

# Public Document Pack



**Meeting:** Area Planning Committee Thrapston  
**Date:** Wednesday 1st February, 2023  
**Time:** 6.00 pm  
**Venue:** Council Chamber, Cedar Drive, Thrapston, NN14 4LZ

To members of the Area Planning Committee Thrapston

Councillor Jennie Bone (Chair), Councillor Gill Mercer (Vice-Chair), Councillor Kirk Harrison, Councillor Bert Jackson, Councillor Barbra Jenney, Councillor Andy Mercer, Councillor Roger Powell, Councillor Geoff Shacklock and Councillor Lee Wilkes

Substitutes: Councillor Wendy Brackenbury and Councillor Michael Tye

Agenda			
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02	Members' Declarations of Interest		
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Items requiring a decision			
04	<b>Planning Application NE/22/01075/FUL 2 Pleasant Row, Woodford</b> Single storey rear extension and removal of conservatory at the front of property <b>Recommendation: Grant</b>	Relevant Case Officer	11 - 20
05	<b>Planning Application NE/22/00940/FUL 2 Birchall Road, Rushden</b> Change of use from residential to 3 no. 1 bedroom flats <b>Recommendation: Grant</b>	Relevant Case Officer	21 - 32
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			
06	Close of Meeting		

Adele Wylie, Monitoring Officer  
North Northamptonshire Council



**Proper Officer**  
**23 January 2023**

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

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

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The Council has approved procedures for you to request to address meetings of the Council.

<b>ITEM</b>	<b>NARRATIVE</b>	<b>DEADLINE</b>
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 31 January 2023
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 31 January 2023

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

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

### **Members' Declarations of Interest**

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

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are

also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

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

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

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## **Minutes of the Area Planning Committee Thrapston**

At 6.00pm on Wednesday 23<sup>rd</sup> November 2022

Held in the Council Chamber, Cedar Drive, Thrapston

### **Present:-**

#### Members

Councillor Jennie Bone (Chair)  
Councillor Wendy Brackenbury  
Councillor Kirk Harrison  
Councillor Bert Jackson  
Councillor Andy Mercer

Councillor Gill Mercer (Vice Chair)  
Councillor Roger Powell  
Councillor Geoff Shacklock  
Councillor Lee Wilkes

#### Officers

Carolyn Tait (Planning Development Manager)  
Ian Baish (Development Management Officer)  
Jacqueline Colbourne (Development Management Officer)  
Troy Healy (Principal Planning Manager)  
Simon Aley (Planning Lawyer)  
Louise Tyers (Senior Democratic Services Officer)

### **51 Apologies for non-attendance**

Apologies for non-attendance were received from Councillor Barbara Jenney. Councillor Wendy Brackenbury attended as substitute.

### **52 Members' Declarations of Interest**

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

No declarations of interest were made.

Councillors Jennie Bone and Bert Jackson declared that they had undertaken informal site visits to both applications on the agenda.

### **53 Minutes of the meeting held on 28 September 2022**

#### **RESOLVED:**

That the minutes of the Area Planning Committee Thrapston held on 28 September 2022 be confirmed as a correct record and signed.

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

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

**(i) Planning Application NE/22/00816/FUL – 3 Main Street, Woodnewton**

The Committee considered an application for retrospective planning permission for a two-storey rear extension. The application also sought to change the roof to the front of the property by adding a gable. This was a retrospective application as what had been constructed was not in line with the previously approved application 19/02000/FUL.

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 committee report.

Requests to address the meeting had been received from Andrew Smith, an objector; Councillor Peter Guttridge, on behalf of Woodnewton Parish Council and Laura Woollard, the applicant and the Committee was given the opportunity to ask questions for clarification.

Mr Smith addressed the Committee and stated that there were visual impact concerns with the application. He had had a conversation with the Planning Officer in February, where she had confirmed that the applicant was obliged to build what they had permission for. The applicants were aware of a number of issues with the application which neighbours and the Parish Council had. The original tiles were Collyweston and the proposed tiles did not compliment the dwelling as they were not sympathetic and did not match the existing tiles. The Planning Officer had stated that the development was not highly visible but he had provided a photo which showed the contrary. There was an increased 200% overlooking into his property.

Councillor Guttridge stated that the Parish Council had submitted a very detailed written objection. There had been no objections to the previous application, but the development had been built using an incorrect site plan and had been built 3 metres away from the agreed footprint. The development also overlooked 7a Main Street. Complaints had been made during the build and the Enforcement Officer had visited, but no amendments to the build were made.

Mrs Woollard stated that she accepted that she should have consulted the Council during the build but they were managing the build themselves. There would have been a 12-month delay on the tiles, and they needed to ensure that the building was watertight, so had used a variation of the tiles. Grey tiles had been used on other dwellings in the area. The windows were slightly larger but did not increase overlooking. They objected to the Parish Council's comments and they had the full support of neighbours.

The Chair invited the Committee to determine the application.

During debate on the application, the following points were made:

- Had partially obscured glazing been considered to reduce possible overlooking? In response, the Development Management Officer advised that it had not been discussed or raised. As there was a significant separation distance there were no concerns, but it was an option.
- It was disappointing that this was a retrospective application and that the applicants had not sought advice. The Development Management Officer advised that there had been a considerable amount of comment on this being a retrospective application, however an applicant could not be penalised for submitting a retrospective application and it needed to be considered like a new application.
- How long would the roof tiles take to age in the weather? The Development Management Officer advised that tiles would age differently according to the environment. Very similar tiles had been used in the vicinity.
- There was concern at the size of the building being overbearing on the neighbours. One of the speakers had mentioned there was now 200% overlooking and this could be seen as excessive. It was clarified that the 200% overlooking was compared to the original dwelling and not the approved dwelling. Planning permission had already been given for three windows and it was necessary to take into account the fallback position.
- It was noted that there had been no objections to the previous application and the footprint was the same.

It was proposed by Councillor Geoff Shacklock 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 committee report.

*The meeting adjourned at 6.45pm and reconvened at 6.55pm.*

**(ii) Planning Application NE/22/00867/FUL – 31 Main Street, Woodnewton**

The Committee considered an application to erect a two storey, four-bedroom detached dwelling with an attached double garage with home office and games room above. An existing agricultural style portal framed building within part of the site would be demolished as part of the proposal.

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 committee report.

Requests to address the meeting had been received from Trevor Fowler, an objector; Councillor Peter Guttridge, on behalf of Woodnewton Parish Council and Mark Benns, the agent for the applicant and the Committee was given the opportunity to ask questions for clarification.

Mr Fowler addressed the Committee and stated that he had no objection to an appropriately sized dwelling within the building line, but the plans would massively exceed the site. There was the potential to split the development into two dwellings. The reference to the site previously being used as a market garden was not true. The site was in a congested part of the village and requiring the necessary visibility splays would be impossible. Emergency vehicles would also not be able to turn. Why were there national strategies if the rules were not being applied to protect the village?

Councillor Guttridge stated that a number of Grade II listed buildings were mentioned in the report, but three other properties were not. The site was in a conservation area. The building would dominate and detract from the listed buildings and was double the size of surrounding properties. There would be a breach of the building line and this would create a dangerous precedent. Paragraph 8.3 of the report was misleading, and the other properties mentioned had met specific planning requirements. There was a duty to protect the conservation area.

Mr Benns stated that key areas had been considered in the design. A pre-application enquiry had been made and advice sought, which had received a positive response. This application was similar to the 2016 application and the design had now addressed former concerns. The Conservation Officer had not objected. The applicant had no objections to the conditions being proposed. The development could be a welcome addition to the village.

The Chair invited the Committee to determine the application.

During debate on the application, the following points were made:

- Would the CEMP in condition 13, be approved by any members, and should they have sight of it? It was confirmed that the CEMP would be approved by the ecology adviser, but they would consider what involvement members could have.
- There was concerns about the visibility and safety splays not being achieved and the required width of the driveway also not being achieved. In response, the Development Management Officer advised that the existing access already served a number of existing dwellings and another dwelling would not intensify its use. The access had previously been used for commercial use.
- As there was already a lawful use for the access, members questioned what the prospects would be if the application was refused on highways grounds? The Legal Officer advised that the prospects in defending a refusal on those ground would likely not be good as the access was already in use. It was accepted that if the application was for a new access that it would not be acceptable but we had to deal with what already existed. There was nothing in policy to base a refusal on. It was agreed that there



- was not a pedestrian visibility splay, but it needed to be reiterated that there was already an existing access.
- Members questioned whether there would be a potential reduction in the use of the access. It was clarified that there would be three dwellings using the access which was a significant reduction. The use of the land would be changed and there would be no future commercial use.
  - Members had questions around the size of the property and it being larger than others surrounding it. The Development Management Officer advised that the build line was how the property aligned with surrounding developments. A small area would be outside the boundary and this would be conditioned. All of the land was in the applicant's ownership. The size of the building had been taken into account but there were a number of different sized dwellings in the area. Land levels were required to be submitted.
  - Would the undeveloped land be deemed residential? It was confirmed that the undeveloped land would be open countryside, and this would be conditioned. For example, if the former market garden wished to start up again, this would require planning permission.
  - There were concerns around the height of the building and who decided that the land levels were acceptable. It was clarified that the land levels would be compared against the plans. Heights in the area varied and the height of the proposed dwelling had been assessed visually. There were other tall buildings in the area.

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 committee report and update sheet.

**55 Close of Meeting**

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

The meeting closed at 7.35pm.

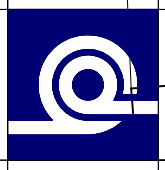
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Chair

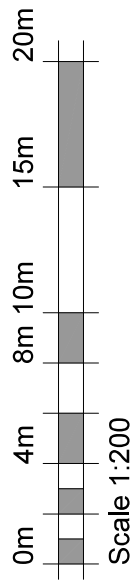
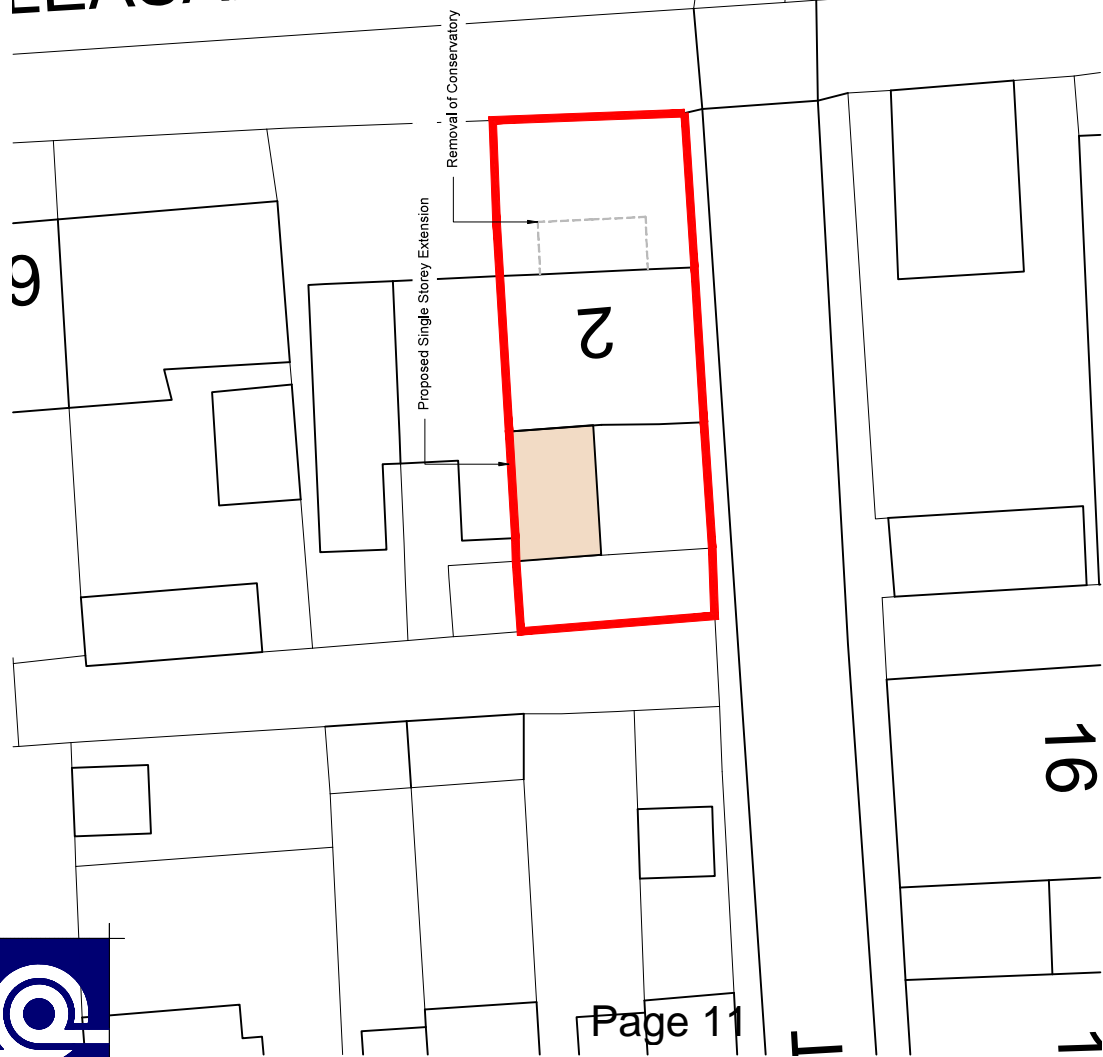
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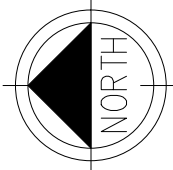
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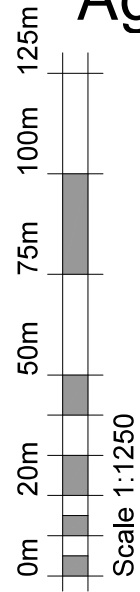
## PLEASANT ROW



Proposed Block Plan  
Scale 1:200



Site Location Plan  
Scale 1:1250



**PLANNING ISSUE**  
PLEASE NOTE  
THESE DRAWINGS ARE FOR THE PURPOSE OF  
PLANNING ONLY  
THESE ARE NOT CONSTRUCTION DRAWINGS

**blueprint**  
Architectural Design Ltd.

5 BLOTT'S BARN, BROOKS ROAD, RAUNDS, NORTHANTS, NN9 6NS  
01833 551389 : info@blueprintdesign.org.uk

TITLE	Extension for Mcaleer		
DETAIL	2 Pleasant Row, Woodford, NN14 4HP		
SCALE	As Noted	SHEET:	A3
DRAWN	NK	CHECKED	KG
DATE	AUG22	ISSUE	PLANNING
<small>CONTRACTORS MUST CHECK ALL DIMENSIONS ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE WORKED FROM. DISCREPANCIES MUST BE REPORTED TO CLIENT IMMEDIATELY. © 2022 BLUEPRINT ARCHITECTURAL DESIGN LTD.</small>			
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**North Northamptonshire Area Planning Committee  
(Thrapston)  
1 February 2023**

<b>Application Reference</b>	<b>NE/22/01075/FUL</b>
<b>Case Officer</b>	<b>Jacqui Colbourne</b>
<b>Location</b>	<b>2 Pleasant Row, Woodford, NN14 4HP</b>
<b>Development</b>	<b>Single storey rear extension and removal of Conservatory at the front of property.</b>
<b>Applicant</b>	<b>Mr Barry Mcaleer</b>
<b>Agent</b>	<b>Blueprint Architectural Design - Miss Nicole King</b>
<b>Ward</b>	<b>Irthlingborough Ward</b>
<b>Overall Expiry Date</b>	<b>20.10.2022</b>
<b>Agreed Extension of Time</b>	<b>05.02.2022</b>

**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**

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- 1.1 That planning permission be GRANTED subject to conditions.

**2. The Proposal**

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- 2.1 The application seeks planning permission for a single storey rear extension at 3.657 metres in height, 4.208 metres in depth and 3.4 metres in width. In addition, the removal of an existing conservatory to the front elevation of the property is proposed.

### **3. Site Description**

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- 3.1 The application relates to a two-storey end of terrace dwellinghouse. The property is surrounded by properties of various ages and designs to its north south and west, to the east of the dwellinghouse is an area of land occupied by allotment gardens. The site is located to the west of Pleasant Row and is located within the designated Woodford Conservation Area. The application property is not included on the statutory list of buildings.

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

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- 4.1 None.

### **5. Consultation Responses**

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

#### 5.1 Woodford Parish Council

The application was discussed again and your comments re existing access arrangements noted. Also noted was the fact that at present there is only space for one car (officially) but often two are accommodated, despite "hanging over" the pavement. There is a huge parking issue in this part of Woodford, with Police being called out on a regular basis about twelve months ago to "arbitrate" and councillors are of the opinion that the loss of one-off road space - even though it was only half a space will mean a further vehicle will need to be parked on the road.

As a result, the Parish Council decided not to change their stance.

#### 5.2 Neighbours / Responses to Publicity

One letter of objection has been received. Material planning issues raised are summarised below:

- Overlooking; and
- Parking

#### 5.3 Principal Conservation Officer

No comments received.

#### 5.4 Community Development

No comments received.

#### 5.5 GCN Nature Space

No comments received.

## 5.6 Natural England

No comments received.

## 5.7 Ecology

No comments received.

## 5.8 Highways

Whilst the LHA can confirm no objections as the proposal does not demonstrate any intensification or increase in the number of parking spaces required, please note the below observations:

- The applicant is required to provide the correctly dimensioned parking spaces; parking spaces will need to measure 3 metres x 5.5 metres, in line with the detail contained within the NNC Adopted Parking Standards. Where the spaces is between structures the width must be increased to 3.3 metres. This is consistent with internal width dimensions required for a single garage. This allows for the opening of doors and room to walk around vehicles.
- The applicant must provide the necessary 2 metres x 2 metres pedestrian visibility splays required on both sides of the access. These splays must be contained fully within the applicant's site and not include any public highway land, or any other third party owned land. The splays shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 2 - Historic Environment  
Policy 8 - North Northamptonshire Place Shaping Principles  
Policy 9 – Sustainable buildings

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

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

- 6.5 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)  
Policy 2 – Historic Environment
- 6.6 Other Relevant Documents  
Local Highway Authority Parking Standards (2016)  
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)  
Householder Extensions Supplementary Planning Document (SPD) - (Adopted June 2020)

## **7. Evaluation**

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The key issues for consideration are:

- Design and Visual Impact and impact on Heritage Assets
- Highway Safety and Parking
- Residential Amenity

### **7.1 Design and Visual Impact and impact on Heritage Assets**

- 7.1.1 The application site lies within the designated Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.
- 7.1.2 The proposed removal of the existing conservatory to the front elevation would be visible from the street scene. French doors are proposed to the front elevation with glazed panels to either side, in place of the existing Conservatory. These are proposed in a style which is reflective and complementary to the existing glazing, with detailing to the sides proposed to match that surrounding the existing windows. However, whilst it is noted that a traditional front door is not proposed, the removal of the Conservatory and installation of the French doors would in design terms be more reflective of the frontage of a dwellinghouse, and as such this is considered a betterment.
- 7.1.3 The single storey rear extension would be visible in the street scene. However, it is noted that the extension is modest in its scale, has a single pitch roof, and a design which is both complementary to, and reflective of what is existing, and to structures in the immediate area. The proposed extension would provide a kitchen extension and link the property to the existing outbuilding which houses a utility space and storage. This extension is proposed to have a window and door to the southern elevation and two roof lights to the southern roof slope. The extension is proposed in matching materials and these can be secured via condition.
- 7.1.4 It is therefore considered that the proposal is acceptable in terms of its visual impact and its impact on the character and appearance of the Conservation Area. It is therefore compliant with the requirements of Policy 2 and 8 of the JCS, the National Design Guide and the guidance contained within the Householder Extensions SPD.



## 7.2 Highway Safety and Parking

- 7.2.1 It is noted that both the Woodford Parish Council and a member of the public have raised concerns in relation to the off-road parking. However, this proposal does not result in any intensification as no additional bedrooms are proposed; as such, there is no requirement for any increase in off road parking to be provided. It is also noted that the applicant has submitted amended plans to reduce the width of the proposed single storey extension in order to increase the remaining space for off road parking.
- 7.2.2 Whilst comments suggesting that there are two existing off-road parking spaces are noted, a site visit by the Officer on 25.10.2022 confirmed that the existing site provides only one-off road parking space to the adopted Highways Standards. It has been stated that two cars have utilised the existing off-road parking space, this being enabled by a vehicle overhanging the public highways (footpath/road). It should be noted that Officers cannot endorse nor encourage the obstruction of either or both the public pedestrian and vehicular highways located to the side of the dwellinghouse.
- 7.2.3 The proposed extension would allow for an off-road parking space of 5.156 metres by 4.208 metres remaining. Whilst the Highways Parking Standards state that residential off-road parking spaces should be 3 metres by 5.5 metres, they state that non-residential and parking court spaces should be 2.5 metres by 5 metres. Whilst the proposed space may not be in line with current specification, historically the 5.5m depth for a driveway was to allow space for an up and over garage door to swing out, which is not a factor here, and given this on balance the proposed size of the off road parking space is considered acceptable
- 7.2.4 Highways have raised no objections to the proposal. Their observations regarding residential parking size standards are noted, and these have been addressed in the report. With regard to the visibility splays, given this relate to an existing off road parking area, it would be unreasonable to require these be addressed
- 7.2.5 Overall, as a result of the proposal there is no policy requirement to change / increase the existing parking arrangement and nor would the proposal exacerbate existing highway matters, which would be unreasonable to request the proposal to resolve. A reason for refusal on these grounds would not be substantiated.

## 7.3 Residential Amenity

- 7.3.1 The extension is single storey and modest in scale. When noting what could be constructed under permitted development, the existing two storey rear extension to the rear of the attached neighbouring dwellinghouse (number 2 Pleasant Row) and the separation distances to The Old Chapel as well as Newtown Street, it is considered that the proposed extension would not result in any unacceptable overbearing or overshadowing impact.
- 7.3.2 Two rooflights, a window and a pedestrian door are proposed to the south elevation of the single storey extension. Given the separation distances

involved, it is not considered that there will be any unacceptable additional overlooking of the unattached neighbouring property, located on the opposite side of Newtown Street, namely The Old Chapel.

7.3.3 It is noted that a walled garden area is located to the east of the site, in addition to the off-road parking area. Given this, it is considered that adequate amenity space would remain for the application dwellinghouse.

7.3.4 Given the above, the development is acceptable in terms of its impact on residential amenity.

## **8. Other Matters**

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8.1 Neighbour comments: Concerns relating to the potential impacts of both overlooking and parking have been addressed in the paragraphs above. In addition, concerns regarding the applicants off road parking space not always being used and construction vehicles potentially blocking driveways are noted. However, these are private, not planning matters, any householder could choose not to utilise their off-road parking provision; this is not a planning consideration.

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

8.3 Woodford Parish Council comments: The Parish Council concerns regarding the off-road parking have been addressed in the paragraphs above. In addition, whilst concerns regarding the applicants off road parking space not always being used are noted, these are private, not planning matters, any householder could choose not to utilise any off-road parking provision; this is not a planning consideration.

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

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9.1 Overall, the proposal is considered to be of an acceptable design, and there is no adverse impact on the amenities of neighbouring properties or the highway which would justify refusing the application.

## **10. Recommendation**

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10.1 That Planning Permission be GRANTED subject to conditions.

## **11. Conditions**

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1 The development 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 development shall be carried out strictly in accordance with the following:

Application Form  
Received by this council 10.11.2022

Applicant photographs  
Received by this council 03.11.2022

Proposed Elevations Dwg No: 22-076-04C  
Site Location and Block Plan Dwg No: 22-076-05  
Received by this council 10.11.2022

Proposed Ground Floor Plan Dwg No: 22-076-03D  
Received by this council 09.12.2022

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

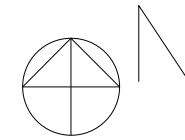
- 3 The development hereby permitted shall be carried out using materials detailed in the submitted application form to match the existing dwellinghouse.

Reason: In the interests of visual amenity.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification), no windows shall be added to the north or south elevations of the extensions hereby approved.

Reason: In the interests of neighbouring amenity.

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SITE PLAN  
SCALE 1:1250

BLOCK PLAN  
SCALE 1:500

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Rev	Description	Date
<b>Philip Horne</b> Architectural Services 80A Water Lane, Wootton, Northampton, NN4 6HG Tel 01604 765239 Office Mob 07710 765038 e-mail philip-horne@btconnect.com		
client	Mr J Patel 2 Birchall Road, Rushden Northamptonshire NN10 9RQ	
project	2 Birchall Road, Rushden Northamptonshire NN10 9RQ	
drawing	Proposed Residential to 3 No Flats Site Plan	
Status	Planning	
scale	1/1250 1/500	date June 2022
		drawn by P K H
All dimensions to be checked on site by the contractor and any discrepancies found shall be brought to the attention of Philip Horne prior to any commencement of work.		
drawing no	22/2646/100	rev

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
1 February 2023**

<b>Application Reference</b>	<b>NE/22/00940/FUL</b>
<b>Case Officer</b>	<b>Peter Baish</b>
<b>Location</b>	<b>2 Birchall Road, Rushden, NN10 9RQ</b>
<b>Development</b>	<b>Change of Use from Residential to 3 No 1 Bedroom Flats</b>
<b>Applicant</b>	<b>Mr Jitan Patel</b>
<b>Agent</b>	<b>Mr Philip Horne - Architectural Services</b>
<b>Ward</b>	<b>Rushden Pemberton West Ward</b>
<b>Overall Expiry Date</b>	<b>23 November 2022</b>
<b>Agreed Extension of Time</b>	<b>3 February 2023</b>

### 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 neighbour objections and an objection from Rushden Town Council that constitutes a material planning consideration.

#### **1. Recommendation**

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- 1.1 That Planning permission is **GRANTED** subject to conditions.

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

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- 2.1 The application seeks to gain approval for the conversion of an existing four bedroom dwelling to 3 individual one bedroom flats at No. 2 Birchall Road, Rushden.
- 2.2 In terms of history, in 2007 the building gained planning permission to change from a shop to a residential dwelling. The current proposal is to make more efficient and effective use of the building by dividing it into 3 one bedroom flats.

- 2.3 In terms of appearance, there would be minimal changes to the exterior of the building, other than some upgrading to the windows and doors.

### **3. Site Description**

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- 3.1 The application site consists of a single detached dwelling with a garden to the rear and a single parking space to the side. Birchall Road is predominately a residential area and the site is surrounded by housing in all directions.
- 3.2 The building is not listed and is not located within a Conservation Area. In terms of flood risk, the site is identified as being located within Flood Zone 1 and not at risk of flooding.

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

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- 4.1 07/00393/FUL – Change of use from Shop to Residential (Retrospective) - PERMITTED – 14.06.2007

### **5. Consultation Responses**

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

#### **5.1 Rushden Town Council**

*Comments received 04.11.2022:*

Rushden Town Council objects to this application for the following reasons:-

The proposals development is contrary the Rushden Neighbourhood Plan policy H4.

Notwithstanding the requirement in Policy 30 to provide more smaller households in Rushden, flatted development will only be supported where it can be robustly demonstrated that: meets an identified local need; or where the physical or financial constraints of a site are such that it is not possible to provide smaller one and two bedroom houses or maisonettes; or where an existing non-residential building is being converted for residential use.

This application is clearly in direct conflict with the Rushden Neighbourhood Plan and should be supported by NNC

- We note the comments from Waste Management and would request that a further management plan for waste is submitted.
- We note all the comments from neighbours and feel that all the comments regarding a lack of parking are fully justified. We would request that a further parking beat survey is carried out as on site inspection in the evening it would appear that off road parking is very limited and should not be considered as an option for this development.



- Rushden already has an over provision of small one bedroom flats and we strongly object to a family home being taken away to provide further inferior, cramped living space.

## 5.2 Natural England

*Comments received 25.10.2022:*

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION FOR RECREATIONAL PRESSURE IMPACTS ON HABITAT SITES (EUROPEAN SITES).

Natural England considers that this advice may be used for all applications that fall within the parameters detailed below.

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as Upper Nene Valley Gravel Pits. It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will in our view be reliable and effective in preventing adverse effects on the integrity of the relevant European Site(s) from such impacts associated with such development. The strategic solution may or may not have been adopted within the local plan but must be agreed to by Natural England.

Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.

## 5.3 Highway Authority

*Comments received 14.10.2022:*

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

Please note that 11th September would fall within the parking beat survey down times (as listed below). However, in this instance give the large amount of on-street parking spaces available and that the proposal would only require 1 space per 1-bedroom flat, with 0.25 visitor spaces per flat, we can accept this parking beat survey and have no further objections to this application.

## 5.4 Environmental Protection

*Comments received 10.10.2022:*

No comments to make with respect to this planning application.

## 5.5 Waste Management

*Comments received 04.10.2022:*

Concerns regarding the storage of waste between collections. Each flat will require a wheeled bin for both refuse and recycling - not the three bins illustrated on the floor plan. This will leave little space in the allocated area. I am also concerned regarding the likelihood of cross contamination between the bins for the different flats.

## 5.6 Neighbours / Responses to Publicity

36 objections were received stating the following concerns:

- Lack of parking provided
- Increase in waste – not enough room for bins
- Loss of a family home
- Flats not suitable in this location
- Noise from flats
- Access for refuse and emergency vehicles problematic

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy and Guidance

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

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

Policy 1 - Presumption in Favour of Sustainable Development

Policy 2 - Historic Environment

Policy 3 - Landscape Character

Policy 4 - Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

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

Policy 7 - Community Services and Facilities

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings

Policy 10 - Provision of Infrastructure

Policy 11 - The Network of Urban and Rural Areas

Policy 12 - Town Centres and Town Centre Uses

Policy 22 - Delivering Economic Prosperity

Policy 28 - Housing Requirements

Policy 29 - Distribution of New Homes

## Policy 30 - Housing Mix and Tenure

- 6.4 East Northamptonshire Local Plan Part 2: Submission Plan March 2021 (2011 – 2031)  
Policy EN1 – Spatial Development Strategy  
Policy EN2 – Settlement Boundary Criteria – Urban Areas  
Policy EN13 – Design of Buildings/Extensions
- 6.5 Rushden Neighbourhood Plan (RNP) (2018)  
Policy H1 – Settlement Boundary  
Policy H2 – Location of New Housing Development  
Policy H4 – Market Housing Type and Mix  
Policy EN1 – Design in Development  
Policy T1 – Development Generating a Transport Impact
- 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)  
Biodiversity Supplementary Planning Document (February 2016)  
Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)  
Technical Housing Standards – Nationally Described Space Standards

## **7. Evaluation**

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### **7.1 Evaluation of Evidence**

7.1.1 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
- Waste
- Ecology

### **7.2 Principle of Development**

7.2.1 The National Planning Policy Framework (2021) (NPPF) 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 2016 (JCS) and the Rushden

Neighbourhood Plan 2018 (RNP). Policies 1, 8 & 30 (JCS) and H1, H2 and H4 (RNP) are most relevant to the proposal (amongst other policies).

- 7.2.2 Rushden is identified as a 'Growth Town' in the JCS and Policy 11 states that the Growth Towns will be the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development. It goes on to state that provision will be made for new housing as set out in Policy 28.
- 7.2.3 Policy 28 identifies a need for 8,400 homes in East Northamptonshire between 2011 and 2031. Policy 29 identifies that 3,285 of these should be provided in Rushden.
- 7.2.4 Policy H1 of the RNP states that development within the settlement boundary will be permitted where it accords with other policies in the Development Plan. The site is within the identified settlement boundary.
- 7.2.5 Policy H2 of the RNP states that planning applications for development on windfall sites (such as the proposal) will be determined in accordance with the policies of the Development Plan and will be expected to ensure appropriate integration with the site and surrounding development context. It continues that development will be supported unless it would result in a poor relationship with its surroundings or other material planning considerations indicate otherwise.
- 7.2.6 The application proposes the conversion of a 4 bedroom dwelling into 3 x 1 bedroom flat, an increase of 2 residential units on site. 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. The proposal would achieve this by providing smaller 1 bedroom units. Policy 30 also goes on to state that the internal floor areas of all new dwellings must meet the Nationally Described Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities. The proposed units all meet these space standards.
- 7.2.7 Notwithstanding Policy 30 of the JCS, Policy H4 of the RNP deals explicitly with flatted development and states...

*"New market housing proposals will be required to provide a balance of property sizes and types to meet market demands in accordance with Policy 30 of the NNJCS.*

*Notwithstanding the requirement in Policy 30 to provide more smaller households in Rushden, flatted development will only be supported where it can be robustly demonstrated that [it]:*

- Meets an identified local need; or*
- Where the physical or financial constraints of a site are such that it is not possible to provide smaller one and two bedroom houses or maisonettes; or*
- Where an existing non-residential building is being converted for residential use.*

*Proposals that help meet the identified need for older people's accommodation will be supported."*

Regarding the lawfulness of Policy H4 in principle, the policy is lawful as it has been through the rigorous test of an Examination and it was held up at that stage with no amendments required.

7.2.8 It is considered that the proposal meets point 2 of Policy H4 in that the physical constraints of the site are such that it is not possible to provide houses or maisonettes. The building is an existing dwelling and the proposal is to utilise the internal space to provide the 3 x 1 bedroom flats.

7.2.9 In summary the building is a residential dwelling. The principle of residential development upon the site is firmly established. The current application looks to make efficient and effective use of land within the built environment and provide additional residential development upon the site.

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

7.3.1 The proposal is for the conversion of the existing dwelling into 3 x 1 bedroom flats. Externally there will be very little change other than the replacement of some window and doors and the blocking up of a door on the rear elevation. No significant external alterations are proposed. It is considered that the impact of the development on the character and appearance of the area itself is minor and negligible.

7.3.2 Accordingly the proposal is considered to preserve the character and appearance of the area in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy (2016), Policy EN13 of the East Northamptonshire Local Plan Part 2: Submission Plan March 2021 (2011 – 2031) and Policy EN1 of the Rushden Neighbourhood Plan (2018).

### **7.4 Residential Amenity**

7.4.1 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".

7.4.2 The proposal would replace a 4 bedroom with 3 x 1 bedroom flats. In bedroom numbers this is a reduction of 1 bedroom in the building. It has been demonstrated that the unit meets the national space standards for a 1 bedroom flat and they would experience adequate daylight and sunlight. Each flat would have access to a rear courtyard garden which is deemed suitable for the proposed development.

7.4.3 The current use of the site is residential and the proposed use of the site is residential, albeit for 3 smaller units. It is considered that a residential use is suitable on the site as it conforms to the existing and surrounding development which is predominately residential in nature. Objections have been received stating that flats are not suitable for the area with concerns

raised in regards to noise or the shift pattern work of the occupants. However these have no planning grounding and are assumptions with no evidence to corroborate that people who live in flats cause unacceptable noise or are employed in 'shift work'.

- 7.4.4 Overall, the relationship with the neighbouring properties is considered to be acceptable, and 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.

## **7.5 Highway Safety and Parking**

- 7.5.1 The site currently holds a 4 bedroom dwelling. The Northamptonshire Parking Standards would expect a 4 bedroom dwelling to provide 3 off road parking spaces. A 1 bedroom flat would be expected to provide 1 parking space. Therefore 3 x 1 bedroom flats would also be expected to provide 3 parking spaces.

- 7.5.2 The proposed scheme provides 1 parking space which is no different to the current situation. In both situations, the parking provision has a deficit of 2 spaces. The proposed scheme is therefore no worse than the existing situation in terms of the guidance contained with the Northamptonshire Parking Standards, nonetheless the applicant has provided a parking beat survey that demonstrates ample on street capacity for the shortfall in parking spaces. The Highway Authority have been consulted and offer no objection on this basis.

- 7.5.3 In conclusion it should also be noted that the site is located within a sustainable location with a good range of services and amenities. It is likely that residents will walk or use other sustainable modes of travel to access services and facilities that are only a short distance away. The development of this site in a sustainable location would reduce reliance on the motor car and encourage sustainable journey. A bicycle store is to be provided on site. Although it is unfortunate that the scheme does not deliver the required parking spaces (3 spaces), the current dwelling also does not provide the required number of parking spaces. The Council also finds itself in a position where the applicant has successfully demonstrated that there is adequate on street parking to cater for the shortfall of spaces. On this basis the proposal is deemed to be acceptable in terms of its impacts upon highway safety and parking.

## **7.6 Flood Risk**

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

## 7.7 Waste

7.7.1 Bins would be stored within the communal area on site as indicated on the submitted plans. The Waste Officer and neighbours have highlighted a concern that the allocated space for bins looks tight as each flat would be required to have 2 bins each (6 in total). Although it appears tight, it is clear that 6 bins can be accommodated on site. These bins would be moved towards the highway on the bin collection day as per the current arrangement for all other dwellings along the road.

## 7.8 Ecology

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

7.8.2 Due to the conversion nature of the proposal it would have a neutral impact upon biodiversity, the proposal is therefore considered to be in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

## 8. Other Matters

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

## 9. Conclusion / Planning Balance

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9.1 In this instance the proposal to convert the existing 4 bedroom dwelling into 3 x 1 bedroom flats 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 highways safety
- 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

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

## 11. Conditions

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

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

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

- 22/2646/100 - Site Location Plan and Site Plan (20.07.2022)
- 22/2646/01 – Existing Floor Plans (20.07.2022)
- 22/2646/03 – Proposed Floor Plans (20.07.2022)
- 22/2646/02 – Existing Elevations (20.07.2022)
- 22/2646/04 – Proposed Elevations (20.07.2022)

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 constructed in accordance with the materials as specified within the Application Form submitted as part of this application for planning permission (received 20.07.2022) unless submitted to and agreed otherwise in writing by the Local Planning Authority

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