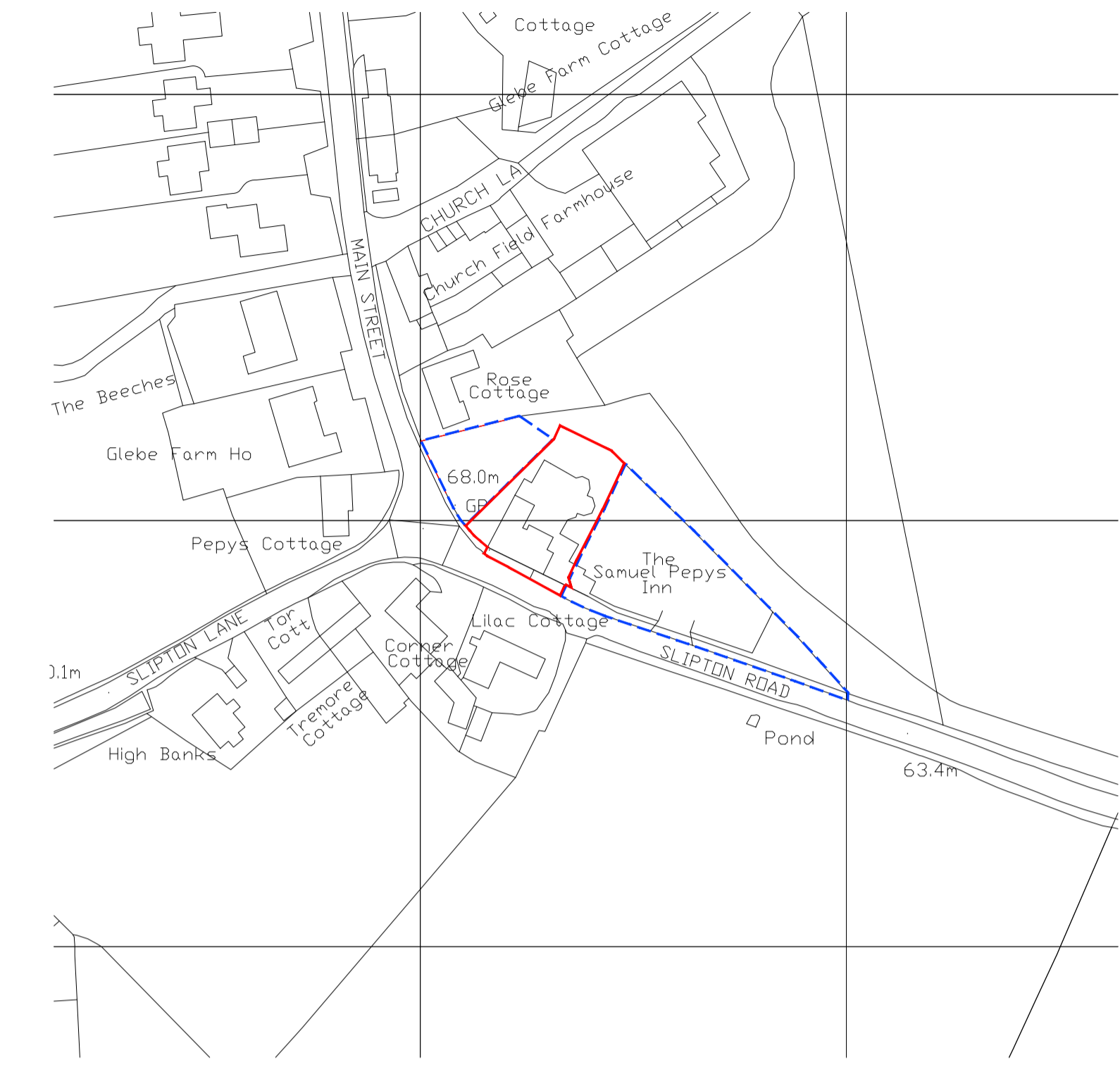
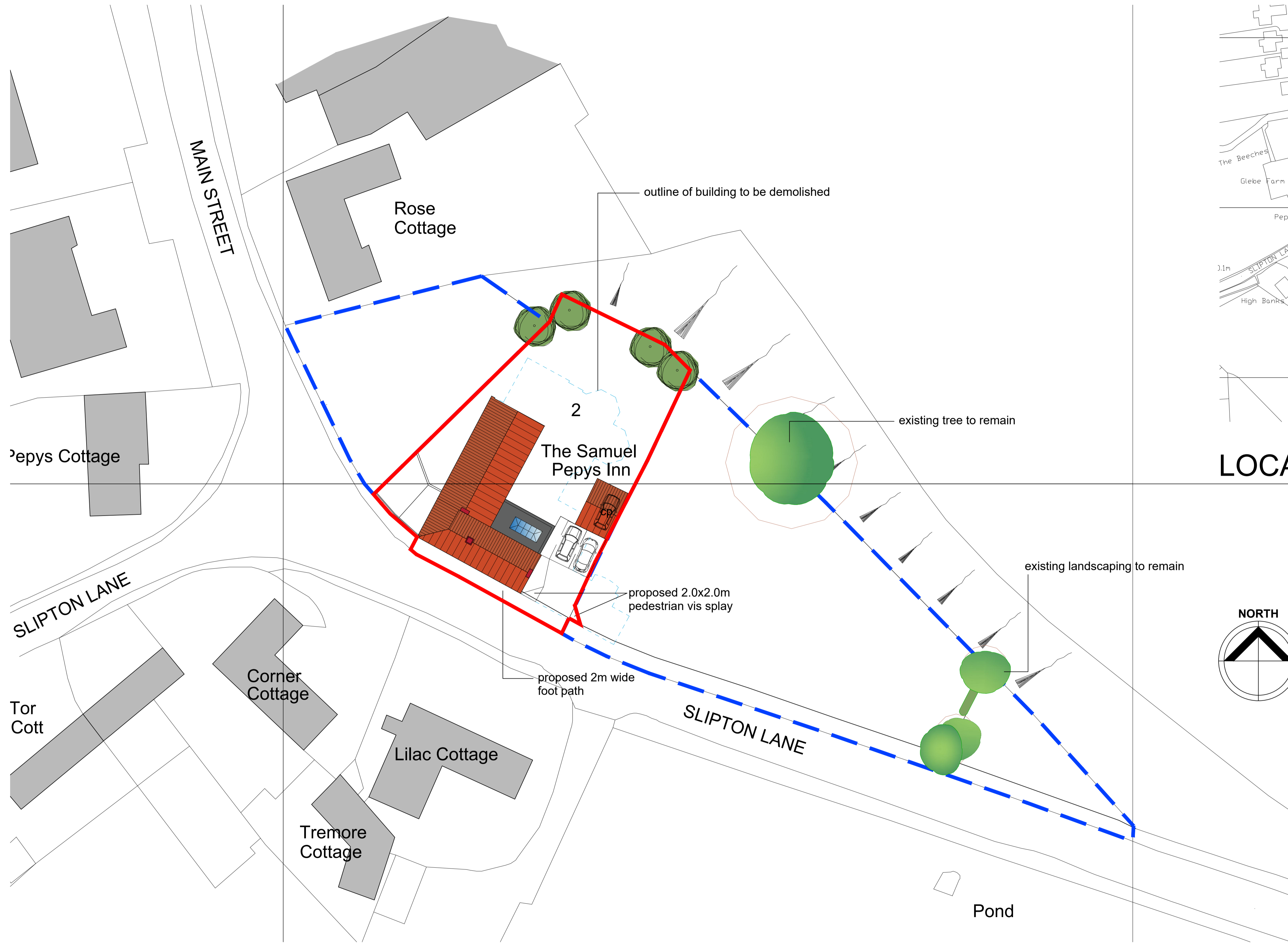
Reason: To ensure that the Local Planning Authority retains control over the future development, in the interests of its visual integrity and impact upon the character and appearance of the countryside.

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

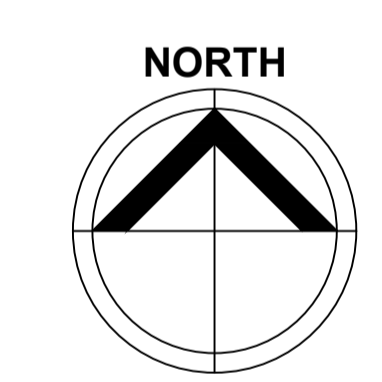
Reason: As this is an area of water stress and to accord with Policy 9 of the North Northamptonshire Joint Core Strategy.

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SITE LAYOUT 1:500



LOCATION PLAN 1:1250



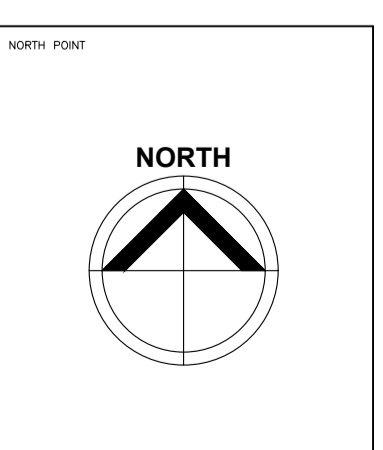
Page 55

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A	04.01.21	BH	--	GENERAL NOTE ADDED RE CROWN COPYRIGHT					
B	26.02.21	BH	--	CAR PARK/PARKING AMENDED					
C	02.03.21	BH	--	BOUNDARY REVERTED					
D	15.04.21	BH	--	RED LINE AROUND VIS SPLAY					

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	SCALE: 1:250, 1:1250	PROJECT CODE: 1928
DRAWING TITLE: PROPOSED DEVELOPMENT SITE LAYOUT & LOCATION PLAN	DRAWN: GQ CHECKED: -- DATE: 25.11.20	DRAWING NUMBER: PL-001.2
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**North Northamptonshire Area Planning Committee
(Thrapston)
8 June 2022**

Application Reference	NE/22/00238/FUL
Case Officer	Jennifer Wallis
Location	The Samuel Pepys Slipton Lane Slipton Kettering NN14 3AS
Development	Partial demolition and conversion of public house to a single residential dwelling with associated development including garage, access, parking and landscaping.
Applicant	M And A Knightsbridge Properties Ltd
Agent	Freeths LLP - Mr Mark Harris
Ward	Thrapston Ward
Overall Expiry Date	03.05.2022
Agreed Extension of Time	10.06.2022

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Officer's recommendation is contrary to the Parish Council's objection.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The application proposes the partial demolition and conversion of the Samuel Peyps Public House (PH) in Slipton to a five bedroom dwelling. The partial demolition relates to the rear of the building, including the conservatory, and the single storey element to the frontage, east of the main building.
- 2.2 The original two storey building on the frontage of the site is to be retained with alterations proposed to the main entrance, door/ground floor window, which are to be re-positioned. An access is proposed to the east of the building to create off street parking and the erection of a detached garage.

3. Site Description

- 3.1 The application site is at the southern end of Slipton village and is located to the north of Slipton Lane which (broadly speaking) runs east to west. This route links Slipton with Islip/Thrapston to the east and Warkton/Kettering to the west.
- 3.2 The site is within the established built area of the village and currently comprises of a vacant public house and small garden area to the north. The pub and its grounds have previously been listed as an Asset of Community Value (ACV) (30.01.20). An appeal against the listing by the applicant was successful (20.11.20) and the property was delisted as an ACV. In January 2021 the public house was nominated by Lowick and Slipton Parish Council for a second time. The council agreed, following further supporting evidence (a business plan), that the asset met the definition to be listed as an asset of community value. On the 1st April 2021 the pub was relisted as an ACV. Even before the Coronavirus pandemic forced temporary closure of all pubs nationwide, the pub was closed.
- 3.3 The Samuel Pepys PH sits centrally within its own ground within a small garden area to the north and a large car park area to the south. The building fronts the highway with a two storey and single storey element and has been previously extended to the rear. To the north of the pub garden is a dwelling and gardens with open countryside to the east. To the south and west are residential properties within the village.
- 3.4 The site and neighbouring buildings are not listed, are not in a Conservation Area or adjacent to other listed assets although the pub building is considered, by Officers, to be a non-designated heritage asset. The site is also within flood zone 1, which carries the least risk of flooding. The site is not within the 3km Special Protection Area (SPA) buffer zone either.

4. Relevant Planning History

- 4.1 20/01706/FUL - Partial demolition and conversion of public house to a single residential dwelling with associated development including garage, access, parking and landscaping – Refused 24.05.21
- 4.2 20/00977/FUL – Construction of 5 residential dwellings and conversion of public house to residential dwelling – Refused 08.10.20
- 4.3 20/00161/FUL – Construction of detached 4-bed dwelling with new access – Refused 29.05.20
- 4.4 19/01271/FUL - Conversion of existing public house to residential and construction of five new residential dwellings – Refused 18.12.19
- 4.5 07/01096/FUL - Free standing retractable awning (6 metres x 5 metres x 2.6 metres in height) – Permitted 19.7.07
- 4.6 03/01347/ADV - External signage – Permitted 17.12.03
- 4.7 92/00133/FUL - Two storey extension – Refused 17.6.92
- 4.8 89/00912/FUL - Conservatory extension – Permitted 11.9.89

5. Consultation Responses

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

5.1 Lowick and Slipton Parish Council

Object to this application, on the following grounds;

There have been a number of repeat applications

- This would remove a social meeting place and result in the loss of a community facility
- It was a thriving business
- The premises is an ACV, and Friends of the Pepys Ltd are actively working to purchase it. They have been unable to obtain a valuation through refusal of access to property
- Building is of historical value, non-designated asset. The proposal would harm the historic fabric
- Highway Safety concerns on this stretch of road, there have been a number of near misses.
- Insufficient parking
- No turning area
- Limited visibility
- Could result in further applications for development on the garden land and car park
- The previous application 20/01/01706/FUL, was refused and as Cllrs can see no material difference between the two applications they therefore urge you to reject this current application.

5.2 Neighbours / Responses to Publicity

Letters have been sent to 13 properties, and a site notice posted, as a result 17 letters of objection have been received objecting on the following grounds;

- Repeated application – nothing has changed
- Only public community resource and is a community asset
- The public house is a huge asset to the village
- The building is a meeting place for villages/celebrations etc
- A community facility is needed more than ever in the village, particularly after Covid
- Off road parking provision is not sufficient
- No provision for visitor parking
- Vehicles will need to reverse in or out of the driveway
- Concerns over access/junction on the bend of Main Street and Slipton Lane
- Blind bend is very dangerous
- No other facility in the village
- The pub is subject to an ACV
- Formation of Friends of the Pepys Limited to ensure the pub is run by the local community
- Attempts to enter into discussion with the owner over commercially viable opportunities has been declined
- Not been possible to obtain a valuation for the sale of the property
- A viable business case has been made to support the ACV and there has been no effort to sell the pub
- Loss of iconic building
- Detrimental impact on village
- Ingress/egress of vehicles dangerous
- Danger to pedestrians
- The pub has previously been very successful with a great reputation
- Loss of area for children to socialise
- Owner focused on running down the pub
- Owners made it unsightly in appearance, cutting down nice trees
- Question whether the property has been marketed, no signs or local adverts
- Not allowed to view the property
- Non-designated asset and of great value to the village
- Previous applications refused
- Leave pockets of land either side of the PH for future development
- Clear intentions to develop further

5.3 Environmental Protection

We have previously commented on other applications relating to this site and have had concerns relating to the foul drainage provision. We have received complaints about the package sewage treatment works in the past due to capacity and lack of maintenance. The applicant has submitted a Foul Drainage Statement Revision C in which they propose to replace the current system with a new pump system including a connection into the public foul sewer system. Should you be minded to grant the application please can the following conditions be added to the permission in respect of drainage, no burning during construction, construction operation times, mud on highway and dust mitigation.

5.4 Highways

As this is a new access, the applicant will be required to demonstrate the necessary vehicular visibility splays of 2 metres x 43 metres (for a 30mph road) on both sides of the access. These splays must not contain any other third party owned land and shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.

The access must be constructed in a hard bound material for the first 5.5 metres from the highway boundary in the interests of highway safety. This prevents loose material such as gravel being transferred to the public highway where it is a danger, particularly to cyclists and motorcyclists. Please note that this authority does not accept resin bound gravel as a hard bound material due to the fact that, over time, the gravel often comes away from the binder.

A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.

Any gates across a private drive must be set back a minimum 5.5 metres from the highway boundary to enable a vehicle to stand clear of the highway before gates are opened. Alternatively, they must be operated by electric remote fobs and in this case the setback will not be required. Gates must be hung to open inwards only.

A minimum clearance of 1 metre between the face of any building, retaining structure, garage or wall etc. and the highway boundary is required. This ensures that foundations and construction does not undermine or encroach upon the highway. It also ensures that building drainage, rainwater down pipes, eaves, outward opening windows etc. do not encroach onto or over the highway and / or Public Right of Way.

Please note the required number of parking spaces per number of bedrooms (in accordance with the NNC Parking Standard Documents dated September 2016);

- Parking for a 1 Bed = 1 Space,
- Parking for a 2 Bed = 2 Spaces,
- Parking for a 3 Bed = 2 Spaces,
- Parking for a 4+ Bed = 3 spaces,
- Visitor Parking provision is at 0.25 spaces/dwelling,
- A single garage cannot be counted as a space,
- A double garage can be counted as a single space,
- Residential Spaces must be a minimum of 3 metres x 5.5 metres,
- Garages will need to have an internal measurement of 3.3 metres x 6 metres,

The full height kerbing will need to be reinstated and the existing access.

The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.

5.5 Natural England

No comment to make

5.6 Ecology

Satisfied that neither a licence nor mitigation will be needed in this case.

5.7 Archaeology

The application site is located at the south eastern end of the village. The public house itself was present by 1884 when it was shown as an L-shaped structure labelled as The Red Cow PH. Its significance lies in its role in the community as well as its historic fabric. The building should be considered a non-designated heritage asset.

As noted by this service in response to a previous application (20/01706/FUL), the NPPF, paragraph 205 says that the local planning authority should require the developer to record and advance understanding of the significance of heritage assets to be lost due to development. In this case a condition for building recording to Level 2 as defined in Understanding Historic Buildings (Historic England 2016) would be recommended.

Evidence for the development and use of the public house will be lost due to demolition and conversion. Such effects do not represent an over-riding constraint to development provided that adequate provision is made for the investigation and recording of any remains so affected. In order to secure this please attach a condition for an archaeological programme of works as per NPPF paragraph 199 to any permission granted in respect of this application.

5.8 Northamptonshire Police

No formal objection or comment to the planning application in its present form. It should be noted however that guidance should be taken from Building Regulation AD 'Q' - Security-Dwellings - Unauthorised access.

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 2 – Historic Environment
Policy 4 – Biodiversity and Geodiversity
Policy 6 – Development on Brownfield Land and Land Affected by Contamination
Policy 7 - Community Services and Facilities
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 11 – The Network of Urban and Rural Areas
Policy 15 - Well-connected Towns, Villages and Neighbourhoods
Policy 28 - Housing Requirements
Policy 29 – Distribution of New Homes
Policy 30 – Housing Mix and Tenure

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

Policy 2 – Windfall Development in Settlements

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)

7. Evaluation

The key issues for consideration are:

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

7.1 Background

7.1.1 The application site has been the subject of various planning refusals and has been the subject of ACV designation, delisting and relisting.

7.1.2 Planning application, 20/01706/FUL, was the most recent refusal (24.05.21) which was for the partial demolition and conversion of public house to a single residential dwelling with associated development including garage, access, parking and landscaping. The application was refused on the following grounds:

- 1) The proposal fails to adequately demonstrate that the loss of a community facility is acceptable and that other community uses have been considered as an alternative to the loss. This is contrary to Policy 7 c) of the North Northamptonshire Joint Core Strategy 2016 and Paragraph 83 d) of the National Planning Policy Framework 2019.

7.1.3 This application is a resubmission of the previous refusal and there are no changes to the proposed layout, scale or design of the dwelling. The application differs from the previous submission with the submission of additional information on the ACV designation and justification for the proposal.

7.1.4 The application site is subject to an ACV. The site was originally listed as an ACV and an appeal was lodged to the Council against the ACV listing and at a tribunal on the 20th November 2020 the appeal was allowed and the property was delisted as an ACV. In April 2021 the premises was relisted as an ACV as it was considered that the nominated asset falls within the category of an asset of community value as defined by the Localism Act and associated regulations and that it should be listed as such by this council.

7.2 Principle of Development

7.2.1 The application site is within the village of Slipton and relates to alterations and conversion of an existing building within the settlement boundary. Policy 11 of the JCS states that small scale infill development will be permitted on suitable sites within villages and goes onto support the appropriate re-use of rural buildings. This application is for the conversion of an existing building and as such is not infill development. Whilst it is for the conversion of an existing rural building it is not considered that Policy 25 of the JCS is applicable as it is not within the open countryside.

- 7.2.2 The conversion of the public house to residential is considered to be acceptable in principle, subject to other material considerations such as character and impact on residential amenity.
- 7.2.3 Planning policies aim to protect local services and paragraph 93 of the National Planning Policy Framework (NPPF) states that in order to provide the social, recreational, and cultural facilities a community needs, planning decisions should guard against the unnecessary loss of valued facilities and services.
- 7.2.4 Policy 7 c) of the North Northamptonshire Joint Core Strategy (JCS) states that development should support and enhance community services and facilities where appropriate by safeguarding existing facilities unless it can be demonstrated that:
- They are no longer viable; and
 - No longer needed by the community they serve; and
 - Are not needed for any other community use or that the facility is being relocated and improved to meet the needs of the new and existing community.
- 7.2.5 The application has been submitted with a range of supporting information which includes a planning statement and a separate report on the economic viability of the premises. The report submitted is an updated version of the report previously submitted with the previous planning application. The applicant's viability consultant concludes in their report that:

“the reintroduction of public house trading in the property presents a highly risky venture with a high probability of business failure.”

The updated version further states;

“Such previously identified risks have now been exacerbated by the economic circumstances and operational challenges caused by the Covid-19 health crisis and the damage caused to consumer confidence. There is now increased uncertainty over the prospects for public houses returning to previously achieved trading levels.”

and

“Based upon my assessment of the credible Fair Maintainable Trade and profit performance of the Samuel Pepys, it is my opinion that the public house is no longer economically viable and does not warrant a prudent operator in taking a decision to seek the reintroduction of pub trading. My detailed trade appraisal and viability assessment set out above, demonstrate that the property will unlikely be capable of generating a satisfactory profit to fund capital investment in the venture or for it to be viable or sustainable, after accounting for the costs of capital required to achieve acquisition and reopening for trade.”

- 7.2.6 The council has not sought independent viability advice in this instance, so largely takes these conclusions at face value and does not dispute the methodology or general outcomes. There is however an area of perceived peculiarity which is discussed at paragraph 7.35 later in the report.
- 7.2.7 When considering the above matters in the context of the principle of development, there is provision in policy to allow for the loss of a community facility if the criteria in JCS Policy 7 c) are adequately met.
- 7.2.8 The economic viability assessment includes details on alternative community uses and details of the marketing of the existing site. The report dismisses the use of the premises as an alternative community use due to the size, condition and the costs of renovating and converting the building. This submission is not a detailed consideration of alternative uses or an investigation into the need for a community facility.
- 7.2.9 The supporting planning statement states that the November 2020 ACV Tribunal decision is a material consideration, which led to the de-listing of the public house as an ACV. This judgement concluded that ‘it is not realistic to think that there is a time limit in the next five years when there could be non-ancillary use of the building or land that would further the social well being or social interests of the local community and S88(2) of the Act is not satisfied”.
- 7.2.10 Since this judgement a further application for an ACV designated was made on the 1st April 2021. The decision notice for the second ACV application states that the Samuel Pepys is an extremely valued assets to the village as there is no other meeting place or village hall. The nomination also states that post COVID lockdown the pub will be of utmost importance as people will want to reunite and socialise again. Furthermore, the garden provides a community play area and without the Samuel Pepys there will be nowhere in the village to meet socially or formally. The report concludes that the pub has a community use which further the social well-being and social interest of the local community.
- 7.2.11 The ACV nomination in 2021 included the submission of a business plan. The ACV decision concluded that the plan sets out concrete plans supported by the fact that money is becoming available. It further states that the business plan stages have been well thought through and a phased approach is set out, the business plan appears to contemplate all considerations including repair, renovation and conversion costs. The decision notice concludes that;

Having considered all of the factors above, it is my view that the nominated asset falls within the category of an asset of community value as defined by the Localism Act and associated regulations and that it should be listed as such by this council.

- 7.2.12 Following the re-designation of the Public House as an ACV, planning permission for the conversion of the public house to a single residential dwelling was refused. This was on the grounds that the applicant had not fully demonstrated that other community uses have been considered or are needed; their assessment is based on a general nature and physical unsuitability of the building.
- 7.2.13 This application has been submitted following the refusal of 20/01706/FUL in May 2021. Additional justification for the application has been submitted. The applicants have advised that since the designation of the ACV no approach has been made and there has been no realistic and viable business proposition to the applicant to allow re-occupation of the building for a public house or other form of community use.
- 7.2.14 In July 2021, the applicants notified the Council of their intention to sell the building which commenced a formal 6 month moratorium period. NNC confirmed on the 9th December 2021 that no formal bids from any community interest group had been received. As a result, the premises is now in a protected period where up to the 7th December 2022, the property is free to be sold to any party.
- 7.2.15 The premises has remained for sale on the open market and there has not been any interest from either a public house tenant or operator and/or a community group.
- 7.2.16 Evidence has been submitted with the application to demonstrate that the premises has been marketed in 2017, 2018 and continually since January 2020. The supporting information states that the marketing evidence demonstrates that there is no market demand for this public house.
- 7.2.17 The applicants have not provided any detailed consideration of alternative uses or an investigation into the need for a community facility. However, due to the length of time the premises has been on the open market for, and the recent moratorium period undertaken where no community bids for the public house were made it is considered, on balance, that the public house is no longer viable and is not needed for any other community use.
- 7.2.18 Based on the above assessment, the proposed conversion of the public house to a single residential dwelling would comply with JCS Policy 7 c and the principle of the development is accepted. The report will now discuss other aspects of the proposal before reaching a final conclusion.

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

- 7.3.1 Planning permission for the conversion of existing public house to residential and construction of five new residential dwellings was refused in October 2020. One of the reasons for refusal was;

'The design and layout of the proposal would introduce additional dwellings beyond the existing built form of the village, would not respect or enhance the character of the area and the way it functions, and would result in harm to the setting of a non-designated heritage asset.'

- 7.3.2 This application has been significantly amended and now only relates to the conversion of the existing public house to a single residential dwelling, the same as the recent application 20/01706/FUL. The application proposed the partial demolition and conversion of the former public house into a five bed dwelling. This application proposes the partial demolition of the rear of the building, including the conservatory, to create an L-shaped dwelling with three parking spaces and a garage on the eastern side of the building.
- 7.3.3 The pub building would be substantially reduced in size, with demolition to include the conservatory and single storey element along Slipton Lane. As proposed, it would become a 5-bedroom dwelling with its own amenity space and parking.
- 7.3.4 This application is the same as the recently refused scheme submitted under application 20/01706/FUL. This application was not refused on the impact of the proposal on the character of the area. In the previous application the Principal Conservation Officer expressed concerns about the alterations and stated;
- “The majority of the removal work relates to modern fabric and therefore is accepted, but the proposed loss of the barn/range on the right-hand-side of the building's front elevation would be regrettable.*
- The alteration of the windows and doors on the building's front elevation is not justified. In my view this elevation should remain as existing to preserve the building's historic character and appearance.”*
- 7.3.5 With regard to the proposed alterations to the front elevation of the property, the applicant has stated that the proposed changes are in their view minor and proposed to suit the internal layout alterations that are necessary as part of the conversion. They further state that the position of the door and windows are not materially different from the original building and the existing window positions and will be using joinery to match. On balance, whilst the previous comments of the Principal Conservation Officer are noted the character and appearance of the building is considered to be retained and the minor alterations to the frontage of the building would sufficiently harm the character and appearance of this non-designated heritage asset to warrant a refusal.
- 7.3.6 A new garage is proposed to the east of the premises. The proposed garage is a light-weight construction proposed to be constructed from timber cladding and roof tiles. The garage building is to be off-set from the main building and set back into the site and will be subordinate to the host property. The garage is considered to be acceptable and would not have any adverse impact on the character and appearance of the host property or surrounding area.

7.4 Impact on Residential Amenity

- 7.4.1 The application proposes the conversion of the existing public house to a five bed detached dwelling. To the north and west of the site is the garden area to the public house with a detached dwelling, Rose Cottage, further to the northwest. To the south on the opposite side of Slipton Lane are two detached cottages. Due to the distance separation and intervening highway it is not considered that the proposal would have any adverse impact on properties to the south. To the northeast and east is open countryside.
- 7.4.2 The footprint of the existing building has been reduced and there would be a number of bedroom windows on the first floor elevation. It is considered that there may be some incidental overlooking of the neighbouring garden, Rose Cottage, but this is not considered to be an unusual relationship, or severe enough to warrant a refusal of planning permission.
- 7.4.3 Having regard to the above it is considered that the proposal would not impact significantly upon neighbouring properties in terms of mass, overshadowing and overlooking and a satisfactory relationship would remain.

7.5 Highway Safety and Parking

- 7.5.1 Many of the objections to the application raise this as a concern, citing the fast traffic speeds, concerns about insufficient parking and reversing onto the road and the parking arrangements as proposed. The proposed layout of the development provides adequate visibility splays and parking has been provided within the site.
- 7.5.2 The application site is within the 30mph speed limit and there is a pinch point further to the west of the site where traffic is reduced to one lane in width, with priority to vehicles leaving the village. To the immediate east of the site the road returns to the national speed limit and the approach to the village from the south east is considerably faster.
- 7.5.3 Officer experience of this route is that speeds along the section of road outside the site can be fast and there is existing and regular on street parking near Lilac Cottage. The concerns from local residents are therefore understood.
- 7.5.4 The parking arrangements for the proposed dwelling are considered to be sufficient and the Local Highway Authority raised no objection to the proposal. Whilst the concerns raised are understood, in this case it would be difficult to substantiate highway safety as a reason for refusal. This is because the NPPF at Paragraph 109 is clear that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

7.6 The Applicant's Case for the Loss of Community Facility

7.6.1 The Samuel Pepys PH ceased trading in January 2019 and the applicant's updated viability consultant concludes in their report that:

"I reported in July 2019 and August 2020 that I then concluded that the reintroduction of public house trading in the property presents a highly risky venture with a high probability of business failure. Such previously identified risks have now been exacerbated by the economic circumstances and operational challenges caused by Covid-19 health crisis and the damage caused to consumer confidence"

and

"Based upon my assessment of the credible Fair Maintainable Trade and profit performance of the Samuel Pepys, it is my opinion that the public house is no longer economically viable and does not warrant a prudent operator in taking a decision to seek the reintroduction of pub trading. My detailed trade appraisal and viability assessment set out above, demonstrate that the property will unlikely be capable of generating a satisfactory profit to fund capital investment in the venture or for it to be viable or sustainable, after accounting for the costs of capital required to achieve acquisition and reopening for trade."

7.6.2 JCS Policy 7 c) is applicable in these circumstances and this states that:

"Development should support and enhance community services and facilities, where appropriate, by safeguarding existing facilities unless it can be demonstrated that:

- i. They are no longer viable; and
- ii. No longer needed by the community they serve; and
- iii. Are not needed for any other community use or that the facility is being relocated and improved to meet the needs of the new and existing community.

7.6.3 All three of the sub-criterion need to be met in order for the policy to be complied with, and this proposal falls short. As expressed in Paragraph 7.11 above the Council largely accepts the methodologies and findings of the viability report, as it did on the previous applications (19/01271/FUL, 20/00161/FUL, 20/00977/FUL and 20/01706/FUL which were all refused). It has been compiled by a competent person and the council has not sought independent viability advice to rebut this.

7.6.4 There is however a perceived peculiarity which is prudent to mention here. On page 22 of the viability report there is a table which breaks down the food and drink sales for the final four months of 2018. This shows a continual decline. The pub has quite generous grounds, so a decline in trade as the summer ends and temperatures drop is not a surprise. However, it is a surprise to see such low food takings for the month of December when Christmas lunches and meals are very popular, even during weekdays when workplaces typically have their annual outing for team lunches / meals. No explanation has been given for this unusual decline in sales.

- 7.6.5 This casts doubt as to the effectiveness of the most recent management of the pub. If the management has not been successful, the council's view is that this should not carry significant weight in the argument in favour of permanently removing a community facility.
- 7.6.6 It is further considered that the "destination custom" element as referred to in the submission, has been downplayed. Although the site is in a rural location it is very well placed for passing trade and the site layout is ideal for it, with its own car park and grounds. The road which passes through Slipton links it to Kettering and Thrapston within a few minutes drive along national speed limit roads. This route is also the most direct to the A14 and the large Primark distribution warehouse at Islip for people living in nearby towns/villages.
- 7.6.7 Notwithstanding the perceived financial anomaly above it is considered that Policy 7 c) i. has been complied with.
- 7.6.8 Turning to point ii) of JCS Policy 7, the Samuel Pepys PH and its grounds were confirmed as an Asset of Community Value (ACV) on 30.1.20. The applicant appealed in May 2020 against the ACV status but was unsuccessful. However, a more recent appeal, in November 2020 was successful and the pub was delisted as an ACV. As detailed above, a more recent application in January 2021 for the listing of the pub as an ACV has been accepted and in April 2021 the public house was relisted as an ACV. The proposal would result in the loss of the pub if permission is granted. The recent ACV designation (01.04.21) was considered to demonstrate clear intent from the local community that there is a need for facilities in the village and from representations received from the Parish Council and some local residents. However, since the previous refusal on the site the applicant has notified NNC of its intention to sell and entered into the required six month moratorium period. No community bids were received during this period and the property can now be sold on the open market.
- 7.6.9 The ACV status is a material consideration, however, the continued marketing of the property and the lack of submission of any community bids implies that the premises are no longer needed by the community it serves and on balance it is considered that Policy 7 c) ii has been complied with.
- 7.6.10 The updated supporting information with the application makes reference to alternative community uses. However, this submission is not a detailed consideration of alternative uses or an investigation into the need for a community facility. Details of the sales particulars and marketing period have now been supplied as part of the business / viability case, it is considered that the timeframes for marketing are adequate. As discussed within section 7.2 above, due to the length of time the premises has been on the open market and the recent moratorium period undertaken, where no community bids for the public house were made, it is considered, on balance, that the public house is no longer viable and is not needed for any other community use. Accordingly, JCS Policy 7 c) iii. has been complied with.

8. Other Matters

- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Pre-commencement Conditions: The applicant has agreed to the proposed pre-commencement condition.
- 8.3 Waste Collection: This can take place from the kerbside on Slipton Lane.
1. 8.4 Space Standards: The new property would meet nationally prescribed space standards as required by Policy 30 of the JCS.
- 8.5 Archaeology: Following consultation with the County Archaeologist, in the event of an approval, investigation and recording can be secured through a condition.
- 8.6 Drainage: Drainage details and foul sewage treatment can be secured through a condition or conditions.
- 8.7 Future Application: A number of comments have been made about future intention for the site. Each application should be considered on its own merit. This application relates to conversion of the existing public house to a single dwelling. Any subsequent application will need to be considered on its own merits.

9. Conclusion / Planning Balance

- 9.1 In this instance the proposed partial demolition and conversion of the public house to a single residential dwelling 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; and
 - There are no other material planning considerations which have a significant bearing on the determination of this application.

10. Recommendation

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

11. Conditions

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

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

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

- Location Plan and Site Layout, PL-001.2 Rev D, as received by the Local Planning Authority on 22nd February 2022; and
- Proposed Floor Plans and Elevations, PL-003.2 Rev A, as received by the Local Planning Authority on 7th March 2022; and
- Proposed Garage Plans and Elevations, PL-006 Rev A, as received by the Local Planning Authority on 7th March 2022; and

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 should be maintained and retained in perpetuity thereafter.

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

- 4 Prior to the occupation of the dwelling, the foul drainage provision should be replaced at the approved development as detailed in the Foul Drainage Statement Revision C prepared by Chiltern Design Reference DS/701 and updated January 2022.

Reason: To ensure adequate drainage provision.

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

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

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

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

- 7 At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust nuisance by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

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

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

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

- 9 Prior to the commencement of building construction above ground level hereby permitted a detailed boundary and landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority.

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

- 10 Prior to first use or occupation of the development hereby permitted, the boundary and landscaping scheme shall have been implemented in accordance with the details shown on the approved plans, and shall be retained in the agreed manner in perpetuity. 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 achieve a satisfactory elevational appearance for the development.

- 11 Prior to the first occupation of the dwelling hereby approved, the parking and access shall be provided in accordance with the submitted details, plan reference PL-001.02, and thereafter remain in perpetuity.

Reason: In the interests of highway safety.

- 12 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 Informatives

1. Please note guidance should be taken from Building Regulation AD 'Q' - Security-Dwellings - Unauthorised access.

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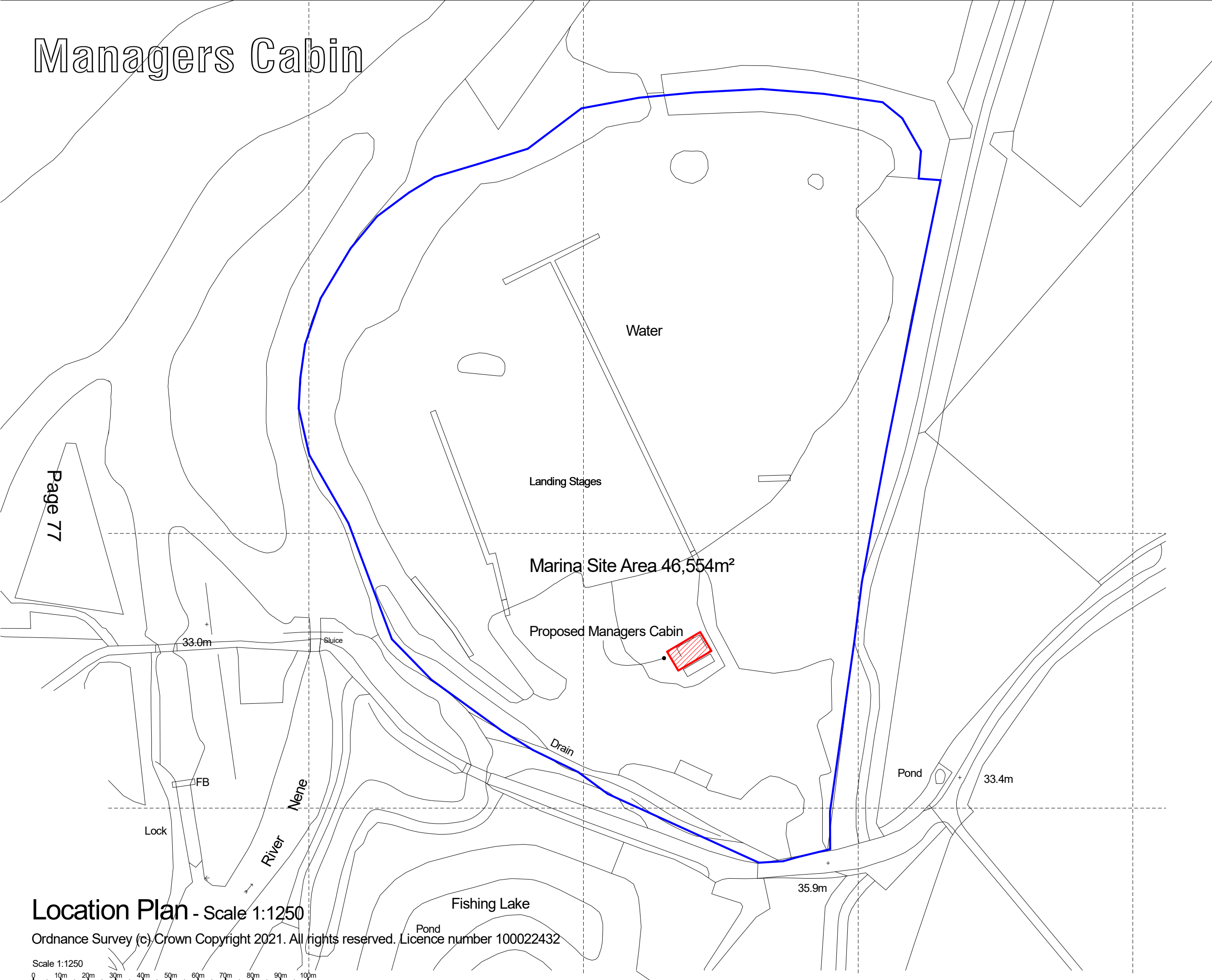
Managers Cabin

MWS DESIGN

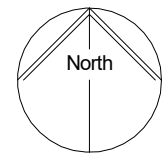
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Page 77

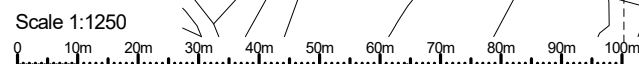


Rev.	Date	Revision Note
A	Nov 2018	App site adjusted (MWS)
B	Dec 2021	Drawing re-formatted (MWS)

All dimensions to be checked on site but may be scaled for Planning Purposes		
Drawn by	VR	
Date	Oct 2018	
Project	Blackthorn Lake Marina Station Road, Ringstead	
Drawing	Managers Cabin Location Plan	
Scale	Job No.	Drawing No.
1:1250	4109	1 B

Location Plan - Scale 1:1250

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Agenda Item 8

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**North Northamptonshire Area Planning Committee
(Thrapston)
8 June 2022**

Application Reference	NE/21/01767/FUL
Case Officer	Jacqui Colbourne
Location	Blackthorn Lake, Station Road, Ringstead, Northamptonshire.
Development	Replacement of existing site manager's office/accommodation with a new site manager's cabin.
Applicant	Mr C Hodgson
Agent	Insight Town Planning Ltd - Mark Flood
Ward	Irthlingborough
Overall Expiry Date	14.06.2022
Agreed Extension of Time	13.06.2022

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Officer recommendation is contrary to the Parish Council's objection.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The application proposes the replacement of the existing site manager's office / accommodation with a new site manager's cabin for the same function.

3. Site Description

- 3.1 The application relates to the replacement of an existing manager's cabin with an office / accommodation located to the south of the landing stages at Black Lake. To the west and south west are a variety of other buildings associated with the site including storage, communal building and toilet and shower facilities. The site is located with Flood Zones 2 and 3, Gravel Pits Special Protection Area (SPA), Ramsar and Special Site of Scientific Interest (SSSI).

4. Relevant Planning History

- 4.1 NE/21/01768/FUL - Construction of enclosure for existing dry dock-permitted – 18.02.2022
- 4.2 08/00004/PPC – Enforcement enquiry - Development commenced prior to discharge of planning condition – Closed - 12.01.2011
- 4.3 17/02386/FUL – Steel building over the dry dock and work area - Withdrawn 12.04.2018. This was on the understanding that a further application would have been required to regularize all structures on site that would require permission including the manager's office/accommodation.

5. Consultation Responses

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

5.1 Ringstead Parish Council

The objection states that the site manager's cabin looks to be a semi-permanent 2 bedroom home and that this is misrepresented as a site manager's cabin; a site manager's cabin intermates a space used for offices.

Ringstead Parish Council has evidence of various breaches of planning control that have taken place over the years and some are still ongoing.

The Neighbourhood Plan states in Policy R23: Blackthorn Marina (as shown on the Policies Maps on pages 84 & 85) will be safeguarded for water-based leisure uses. The development of additional boatyard facilities at Blackthorn Marina will only be supported where it takes place in accordance with a Masterplan. These observations relate to the emerging Neighbourhood Plan, on which a referendum will take place on the 30th June 2022, which has yet to be "made".

5.2 Neighbours / Responses to Publicity

No correspondence has been received.

5.3 Highways Team (LHA)

The highways team has stated that it has no objections, subject to an informative note relating to the applicant's responsibilities in respect of Bridleway No. NR6 which runs in close proximity to the proposed development.

5.4 Community Development

No comments received.

5.5 Waste

No comments.

5.6 Environmental Protection

Environmental Protection has no comments to make with respect to this planning application.

5.7 Senior Tree and Landscape Officer

No comments received.

5.8 Natural England

No objection, however further information is required via a Habitats Regulation Assessment (HRA).

5.9 Ecology

No comments received.

5.10 Royal Society for the Protection of Birds

No comments received.

5.11 North Northants Bat Group

No comments received.

5.12 The Environment Agency

No objection subject to a condition for flood measures to be implemented and an informative to for the applicant to be added to any decision notice relating to an Environmental Permit.

5.14 Lead Flood Authority

No objection, and they refer to standing guidance, and an informative note for the applicant.

5.15 The Wildlife Trust
No comments received.

5.16 Planning Policy
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 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 15 - Well Connected Towns, Villages and Neighbourhoods
Policy 20 - Nene and Ise Valleys
Policy 22 - Delivering Economic Prosperity
- 6.4 Emerging East Northamptonshire Local Plan (LPP2) (2021)
EN1 – Spatial Development Strategy
LEN13 - Design of Buildings / Extensions
EN16 - Tourism, Cultural Developments and Tourist Accommodation
- 6.5 Raunds Neighbourhood Plan (referendum stage)
Policy R23: Blackthorn Marina
- 6.6 Other Relevant Documents
North Northamptonshire Sustainable Design Supplementary Planning Document - (Adopted March 2009)
Trees and Landscape Supplementary Planning Document - (Adopted June 2013)
Biodiversity Supplementary Planning Document for Northamptonshire, 2016
Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document, 2016

7. Evaluation

The key issues for consideration are:

- Other Applications
- Principle of Development
- Visual Impact
- Ecology
- Highway Matters

7.1 Principle of Development

- 7.1.1 The application site is within an ecologically sensitive location and falls within the Upper Nene Valley Gravel Pits Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and RAMSAR site; as such any development in this location must be very sensitive to these assets.
- 7.1.2 The proposal relates to an existing, lawful manager's cabin with an office and associated accommodation. The Council's enforcement team has confirmed that their investigations showed that the existing structure has been in site for the requisite period of four years (April 2018) and it is therefore lawful and immune from enforcement action. It is surrounded by other associated structures at Blackthorn Lake, so providing that the other material considerations can be adequately addressed, a replacement is considered to be acceptable as the principle of this type of accommodation has already been established by the existing lawful use.
- 7.1.3 Ringstead Parish Council has raised an objection stating that the site manager's cabin looks to be a semi-permanent two bedroom home and that this is misrepresented as a site manager's cabin; a site manager's cabin intermates a space used for offices. The proposed works are stated to be the replacement of existing site manager's office/accommodation with a new site manager's cabin. The marina is an established facility comprising lakes, moorings and boat maintenance services. The proposal includes one additional bedroom, when compared to the existing structure however, the proposal is still modest in scale and conditions could be used to ensure the use is restricted to a manager running the activities at Blackthorn Lake. It is noted that the Ringstead Neighbourhood Plan has not yet been "made" and is at referendum stage and therefore cannot be used to assess this proposal. In any event, an application for replacement building for an existing use would not warrant the submission of a masterplan as the emerging policy would require, so the principle remains acceptable subject to other material considerations being addressed.

7.2 Visual Impact

- 7.2.1 The proposed replacement site manager's office / accommodation would be visible from nearby public viewpoints around Blackthorn Lake, as well as by those on boats on the lake itself. However, it should be noted that this is also the case for the current building. The proposed site manager's office / accommodation is relatively small in scale relative to the size of the overall lake and wider site. Furthermore, this is proposed to replace an existing building of the same nature immediately north of its current location. The existing structure is a mobile home and the proposed timber clad structure would be more sympathetic to the surroundings and an improvement visually.
- 7.2.2 In terms of scale this proposal would not be significantly different to the existing structure. The existing single storey structure is 13 metres in length and 4 metres in depth, 2.3 metres to the eaves and 2.5 metres to the ridge. The proposed structure would be 14 metres in length by approximately 8 metres in depth, approximately 2.3 metres in height to the eaves and 3.9 metres in height to the ridge. The proposed materials are such that would be expected for a structure of this nature, namely timber cladding, with interlocking concrete roof tiles. These would be considered an improvement when compared to the existing mobile home structure and furthermore these could be secured via planning condition.
- 7.2.3 On balance, considering what is existing, in terms of visual impact, this proposal, is considered a betterment and therefore it is considered to be acceptable in this regard. The removal of the existing manager's office / accommodation and returning the existing site to grassland could be secured via planning condition to ensure that the two buildings do not sit side by side.

7.3 Ecology

- 7.3.1 As mentioned in the 'Principle of Development' section above, the site is in a sensitive location (SSSI and Upper Nene Valley Gravel Pits Special Protection Area (SPA) protected under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
- 7.3.2 Natural England has stated that a Habitats Regulations Assessment (HRA) is required and this has been carried out. On this basis as the proposals are to provide a replacement manager's office / accommodation, this proposal includes no intensification at the site and as such raises no concerns. Whilst it does relate to residential development, this is a proposal to replace what is existing, so it would not result in any additional recreational harm - which is the key concern with residential development in and around the SPA.
- 7.3.3 In addition, the Council's Ecologist has raised no objections or concerns.
- 7.3.4 On this basis, subject to the suggested conditions and informatives, the proposals are considered to be satisfactory in this regard. This element of the proposal is therefore considered acceptable.

7.4 Flood Risk

- 7.4.1 Whilst the Lead Local Flood Authority raised no concerns in regard to flood risk, the Environment Agency has stated that the proposed development will only meet the National Planning Policy Framework's (NPPF) requirements in relation to flood risk subject to the imposition of a condition and informatives to the applicant.
- 7.4.2 As such, subject to the suggested conditions and informatives the proposals are considered to be satisfactory in this regard.

7.5 Highway Matters

- 7.5.1 The Highways team has confirmed that it has no objections to the proposal, but it has asked that the applicant is made fully aware of their responsibilities in respect of Bridleway No. NR6 which runs in close proximity to the proposal. This can be addressed via an informative on the decision notice. As such in this regard the proposal is acceptable.

8. Other Matters

- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Ringstead Parish Council comments: These comments are noted and have been largely addressed in the sections above. The Ringstead Neighbourhood Plan has not been "made" or yet consulted on fully (the referendum relating to this will be held on Thursday 30 June 2022). As such, this plan carries little to no weight. This proposal seeks the replacement of an existing development, and this has been addressed above. Furthermore, the enforcement team has confirmed that the existing manager's office / accommodation is lawful, and that no enforcement action is outstanding in regard to this. Whilst the Parish Council has referred to other enforcement cases, these are not relevant to the determination of this case. On balance Officers consider the application to be acceptable in these regards.
- 8.3 Recent applications at the site: Whilst it is noted that another application at the same site, namely NE/21/01768/FUL 'Construction of enclosure for existing dry dock' was recently permitted, this has no impact on the determination of this application due to its different nature given this is to cover an existing dry dock and not for a dwellinghouse.

9. Conclusion / Planning Balance

- 9.1 Overall, the proposal is considered to be acceptable with regard to relevant policies and material considerations. Whilst flood risk and ecology carry particular weight in this location, there have been no objections in relation to these matters and any concerns that have been raised can be addressed via planning condition or applicant informative. Therefore, on balance the principle of replacement accommodation is acceptable, it is of an acceptable design, and there is no impact on the amenities of neighbouring properties or the highway which would justify refusing the application.

10. Recommendation

10.1 That Planning Permission be GRANTED subject to conditions.

11. Conditions

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

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

2 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following:

Application Form

Outline Proposals Managers Cabin/Reception Dwg 5

Site layout Dwg. T01

Ecological Appraisal

Flood Risk assessment

All received 06.12.2021

Managers Cabin Location Plan Dwg.1B

Planning Statement

Received 20.12.2021

Managers Cabin Site Plan Dwg.3D

Outline Proposals Managers Cabin/ Reception Dwg. 5A

Both received 03.02.2022

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 carried out using materials detailed in the submitted application form and plans.

Reason: In the interests of visual amenity.

4 The development shall be carried out in accordance with the submitted flood risk assessment (FRA) & email addendum and the following mitigation measures they detail:

- Finished floor levels shall be set no lower than 35.30 metres above Ordnance Datum (AOD).
- Flood resilience and resistance measures shall be incorporated into the building design as shown on the floor plans proposed drawing (ref: 4109 05A).
- These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 5 The existing managers office / accommodation as identified on the existing Manager Plan drawing received 04.04.2022, shall be demolished, all materials relating to it removed and the site returned to grassland within 3 months of the completion or occupation of the hereby approved replacement building; whichever is satisfied first.

Reason: To ensure only one managers office/accommodation remains on the site.

- 6 The occupation of the manager's office / accommodation dwelling hereby permitted shall be limited to a person solely or mainly working, at the Blackthorn Lake marina.

Reason: To allow the local planning authority to retain adequate control over the occupancy of the dwelling given the special circumstances of the site.

Informatives

1. Bridleway No. NR6

With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements;

- The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.
- There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office, under Section 131 HA1980.
- If as a result of the development, the Right of Way needs to be closed, where a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks' notice period is required.
- Any new path furniture (e.g. gates preferred over stile) needs to be approved in advanced with the Access development Officer, standard examples can be provided.

Please do not rely on the position of features on site for an accurate position of the public rights of way. This must be taken only from the Definitive Map and Statement 2016.

2. Flood resistance and resilience.

We strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

British Standard 85500 - Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

3. Environmental Permit.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission