

# Public Document Pack



**North  
Northamptonshire  
Council**


**Meeting:** North Northamptonshire Area Planning Committee (Kettering)  
**Date:** Wednesday 8<sup>th</sup> March 2023  
**Time:** 7:00 pm  
**Venue:** Council Chamber, Municipal Offices, Bowling Green Road, Kettering, Northants, NN15 7QX

To members of the North Northamptonshire Area Planning Committee (Kettering)

Councillors Mark Rowley (Chair), Cedwien Brown (Vice-Chair), Carter, Dell, Fedorowycz Jelley, Marks, Prentice and Smyth

Substitute Members : Councillors Henson, Hakewill and Tubbs

<b>Agenda</b>			
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03	Minutes of the meeting held on 17 <sup>th</sup> January 2023		5 - 12
<b>Items requiring a decision</b>			
04	Applications for planning permission, listed building consent and appeal information*		
	I) <b>KET/2020/0292:</b> Full Planning Permission: Demolition of Methodist Church building and erection of 8 new dwellings	Planning Officer	13 – 34
	II) <b>NK/2022/0274:</b> Full Planning Permission: Change of use from agricultural to 17 no. allotments with access, parking, fencing and sheds	Planning Officer	35 - 50

	<p>III) <b>NK/2022/0423:</b> Full Planning Permission: Installation of new air source heat pump and associated works</p> <p>IV) <b>NK/2022/0799:</b> Full Planning Permission: Single storey rear extension</p>	<p>Planning Officer</p> <p>Planning Officer</p>	<p>51 – 64</p> <p>65 – 72</p>
<b>Items to note</b>			
05	<p>Delegated officers report</p> <hr/> <p>None</p>		
<b>Exempt Items</b>			
06	None Notified		
07	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>28<sup>th</sup> February 2023</b></p>		

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

This agenda has been published by Democratic Services.

Committee Administrator: Callum Galluzzo

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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 March 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 7 March 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

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

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

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

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 a meeting of the Area Planning Committee Kettering

At 7.00 pm on Tuesday 17th January, 2023 in the

Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

### Present:-

#### Members

Councillor Mark Rowley (Chair)  
Councillor Robin Carter  
Councillor Dez Dell  
Councillor Emily Fedorowycz

Councillor Cedwien Brown  
Councillor Ian Jelley  
Councillor Elliot Prentice  
Councillor Paul Marks

#### Officers

Richard Marlow	Development Services
Alan Chapman	Development Services
Alison Riches	Development Services
Nigel Bell	Legal Representative
Callum Galluzzo	Democratic Services

### 18 Apologies for non-attendance

Apologies for absence were received from Councillor Joseph Smyth

### 19 Members' Declarations of Interests

No declarations of interest were received after the chair invited any declarations from members.

### 20 Minutes of the meeting held on 30th November 2022

#### **RESOLVED**

that the minutes of the meetings of the Area Planning Committee (Kettering) held on 30<sup>th</sup> November 2022 be approved as a correct record

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

The Committee considered the following applications for planning permission, which were set out in the Development Control's Reports and supplemented verbally and in writing at the meeting. Four speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 Full Planning Permission: Three storey rear extension, rear extension to floors one and two, conversion of two storey detached garage and ground floor to create 4 no. one bedroom apartments, 1no. two bedroom apartment, plus an increase in floor space for an existing apartment at 3 London Road, Kettering for Inspired Agents</p> <p>Application No: NK/2022/0425</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which full planning permission was being sought for a Three storey rear extension, rear extension to floors one and two, conversion of two storey detached garage and ground floor to create 4 no. one bedroom apartments, 1no. two bedroom apartment, plus an increase in floor space for an existing apartment</p> <p>Members agreed that the application was satisfactory and raised no objection in contrary to the officers recommendation to approve the application</p> <p>Following debate it was proposed by Councillor Marks and seconded by Councillor Carter that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.
4. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

5. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
6. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.
7. The apartments hereby approved shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).
8. The first and second floor staircase windows of the development hereby approved shall be obscure glazed and fixed shut up to a level of 1.7 metres above floor level, and thereafter retained in that form.

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: Unanimous)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 Full Planning Permission: Demolition of bungalow and erection of 1 no. dwelling at 7 Main Street, Ashley for Mr J Ward Walter Ward Country Homes Ltd</p> <p>Application No: NK/2022/0477</p> <p><u>Speaker:</u></p> <p>Nick Baker attended the meeting and addressed the committee as a third party objector. Mr Baker raised objections stating that the proposed development would not be in keeping with the local character and that the height of the development would be create loss of privacy and light to the surrounding area.</p> <p>Cllr Stephen Castens attended the meeting and addressed the committee as the representative for Ashley Parish Council stating objections due to the sensitive location of the proposed development. Cllr Castens also raised concerns due to the close proximity of the proposed development to the neighbouring church which would have a detrimental impact on privacy.</p> <p>Cllr Mike Tebbutt attended the meeting and addressed the committee as the ward councillor for the proposed development raising concerns with comments from Historic England. Cllr Tebbutt raised issues relating to the visualisation core special strategy.</p> <p>Tim Bale attended the meeting and addressed the committee as the agent on behalf of the applicant stating the applicant was keen to engage with planners and more then willing to compromise leading to a number of reiterations in terms of setting and design.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the demolition of bungalow and erection of 1 no. dwelling.</p> <p>Members raised concerns regarding the number of local objections as well as differing messages from Historic England. Members raised concerns regarding the loss of light and amenity impact and significant overshadowing associated with the development.</p> <p>It was confirmed to members that permitted development rights has been removed</p> <p>Following debate it was proposed by Councillor Jelley and seconded by Councillor Prentice that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>



1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
4. No development above slab level shall take place on site until full details of all windows, doors, any verge detailing and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
5. 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.
6. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.
7. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
8. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only

once written approval from the Local Planning Authority has been given shall development works recommence.

9. No earthworks or groundworks shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
10. The apartments hereby approved shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations Document G - Sanitation, hot water safety and water efficiency (2015 edition).

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: For 5, Against 2)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.3 Full Planning Permission: Replace windows with PVCU and insert four windows on West elevation at 47 Station Road, Desborough for Mr G Garcha</p> <p>Application No: NK/2022/0614</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which full planning permission was being sought to replace windows with PVCU and insert four windows on West elevation.</p> <p>Members agreed that the application was satisfactory and raised no objection in contrary to the officers recommendation to approve the application</p> <p>Following debate it was proposed by Councillor Marks and seconded by Councillor Dell that the application be approved in line with the officer’s recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. Notwithstanding the hereby approved drawings and details, all windows serving a bathroom or toilet shall be fully glazed with obscure glass and thereafter permanently retained as such.

*(Members voted on the officers’ recommendation to approve the application)*

*(Voting: Unanimous)*

*The application was therefore*  
**APPROVED**

**25 Delegated Officers Report**

None

**26 Exempt Items**

None

**27 Close of Meeting**

The meeting closed at 8.00 pm

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Chair

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Date

## North Northamptonshire Area Planning (Kettering) Committee 08/03/2023

<b>Application Reference</b>	<b>KET/2020/0292</b>
<b>Case Officer</b>	<b>Louisa Johnson</b>
<b>Location</b>	<b>Grange Methodist Church, Stamford Road, Kettering</b>
<b>Development</b>	<b>Full Planning Permission: Demolition of Methodist Church building and erection of 8 new dwellings</b>
<b>Applicant</b>	<b>Mrs L Hunt, Kettering Borough Council</b>
<b>Agent</b>	<b>Mr J Edwards Corporate Architecture Limited</b>
<b>Ward</b>	<b>Avondale Grange</b>
<b>Overall Expiry Date</b>	<b>30/06/2020</b>
<b>Agreed Extension of Time</b>	<b>31/08/2022</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the Council is the applicant / landowner.

#### **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 Full Planning Permission: Demolition of Methodist Church building and erection of 8 new dwellings

#### **3. Site Description**

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3.1 The application site is formed of the disused Grange Methodist Church and its grounds including parking area. The church building is located on the North Eastern end of the site with open space to the rear and side of the church building. There is access off a residential road which is set back from the main Stamford Road with a planted buffer zone of approximately 18 metres in width.

3.2 Site Constraints:  
A Road

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

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4.1 List all previous planning applications as follows:

KET/2007/0072 - Residential development – Approved 16/04/2007

KB/1959/0491 – Church Hall – Approved 24/09/1959

KB/1956/0042 - Church buildings, school rooms and ancillary accommodation – Approved 24/02/1956

#### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:

<https://www.kettering.gov.uk/planningApplication/search>

##### **5.1 Parish / Town Council**

Comments received 07/07/2022

- Members supported this application and were keen to see this derelict and overgrown site redeveloped, but the application would benefit from:-
- The retention of the tree identified in the ecological report or its replacement
- Identifying covered cycle storage and electric vehicle charging points within the plans. Reflecting current building regulations in respect of heat pumps, solar panels.

Comments received 02/02/2023

- Whilst the revisions are an improvement on the previous plans, the biodiversity impact assessment report seems to suggest a net loss in habitat and therefore doesn't meet the Measurable net gain as required by the National Planning Policy Framework (NPPF) 2021 and the Environment Act 2021, as well as local planning policy within Policy 4 of the Adopted North Northamptonshire Joint Core Strategy 2011 – 2031 and the Biodiversity Supplementary Planning Document for Northamptonshire.' We would like to suggest that the applicant creates replacement and additional habitats elsewhere - potentially the strip of green which runs in front of the proposed development.

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

Two number of letters have been received. The issues raised are summarised below:

- The development appears too large for the plot with overlooking of nearby gardens particularly from plots 3 and 6.
- Concern regarding the close proximity of plot 1 to 146 Stamford Road and in particular because any building there will overshadow the kitchen and block the main source of light into it. The closeness will have a significant overbearing impact on the privacy enjoyed freely by this owner of this property for over thirty years.

### 5.3 Local Highway Authority (LHA)

Comments provided 16/02/2023

Stamford Road (A4300) is part of the country's Strategic Route Network.

#### *Access*

1. The one-way access/egress route is noted to be private with signage directing users. As previously advised, dwellings 3-6 should be accessed via a shared private drive with a single point of access/egress to/from the public highway.

2. The LPA must satisfy itself as regards servicing of the site.

3. No vehicle and pedestrian visibility splays as previously required are detailed.

4. The gradient of a vehicular access should not exceed 1 in 15 for a minimum of the first 5.0m the highway boundary.

5. All accesses should detail A means of drainage across the back of the highway boundary (linear drain), across the proposed site access draining to soakaways contained within the applicant's own land is required. It is unlawful for surface water to drain from private property onto the public highway.

6. 2.7m as required between adjacent runs of dropped kerb to allow for x2 tapered and x1 full height kerb is not achieved between plots 1/2 7/8.

#### *Parking Numbers & Layout*

7. Cycle parking is required at 1 space per bedroom. Cycle parking should be covered, secure, overlooked and easy to use. No cycle lifting should be required.

8. The applicant/LPA should consider EV charging facilities.

### 5.4 Environmental Health

#### Air Quality

- It is not expected that the site will be adversely impacted by or that it will have an adverse impact on air quality. However, the applicant should submit proposals for minimising any adverse impacts on air

quality from the operational phase of the development. (NPPF - 8.c), 174.e.)

#### Land Contamination.

- The Site Report (2) 29/04/2020 (an undated or referenced document by BSP Consulting) is a commentary on an environmental search report for the site which indicates that:
  - That full Radon protection measures will be necessary in the construction.
  - Made Ground may be present locally beneath the site and has the potential to contain concentrations of some metals, PAHs, phenols and asbestos, which might
- published Soil Guideline Values / assessment criteria for the proposed residential end usage of the site. In view of the above, it is recommended that allowances are made for excavating any Made Ground and disturbed topsoil / strata from the proposed garden and soft landscaping areas for appropriate off-site disposal at a suitably licensed recycling / waste management facility. Ground levels in those areas should be reinstated using chemically suitable subsoil and / or topsoil, as appropriate.
  - The desk study information indicates that the Northampton Sand & Ironstone strata beneath the site is likely to contain naturally elevated concentrations of arsenic and lead. Supplementary 'bio-accessibility' laboratory testing, assessment and liaison with the Local Authority, NHBC, etc., is likely to be required to confirm that any topsoil / strata with naturally elevated arsenic & lead is suitable to be retained at near surface horizons on the site.
  - If an oil fired heating boiler, etc., has been present within the existing church building, the possibility of some localised contamination with fuel oil cannot be completely discounted. Any such fuel oil contamination may require excavation as a 'hot spot' for appropriate off-site disposal.

#### Noise.

- The site is located on a service road to the east side of the A4300. The Strategic Noise Mapping for England indicates that the site maybe adversely impacted by traffic noise and the significance of the impact has not been assessed in the proposal and design process. There is no information about how the design of the development has been influenced by the noise environment or any proposals for any necessary noise mitigation. The design should achieve the residential internal and external noise levels specified in BS8233:2014.

It is recommended that the following conditions should be attached to any consent that is given:

- Land Contamination
- XCL4 Unexpected Contamination
- XN1 Protection from Noise (all residential in close proximity to road, rail, and non domestic uses)



- XCD2 Working hours for construction
- XCD3 Construction/Demolition Method Statement

## 5.5 NNC Nature Development

The biodiversity impact assessment has confirmed the proposal would deliver a net loss, which would not be consistent with JCS Policy 4, NPPF paragraph 174 or recent appeal decisions. If the council is minded to approve the application despite the loss a number of conditions would be required. These were set out in my original consultation response on 5 August 2020 and remain unchanged:

The site's habitats are of low ecological value, however a number of key species have been confirmed as using the site and therefore mitigation will be required. Most importantly, the church building has been confirmed as a bat roost which will be destroyed when the building is demolished; a protected species licence will therefore need to be conditioned: Works to and/or demolition of the building identified as Grange Methodist Church on 'Existing Site Plan – Topographical Survey' drawing 4720/GM/19/002 shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2019 authorising the specified activity/development to go ahead; or
- b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
- c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

It has also been confirmed that hedgehogs are using the site for foraging, and house sparrows have been nesting in the shrubs. I would therefore recommend that the close board fencing identified in drawing (90)001 rev B be required to include hedgehog holes to allow the species to continue moving through the site. Sparrow terraces (e.g. Schwegler 1SP) should be mortared into suitable locations on two or three of the dwellings to compensate for the loss of nesting sites. Once installed these would not require ongoing maintenance. Similarly, I would recommend integral bat bricks be installed on suitable locations on at least four of the dwellings to provide new bat roosting opportunities which would also be maintenance-free. I would suggest that the scheme of bat and bird nest bricks be secured by condition.

Finally, due to the presence of bats the external lighting scheme should be consistent with the 2018 *Bats and artificial lighting in the UK* by the Bat Conservation Trust and Institute of Lighting Professionals.

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

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### 6.1 Statutory Duty

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

## 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

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

Policy 1 – Presumption in favour of sustainable development

Policy 4 – Biodiversity and Geodiversity

Policy 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 15 – Well-connected towns, villages and neighbourhoods

Policy 29 – Distribution of new homes

Policy 30 – Housing Mix and Tenure

## 6.4 Site Specific Part 2 Local Plan

Policy LOC1 – Settlement Boundaries

Policy HOU1 – Windfall and Infill Development: Principles of Delivery

Policy HWC2 - Protection of Community Facilities and Proposals for New Facilities

## 7. **Evaluation**

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The key issues for consideration are:

- The principle of development
- Design and impact on the street scene
- Amenity of future occupiers
- Impact on Residential Amenity
- Highways and parking
- Biodiversity
- Refuse
- Sustainable construction & design
- Contaminated Land

### 7.1 **Principle of Development**

7.1.1 The proposal involves the demolition of the existing church building and the erection of eight new dwelling with associated access and parking. The application site is located within the Kettering town boundary.

7.1.2 Policy 8 of the NNJC seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area.

- 7.1.3 Policy 29 of the NNJCS states that 'New housing will be accommodated in line with the Spatial Strategy with a strong focus at the Growth Towns as the most sustainable locations for development, followed by the Market Towns. The re-use of suitable previously developed land and buildings in the Growth Towns and the Market Towns will be encouraged.'
- 7.1.4 Policy 30 of the NNJCS states 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 dwellings (1-3 bedrooms) including, where appropriate, dwellings designed for older people.'
- 7.1.5 Policy HOU1 of the SSLP2 states that 'Windfall and infill development within settlement boundaries, including the complete or partial redevelopment of residential garden land, will generally be accepted in principle providing there is no erosion to the character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents.'
- 7.1.6 The proposal involves the loss of the existing church use, the church dates back to the 1940's but is no longer used and has not been used for some time. While the proposal would result in the loss of the church, it is considered that this would be outweighed by the provision of social housing on the site which would provide a public benefit.
- 7.1.7 The site is located within the boundary of Kettering, in an established residential area where generally the principle of residential development is considered acceptable in accordance with the relevant policies of the NNJCS

## 7.2 **Visual Impact**

- 7.2.1 Policy 8 d) of the NNJCS requires development to respond to the site's immediate and wider contexts such as the overall form, character and landscape setting, a view reinforced by policy 12 of the NPPF.
- 7.2.2 The site is currently formed of a large building to the north western side of the site with hardstanding to the front and a large area of open space to the side and rear. The proposal would involve the demolition of the building and the erection of eight dwellings with access and associated parking.
- 7.2.3 The proposal would result in a significant change to the appearance of the site and the loss of the open feel of the site. However, the site is unusual in this otherwise largely residential area with predominately properties fronting onto the street with limited spacing between them.
- 7.2.4 The proposed plots 1, 2, 7 and 8 fit in with the existing building line with plots 3, 4, 5 and 6 set back in the site. The proposed plot and house sizes fit in with the pattern of development and the proposed style of the dwellings fits

in with the character of the surrounding area. The site has been redesigned from the originally submitted scheme to address concerns with the impact on neighbouring properties and floorspace standards.

- 7.2.5 The proposal is considered to be acceptable in terms of its impact on the character and appearance of the area and the streetscene in accordance with policy 8 of the NNJCS and policies 12 and 16 of the NPPF.

### 7.3 **Amenity of Future Occupiers**

- 7.3.1 Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.
- 7.3.2 Policy 30 of the NNJCS requires new dwellings to meet the Technical Housing Standards – nationally described space standards as a minimum.
- 7.3.3 The proposal is for 4 x two storey 3 bed houses, 2 x 2 bed bungalows and 2 x 1 bed bungalows with parking and gardens. The proposed dwellings meet the minimum floorspace standard required for dwellings of their size. Each property has a reasonably sized garden which is considered to be adequate for properties of this size and are similar to the gardens of surrounding properties.

7.3.4 The proposed dwellings comply with the requirements of the Technical Housing Standards – nationally described space standards, March 2015. The proposal would be acceptable in terms of the amenity of future occupiers and in accordance with policies 8 and 30 of the NNJCS.

#### 7.4 **Impact on Residential Amenity**

7.4.1 Policy 8 of the JCS requires development not to result in an unacceptable impact on neighbouring amenity by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

7.4.2 The site backs onto 11 – 23 Judith Road and shares side boundaries with 146 and 160 Stamford Road.

7.4.3 An objection has been received on the grounds that the proposed development is too large for the plot size with overlooking of adjacent gardens, particularly from plots 3 and 6 which give poor amenity provision to the affected adjacent plots.

7.4.4 It is considered that the proposed layout and plots are similar to the pattern of development in the surrounding area and given this it is considered that the proposal does not form an overdevelopment of the site.

7.4.5 The dwellings on plots 3 and 6 have been moved further forward in the plots, at officer request to reduce the impact on neighbours to the rear, increasing the garden depth to approximately 5m on plot 6 and 6.15m on plot 3 from 3.9m originally proposed, with the other dwellings further away. This gives a back to back separation distance of 15m between the proposed dwelling on plot 3 and the neighbour and 13.4m between the proposed dwelling on plot 6 and the neighbour which is considered to be adequate to protect the privacy and amenity of these properties given that the dwellings on plots 3, 4, 5 and 6 are single storey bungalows. It is considered that it would be appropriate to attach a condition removing permitted development rights in terms of extensions to or windows within the roof of these dwellings to ensure that the privacy of neighbours to the rear is protected.

7.4.6 It is considered that the proposal would not have a detrimental impact on 11-23 Judith Road subject to conditions and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7.4.7 An objection has been received from the occupant of 146 Stamford Road on the grounds that the proposed dwelling on plot 1 would overshadow the kitchen at no. 146 and block the main source of light into it. They have also objected on the grounds that the proximity of the house on plot 1 would have a significant overbearing impact on the occupant of no. 146 and their privacy which they have enjoyed freely for over thirty years.

7.4.8 The scheme has been redesigned to address the impact on 146 Stamford Road by moving the dwelling on plot 1 further away from no. 146 and

redesigning the house on plot 1 to reduce its impact on light received by no. 146.

- 7.4.9 The proposed dwelling would be approximately 4m from the boundary with no. 146 and 5.2m from the side elevation of no. 146, significantly further away than the 2.4m originally proposed. The roof has also been re-designed so that the roof pitches away from no. 146 with a hipped roof design instead of the gable originally proposed reducing the massing facing no. 146. In addition, there would be no windows at first floor level in the side elevation facing no. 146, which could be secured by condition, and as such the privacy of no. 146 would not be affected. It is considered that the separation distance between the proposed dwelling and no. 146 and the change to the roof are sufficient to ensure that the proposal does not result in a significant loss of light to 146 Stamford Road.
- 7.4.10 The proposed dwelling on plot 8 would be approximately 5.1m from the side elevation with 160 Stamford Road, the first floor side elevation facing no. 160 would be blank. Therefore subject to a condition preventing the insertion of any windows in the first floor side elevation of plot 8, it is considered that the proposal would not have a detrimental impact on 160 Stamford Road.
- 7.4.11 It is considered that there will be no unacceptable impact on the amenity of neighbouring residents, subject to conditions, through this proposal in accordance with policy 8 of the NNJCS.

## **7.5 Highways and parking**

- 7.5.1 Policy 8 b) ii) of the NNJCS requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety.
- 7.5.2 Access to plots 1, 2, 7 & 8 is proposed to be directly off Stamford Road via single private drives. Plots 3, 4, 5 & 6 are proposed to be accessed via a shared private drive, the proposed access is approximately 4.5m wide which complies with the 4.5m specified in the NCC LHA Standing Advice for private drives; this means that the access would no longer need to be one-way as 4.5m is sufficient for two vehicles to pass. The accesses have been amended to vehicle crossovers as required by Highways.
- 7.5.3 It is noted that Highways state that they would advise dwellings 3 – 6 be served via a single point of access/egress. However, it is considered that this should be considered against highway safety and the proposal would reduce the number of accesses serving these four dwellings from 4 to 2 and as such it is considered that subject to the access being acceptable in all other matters, it would not be unreasonable to allow this arrangement.
- 7.5.4 The site is located on a straight section of road, which is a service road set back from the main part of the A road with a vegetation buffer in between;

therefore it is considered that appropriate vehicular and pedestrian visibility splays can be secured by condition.

7.5.5 Each of the properties has two off road parking spaces which is considered to be adequate for properties of these sizes, it is considered that a condition requiring the parking spaces to be provided and retained as such would be appropriate to ensure adequate parking is maintained.

7.5.6 Therefore, subject to conditions securing the provision of the accesses, visibility splays, surface water drainage and parking, it is considered that the application is acceptable in terms of access and parking in accordance with policy 8 of the NNJCS.

## 7.6 **Biodiversity**

7.6.1 Policy 15 of the NPPF requires Local Planning Authorities to aim to conserve and enhance biodiversity by permitting development only where significant harm can be avoided. This is enforced through Policy 4 of the North Northamptonshire Joint Core Strategy that states:

A net gain in biodiversity will be sought and features of geological interest will be protected and enhanced through:

a) Protecting existing biodiversity and geodiversity assets by:

i. Refusing development proposals where significant harm to an asset cannot be avoided, mitigated or, as a last resort, compensated. The weight accorded to an asset will reflect its status in the hierarchy of biodiversity and geodiversity designations;

ii. Protecting key assets for wildlife and geology, in particular the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site, from unacceptable levels of access and managing pressures for access to and disturbance of sensitive habitats;

iii. Protecting the natural environment from adverse effects from noise, air and light pollution;

iv. Where appropriate requiring developments to provide or contribute to alternative green infrastructure (Policy 19); and

v. Ensuring that habitats are managed in an ecologically appropriate manner.

7.6.2 A Preliminary Ecology Appraisal Report, a Phase 1 and Protected Species Report, a BIA Proposed Habitat Plan and a Biodiversity Impact Assessment and Enhancement Strategy have been submitted with the application.

7.6.3 The Phase 1 and Protected Species Report found two common pipistrelle day roosts within the church building. As such the demolition of the building will require European Protected Species licence before any work can commence. As such mitigation will be required to compensate for the loss of the roosts within the building and will likely include erecting a bat box to function as a donor box during the construction phase, appropriate supervision by a trained ecologist during the demolition and the integration of two permanent bat boxes into the new dwellings. Therefore a condition securing a mitigation strategy is recommended.

7.6.4 The report also found the presence of a flock approximately 30 house sparrows using the site for foraging and general cover, therefore it is recommended that where possible vegetation / tree pruning is carried out,



outside bird nesting season or appropriate checks carried out if this not possible. The presence of hedgehogs was also noted on the site, hedgehogs are a Species of Principal Importance (NERC Act, 2006). The report recommends measures to protect hedgehogs including mammal gaps of 15cm x 15cm at the base of garden fences within the development is suggested to allow movement across the residential area and measures to minimise injury during construction including the provision of fauna ladders in any excavations, dismantle rubble/log piles by hand and no fires left burning overnight, which can be secured by condition.

7.6.5 The Biodiversity Impact Assessment and Enhancement Strategy includes an assessment against the DEFRA metric 3.1 and calculates that the site has 0.79 habitat units and 0.31 hedgerow units.

7.6.6 The Biodiversity Impact Assessment and Enhancement Strategy states that the initial review yielded a 42% loss as a result of the development. The applicant has sought to minimise the biodiversity loss on site by included new tree planting, shrub borders and native hedgerows and has reduced the net loss to 38.78%.

7.6.7 The applicant's Ecological consultant has calculated that the following would be required to compensate for the net loss and provide a 1% gain for the site:

- Planting 8 small and 2 medium Urban Trees in moderate condition (recommend native species of local stock) and
- Creating 0.091 Ha / 910 square meters of Modified Grassland in moderate condition (e.g. through seeding with a local native wildflower lawn mix or reducing mowing frequency on existing grassland and adding additional species such as yellow rattle). This would need to be provided off site as it cannot be provided on site due to the constraints of the site.

7.6.8 The Council's ground services have confirmed that they can accommodate the requirements by planting at least 10 site specific trees (broadleaf species mix) and in addition change the maintenance regimes of the open amenity grassland area at [redacted] to deliver large areas of uncut grassland with some additional grassland [redacted] wildflower seed to support a greater range of wildlife. This would offset the biodiversity loss at the site and provide a biodiversity gain.

7.6.9 Therefore subject to conditions requiring a bat mitigation strategy and measures to protect hedgehogs and other small mammals on the site it is considered that the proposal would be acceptable in terms of biodiversity and in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

## 7.7 Refuse

7.7.1 There is adequate space on all of the plots for a bin store, plots 1, 2, 7 and 8 all front onto the street and therefore would present their bins in the normal way. Plots 3, 4, 5 and 6 are set back from the street and therefore two bin presentation points have been provided, one to the side of both plots 2 and 7

for these properties. These bin presentation points are close to the street and are considered to be an appropriate size to serve two dwellings each.

- 7.7.2 Therefore subject to a condition requiring details of bin presentation points to be provided in accordance with the submitted drawing, it is considered that the proposal is acceptable in terms of provision for refuse storage and collection in accordance with policy 8 of the NNJCS.

## 7.8 Sustainable construction & design

- 7.8.1 Policy 9 of the NNJCS requires development to incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential 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 which will be secured through condition.

- 7.8.2 A sustainability appraisal has not been submitted with the application, therefore it is considered that it would be appropriate to attach a condition requiring the submission of a Sustainability Appraisal and Energy Statement and calculations for water usage in each property. As such subject to this condition it is considered that the proposal complies with the requirements of policy 9 of the NNJCS.

## 7.9 Contaminated Land

- 7.9.1 The Council's Environmental Health team have requested a contaminated land condition and a Radon informative to ensure that the development is acceptable in terms of contaminated land.

- 7.9.2 Therefore subject to the above conditions and informative it is considered that the proposal is acceptable in terms of contaminated land in accordance with policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

## 8. Other Matters

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- 8.1 None

## 9. Conclusion / Planning Balance

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- 9.1 The proposal is acceptable in principle and in terms of its impact on residential amenity, character and appearance and biodiversity.

## 10. Recommendation

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- 10.1 That planning permission be GRANTED subject to conditions.

## 11. Conditions

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the first floor side elevation or roof plane facing 146 Stamford Road of the building on Plot 1.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the first floor side elevation or roof plane facing 160 Stamford Road of the building on Plot 8.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, AA, B and E of Part 1 of Schedule 2 of the Order shall be made on the application site.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30

to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.

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

8. Prior to the commencement of any demolition works or development a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.

REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy

9. No development above slab level shall take place on site until details of the vehicular and pedestrian visibility splays have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the buildings hereby approved are occupied and shall be maintained as such.

REASON: To ensure that the accesses are constructed to a satisfactory standard in accordance with policy 8 of the North Northamptonshire Core Spatial Strategy.

10. Prior to occupation of each dwelling the access for that dwelling shall be provided in accordance with the approved drawings and shall be maintained as such.

REASON: To ensure a satisfactory means of access to the highway in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. Prior to commencement of construction (not including demolition) the developer shall:

a) Remove all made ground from the site for disposal at an appropriate licensed facility, or

b) Assess the extent and depth of any made ground and take samples of it for laboratory analysis to determine if there are substances in it that could lead to the site being

considered as contaminated land (as defined in Part IIA of the Environmental Protection Act 1990) on completion of the development. If any such harmful substances are present

in the ground then the developer shall submit their proposals for remediation of the site to the LPA for approval prior to construction commencing.

c) On completion of either a) or b) above to submit a verification report to the LPA for approval prior to occupation of the new dwellings.

REASON: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together

with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 15 of the NPPF and Policies 6 & 8 of the North Northamptonshire Joint Core Strategy.

12. The parking spaces hereby approved shall be provided prior to the first occupation of the buildings hereby permitted and shall be permanently retained and kept available for the parking of vehicles.

REASON: To ensure adequate on-site parking provision for the approved buildings and to discourage parking on the adjoining highway in the interests of local amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. Works to and/or demolition of the building identified as Grange Methodist Church on 'Existing Site Plan - Topographical Survey' drawing 4720/GM/19/002 shall not in any circumstances commence until the local planning authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2019 authorising the specified activity/development to go ahead; or
- b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
- c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

REASON: In the interests of ecology in accordance with policy 8 of The North Northamptonshire Joint Core Strategy.

14. No works other than demolition shall take place until a Bat mitigation scheme and timing of implementation of these measures has been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of ecology in accordance with policy 8 of The North Northamptonshire Joint Core Strategy.

15. No works other than demolition shall take place until a wildlife mitigation scheme and timing of implementation of these measures has been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of ecology in accordance with policy 8 of The North Northamptonshire Joint Core Strategy.

16. The hard and soft landscaping shall be carried out as set out in the approved drawings. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed

or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 8 of the North Northamptonshire Core Spatial Strategy.

17. The boundary treatment shall be carried out as set out in the approved drawings. The buildings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the amenities and privacy of the neighbouring property in accordance with policy 8 of the North Northamptonshire Core Spatial Strategy.

18. The approved refuse presentation points shall be provided before the occupation of any of the dwellings affected and retained as approved thereafter.

REASON: Refuse details are necessary prior to the commencement of development in the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

19. Prior to the commencement of development above slab level, a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. If closed windows are required to mitigate the noise then consideration shall also be given to the control of overheating and the provision of sufficient ventilation. Once approved the scheme shall be implemented before first occupation of the residential units and thereafter maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: In the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

20. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).

REASON: In the interests of water efficiency in a designated area of water stress in accordance with Policy 9 of the North Northamptonshire Joint Core Strategy.

## **12. Informatives**

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Positive/Proactive - amendments

Building Regulations consent required

Trees - British Standard

Trees - Bats & Birds

Radon - Protection of Dwellings Informative

Acoustic separation (all domestic dwellings) informative

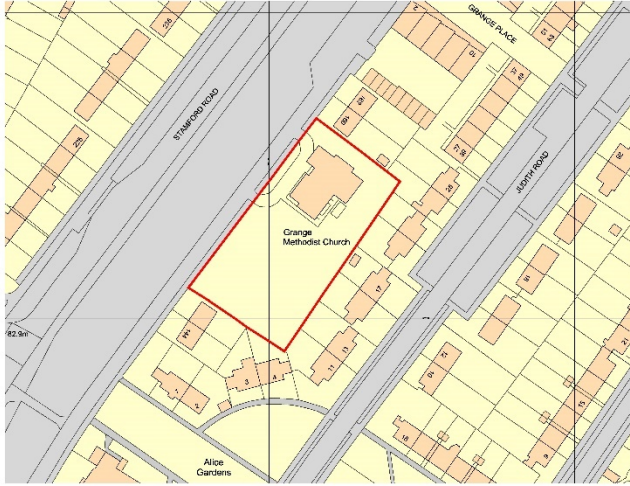
## List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

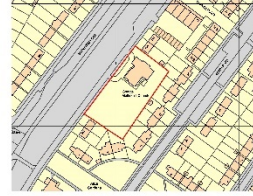
<b>Title</b>	<b>KET Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		4720-001	29/04/20
Existing site plan		4720-002	29/04/20
FRA & drainage strategy		PR-C-001-P3	29/04/20
Design & Access Statement	KET/2020/0292/1		29/04/20
Ecology Report		RSE-3215-V1	29/04/20
Site Report	KET/2020/0292/2		29/04/20
Tree Survey		RSE-2063-01-V2	29/04/20
Phase 1 and Protected Species Report		RSE_3215_01_V2	13/07/20
Illustrative Landscape Plan		(08)010 Rev A	27/06/22
Control Chamber Details		GCGM-BSP-ZZ-XX-DR-C-0261 P02	27/06/22
Manhole Schedules		GCGM-BSP-ZZ-XX-DR-C-0150 P05	27/06/22
S184 layout		GCGM-BSP-ZZ-ZZ-DR-C-0180 P07	27/06/22
Setting out		GCGM-BSP-ZZ-ZZ-DR-C-0110 P02	26/01/23
Private Construction Layout		GCGM-BSP-ZZ-ZZ-DR-C-0230 P08	26/01/23
Surface Water Areas		GCGM-BSP-ZZ-ZZ-DR-C-0241 P07	26/01/23
External Levels		GCGM-BSP-ZZ-ZZ-DR-C-0210 P09	26/01/23
Private Drainage Layout		GCGM-BSP-ZZ-ZZ-DR-C-0240 P08	26/01/23
Drainage Required for Building Control		GCGM-BSP-ZZ-ZZ-DR-C-0242 P01	26/01/23
Proposed Site Plan		4720/GM/19/003 P7	26/01/23

House Type 1- Proposed Plans and Elevations		4720/GM/19/100 P4	26/01/23
House Type 2-Proposed Plans and Elevations		4720/GM/19/200 P4	26/01/23
House Type 3-Proposed Plans and Elevations		4720/GM/19/300 P4	26/01/23
Hard & Soft Landscaping Precedent Images		N0659 (08) 100 B	26/01/23
Hard Landscape Plan		N0659 (90)010 B	26/01/23
Soft Landscape Plan, Schedule and Specification		N0659 (96)010 B	26/01/23
BIA Proposed Habitat Plan		RSE_6506_BIAP_1222_V1R2	26/01/23
BIA Baseline Habitat Plan		RSE_6506_BIAB_1222_V1R2	26/01/23
Biodiversity Impact Assessment and Enhancement Strategy		RSE_6506_L1_V2	13/02/23
The Biodiversity Metric 3.1 – Calculation Tool spreadsheet		RSE_6506_BIA_V1R4	13/02/23





Location Plan



Location Plan

all drawings are to be read in conjunction with the accompanying text and specifications. The client is responsible for ensuring that the drawings are used for the intended purpose and that any necessary permissions are obtained.



DATE: 19/01/2011  
 PROJECT: Grange Methodist Church  
 DRAWING NO: 4720/GM/19/001  
 SCALE: 1:250  
 DRAWN BY: JAP  
 CHECKED BY: JAP  
 DATE: 19/01/11  
 PROJECT NO: 4720/GM/19/001  
 DRAWING NO: 4720/GM/19/001

PRELIMINARY SS JE  
 4720/GM/19/001



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## North Northamptonshire Area Planning (Kettering) Committee 08/03/2023

<b>Application Reference</b>	<b>NK/2022/0274</b>
<b>Case Officer</b>	<b>Alison Riches</b>
<b>Location</b>	<b>Broughton Road (land off), Mawsley</b>
<b>Development</b>	<b>Full Planning Permission: Change of use from agricultural to 17 no. allotments with access, parking, fencing and sheds</b>
<b>Applicant</b>	<b>Mawsley Parish Council</b>
<b>Agent</b>	<b>Mr A Jelley Alpine Planning Ltd</b>
<b>Ward</b>	<b>Slade</b>
<b>Overall Expiry Date</b>	<b>01/07/2022</b>
<b>Agreed Extension of Time</b>	<b>08/09/2022</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the application has been the subject of more than five written material planning objections.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

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

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- 2.1 The proposal seeks full planning permission for a change of use from agricultural to a use providing 17 no. 8 metre by 22 metre allotments each containing a 2.52 metre by 2.04 metre wooden shed and accessed from Main Street by a 3 metre wide gravelled track. A wildlife maintenance strip and

landscaped area is provided to the front (northeast) of the allotments and 3 no. parking spaces and a turning area is also provided. A 1.2 metre high post and wire fence is to be provided along the rear (southwest) boundary and 2 no. field gates to allow continued use of Bridleway HK/001 which diagonally bisects the site.

- 2.2 At the request of the Local Highway Authority, during the application process an additional plan was provided to show an increase in the width of the access for the first 10 metres into the site to allow a passing place for 2 no. opposing vehicles. The Local Highway Authority were reconsulted on this for 14 days.
- 2.3 Following further Local Highway Authority comments, an amended plan has been received to show a vehicular visibility splay to allow for siting from the allotment entrance of vehicles travelling from Loddington Road. The Local Highway Authority were reconsulted for 7 days.

### 3. Site Description

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- 3.1 The application site is a strip of agricultural land in the open countryside to the southeast of Mawsley village. Public Bridleway HK/001 cuts through the application site on the diagonal from southwest to northeast between Broughton Road and the village of Great Cransley.

### 4. Relevant Planning History

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- 4.1 None relevant.

### 5. Consultation Responses

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A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

- 5.1 Mawsley Parish Council  
Applicants - not consulted.

- 5.2 Neighbours / Responses to Publicity  
6 no. letters of **objection** have been received. The issues raised are summarised below:

#### 51 Loddington Way

- I object on the grounds of the proposed entrance of an already dangerous roundabout.
- This will add further complication and will cause accidents.
- There is no place for a further tight entrance here at all.

#### 2 Main Street

- The proposed change of use from agricultural land to 17 allotments can only be accessed from a track / gateway off the roundabout.
- This roundabout is already extremely busy.

- The gate off Broughton Road would have poor visibility and just add to the already 'dangerous' roundabout.
- This is also an area where school children congregate for the buses leaving for various schools in the morning.
- Turning left into the proposed track would create a blind spot for drivers coming from the north of the village.

#### 1 Main Street

- It is madness and a folly and surely a serious accident waiting to happen. It will.
- There is a ribbon of houses adjacent to Broughton Road which do not have garages or garage spaces at all which means that vehicles have no alternative but to park in Broughton Road causing hold-ups and sometimes tailbacks.
- Allotments are placed well away from housing. It can be seen in Kettering along Northfield Avenue and in Broughton and Burton Latimer and all the surrounding villages. The siting there offends no-one and affects no-one, but not Mawsley.
- There is traffic congestion in Mawsley during peak times – School drop-off and pick up, visitors to the Surgery, the shops and to various activities at The Centre.
- The number of cars has increased in the village due to families growing up and there being no infrastructure in the village to support employment within its confines, but there is still only one parking space per family.
- Mawsley is badly congested with entry into the village flowing relentlessly through Main Street.
- The proposal will add to the congestion with more traffic being held up with allotmentiers turning into and out of their allotments. An already serious situation will become even worse.

#### 2 Cransley Court

- I object due to the site entrance being on a busy junction, which already has limited space.
- To place the entrance to the allotments here is an accident waiting to happen.

#### 4 Cransley Court

- This is so dangerous to apply for access to this land, near a junction. It will be an accident waiting to happen.
- Children also go to the pond opposite.

#### 3 Cransley Court

- The proposal to construct a further junction on this busy road next to the pond is a major safety concern.
- The risk to pedestrians and road users alike is magnified given the proximity of this proposed access point to an already very busy junction with limited sight lines.

### 5.3 Local Highway Authority (LHA)

- Observations.
- Acknowledged access would not see significant volumes of vehicle traffic but concerns with the proximity of the proposed access to the existing junction of Broughton Road/Loddington Way/Main Street.
- In the interests of highway safety, LHA requests RSA1 carried out to identify any safety concerns.
- Due to the commercial nature of the site, the access is required to be a 6m kerbed radii junction and would need to be hard-bound for its entire length. There is a prospect for the access width to reduce to no less than 3.7m wide, in line with Northants Fire and Rescue Services (NFRS) requirements, however, this should not take place for at least the first 10m from the highway boundary with Broughton Road. If a reduction in width is proposed then it is suggested a layby is incorporated to provide a safe passing place in the event two vehicles oppose each other.
- Thought to be a street light in close vicinity to the access. The access should be shown in relation to it, if it requires relocating, the costs rest with the applicant and the decision to move the infrastructure rests with the utility provider. The LHA would require its relocation to be secured by a Grampian condition.
- LPA to seek local fire chief views as to access requirements given structures would be over 45m from the highway boundary. As such, vehicular access must be no less than 3.7m in length and constructed to withstand 15T axle loading and incorporate appropriate turning facilities to enable a fire tender to safely turn and exit onto the public highway in a forward gear.
- Access gates to be set back at least the length of the largest vehicle likely to use the access.
- The 3 no. proposed parking spaces are adequate. LPA to take a view regarding parking numbers and the need for disabled and/or cycle parking.
- Applicant to be made fully aware of responsibilities in respect of Public Bridleway (HK1) which crosses the site.
  - 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 a criminal offence to obstruct the highway under Section 137 HA 1980.
  - There must be no interference or permanent 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 the Area Rights of Way Officer, (as per Section 131 HA1980).
  - If as a result of the development, the safety of the public cannot be guaranteed, the Right of Way needs to be closed and a Temporary Traffic Regulation Order would become necessary.

An Application form for such an order is available from the West Northamptonshire Council website, a fee is payable for this service and a period of six weeks' notice is required. Please contact the Definitive Map Team at:- [defmap.NCC@westnorthants.gov.uk](mailto:defmap.NCC@westnorthants.gov.uk)

- <https://www.westnorthants.gov.uk/northamptonshire-highways/rights-of-way/Pages/temporary-traffic-regulation-orders.aspx>
- Any new path furniture such as a gate can only be authorised if needed for the ingress or egress of livestock (Section 147 Highways Act 1980) and needs

#### Reconsultation 18/07/2022 – Local Highway Authority only

- Observations.
- The proposed site access as detailed in plan MA/02 is reasonable in principle.
- An accurate and scaled plan detailing the forward visibility measured from a 2m setback from the highway boundary at the access to a 1m offset from the gyratory channel to see what level of vehicle to an approaching object intervisibility there is between the access and bend around Loddington Way / Broughton Road. This is to better understand the intervisibility of a vehicle waiting to exit the site and an object approaching from Loddington Way.
- The LPA must take a view as regard parking numbers owing to the bespoke nature of the site along with the need for disabled and/or cycle parking.
- Public Right of Way comments remain as previously stated.
- New path comments remain as previously stated.

#### Reconsultation 23/02/2023 – Local Highway Authority only

- Comments received from the Local Highway Authority will be included in the update to the Committee.

#### 5.4 Ramblers Association

- Public Bridleway HK1 is affected and in close proximity to the proposed development.
- The bridleway must be kept clear and free from materials and obstruction at all times during the period of building. It is an offence to obstruct the bridleway/rights of way under Section 137 of the Highways Act 1980.
- In addition the bridleways must be kept free from damage at all times.
- If a temporary diversion of the bridleway is required to facilitate construction then the Applicant must seek a Temporary Traffic Regulation Order. He/She would need to contact the Definitive Map Team at West Northamptonshire Council.

## **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)

Policy 8. Promoting healthy and safe communities

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

Policy 15. Conserving and enhancing the natural environment

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

Policy 3. Landscape Character

Policy 4. Biodiversity and Geodiversity

Policy 5. Water Resources, Environment and Flood Risk Management

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

Policy 11. The Network of Urban and Rural Areas

Policy 13. Rural Exceptions

Policy 16. Connecting the Network of Settlements

6.4 Kettering Site Specific Part 2 Local Plan (2021)

Policy LOC1. Settlement Boundaries

Policy HWC2. Protection of Community Facilities and Proposals for New Facilities

Policy HWC3. Sport, Recreation and Physical Activity

Policy RS4. Development in the Open Countryside

Policy RS5. General Development Principles in the Rural Area

**7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Flooding and Drainage
- Biodiversity Net Gain
- Fire and Rescue
- Bridleway HK/001

**7.1 Principle of Development**

7.1.1 The application site is located on agricultural land in the open countryside to the southeast of Mawsley village.

7.1.2 The proposal is for 17 no. allotments with associated access, limited on-site parking and the provision of a shed for each allotment.



7.1.3 The definition of agriculture in Section 336 of the Town and Country Planning Act 1990 is as follows:

*“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;*

7.1.3 As such, provided the allotment use is for agricultural purposes for the personal use of the users of the allotments, as covered by the definition above, then planning permission is not required to convert agricultural land to an allotment use.

7.1.4 Planning permission is however required for the creation of an access and parking area, and the installation of the sheds.

- 7.1.5 Policy RS4 of the Kettering Site Specific Part 2 Local Plan restricts new development in the open countryside unless it meets the requirements of Policies 13, 25 or 26 of the North Northamptonshire Joint Core Strategy. With respect to the North Northamptonshire Joint Core Strategy policies, Policy 13(2) of the North Northamptonshire Joint Core Strategy restricts new development in the open countryside away from established settlements.
- 7.1.6 Policy HWC2 of the Kettering Site Specific Part 2 Local Plan is supportive of the provision of new community facilities.
- 7.1.7 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of new development provided there is no adverse impact on character and appearance, residential amenity and the highway network.
- 7.1.8 As the proposal is for the provision of allotments for a personal agricultural use, with the provision of an access, parking and sheds being minor pieces of development which enable the primary allotment use, it is therefore considered that the principle of development for this proposal is established subject to the satisfaction of the development plan criteria.
- 7.2 Visual Impact**
- 7.2.1 Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.
- 7.2.2 The proposal is for 17 no. allotments with associated access, limited on-site parking and the provision of a shed for each allotment.
- 7.2.3 An objection has been received regarding the siting of the allotments, stating that allotments are placed well away from housing, for example along Northfield Avenue in Kettering, in Broughton, Burton Latimer and all surrounding villages, where they offend and affect no-one.
- 7.2.4 With respect to the proposed allotments, these are sited approximately 100 metres from Main Street, 150 metres from Broughton Road and 110 metres from Cransley Court and provide an agricultural use which would be expected to be seen in this rural location, although it will be a more condensed version than seen in the surrounding fields. The allotments themselves do not require planning permission but the associated development of an access track with a post and rail rear fence and the provision of sheds for each allotment, do, and are considered to be minor ancillary pieces of development necessary to facilitate the primary agricultural use.
- 7.2.5 Subject to conditions for the proposal to be built out in accordance with the submitted plans, it is considered that there will be no adverse impact on the character and appearance of the surrounding wider rural area. This is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

### 7.3 **Impact on Neighbouring Amenity**

- 7.3.1 The National Planning Policy Framework in Policy 12, paragraph 130(f) seeks to ensure that development creates places with high standards of amenity for existing and future users. (overbearing/sense of enclosure).
- 7.3.2 Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.
- 7.3.3 The proposal is for 17 no. allotments with associated access, limited on-site parking and the provision of a shed for each allotment.
- 7.3.4 The siting of the allotments is on agricultural land to the southeast of Mawsley village with the nearest residential properties being at No.2 Main Street to the northwest, adjacent to where the access is located, and in Broughton Road to the west and Cransley Court to the southwest.
- 7.3.5 The side (southwest) boundary of No.2 Main Street abuts the access drive into the allotments. The first 10 metres of the proposed access back from the highway is 4.5 metres wide to provide a safe passing place in the event two vehicles oppose each other, and this leads to 3 no. parking spaces within the allotment site. This 10 metre area is adjacent to the dwellinghouse at No.2 Main Street which has a separation distance of a minimum of 4 metres from the flank elevation of No.2 to its side boundary with the application site. Within the proposed access, there is a 2 metre wide wildlife/maintenance strip to the northeast of the vehicular access which is immediately adjacent to the boundary with No.2.
- 7.3.6 As such, it is considered that the separation distance of the access passing place and the low level of parking provision within the site, means that the vehicular activity in this location is not of a level significant enough to lead to an adverse impact on the amenities of the occupiers of No.2 in terms of air quality, noise and disturbance.
- 7.3.7 Given that the allotments themselves do not require planning permission, with respect to the general amenities of all surrounding neighbouring occupiers, it is considered that the separation distance of the allotments from these residents, and the type and level of activity likely to be carried out to support the allotment use, is not significantly different than the use of private residential gardens for the personal growing of fruit and vegetables, or for a small scale agricultural use. As such, it is considered that the proposed allotment use, and its associated access and parking, will not lead to a significant loss of amenity to surrounding residential occupiers over and above that which would ordinarily be expected in this rural location.
- 7.3.8 As such, subject to a condition for the provision and of the access, allotments and sheds in accordance with the submitted details, the proposal is

considered to accord with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 7.4 Highway Matters

- 7.4.1 Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.
- 7.4.2 The proposal is for 17 no. allotments with associated access, limited on-site parking and the provision of a shed for each allotment.
- 7.4.3 There have been 6 no. objections to the proposal from village residents in relation to highway matters, and their comments are summarised as follows:
- The proposed entrance is already on a dangerous roundabout.
  - The gate off Broughton Road would have poor visibility and turning left into the proposed track would create a blind spot for drivers coming from the north of the village.
  - There is a ribbon of houses adjacent to Broughton Road which do not have garages or garage spaces at all which means that vehicles have no alternative but to park in Broughton Road causing hold-ups and sometimes tailbacks.
  - The number of cars has increased in the village due to growing families and the village is badly congested with entry into the village flowing relentlessly through Main Street to go to the surgery, the school, the shops and to the Centre, with this area being where school children congregate for the buses leaving for various schools at pick-up and drop-off times.
- 7.4.4 With respect to the congestion, this is caused by activities outside of the proposed allotment use and given that the proposed allotments are for use by occupiers of the village with only 3 no. parking spaces provided, it is considered that the proposal will not increase the level of vehicular activity within the village.
- 7.4.5 This view is borne out by the Local Highway Authority who has no objection to the scheme on the basis that the proposed access would not see significant volumes of vehicle traffic.
- 7.4.6 The initial concerns of the Local Highway Authority related to proximity of the proposed access to the existing junction of Broughton Road,/Loddington Way/Main Street, the nearby street light and the impact on the Bridle Way and access for emergency vehicles.
- 7.4.7 During the application process, the applicant's agent has worked with the Local Highway Authority to provide an access with set back vehicular and pedestrian access gates, an access width of 4.5 metres for the first 10 metres back from the highway to provide a safe passing place in the event two vehicles oppose each other, and visibility splays which show an area of the central roundabout with the vegetation removed to ensure adequate visibility of vehicles coming from the northwest direction. The issue in relation to emergency vehicles is discussed in section 7.7 (Fire and Rescue).

- 7.4.8 Outside of the site, the Local Highway Authority discussed with the applicant's agent the need for a visibility splay to allow traffic coming from Loddington Way to be seen by allotment users exiting the site. 2 no. alternatives were discussed - a 40m splay and a 26m splay. The 40m splay involved the reduction or removal of an area of vegetation on the open space to the south of Loddington Way, land outside of the ownership of the applicants, while the 26m splay did not require this. The Local Highway Authority were comfortable with either option and an amended plan has been sought to address this so that the Local Highway Authority could be formally consulted.
- 7.4.9 The applicant's agent submitted an amended plan with a 26m visibility splay. At the time of writing this report the Local Highway Authority were within a 7 day consultation period and had not provided comments, but given that they have no objection in principle, a condition is to be added to ensure the proposal is carried out in accordance with the submitted plans.
- 7.4.10 Additional details in relation to this are to be provided by way of the update to committee and it is considered that subject to conditions securing the development to be carried out in accordance with the proposed plans and for future visibility to be secured, the proposal accords with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 7.5 **Flooding and Drainage**

- 7.5.1 Policy 5 of the North Northamptonshire Joint Core Strategy requires new development to reduce the risk of flooding and the protection and improvement of the quality of the water environment.
- 7.5.2 The site is not subject any constraints in terms of the risk of flooding. Those parts of the proposal which are development - the creation of the access, the parking area and installation of the sheds - are small scale, with the proposed access and parking area being gravelled to provide adequate natural drainage.
- 7.5.3 As such, the proposal will not lead to a risk of flooding which is in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

## 7.6 **Biodiversity Net Gain**

- 7.6.1 The Environment Act 2021 acts as the framework for environmental protection with a provision that in due course all planning permissions will be subject to achieving a net gain for biodiversity prior to the commencement of development.
- 7.6.2 Policy 4 of the North Northamptonshire Joint Core Strategy seeks to protect biodiversity and enhance the local and natural environment by securing a net gain where possible, which is consistent with Paragraph 174 of Policy 15 of the National Planning Policy Framework.

7.6.3 The proposal is for the provision of allotments for the growing of fruit and vegetables which, it is considered, will enhance the existing agricultural use at the site.

7.6.4 It is considered that the provision of the access and parking area and the installation of sheds at the site is minor ancillary development which accompanies the main use and as such it will not lead to a loss in biodiversity at the site. This is in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

## 7.7 Fire and Rescue

7.7.1 During the application process the applicant's agent received the following advice from the Community Fire Protection Department of Northants Fire and Rescue in respect of access to the site in the event of a fire:

*"It is considered that as the structures are wooden sheds and are not classed as 'premises' under the Fire Safety Order, that to apply the access requirements for a 'normal' building would seem overly onerous in this case. Obviously, the contents of the sheds cannot be regulated and may present a hazard in the event of a fire, it would therefore be an attending crews decision as to how they access the site using current operational guidance. To reduce the chance of fire spread, should a fire occur involving a shed, if they were staggered in their placement so alternate sheds are at different ends of each allotment"*

7.7.2 It is considered that the proposal would give rise to no significant issues in relation to Fire and Rescue and the comments in relation to the staggered placement of the sheds for the allotments is to be added as an informative for consideration by the applicant.

## 7.8 Bridleway HK/001

7.8.1 With respect to Bridleway HK/001 which diagonally bisects the site, advice has been given by both the Local Highway Authority and the Ramblers Association to ensure there is no obstruction to its use or interference or permanent damage.

7.8.2 The applicants propose 2 no. field gates through the allotment site to allow continued unfettered access to the Bridleway.

7.8.3 A series of informatives are to be added from the Local Highway Authority and the Ramblers Association to secure the optimum use of the Bridleway.

## 8. Other Matters

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8.1 None.

## 9. Conclusion / Planning Balance

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9.1 Subject to conditions requiring the proposal to be carried out in accordance with the submitted plans, the proposal accords with policies in the Development Plan.

## **10. Recommendation**

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10.1 The proposal is recommended for conditional approval.

## **11. Conditions**

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The access hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **12. Informatives**

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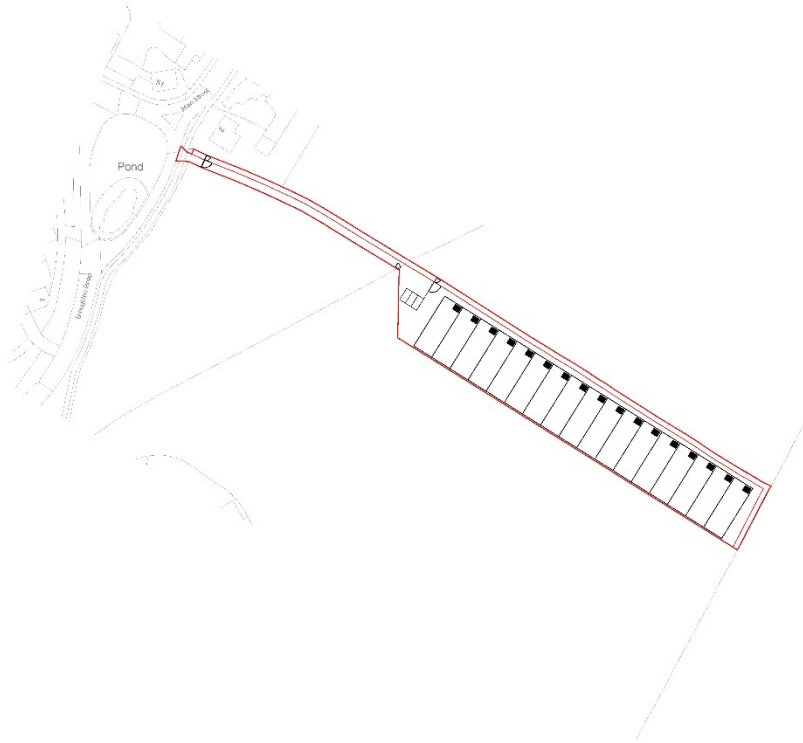
Positive/Proactive - amendments  
Bridleway HK/001  
Fire and Rescue

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		24078_E01T2	06/05/2022
Site Layout 1 of 2		24078_E02T2	29/04/2022
Site layout 2 of 2		24078_E03T2	29/04/2022
Shed and Gate Details		MA/01	18/05/2022
Site Entrance Details		MA/02A	22/02/2023
Design & Access Statement	NK/2022/0274/1		26/04/2022





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**Drawing Key**

— 10m Metres  
 — 20m Metres  
 ■ 1000mm

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<p><input checked="" type="checkbox"/> Approved  <input type="checkbox"/> Design  <input type="checkbox"/> Construction  <input type="checkbox"/> Other</p> <p>E: mail@jppol.net  W: jppol.net</p>	<ul style="list-style-type: none"> <li>• Infrastructure Design</li> <li>• Structural Engineering</li> <li>• Development Planning</li> <li>• Geotechnical &amp; Environmental</li> <li>• Surveying</li> <li>• Professional Advice</li> </ul>	<table border="1"> <tr> <td>Rev</td> <td>TS</td> <td>Issue or Change Details</td> <td>By</td> <td>Checked By</td> <td>Date</td> </tr> <tr> <td>01</td> <td>TS</td> <td>Issue for Approval</td> <td></td> <td></td> <td>03/04/2021</td> </tr> <tr> <td colspan="3"> <table border="1"> <tr> <td>Company Ref</td> <td>000000</td> <td>Client</td> <td>Warriston Parish Council</td> </tr> <tr> <td>Drawing Ref</td> <td>240106</td> <td>Project</td> <td>Howthorpe, South Gloucestershire Council, Bristol, Ministry</td> </tr> <tr> <td>Date</td> <td>03/04/2021</td> <td>Title</td> <td>Site Plan - 10m</td> </tr> <tr> <td>Author</td> <td>TS</td> <td></td> <td></td> </tr> <tr> <td>Project Ref</td> <td>240106</td> <td>Drawing Ref</td> <td>001</td> </tr> <tr> <td></td> <td></td> <td>Sheet</td> <td>12</td> </tr> </table> </td> </tr> </table>	Rev	TS	Issue or Change Details	By	Checked By	Date	01	TS	Issue for Approval			03/04/2021	<table border="1"> <tr> <td>Company Ref</td> <td>000000</td> <td>Client</td> <td>Warriston Parish Council</td> </tr> <tr> <td>Drawing Ref</td> <td>240106</td> <td>Project</td> <td>Howthorpe, South Gloucestershire Council, Bristol, Ministry</td> </tr> <tr> <td>Date</td> <td>03/04/2021</td> <td>Title</td> <td>Site Plan - 10m</td> </tr> <tr> <td>Author</td> <td>TS</td> <td></td> <td></td> </tr> <tr> <td>Project Ref</td> <td>240106</td> <td>Drawing Ref</td> <td>001</td> </tr> <tr> <td></td> <td></td> <td>Sheet</td> <td>12</td> </tr> </table>			Company Ref	000000	Client	Warriston Parish Council	Drawing Ref	240106	Project	Howthorpe, South Gloucestershire Council, Bristol, Ministry	Date	03/04/2021	Title	Site Plan - 10m	Author	TS			Project Ref	240106	Drawing Ref	001			Sheet	12	
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## North Northamptonshire Area Planning (Kettering) Committee 08/03/2023

<b>Application Reference</b>	<b>NK/2022/0423</b>
<b>Case Officer</b>	<b>Mark Coleman</b>
<b>Location</b>	<b>Loddington C of E Primary School, Main Street, Loddington</b>
<b>Development</b>	<b>Full Planning Permission: Installation of new air source heat pump and associated works</b>
<b>Applicant</b>	<b>L Hughes, Peterborough Diocese Education Trust</b>
<b>Agent</b>	<b>Mr M Eaton Surveyors to Education</b>
<b>Ward</b>	<b>Rothwell and Mawsley Ward</b>
<b>Overall Expiry Date</b>	<b>25/08/2022</b>
<b>Agreed Extension of Time</b>	<b>23/12/2022</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because Loddington Parish Council has a material written 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 Full Planning Permission: Installation of new air source heat pump and associated works

- 2.2 The proposed air source heat pump is located towards the front of the existing school building replacing the space utilised by the pre-existing oil tank and screening buff brick sump/screen. The proposed air source heat pump will be screened by a full height timber panel acoustic / visibility screen to four sides, with rubber kick board.
- 2.3 Officer comment: *At the time of submission works had not commenced, but the applicant has confirmed that works did commence after this date. As a result, the application has not been registered as a retrospective application but is considered as such, due to partial implementation of the proposal now under consideration.*

### **3. Site Description**

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- 3.1 The site is occupied by a primary school located within the heart of Loddington Village and its historic core. The site has an elevated position in relation to the main street from which the primary pedestrian access point to the school is served by. The site comprises an array of historic school buildings which have been extended and added to over time; the historic buildings are constructed from ironstone with slate roofs; windows are primarily timber with some stone moulded surrounds. A public house abuts the site along its north/northeast (side) boundary and residential dwelling abuts the southwest boundary. A playground is located to the rear (southeast) and another small playground to the front (northwest). Grade II listed buildings are located within close proximity to northwest (no. 30-32 Main Street) and southwest (no. 9 Main Street) of the site. The site falls within the designated Conservation Area for Loddington.

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

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- 4.1 KET/2012/0302 - Mezzanine floor to provide additional classroom (Approved, 22.06.2012)

KET/2011/0564 - The installation of 22 solar photovoltaic panels onto a roof of the school building (Approved, 16/11/2011)

Loddington Conservation Area (08/10/2004)

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:

<https://www.kettering.gov.uk/planningApplication/search>

- 5.1 Loddington Parish Council

Comment received on 28.07.2022 stating that the site is visible from a public road and domestic properties, contrary to what is reported. Concern is raised regarding potential noise impacts on neighbouring residential properties. The proposed site falls within the conservation area of Loddington, a rural, quiet

village comprising of predominantly domestic residences and the reported noise levels are concerning. Acoustic testing at site to determine if the proposal would cause a nuisance is requested. If evidence can be given that noise levels will not impact the quiet residential setting of the site then Loddington Parish Council can support this application.

Objection received on 20.09.2022 due to the following grounds: The description of the site and wider surroundings is incorrect; the Main Street is not busy and has a quite rural/residential nature; concern that acoustic testing was only carried out during day-time with night time impacts only estimated and based on the assumption that the area is busy. Further inaccuracies in the submitted report include:

1. There is no mention of the school being in the Loddington Conservation area;
2. The report mentions a school car park. The school does not have a car park;
3. The report states there are no residential windows in view of the plant. High level windows from three storey properties, in particular 32 Main Street will have a view from directly across the road.

There is no mention in the submission of the hours that the plant will operate at 65dB level. The noise levels have not been calculated at the adjacent property private outdoor space areas which is close to the proposed plant and will more likely be used during day time when noise emissions are likely to be higher. Any noise barriers and acoustic enclosure should be a condition of approval.

Objection received on 06.10.2022 stating *'Given our original concerns regarding the inconsistencies with the acoustic report, in particular that no testing was carried out during the night Loddington Parish Council objects to this application.'*

5.2 Neighbours / Responses to Publicity  
No comments received.

5.3 North Northamptonshire Council – Environmental Protection  
Comment received on 22.07.2022 stating they cannot support the application as the submitted acoustic data and impact assessment has not been prepared in accordance with a published method and does not consider the effectiveness of the proposed plant enclosure and night-time impacts.

Comment received on 22.09.2022 stating *'Based on the BS4142 assessment by JRA, there are no objections to the proposal subject to the installation being implemented to the design specified and assessed in the Johnathan Richard Associates report.'*

Comment received on 20.12.2022 stating *'We did not raise any objections to the proposal in our comments of the 22nd September 2022, but this was on the assumption that the air source heat pump (ASHP) would not be operating at night and that the nearest noise sensitive location was a short distance away. Subsequently it has been clarified that the ASHP will be operational at night at a reduced demand level, and it appears that there is a residential garden immediately adjacent. In correspondence with this team, the applicant's acoustic consultant has expressed confidence that the air source heat pump can be installed and operated without causing an increase in background noise levels. Whilst we have some concerns that the noise impact assessment report has not provided enough detail about the context of the installation it is stated that the operation of the ASHP can be adjusted (post installation) to achieve the necessary sound levels at any nearby residential property. We still have some concerns about possible adverse impacts on the residential amenity of the immediately adjoining residential garden which was not considered in the report. We are therefore recommending a condition that is designed to protect residential amenity. If this is not acceptable to the applicant, then we would require further information to be provided to give greater confidence that any increase in noise levels or change in the acoustic environment because of the operation of the ASHP is acceptable'*.

## **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 7 – Community Services and Facilities  
Policy 8 – North Northamptonshire Place Shaping Principles  
Policy 9 – Sustainable Buildings  
Policy 11 – The Network or Urban and Rural Areas  
Policy 26 – Renewable and Low Carbon Energy

### **6.4 Site Specific Part 2 Local Plan (December 2021)**

Policy LOC1 – Settlement Boundaries  
Policy RS1 – Category A Village  
Policy RS5 – General Development Principles in the Rural Area

### **6.6 Other Relevant Documents**

Loddington Conservation Area Appraisal

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Impact on the Character and Appearance of the Area including the setting of the Conservation
- Impact on Neighbouring Amenity

## 7.1 Principle of Development

7.1.1 Loddington falls within the designation of a category A village defined by Policy RS1 of the Site Specific Part 2 Local Plan (SSP2LP). The policy requires development to be in accordance with Policy 11 of the North Northamptonshire Joint Core Strategy in terms of responding to the settlement hierarchy, which it does. In addition, criteria (d) of Policy RS1 requires development which shows consideration and be sympathetic to the existing size, form, character and setting of the village. Policy RS5 (SSP2LP) also seeks for development to 'Preserve or enhance the character and appearance of Conservation Areas and Listed Buildings' as well as using a limited palette of materials used in the historic core of the village. Policy LOD1 seeks for: (a) development to use high quality natural materials which preserve and enhance the historic character of the settlement; (c) development to reflect the positive character of the historic core; (e) development will maintain the characteristic of linear development along main streets to be maintained.

7.1.2 The proposed development is not significant in size, being only slightly larger than the oil tank which previously occupied the same position and remaining subservient compared to the principal buildings within the site which surround it. The proposal incorporates a timber screen surround to reduce the visual and acoustic impact of the plant which evidently has a modern, utilitarian appearance. Policy 26 of the NNJCS gives support to proposals for renewable energy which reduces the reliance of high carbon forms of energy generation where they are sensitively located and specific criterion is met. In this instance, the proposal is not significant enough to have a landscape impact, however, criterion (c) of Policy 26 (SSP2LP) seeks for the development to be sited so that it avoids harm to the significance of heritage assets and its setting; these issues are discussed in more detail in section 7.2 of this report where it is considered that whilst there is a degree of technical conflict with Policies RS1, RS5 and LOD1 (SSP2LP) which seeks the use of traditional materials used within the historic core of the village, it the prevailing character, appearance and setting of the Conservation Area is been preserved in the context of the original oil tank and playground, due to the use of the proposed timber screen which can be secured by planning condition.

7.1.3 Other considerations set out in criterion (d) of policy 26 of the NNJCS seek for development not to have a significant adverse impact on the amenity of nearby residential dwellings by virtue of noise, etc; and in accordance with criterion (g) does not give rise to a cumulative noise impact. Matters of noise impacts are discussed in detail in section 7.3 of this report and considered to be acceptable, subject to planning conditions recommended by the Environmental Protection Officer, which addresses objections raised by

Loddington Parish Council. Other criterion set out in Policy 26 of the NNJCS is not considered applicable to this proposal. As a result, in light of the policy support in favour of the proposal including the delivery of renewable energy solutions which is given significant weight, the proposal is considered acceptable in principle.

**7.2 Impact on the Character and Appearance of the Area including the setting of the Conservation**

- 7.2.1 The site is located within the heart of the village which is an historic agricultural settlement; the site is occupied by non-designated heritage assets, but falls within the designated Conservation Area and adjacent 9 Main Street (Grade II) which is enclosed by a curtilage listed wall separating the two sites. The application site is also located within close proximity of 32 High Street (Grade II) located on the opposite side of the road (adjacent).



- 7.2.2 When considering whether to grant planning permission for development which affects a listed building, Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, requires the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area. In addition, policies RS1, RS5 and LOD1 of the SSP2LP all seek to either protect and enhance the Conservation Area or be sympathetic/positive to the existing setting or character of the area, particularly within the historic core of settlements as discussed in section 7.1 of this report.
- 7.2.3 The actual plant (air source heat pump) has a utilitarian appearance which detracts from the setting of the Conservation Area and adjacent listed buildings and curtilage wall; the plant sits on a concrete slab. However, despite this, the timber acoustic screen visibly shields the plant and slab from view from every angle other than from above. The closed boarded timber screen with chamfered edge stands approximately 2.5m high with a rubber kickboard at the base. The rubber kickboard will sit appropriately within the context of the adjacent playground subject to condition requiring it to be black. The proposed screen (with two timber service doors) will have an appearance similar to a timber shed; given the position of the proposed development within the site which abuts the existing school building, the massing of structures within the site will be clustered, reducing the overall visual impact. The proposed development sits subservient to the host building and back from the main building line within the street. As a result, it is relatively inconspicuous despite being located towards the front of the site. As a result, subject to a planning condition requiring the timber screen to remain in natural unfinished appearance or preservative stain (not painted colour) and retained in that form thereafter for as long as the air source heat pump shall remain, the visual impact on the setting of the Conservation Area will be protected.
- 7.2.4 A tall iron stone wall separates the site from the adjacent grade II listed building at no. 9 High Street, ensuring that the listed building's setting will be less than substantially impacted upon. The stone wall itself is likely to be a curtilage structure and as such has the same considerations as the host property. However, it cannot be ignored that the current setting is defined by the existing school which includes less sympathetic modern additions to the original school in the form of conservatory 'style' extension, timber lean-to cover and plant room, all of which have a functional design; the existing oil tank is also a consideration which is screened from the Main Street by a buff brick wall which extends around the side of the oil tank, presumably to also act as a sump. It is considered within the existing and pre-existing context, the proposed development will result in less than substantial harm to the setting of the adjacent curtilage listed wall and adjacent listed building at no. 32 High Street (grade II), subject to the recommended condition relating to the timber screen and rubber kick boards.

7.2.5 Subject to this, the proposal is considered acceptable and accords with the relevant parts of Sections 2, 12 and 16 of the National Planning Policy Framework, Policies 2 and 8 of the North Northamptonshire Joint Core Strategy and Policies RS1, RS5 and LOD1 of the Site Specific Part 2 Local Plan despite conflict with the latter 3 no. policies referred to (as discussed above).

### **7.3 Impact on Neighbouring Amenity**

7.3.1 Section 12, paragraph 130 (f) of the National Planning Policy Framework seeks for developments to create places that are safe, inclusive and accessible and which promotes health and well-being, with a high standard of amenity for existing and future users. In addition, Paragraph 185, Section 15 of the National Planning Policy Framework seeks for planning decisions to ensure that new development is appropriate for its location taking into account the likely effects on living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In particular they should mitigate and reduce to a minimum potential adverse impact resulting from noise from development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

7.3.2 Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

7.3.3 No third party comments were received through the consultation process from immediate neighbours. However, comment from Loddington Parish Council raised concerns regarding the lack of noise impact assessment accompanying the proposal, which was subsequently provided by the applicant together with additional information to try and address matters raised by North Northamptonshire Council's Environmental Protection Team. The latest noise assessment and information is considered appropriate and whilst North Northamptonshire Council's Environmental Protection Team still have some concerns about possible adverse impacts on the residential amenity of the immediately adjoining residential garden which was not considered within the report, it is felt that these concerns can be addressed by recommending a condition to secure noise to a specified level. The Parish Council objection currently remains in place. Whilst the planning application is not retrospective, it has been confirmed that the plant (air source heat pump), slab base and connections are in situ on site. As a result, the case officer recommends a compliance trigger of 6 months be applied from date of decision by which time the plant shall be removed and cease operation if not met. Subject to this, a condition to retain the acoustic screen, it is considered that due to the location and subservient scale of the air source heat pump and its acoustic screen, impact on neighbouring amenity will be acceptable and will accord with the relevant parts of Sections 12 and 15 of the National Planning Policy and Policy 8 of the North Northamptonshire Joint Core Strategy.

## **8. Other Matters**

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## 8.1 **Standard Conditions**

- 8.1.1 The applicant has confirmed that whilst the application is not retrospective, due to the passage of time taken during the application determination period, works have commenced to install the air source heat pump, slab and connections. Whilst not understood to be operational, the standard 3 year implementation condition is not considered necessary and a trigger is required for any subsequent compliance conditions (as discussed within this report).

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

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- 9.1 Whilst the plant (air source heat pump) itself has a utilitarian appearance which does not comply with Policies 2 or 8 of the North Northamptonshire Core Spatial Strategy and Policies RS1, RS5 and LOD1 of the Site Specific Part 2 Local Plan due to the design and materials used in its construction, the harm on the setting of the Conservation Area and adjacent Listed Buildings and curtilage structures is less than substantial subject to planning condition securing the proposed timber acoustic enclosure be retained and left uncoloured and kick boards to be black. Subject to this and the proposed noise control condition to protect neighbouring amenity to an acceptable level, the proposal is considered acceptable in principle and in terms of its impact on neighbouring amenity and impact on the character and appearance of the setting of the Conservation Area and listed buildings/structures. There are no material considerations which weigh against the proposal. In accordance with the statutory duty of Section 38 (6) of the Planning and Compensation Act 2004 Act, the proposed development is acceptable and recommended for approval.

## 10. **Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

## 11. **Conditions**

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1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development which will protect the character and appearance of the area, setting of the Conservation Area and adjacent listed buildings and curtilage structures in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy and Policies RS1, RS5 and LOD1 of the Site Specific Part 2 Local Plan.

2. The air source heat pump hereby approved shall permanently cease operation and together with all associated works (including timber acoustic and visual screen) shall be permanently removed from the site within 6 months from the date of this decision unless a verification report has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the development has been implemented in full

accordance with the approved details and that the sound rating level of the air source heat pump, when operating normally, does not and shall not increase the typical background sound level (LA90,T) in any 1-hour period between 07:00hrs and 23:00hrs or in any 15-minute period between 23:00hrs and 07:00hrs on any day. For the avoidance of doubt, the verification report shall also demonstrate that the following criteria is complied with:

- a. The sound emitted from the air source heat pump shall be assessed at premises used for residential purposes where people maybe inside or outside the building, which shall first be agreed with the Local Planning Authority prior to the operation of the air source heat pump hereby approved. [BS4142:2014, Section 1, Scope];
- b. Any assessment of the sound from the operation of the air source heat pump shall be carried out in accordance with British Standard BS4142:2014;
- c. The air source heat pump installation shall be maintained to always comply with this condition;
- d. The method for determining the typical background sound level (LA90,T) shall be agreed with the Local Planning Authority prior to the operation of the air source heat pump hereby approved.

The air source heat pump hereby approved shall thereafter, only be operated in full accordance with the approved details including the approved verification report required by this planning condition as part of this planning permission.

REASON: In the interests of protecting neighbouring amenity from unacceptable levels of noise disturbance arising from the operation of the air source heat pump and associated works in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The Air Source Heat Pump hereby approved shall not commence operation until the timber acoustic and visual screen as shown on drawing no. PA21824- A300 Rev A received by the Local Planning Authority on 30th June 2022 has been implemented in full. The timber acoustic and visual screen shall not be painted a colour other than natural wood stain and shall be retained in that form and as per the approved plans thereafter or until the approved air source heat pump plant equipment and slab is permanently removed. The rubber kick board which forms part of the approved acoustic and visual screen shall be black and retained in that form thereafter.

REASON: In the interest of securing an appropriate form of development which will protect the character and appearance of the area, setting of the Conservation Area and adjacent listed buildings and curtilage structures as well as neighbouring amenity from unacceptable levels of noise disturbance arising from the operation of the air source heat pump, in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy and Policies RS1, RS5 and LOD1 of the Site Specific Part 2 Local Plan.

## **12. Informatives**

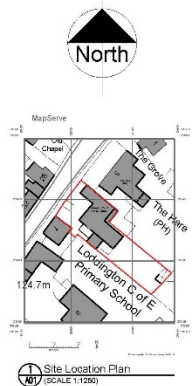
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Positive/Proactive - amendments  
Env Protection Informative

## List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan and existing block plan		PA21824_A01A	27/06/2022
Proposed block plan 1:200		PA21824_A02B	30/06/2022
Proposed block plan 1:100		PA21817_A03B	30/06/2022
Proposed plant enclosure elevations		PA21817_A300A	30/06/2022
Planning supplementary statement	NK/2022/0423/1		27/06/2022
Heat pump specifications	NK/2022/0423/2		30/06/2022
Heat pump brochure	NK/2022/0423/3		30/06/2022
Noise Assessment New External ASHP Heating Plant (Jonathan Richard Associates) dated 30.08.2022	NK/2022/0423/4		31/08/2022



Rev.	Description	D	C	Date
CLIENT: Peterborough Diocese Education Trust				
PROJECT ADDRESS: Loddington C of E Primary School Main Street, Loddington KETTERING NN14 1LA				
PROJECT: Proposed Installation of New Air Source Heat Pump and Associated works.				
TITLE: Site Location Plan				
DRAWN: Matt		CHECKED: RC		ISSUE: Approval
				DATE: 17/06/2022
JOB NO: PA21824	DRG NO: A 01	SCALE @ A3: 1:1250	REV: A	

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## North Northamptonshire Area Planning (Kettering) Committee 08/03/2023

<b>Application Reference</b>	<b>NK/2022/0799</b>
<b>Case Officer</b>	<b>Alison Riches</b>
<b>Location</b>	<b>Thornton House, 1 Goode Court, Kettering</b>
<b>Development</b>	<b>Full Planning Permission: Single storey rear extension</b>
<b>Applicant</b>	<b>Mr P Norwell, North Northamptonshire Council</b>
<b>Agent</b>	<b>Mr M Croxen Sursham Tompkins &amp; Partners</b>
<b>Ward</b>	<b>Ise Ward</b>
<b>Overall Expiry Date</b>	<b>16/02/2023</b>
<b>Agreed Extension of Time</b>	<b>09/03/2023</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the Council is the applicant / landowner.

#### **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 Children's Centre is operated by North Northamptonshire Council and provides short term emergency accommodation and support services to children under 18 and their families.
- 2.2 The proposal is for a single storey rear extension to provide an additional bedroom and en-suite for a 2 bedroom Children's Centre to allow a carer/member of staff to sleep overnight.

- 2.3 Additional information has been sought from the applicant's agent as to the existing and proposed nature of the use of the site and an explanation of the need for the additional bedroom. A 10 day reconsultation has been carried out on the additional information.

### **3. Site Description**

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- 3.1 The application site is located to the east of Kettering within the Ise Lodge estate, at the junction of Goode Court with French Drive.
- 3.2 The site comprises a 2 bedroom residential care unit which provides short term emergency accommodation and support services to children under 18 and their families. The site was originally built as a Children's Centre but converted to a residential care facility following planning permission granted in 2019.
- 3.3 The building is a contemporarily designed single storey buff brick and render property with a grey pantile mono-pitch main roof above a rising two-storey element, and a gable roofed single storey element. All windows and doors are PVCu and the front door faces towards French Drive.
- 3.4 Surrounding properties form part of the same development which was granted planning permission in 2010 on a plot of land between French Drive and Churchill Way, and comprise two-storey red brick semi-detached or terraced dwellinghouses, with grey pantile gable roofs.
- 3.5 Site Use  
According to information provided on behalf of the applicant, the service provided by Thornton House is as a children's care centre for short term emergency child placements for up to 2 no. children for up to 16 weeks at a time. 2 no. bedrooms are provided, one for each child, and there are a minimum of 2 no. staff members at all times throughout the day, and a sleep-in member of staff overnight. No bedroom is provided for the staff member who currently sleeps in the office.
- 3.6 Following an Ofsted inspection it was deemed unsuitable for the sleep-in staff member to use the office and that a bedroom and en-suite be provided for them.

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

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4.1 KET/2019/0142. NCC Own Development. Change of use from children's centre (D1) to residential care facility (C3B). No Objection 20/03/2019. (NCC ref: 19/00009/CCDCOU, approved 25/04/2019).

KET/2010/0001. Redevelopment to provide 30 no. residential dwellings and children's centre. Approved 13/04/2010.

KE/74/0536. O.P. Home and home for mentally handicapped children. Deemed approved 08/01/1975.

KE/75/1147. O.P. Home and hostel for 15 mentally handicapped children. Approved 10/03/1976.

KB/73/0557. Erection of social services complex including health centre. Deemed approved 05/06/1973.

## 5. Consultation Responses

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A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

### 5.1 Kettering Town Council

- No comments received at the time of writing this report.

### 5.2 Environmental Care (Waste) (EC)

- No comments to make.

Reconsultation

- No comments to make.

### 5.3 Neighbours / Responses to Publicity

4 no. letters of **objection** have been received. The issues raised are summarised below:

2 Goode Court

- It will bring the property even closer to mine and will be more noise.

3 Walsingham Avenue

- Misbehaving clients are nothing but uncontrollable.
- This will bring more trouble to an already overcrowded area.

25 Dunbar Court

- The place is nothing but a source of trouble to the close neighbourhood.
- The local shops are constantly targeted and plagued with unacceptable behaviour.
- It should be closed down, not extended.

58 Churchill Way

- I see the application is to provide a bedroom for an overnight carer.
- I assume the 2 existing bedrooms are for a child and an overnight carer.
- If this is the case, this means there will be 2 bedrooms for children and I cannot support the application as there have been problems with the children currently there.
- Police are constantly visiting the property due to problems.
- The area is very busy with a lot of school traffic and is in a quiet residential area.
- I feel that the extra building will obviously be used to house extra people with more noise.
- I think the current size and problems that the residents locally have experienced is enough.

- The area was never consulted originally when the building was adapted.

#### Reconsultation

- No comments received at the time of writing this report.

## **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)

Policy 5. Delivering a sufficient supply of homes

Policy 8. Promoting healthy and safe communities

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

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

Policy 7. Community Services and Facilities

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

## **7. Evaluation**

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The key issues for consideration are:

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

### 7.1 **Principle of Development**

7.1.1 The application site is in an established residential area to the east of Kettering.

7.1.2 Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Kettering is a 'Growth Town' and, therefore, should provide a focal point for development.

7.1.3 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.

7.1.4 The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

## 7.2 Visual Impact

- 7.2.1 Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.
- 7.2.2 The proposal is for a flat roofed extension to replace a covered canopy attached to the rear elevation of the building. It is a subordinate mono-pitch roofed structure which has been designed to be reflective of the part of the building it is attached to and will provide a bedroom and en-suite for a member of staff, plus an extended lounge area.
- 7.2.3 Subject to being built out in accordance with the submitted plans and in materials to match those on the existing building, both of which can be secured by condition, it is considered that there will be no adverse impact on the character and appearance of the existing building. Surrounding properties and the wider street scene. This is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 7.3 Impact on Neighbouring Amenity

- 7.3.1 The National Planning Policy Framework in Policy 12, paragraph 130(f) seeks to ensure that development creates places with high standards of amenity for existing and future users. (overbearing/sense of enclosure).
- 7.3.2 Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.
- 7.3.3 The proposal is for a single storey extension to provide a bedroom for an existing carer at the site to provide overnight cover, plus an increase to the existing lounge area. This is following advice from an Ofsted inspection where it was deemed unsuitable for an existing sleep-in member of staff to use the existing office.
- 7.3.4 Objections have been received from 4 no. surrounding neighbouring occupiers, the material considerations of which concern the closer proximity of the proposal to their properties leading to an increase in noise and disturbance, the behaviour of the existing occupants, and an increase in occupants in a busy area with a lot of school traffic.
- 7.3.5 The proposed extension will not alter the way the existing Children's Centre use at the site is carried out. According to information provided on behalf of the applicant, the service provided by Thornton House is as a children's care centre for short term emergency child placements for up to 2 no. children. 2 no. bedrooms are provided and there are a minimum of 2 no. staff members at all times throughout the day and a sleep-in member of staff overnight. No bedroom is provided for the staff member who currently sleeps in the office.
- 7.3.6 There will be no increase in the number of children or staff occupying the site, as the proposal is to provide acceptable overnight accommodation for and an existing overnight-stay member of staff by way of a bedroom and en-suite, instead of them sleeping in the office under the current arrangements.

- 7.3.7 As there is no change to the use of the building, the amenity issues under consideration relate only to the physical presence of the proposed extension and not the nature of the existing use, which has been deemed to be acceptable in this location.
- 7.3.8 With respect to the proposal, it is a single storey subordinate extension with a mono-pitch roof. It will extend 3.5 metres into the rear garden to replace an existing lean-to canopy. Due to its size and location within the site, to the south of the existing building, it is considered the proposal will not lead to a loss of amenity to surrounding neighbouring occupiers in terms of being overbearing or resulting in a sense of enclosure, a loss of daylight or sunlight, or a loss of privacy or overlooking.
- 7.3.9 Although the proposal will extend closer to the dwellinghouse to the south at No.2 Goode Court, it is considered that there will be adequate remaining amenity space such that it will not lead to additional noise and disturbance to this surrounding neighbouring occupier.
- 7.3.10 As such, subject to a condition for the proposal to be built out in accordance with the submitted plans, it is considered the proposal complies with Policy 8 of the North Northamptonshire Joint Core Strategy.

#### **7.4 Highway Matters**

- 7.4.1 Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.
- 7.4.2 The proposal is for the provision of a bedroom and en-suite, plus additional lounge area at an existing child car facility.
- 7.4.3 The existing designated parking at the site is provided by 3 no. standard and 1 no. disabled parking space in an area facing onto Goode Court.
- 7.4.4 The proposal does not increase the number of children occupying the site or the number of staff providing care, and as such, the existing parking facilities remain acceptable and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

#### **8. Other Matters**

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- 8.1 None.

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

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- 9.1 Subject to conditions for the proposal to be built out in accordance with the submitted plans and in materials to match those on the existing building, it complies with policies in the Development Plan.

## 10. Recommendation

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10.1 The proposal is recommended for conditional approval.

## 11. Conditions

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in the interests of visual and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

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

## 12. Informatives

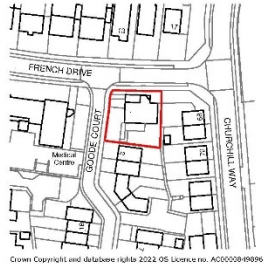
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Positive/Proactive - pre-application advice

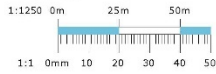
List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

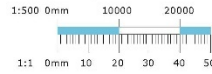
<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Planning support document		7191A	19/01/2023
Location and block plans		7191-PL01	22/12/2022
Existing elevations and ground floor plans		7191-PL02	22/12/2022
Proposed elevations and ground floor plans		7191-PL03	22/12/2022



**Location Plan** Scale 1:1250



**Block Plan** Scale 1:500



Proposed single storey extension

<b>PLANNING</b>		<b>sursham tompkins</b> <small>sursham tompkins</small>	
project: <b>Thornton House, Kettering Single Storey Extension</b>		architectural services & project management	
drawing number: <b>7191</b>		north • contact form • sywell • northampton • kettering • t: 01535 551133 • f: 01535 551132 • w: <a href="http://www.surshamtompkins.co.uk">www.surshamtompkins.co.uk</a>	
revision: <b>PL01</b>		scale: <b>1:1250/500</b> paper size: <b>A3</b> CE drawn by: <b>CE</b> date: <b>Dec 2022</b> checked: date:	
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