

Public Document Pack



Meeting: Area Planning Committee Thrapston

Date: Wednesday 29th March, 2023

Time: 6.00 pm


Venue: Council Chamber, Cedar Drive, Thrapston, NN14 4LZ

To members of the Area Planning Committee Thrapston

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

Substitutes: Councillors Wendy Brackenbury and Michael Tye

Agenda			
Item	Subject	Presenting Officer	Page no.
01	Apologies for non-attendance		
02	Members' Declarations of Interest and Informal Site Visits		
03	Minutes of the Meeting held on 1 February 2023		5 - 8
Items requiring a decision			
04	Planning Application NE/22/00633/FUL Wood Farm House, 11 High Street, Collyweston Conversion of existing building to one-bedroom dwelling. Recommendation: Grant	Relevant Case Officer	9 - 24
05	Planning Application NE/22/00705/FUL 11 Higham Road, Rushden Demolition of existing dwelling and erection of 6 dwellings. Recommendation: Grant	Relevant Case Officer	25 - 50
06	Planning Application NE/22/01044 37 High Street, Irthlingborough Conversion of building to 4No 1 Bed flats, together with two storey rear and side extension and change of use from retail / storage to residential. Recommendation: Grant	Relevant Case Officer	51 - 66

07	Planning Application NE/22/01273/FUL 27 Bradfield Close, Rushden Proposed detached dwelling and associated works. Recommendation: Grant	Relevant Case Officer	67 - 86
08	Planning Application NE/22/01407/FUL Polebrook Airfield, Lutton Road, Polebrook Erection of an industrial storage building anchored to existing hardstanding. Recommendation: Grant	Relevant Case Officer	87 - 100
09	Planning Application NE/22/01472/FUL 1 Hunter Rise, Brigstock Two storey dwelling with single storey granny annexe. Recommendation: Grant	Relevant Case Officer	101 - 118
Urgent Items			
To consider any items of business of which notice has been given to the Proper Officer and which the Chair considers to be urgent pursuant to the Local Government Act 1972			
010	Close of Meeting		
<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 17 March 2023</p>			

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

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

Meetings at the Council Offices

Where there is a need for the Council to discuss exempt or confidential business, the press and public will be excluded from those parts of the meeting only and will have to vacate the room for the duration of that business.

Public Participation

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

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 28 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 28 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

Members' Declarations of Interest

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

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

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

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

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

Press & Media Enquiries

Any press or media enquiries should be directed through the Council's Communications Team to communications@northnorthants.gov.uk

Public Enquiries

Public enquiries regarding the Authority's meetings can be made to democraticservices@northnorthants.gov.uk

This page is intentionally left blank

Minutes of the Area Planning Committee Thrapston

At 6.00pm on Wednesday 1st February 2023

Held in the Council Chamber, Cedar Drive, Thrapston

Present:-

Members

Councillor Jennie Bone (Chair)

Councillor Kirk Harrison

Councillor Bert Jackson

Councillor Barbra Jenney

Councillor Andy Mercer

Councillor Gill Mercer (Vice Chair)

Councillor Roger Powell

Councillor Michael Tye

Councillor Lee Wilkes

Officers

Karen Fossett (Interim Development Manager)

Pete Baish (Senior Development Management Officer)

Simon Aley (Planning Lawyer)

Louise Tyers (Senior Democratic Services Officer)

56 Apologies for non-attendance

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

57 Members' Declarations of Interest and Informal Site Visits

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

No declarations of interest were made.

Councillors Bert Jackson and Jennie Bone declared that they had undertaken informal site visits to 2 Pleasant Row, Woodford (NE/22/01705/FUL).

Councillors Bert Jackson, Jennie Bone, Andy Mercer, Gill Mercer and Michael Tye declared that they had undertaken informal site visits to 2 Birchall Road, Rushden (NE/22/00940/FUL).

58 Minutes of the meeting held on 23 November 2022

RESOLVED:

That the minutes of the Area Planning Committee Thrapston held on 23 November 2022 be confirmed as a correct record and signed.

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

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

(i) Planning Application NE/22/01075/FUL – 2 Pleasant Row, Woodford

The Committee considered an application for a single storey rear extension and removal of conservatory at the front of the property.

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

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

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

Mr Wishart addressed the Committee and stated that he welcomed the officer's recommendation. The proposed works at the front of the property would improve its appearance and the development would lead to improved living space. There had also been no objections from Highways. There would be resizing of the parking space, but the number would remain the same. It should be noted that whilst having made an objection, Woodford Parish Council were not here tonight.

The Chair invited the Committee to determine the application.

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

- The objections from the Parish Council were understood but the reduction of parking spaces would only be from 1.5 to 1.
- It was accepted that the roads were narrow and difficult to pass but Members saw no safety or cumulative issues.

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

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

RESOLVED:-

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

(ii) Planning Application NE/22/00940/FUL – 2 Birchall Road, Rushden

The Committee considered an application for the change of use from residential to three 1 bedroomed flats.

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

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

Requests to address the meeting had been received from Neil Flynn, an objector and the Committee was given the opportunity to ask questions for clarification.

Mr Flynn stated that he was representing local residents. The property was an existing family dwelling and the proposed change of use was not in keeping with the area. Rubbish would be unsightly. There would only be one parking space and the overspill would be onto the road, causing issues for emergency vehicles. Tennyson Road Infants School was close by and we should be encouraging families into the area.

The Chair invited the Committee to determine the application.

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

- Rushden did not usually want flatted developments but in this case it was difficult to find any reasons for refusal. The property had already been converted from a shop into residential, so the principle was already well established. The appearance of the property would not change.
- On a visit to the site at 5pm on a Sunday, there were a large number of on road parking spaces so there should not be a shortage of parking. The Planning Officer confirmed that the Parking Beat survey had shown ample on street parking.

It was proposed by Councillor Kirk Harrison and seconded by Councillor Bert Jackson that planning permission be granted.

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

RESOLVED:-

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

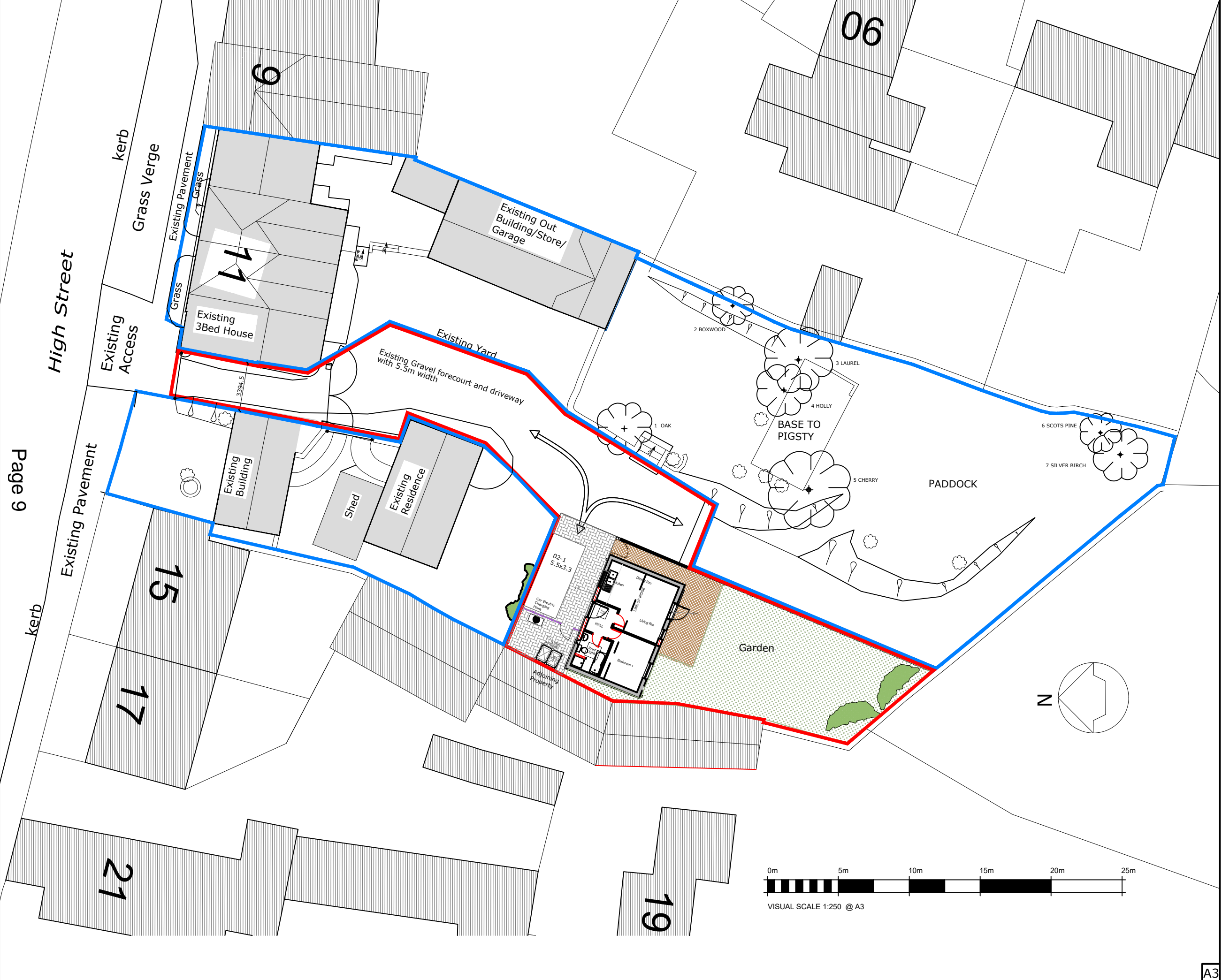
60 Close of Meeting

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

The meeting closed at 6.30pm.

Chair

Date



Do not scale from this drawing
 The contractor is to check all dimensions on site and report any discrepancies to the architect
 All rights described in chapter IV of the copyright, designs and patents act 1988 have been generally asserted

Notes

- Site Boundary
- Site Boundary of associated site

Rev	Description	Date	By	Chk
A	Existing Access retained	30-1-2023	PJH	-

Unit 9 The Forum
 Minerva Business Park, Lynchwood
 Peterborough PE2 6FT
 Telephone +44(0)1733375600
 Website www.jeffersonsheard.com



Project
**Residential Development
 Wood Farm
 Collyweston, PE9 3PW**

Drawing
**Proposed Site Layout
 and Alterations
 for Barn Conversion**

Scale 1:250@A3	Drawn PJH	Date Jan 23
Drawing Purpose PLANNING SUBMISSION		Status S5
Ref. 1372_A_81001	Rev. A	

A3

This page is intentionally left blank

**North Northamptonshire Area Planning Committee
(Thrapston)
29 March 2023**

Application Reference	NE/22/00633/FUL
Case Officer	Chris Hill
Location	Wood Farm House, 11 High Street, Collyweston, Northamptonshire
Development	Conversion of existing building to one-bedroom dwelling.
Applicant	Andy Winterton
Agent	N/A
Ward	Oundle Ward
Overall Expiry Date	13 July 2022
Agreed Extension of Time	02 June 2023

Scheme of Delegation

This application is brought to committee because of referral of the application by Planning Management.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal / Background

- 2.1 Permission is sought for the conversion of 1 barn to residential use. It would have a singular bedroom.
- 2.2 The barn's existing pair of double doors would be partially infilled with a door in the centre of the north elevation. To one side a window would serve the kitchen and living space, whilst a slit window would serve the bathroom. A conservation style rooflight would be added above the door.

- 2.3 The rear south facing elevation would feature a window to serve the bedroom, a smaller high window to serve the living space and a rear door. The gable ends would remain largely unaltered.
- 2.4 Rubble stone would be used for wall infills, existing tiles would be stripped and replaced with artificial Collyweston roof tiles with buff clay ridge tiles and windows and doors would be dark grey timber. Both doors would have sliding shutters and black rainwater goods would be used.
- 2.5 The only alteration to the host dwelling would be the creation of a new garden area for the converted barn. It would also host a single car parking space in front of the dwelling that includes an electric charging point as well as a bin store. Access to the garden would be found to the side of the dwelling.
- 2.6 A planning application (NE/21/00450/FUL) was submitted and refused on 1st October 2021 for matters relating to the historic environment and character of the local area and neighbouring residential amenity impacts. This application involved converting another barn and the creation of a third, new dwelling. This application was not appealed.
- 2.7 A similar planning application (19/01299/FUL) was submitted prior to this, but was refused on 26th March 2020 for matters relating to the historic environment and character of the local area, ecology and highway safety which was then dismissed at appeal (APP/G2815/W/20/3251780).
- 2.8 This application is materially different in that it is for the conversion of a singular building to a residential dwelling. Following a resubmission of the site plan, the access is now proposed to not be altered.

3. Site Description

- 3.1 The application site is situated within the settlement of Collyweston and lies to the south of High Street. The site comprises an existing farmhouse in the Collyweston Conservation Area. The farmhouse has a large garden to the rear that contains a number of outbuildings. The farmhouse dates from the Victorian period with 20th century additions. The barns to the rear are of a similar age.
- 3.2 To the west of the site are the properties at 13, 15 and 17 High Street and to the east are the dwellings at 2 Bluebell Lodge, Bluebell Stables and 9 High Street. To the north of the site is public highway and to the south is the property at 19 High Street, in addition to The Walks and agricultural land.

4. Relevant Planning History

- 4.1 NE/21/00450/FUL - Proposed detached building conversions and extensions to create two residential properties and one new build unit (Revised proposal to 19/01299/FUL) - Refused 01.10.2021

- 4.2 19/01299/FUL - Proposed detached building conversions and extensions to create two residential properties and one new build unit – Refused – 26.03.20. This application was also appealed and dismissed (APP/G2815/W/20/3251780).
- 4.3 95/00172/FUL – Conversion of barns to tourist accommodation – Grant – 02.06.95.

5. Consultation Responses

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

5.1 Collyweston Parish Council

The Council has the following comments:

Whilst the Council appreciates Highways' requirement for visibility splays for shared access, there is no way to accommodate a 4.5 metre access, extending the full 10 metres from the highway boundary this would also further reduce the already congested street parking space available for existing residents, visitors, deliveries and emergency vehicles.

The relocation of the footpath and grass area in front of Wood Farm, would mean completely changing the historical street scene and would have an adverse effect on the safety of pedestrians young and old visiting the community shop, Village Hall, etc.

To ensure safety for all, and allow for emergency vehicles, visitors and deliveries should be able to access the site to park. This is not the case in the proposals submitted.

5.2 Neighbours / Responses to Publicity

No letters were received from members of the public or neighbouring properties.

A letter was received from Tom Pursglove, Member of Parliament for Corby and East Northamptonshire stating the following:

I have been contacted by my above named constituent in respect of their concerns about highway standards and planning decisions. Please find attached the relevant self-explanatory correspondence.

I would therefore be most grateful if you could review these concerns and let me have your thoughts on the matters raised at the earliest opportunity.

I look forward to hearing from you.

Yours sincerely,

Tom

Tom Pursglove MP

Member of Parliament for Corby and East Northamptonshire

5.3 Natural England

No comments to make.

5.4 Northamptonshire Police – Crime Prevention Design Officer

No objection to the proposed development but recommends an informative to be implemented about safety measures should permission be approved.

5.5 North Northamptonshire Council – Archaeology

No comments to make.

5.6 North Northamptonshire Council - Principal Ecology Officer

Following a review of the bat survey report the Principal Ecology Officer is satisfied that neither a licence nor mitigation is required. Although, it is recommended that ecological enhance features are incorporated within the development.

5.7 North Northamptonshire Council - Highways (Local Highway Authority)

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

- The LHA require more information on whether or not the proposed development intends to share an access with a commercial interest as the tracking shown within the Transport Statement shows a delivery vehicle. This is contrary to NNC adopted highway policy which does not permit private residential dwellings sharing an access with commercial and or agricultural interests. This policy is made in the interests of highway safety in order to prevent private motorists finding themselves in conflict with, and in opposition to the large vehicles associated with a commercial interest.
- Vehicular accesses serving two to five dwellings must have a minimum width of 4.5 metres for the first 10 metres from the highway boundary as opposed to 10 metres from the edge of carriageway. This enables two opposing vehicles to pass each other at the point of access. This in turn ensures that a vehicle entering a site does not stop and turn within the carriageway/footway to allow an emerging vehicle out. Where the access is bounded by structures (e.g. wall, fence, trees, embankment etc.) on one or both sides, the width of the access must be increased to 5.5 metres.
- The access must be constructed in a hard-bound material for the first 5.5 metres from the highway boundary in the interests of highway safety. This prevents loose material such as gravel being transferred to the public highway where it is a danger, particularly to cyclists and motorcyclists. Please note that this authority does not accept resin bound gravel as a hard-bound material due to the fact that, over time, the gravel often comes away from the binder.

- A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.
- The proposed dwelling is more than 45 metres from the highway boundary. Vehicular accesses over 45 metres in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access and turning for emergency vehicles will be required and the Northamptonshire Fire and Rescue service require;
- All accesses over 45 metres in length to be a minimum of 3.7 metres wide for its whole length, to accommodate an appliance;
- Such accesses to accommodate a fire appliance with a 15 Ton axle loading;
 - Turning space for a fire appliance;
 - Please see "Fire and Rescue Pre-Application Advice and Guidance for Developers Designing New Residential and Commercial Development Schemes in Northamptonshire" for further information.
- In line with all other development proposals, the applicant must obtain accident data from Northamptonshire Highways Road Safety Team, Crashmap website data is not accepted by this authority.
- The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land.
- Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.

5.8 North Northamptonshire Council – Environmental Protection

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

5.9 North Northamptonshire Council – Ecology Officer

I'm writing in response to your consultation on the above application for an outbuilding conversion at Wood Farm House, Collyweston. I've reviewed the bat survey report provided and I'm satisfied that neither a licence nor mitigation will be required in this case.

5.10 North Northamptonshire Council – Principal Conservation Officer

No comments received.

5.11 North Northamptonshire Council – Waste Management

I have no comments on behalf of waste management regarding the above application.

5.12 Others

The following were consulted but did not offer comments:

- Natural England
- Senior Tree Officer
- Nature Space Officer

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 6 - Development on Brownfield Land and Land Affected by Contamination
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings and Allowable Solutions
Policy 11 - The Network of Urban and Rural Areas
Policy 28 - Housing Requirements and Strategic Opportunities
Policy 29 - Distribution of New homes
Policy 30 - Housing Mix and Tenure

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

Policy 2 - Windfall Development in Settlements

6.5 Emerging Local Plan Part 2 (LLP2) (2021)

EN1 - Spatial development strategy
EN3 - Settlement boundary criteria – freestanding villages
EN13 - Design of Buildings/ Extensions
EN14 - Designated Heritage Assets
EN15 - Non-Designated Heritage Assets

- 6.6 Other Relevant Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)
East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Design, Layout and Impact on the Historic Environment
- Highway Safety and Parking
- Residential Amenity
- Natural Environment

7.1 Principle of Development

- 7.1.1 The application site is located within the settlement of Collyweston, which is designated as a 'Village' where 'small scale' infill development is supported by Policy 11 of the JCS and Policy 1 of the RNOTP.
- 7.1.2 The proposed development would consist of converting one existing barn into a one-bedroom residential dwelling. This would take place on garden land associated with the host dwelling which is surrounded by residential development on 3 sides.
- 7.1.3 As such, the principle of residential development on the site is considered to be acceptable subject to compliance with the below policy considerations.

7.2 Design, Layout and Impact on the Historic Environment

- 7.2.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.
- 7.2.2 A number of Grade II listed buildings are located close to the site but given the intervening built form surrounding the site, the proposed development utilising the existing structure, it is not considered that the proposed development would cause harm to the settings of the listed buildings.
- 7.2.3 The Planning Inspector described within the previous appeal on this site (APP/G2815/W/20/3251780) that the special character of Collyweston Conservation Area is derived from its historic development and the interesting and varied street scene arising from the position of buildings in

relation to the highway network; the stone and stone slate materials used for many of the buildings; and the agricultural heritage arising from the number of farmsteads in and around the core of the village.

- 7.2.4 It is noted by the Planning Inspector that minor outbuildings, such as those on the application site, provide important evidence of how a farmstead evolved over time and should be retained if they contribute to the farmstead group whether or not they are prominent from the street.
- 7.2.5 The outbuildings and the setting of the application site therefore has historical and architectural heritage value that positively contributes to the local character and that of the conservation area.
- 7.2.6 The layout and design of the proposed development significantly differs from the previously refused appealed application 19/01299/FUL and that of the subsequent refused application NE/21/00450/FUL. In comparison to the most recent refusal:
- Number of proposed dwellings has been reduced from 3 to 1, with only one barn to be converted;
 - The completed unit would not have a roof space and would instead be a single storey (albeit with the same appearance as the roof height is retained) one-bedroom dwelling;
 - A single parking space would be provided for this dwelling;
 - The width of the access into the site would remain entirely unaltered, with no changes made to either the width, existing house annex, highway boundary facing wall or grass verge and public footpath.
- 7.2.7 The proposed design of the dwelling is considered to reflect the character of a traditional barn which it would convert. The design retains a majority of the existing fabric and introduces only a limited number of openings to enable its residential use. The proposed new materials, such as the timber windows and doors, are considered appropriate for the host dwelling and Conservation Area.
- 7.2.8 The original submission of the scheme included the partial demolition of part of the stone wall in front of the existing house annex, which would have been removed and partially rebuilt to enhance highways access.
- 7.2.9 As denoted by the Planning Inspector under the previous appeal on this site (APP/G2815/W/20/3251780) and the Principal Conservation Officer (under refused application NE/21/00450/FUL), the barn and the stone wall form part of the architectural and historical merits of the farmstead, which are of an important value to the historical environment and the local character. The partial loss of wall would have resulted in less than significant harm to the character of the historical features and a less than significant impact on the character of the Collyweston Conservation Area and the local character. Whilst the existing house annex would be retained in its entirety the partial loss would have been immediately evident when viewed from within the High Street that sits within the Conservation Area. The harm to the historic environment would have been considered to be on the lower end of less than substantial. The revised submission does not in any way alter the access, existing house annex or wall that jointly contribute to the special

character of the Conservation Area. Therefore, it is considered that the revised proposed development would be preserve the special character of the Conservation Area and not give rise to any harm to such.

7.2.10 Overall, it is considered that the proposed development would not harm the architectural and historical merits of the Conservation Area and that of the local character. The proposed design of the converted dwelling is considerate of its existing character and would not give rise to any harm to the special character of the Conservation Area. As such, the proposed development complies with Policy 2 and 8(d) of the JCS and Paragraph 202 of the NPPF.

7.3 Highway Safety and Parking

7.3.1 The proposed dwelling consisting of the converted barn would have one bedroom. Under the Northamptonshire County Council - Local Highway Authority Parking Standards (2016) a single parking space would be required, which is provided. No visitor parking is provided but considering the scale of the proposed development and on street parking that can be found on the High Street it is considered that the proposed development complies with current parking standards. It is also understood that no commercial agricultural movements would continue following the implementation of the proposed development.

7.3.2 At present, the rear of our property has agricultural use, including a pigsty structure. The applicant has submitted an informal assessment that the existing agricultural use is associated with 6 movements per day. They have expressed that they would agree to a condition that would forgo any future agricultural activity on the site as a condition of any planning permission.

7.3.3 Under Local Highways Authority standards, vehicular accesses serving two to five dwellings must have a minimum width of 4.5 metres for the first 10 metres from the highway boundary as opposed to 10 metres from the edge of carriageway. This enables two opposing vehicles to pass each other at the point of access. This in turn ensures that a vehicle entering a site does not stop and turn within the carriageway/footway to allow an emerging vehicle out. Where the access is bounded by structures (e.g. wall, fence, trees, embankment etc.) on one or both sides, the width of the access must be increased to 5.5 metres.

7.3.4 The aforementioned highways standards, including a width of 5.5 metres, were assessed as achieved within refused application NE/21/00450/FUL but incorrectly measured the 10 metres from the carriageway, not the highway boundary. The application considered under the appeal for application 19/01299/FUL (APP/G2815/W/20/3251780) only provided a width of 4.5 metres as was the standing advice of Highways at the time which has since evolved in respect to accesses bound by structures. At the time the Planning Inspectorate considered that "...part of the proposed access would be some 160mm - 230mm below the width sought for two cars to pass which would fail to take the opportunity for ensuring the area would function well."

7.3.5 The original submission included the partial demolition of the wall and did improve the width of the access to almost meet the prescribed standards. It

would however have resulted in less than significant harm to the special character of the Conservation Area, warranting refusal. The aforementioned appealed scheme sought the removal of not just the wall, but a large section of the existing house annexe. Whilst, this would have been nearly acceptable in terms of highways, it would have resulted in unacceptable harm to the historic environment. The revised submission does not propose any changes to the access, footpath or highways arrangement.

7.3.6 Of significance, however, is that the existing permitted use and associated agricultural movements, estimated and generally accepted to be an average of 6 movements per day, would be a considerably more intense use of the access than that which would arise from a single dwelling.

7.3.7 The application considered under the appeal for application 19/01299/FUL (APP/G2815/W/20/3251780) involved the creation of 3 new dwellings. The vehicular movements of such a scheme would have been greater than that which is currently proposed and likely similar to that which have the potential to exist at present from the use of the site for agricultural purposes. The dismissal of the appeal, partially on grounds of inadequate vehicular access, is not considered to have taken direct consideration of the potential for the 'betterment' of the access in terms of intensity of use. For clarity, it would not have been expected that the Planning Inspectorate would have considered such, as they are required to only consider the material presented within the planning application.

7.3.8 Therefore, the removal of agricultural use and access and subsequent replacement with that of a single dwelling is considered to be a significant 'betterment' of the access even in the absence of any changes made to the width, visibility or arrangement. Were more dwellings proposed, or were they proposed in the future, the access would be considered against the highways standards described earlier in this section of the report. This overall conclusion, that a betterment of the access is achieved in this instance, is not considered to be in conflict with that of the conclusion reached by the Planning Inspectorate by virtue of the differing circumstances that were considered by them at the time.

7.3.9 In summary, the proposed site access does not meet current Local Highway Authority standards for the minimum width of shared access that is bounded by structures of 5.5 metres for the entire 10 metres from the highways edge. However, it does propose the ceasing of agricultural use of the site and its associated access, and would replace it with a considerably less intense use of that of a single dwelling, resulting in a betterment of the site access. It is therefore considered to not cause adverse harm to highway users and the highway network and therefore is considered to comply with Policy 8(b) of the JCS.

7.4 **Residential Amenity**

7.4.1 In terms of the impact on neighbour amenity, the proposed development would have no significant impact on the amenity of the dwelling at 9 High Street as there are no substantial works proposed on the part of the site that adjoins this property. The barn would feature no windows that face onto

other properties and it would be a single storey in height and is not therefore deemed to impact any other property.

7.4.2 The proposed dwelling would provide adequate internal and external amenity space in line with National Space Standards and Policy 30 of the JCS.

7.4.3 Overall, it is considered that the proposed development would not cause any adverse harm to the residential amenity of any neighbouring property and thus is compliant with Policy 8(e) of the JCS.

7.5 **Natural Environment**

7.5.1 The Applicant has submitted an ecological report to which the Principal Ecological Officer is satisfied that neither a licence nor mitigation is required. The proposed development includes wall access to the roof space for bat roosting. This would achieve a net biodiversity enhancement and as such, the proposed development is not considered to have a negative impact on the natural environment and therefore is considered to comply with Policy 4 of the JCS.

8. **Other Matters**

8.1 Waste: Refuse bin would be collected from the kerbside of High Street similar to the other residential dwelling and therefore is considered to be acceptable.

8.2 Flood Risk and Drainage: The application site is in Flood Zone 1, which means it has a low probability of flooding. In terms of drainage, there should therefore be no additional surface water run-off impacts. The proposal is therefore considered acceptable and complies with Policy 5 of the North Northamptonshire Joint Core Strategy 2016.

8.3 Ecology and Trees: As the proposal seeks the conversion of an existing building it is not considered that the development would give rise to any impacts in terms of Trees. The Council Ecology Officer has confirmed the Preliminary Roost Assessment is acceptable and that no licence or mitigation regarding protected species is required.

8.4 Archaeology: The proposal is for the conversion of an existing building and the external changes are minimal, with known previous ground disturbance. No concerns are therefore raised in respect to archaeology.

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

8.6 No neighbour comments were received.

9. Conclusion / Planning Balance

- 9.1 The principle of development is acceptable by virtue of the site's location within the settlement boundary. The proposed dwelling is considered to be of a suitable design in both appearance and potential impacts on neighbouring properties.
- 9.2 The original submission included the partial loss of the historical and architectural fabric of the front stone wall which would have given rise to less than significant harm to the character of the historical features and the character of the conservation area and would have resulted in an unacceptable harm to such. The subsequent retention of the existing access and therefore unaltered character of such results in a proposed development that would not harm the special character of the Conservation Area.
- 9.3 The proposed development would not result in a highways arrangement in line with that suggested by the Local Highways Authority. However, the existing agricultural access and use would be ceased and replaced with a single dwelling. This would result in a clear and definite betterment of the access such that refusal on highways grounds would not be considered reasonable.
- 9.4 The proposed development would result in modest social, environmental and economic benefits during construction, but this is considered minor owing to the singular dwelling that is to be provided.
- 9.4 Overall, it is considered that the proposed development would demonstrate a betterment of the existing access and would comply with local and national policies and therefore it is recommended that planning permission is granted.

10. Recommendation

- 10.1 That planning permission be GRANTED with conditions.

11. Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the Application Form dated 10th May 2022 and the following approved plans

Received 18/05/2022

Location Plan - Dwg. No. 1372_A_01000

Proposed Ground Floor Plot 2 Barn Conversion – Dwg. No. 1372_A_2101
Rev P1

Received 02/02/2023

Proposed Site Layout and Alterations for Barn Conversion – Dwg. No. 1372_a_81001 Rev A

Reason: In the interests of clarity.

3. The development hereby permitted shall be carried out in accordance with the materials shown on the approved plans and as detailed on the submitted application form. The materials shall be retained in the agreed manner in perpetuity.

Reason: In the interests of visual amenity and to protect the setting and special character of the conservation area.

4. Notwithstanding the submitted details, no gates shall be erected at the main access point serving the development.

Reason: In the interests of highway safety.

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

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

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

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

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

a) The erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas or raised decks (as detailed in Schedule 2, Part 1 Classes A and E);

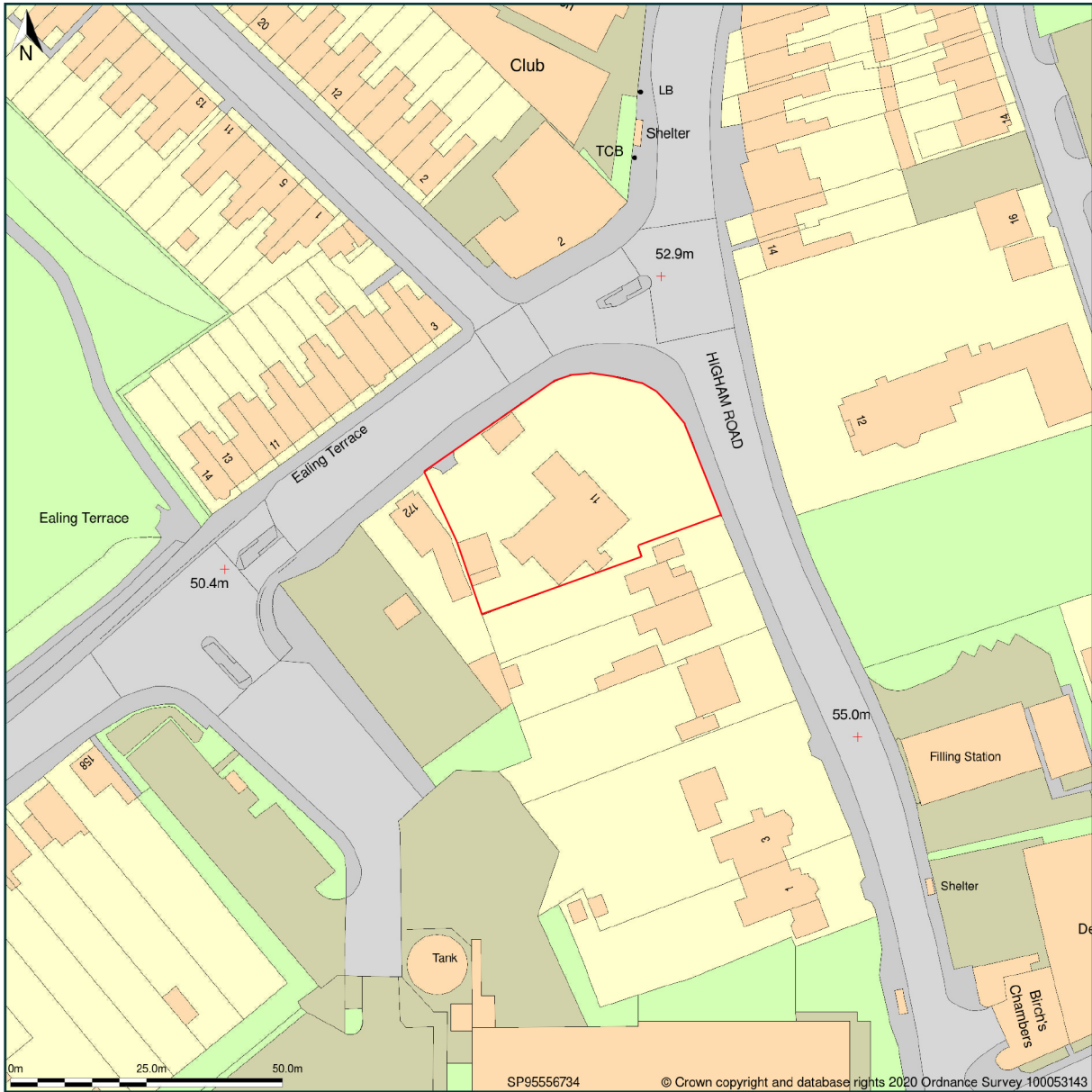
b) The erection of any extensions, porches or alterations to the roof (as detailed in Schedule 2 Part 1 Classes A, B, C and D).

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

8. Prior to occupation of the dwelling hereby permitted, any and all agricultural vehicular movements shall cease making use of the existing or proposed access.

Reason: To avoid conflict of access use.

11, Higham Road, Rushden, Northamptonshire, NN10 6EB



Site Plan shows area bounded by: 495455.08, 267241.02 495655.08, 267441.02 (at a scale of 1:1250), OSGridRef: SP95556734. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 10th Apr 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00508872-9E89AA

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, pdf design and the www.buyaplan.co.uk website are Copyright © Pass Inc Ltd 2020

This page is intentionally left blank

North Northamptonshire Area Planning Committee (Thrapston) 29 March 2023

Application Reference	NE/22/00705/FUL
Case Officer	Sunny Bains
Location	11 Higham Road, Rushden, Northamptonshire
Development	Demolition of existing dwelling and erection of 6 dwellings
Applicant	Mr Antonio Di-Fazio
Agent	CC Town Planning - Richard Colson
Ward	Higham Ferrers
Overall Expiry Date	07 April 2023
Agreed Extension of Time	07 April 2023

List of Appendices

Appendix – Appeal Decision (APP/G2815/W/21/3277113)

Scheme of Delegation

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

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 This application seeks full planning permission for the erection of six dwellings with an altered access off Washbrook Road. To enable the proposed development an existing chalet style dwelling on the site would be demolished.

- 2.2 The proposed dwellings would be fronting the streetscene in an inverted 'L' shape layout with the parking court being to the rear of the proposed properties and towards the southern boundary of the site.
- 2.3 The plots 1 and 2 would be of a 2-storey height and Plots 3,4, 5 and 6 would be 2.5 storeys high with accommodation in the roof space.
- 2.4 Plots 1 and 2 would form corner plots and face onto Higham Road and Washbrook Road. These properties would comprise of 3-bedrooms and they would be accessed from Washbrook Road. The parking area would have allocated parking spaces for the respective properties.
- 2.5 Plots 3, 4 5 and 6 would face onto Washbrook Road and would be two pairs of semi-detached properties. They would comprise of 3-bedrooms and would be accessed from Washbrook Road. The parking area would have allocated spaces for the respective properties.
- 2.6 The existing access off Washbrook Road would be utilised and widened to facilitate the proposed development.
- 2.7 This application has been submitted following a recently dismissed appeal decision (APP/G2815/W/21/3277113) on the site for a similar proposal as this application. However, this application seeks to address the concerns of the Inspector, namely:
- Plots 1, 2 and 3 having poor external amenity space due to overlooking.
 - The gardens of plots 2 and 3 being small and awkward shape, limiting its usefulness.
 - Insufficient parking provision.

3. Site Description

- 3.1 The application site is situated within the settlement of Rushden and forms a corner plot at the junction of Higham Road and Washbrook Road. A large chalet bungalow is located on the site which is a sizable plot (0.14 hectares). The chalet bungalow has a rear and side single-storey extension and two outbuildings of which one consists of a garage. The topography of the site is raised towards Higham Road with it gradually lowering into Washbrook Road.
- 3.2 Vehicular access to the site is via Washbrook Road with pedestrian access being via Higham Road. The perimeter of the site consists of a mixed boundary treatment of a low brick wall and hedgerow.
- 3.3 The site is surrounded by a mix of uses of residential and commercial and a mixture of architecture and size of buildings. The northern site boundary, beyond Washbrook Road, faces a row of terrace properties and a commercial property known as 'HiQ'. The eastern boundary, beyond Higham

Road, faces a care home known as 'The Beeches'. The southern boundary abuts No.9 Higham Road (No.9) and the western boundary abuts a commercial property known as 'Subway'.

- 3.4 The site lies within flood zone 1 (low risk) and within 2 kilometres of the Nene Valley Gravel Pits Special Protection Area (SPA).

4. Relevant Planning History

- 4.1 21/00063/FUL - Demolition of dwelling and erection of 7no. Dwellings with new and altered access (Revised submission of 20/00583/FUL) – Refused – 25.03.21. Appeal (APP/G2815/W/21/3277113) – Dismissed – 10.01.22.
- 4.2 20/00583/FUL – Demolition of dwelling and erection of 7no. Dwellings with new and altered access – Refused – 01.10.20.

5. Consultation Responses

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

5.1 Rushden Town Council

Despite the reduction in dwellings we still feel this is an overdevelopment of the site. We still believe our previous comments are valid.' The existing house on the site has been an attractive, iconic feature of this gateway into Rushden and we feel it would be more appropriate to have a less cramped, quality scheme on the site. With imaginative design this prominent corner site could still be an attractive entrance into the town rather than a solid block of houses. The density of this design gives very little amenity space to the proposed dwellings and would not be in keeping with the existing 1920's houses adjacent to the site. The current submitted scheme does therefore not comply with the Rushden Neighbourhood Plan Policy H4 3.2 ' Aside from housing need, the vision for the plan is to ensure that where new houses are built they are appropriate in size and designed so that they integrate acceptably with the existing settlement.'

We also fully support the objections from Highways and we note the layout that would be required to make an adopted road would leave less space on the site and would make the scheme very cramped. Therefore, we still recommend that the quantity of dwellings is reduced to create a quality, well designed scheme on the site.

5.2 Neighbours / Responses to Publicity

No representation has been received.

5.3 Local Highway Authority (LHA)

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

- The LHA formally objects to more than 5 dwellings taking access from a shared private driveway as this would contravene Northamptonshire County councils adopted policy DM15. To serve over 5 dwellings the applicant must provide an adoptable highway layout. For short sections of road serving a maximum 20 dwellings a 4.8-metre-wide carriageway with 2no. 1.5 metre service strips on either side is required. the road will also need to be suitably lit and have a functioning turning head for the use of refuse vehicles.
- With regards to paragraph 6 of the previous appeal decision (NE/21/00063/FUL), we assess each application on its own merits and regardless of the Inspector comments the current layout is still contrary to NNC Adopted Policy DM15.

Please also note some further observations below:

- The applicant must provide the necessary 2 metres x 2 metres pedestrian visibility splays required on both sides of the access. These splays must be contained fully within the applicant's site and not include any public highway land, or any other third party owned land. The splays shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.
- Please note the required number of parking spaces per number of bedrooms (in accordance with the NNC Parking Standard Documents dated September 2016);
 - Parking for a 1 Bed = 1 Space,
 - Parking for a 2 Bed = 2 Spaces,
 - Parking for a 3 Bed = 2 Spaces,
 - Parking for a 4+ Bed = 3 spaces,
 - Visitor Parking provision is at 0.25 spaces/dwelling,
 - Residential Spaces must be a minimum of 3 metres x 5.5 metres in size,
- Should the access remain private, any gates across it must be set back a minimum 5.5 metres from the highway boundary to enable a vehicle to stand clear of the highway before gates are opened. Alternatively, they must be operated by electric remote fobs and in this case the setback will not be required. Gates must be hung to open inwards only.
- A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.
- In line with all other development proposals, the applicant must obtain accident data from Northamptonshire Highways Road Safety Team, Crashmap website data is not accepted by this authority.

5.4 Northamptonshire Police

Northamptonshire Police have no objection in principle however we do have some concerns with the application as proposed. The National Planning Policy Framework (NPPF 2021) defines three fundamental objectives to achieving a sustainable development: economic, social and environmental (NPPF, page 5, paragraph 8). Crime has a direct impact on all three objectives. To help ensure compliance with the NPPF 2021 contained under paragraphs 92 (a-c) and 130 (a and f), the NPPG guidance Healthy and Safe Communities Section, policy 8 (e iv) of the local North Northamptonshire Joint Core Strategy (2016) the applicant/developer must follow the agreed guidance within 'Secured by Design' principles. National and local policies should ensure that crime prevention measures are a material consideration when determining planning applications.

Prior to determining this application the following observations/recommendations should be considered and if implemented will reduce any future likelihood of crime, disorder and anti-social behaviour occurring.

- The rear parking court lacks adequate surveillance. At minimum the entry/exit road should be gated. This will deter both unauthorised pedestrian and vehicular access, make the parked vehicles less vulnerable to crime and help protect the vulnerable rear plot access gates from potential offenders. A pedestrian and vehicular gate should be installed a minimum of 5.5m back from the highway. I suggest wooden gates similar to a 5 bar type. Ideally surveillance over the vehicles should be from habitable active rooms e.g. rooms in building elevations from which there is direct and regular visual connection between the room and the vehicles. Such visual connection can be expected from rooms such as kitchens and living rooms and not from more private rooms, such as bedrooms and bathrooms. Rear fencing will currently block any view to parking plots.
- Plot 6 should have some fenestration from habitable active rooms over the entry/exit road.
- The parking court should be lit for both security and safety. Please note Northamptonshire police will not normally accept bollard lighting as a means of illuminating communal areas as an effective means of reducing the fear of crime or detecting crime. This type of illumination does not project sufficient light at the right height to aid facial recognition. However, although not ideal these will be accepted on this application to assist with detecting the presence of persons and health and safety concerns and whilst excepting the fact that the communal access road has installed pedestrian and vehicular gates.
- All rear gates should be lockable. They should have the ability to lock with a key from both sides as most of the egress from the plots is envisaged to be to the parking area.
- Lighting is required to each dwelling elevation that contains a doorset.

- All openings (doors and windows) will be in accordance with building regs for new dwellings and include the enforcement of AD 'Q' - Security of Dwellings - Q1 Unauthorised access i.e. certified products to BS PAS24:2016. In addition to Building Regs requirements any side lights adjacent to doors (within 400mm), safety glazing and easily accessible emergency egress windows with non-lockable hardware must include one pane of laminated safety glass meeting the requirements of BS EN 356:2000 class P1A (minimum).
- The shed or similar providing secure cycle space should ideally meet the following specification: No window - Door hinges need to be bolted through the shed fabric - Two Hasp and Staples that meet Sold Secure 'Silver' approval should be used, they should be positioned 200-300mm from the top and bottom of the door, and should be fitted with coach bolts - Any Padlocks should meet Sold Secure 'Silver' accreditation. - a security anchor should be fitted inside the shed meeting Sold Secure 'Silver' accreditation and securely fitted to the manufacturer's specification.
- The existing pedestrian gate on Higham Road must either be permanently secured or fitted with a lock operable from both sides.
- I recommend that a 1.2 m high metal gate or similar is installed at the entrance to the semi-private footpath off Washbrook Road. This will deter unauthorised persons entering and causing nuisance.

As an additional informative for this site it is worth noting that the dwellings are family dwellings and parking should allow access between vehicles to allow for ease of access for those with limited mobility, those with young children and those with larger vehicles to access their vehicle without damaging the vehicle next to it. It also give clear demarcation of parking spaces to reduce neighbour dispute and encroachment parking. It should allow for bikes, pushchairs, wheelchairs, bins etc. to be able to move through the spaces without damaging the vehicles. Due to the location of the site being a busy thoroughfare for children leaving the school and local residents making their way into the town, it could make the site more vulnerable to crime and anti-social behaviour.

5.5 Environmental Protection

No objection subject to the suggested conditions (internal layout, burning of materials, construction operational times, dust mitigation, prevention of mud onto the highway and construction traffic).

5.6 Nature Space

The Newt Officer is satisfied that if this development was to be approved, it is unlikely to cause an impact on great crested newts and/or their habitats.

5.7 Northamptonshire Fire and Rescue Service

No comments to make on this application.

5.8 Waste Management

Waste Management is concerned regarding the safety of a waste collection vehicle stopping to collect from so many properties so close to the traffic lights on the Washbrook/Higham Road junction and the Asda Superstore.

I also note that the bin presentation point is on the opposite side of the access to the properties - residents may well leave their collection containers on the side adjacent to plot 6 if there is space there.

5.9 Natural England

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

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

5.10 No representation received from the following consultees:

- Minerals and Waste Officer
- Principal Ecological Officer
- Senior Tree and Landscape Officer

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 6 - Development on Brownfield Land and Land Affected by Contamination
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings and Allowable Solutions
Policy 10 - Provision of Infrastructure
Policy 28 - Housing Requirements and Strategic Opportunities
Policy 29 - Distribution of New homes
Policy 30 - Housing Mix and Tenure

- 6.4 Rushden Neighbourhood Plan (NP) (2018)
Policy H1 – Settlement Boundary
Policy H2 – Location of New Housing Development
Policy H4 – Market Housing Type and Mix
Policy EN1 – Design in Development
Policy T1 – Development Generating a Transport Impact
- 6.5 Other Relevant Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)
East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)
East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Character, Layout and Appearance
- Housing Mix
- Residential Amenity
- Highway Safety and Parking
- Natural Environment
- Crime Prevention

7.1 Principle of Development

- 7.1.1 The proposed residential development would be located within the built form of Rushden, which is identified as a 'Growth Town' where its spatial role is to provide the focus for growth in housing amongst other developments, as denoted within the JCS. Policies 11 and 29 of the JCS supports residential development within the settlement which is also echoed by Policy H2 of the RNP and Paragraph 68 of the NPPF.
- 7.1.2 The proposed development would reuse an existing developed site which currently consists of a large dwelling on a sizeable plot. Policy 6 of the JCS and Paragraph 118 of the NPPF support developments that make effective use of brownfield land.
- 7.1.3 The principle of development is therefore considered to be acceptable subject to the below policy considerations.

7.2 Character, Layout and Appearance

7.2.1 Policy 8(d) of the JCS seeks for new developments to not cause adverse harm to the character of the local area which is also reflected in Policy EN1 of the RNP and Paragraph 127 of the NPPF as well as within NDG.

7.2.2 Higham Road and Washbrook Road has a mixed character of residential and commercial properties of varied architecture, scale and mass. The setting immediate to the application site is of 2-storey height buildings that are predominantly residential dwellings of detached and terrace design with differentiating external materials, window sizes, roof lines and plot sizes. However, a distinctive design feature of the local area is properties with chimneys.

7.2.3 It is noted that Rushden Town Council consider the existing house on the site to be an attractive and iconic feature which forms a gateway into Rushden. However, to the contrary, the Planning Inspector found that the existing dwelling had a neutral contribution to the character of the local area, stating:

'The appeal site consists of a detached dormer bungalow with a series of connected rear extensions forming a wide and deep building. It is slightly elevated from the highway especially with respect to its boundary with Washbrook Road. The dwelling is recessed from both adjacent highways and has a simple design. As such, the site makes a neutral contribution to the character and appearance of the area'.

7.2.4 The design (including the layout) is very similar to the refused scheme, except for the increase in garden size for plots 1 and 2, removal of 1 dwelling so the scheme is for 6 dwellings instead of 7 dwellings and the addition of parking spaces. It is noted that the Town Council considers the proposed scheme to be an overdevelopment of the site and an unattractive design with small amenity spaces. However, to the contrary, the Planning Inspector found that the design of the refused scheme including the quantum of development would complement the local character, stating:

'The proposed scheme would result in a pattern of development that would be prominent in comparison to the existing dwelling due to its increased height, proximity to the road and elevated position. The scale and proposed materials of the proposal would be commensurate with the form and appearance of local buildings. Consequently, the scale and general density of the proposal would suit the local context.

The proposed rear gardens would be arranged adjacent to the car parking area. These would be smaller than the size of most gardens in the local vicinity. Nevertheless, being to the rear the gardens would not be overt in the streetscene. Consequently, the arrangement and size of the proposed rear gardens and the development, as a whole, would complement the character and appearance of the surrounding area'.

7.2.5 Overall, the proposed scheme is an improvement compared to the refused scheme and whilst the views of the Town Council are noted, the findings of the Planning Inspector afford significant weight. Subsequently, the proposed scheme would not cause adverse harm to the character of the local area and instead would complement it. Thus, the proposed development complies with Policy 8(d) of the JCS, Policy EN1 of the RNP and Paragraph 130 of the NPPF.

7.3 **Housing Mix**

7.3.1 Policy 30(a) of the JCS stipulates that new developments 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; and the existing housing stock within the settlement or neighbourhood in order to address any gaps in provision and to avoid an over-concentration of a single type of housing where this would adversely affect the character or infrastructure of the area. Policy H4 of the RNP also echoes Policy 30(a) of the JCS.

7.3.2 The proposed development would provide 6no market houses of 3-bedrooms. As such, the proposed development complies with the aforementioned policies.

7.4 **Residential Amenity**

7.4.1 Policy 8(e) of the JCS as well as Policy EN1 of the RNP and Paragraph 127 of the NPPF seeks for new development to not adversely impact the amenity of neighbouring properties and future occupants.

172 Washbrook Road (No.172)

7.4.2 No.172 comprises of a commercial use on the ground-floor, occupied by 'Subway' and a two bedroom flat on the first floor (recently approved under application 22/00695/FUL). A strip of green space followed by the proposed widened access and parking court would abut the side elevation of No.172, with the closest proposed dwelling (plot 6) being sited circa 7.4 metres. The side elevation of No.172 consists of a flank gable wall with opening on the first-floor currently closed up, however, under the recently consented scheme (22/00695/FUL) these small windows would be reopened. The first small window closest to the site access would serve the kitchen / dining area and the second small window towards the rear extension would serve a hallway.

7.4.3 Plot 6 would have two windows on the ground-floor (serving a lounge and w.c) and one on the first-floor (serving an ensuite). The window to window distance between the proposed windows on plot 6 and the first small window on No.172 would be circa 10 metres. The small window on No.172 would have a limited viewpoint which would limit the degree of overlooking and outlook, however, notwithstanding this, a condition can be imposed to obscure the ensuite windows to prohibit overlooking and protect privacy.

7.4.4 The noise levels generated by the proposal is not considered to be considerably greater than what would be experienced from the surrounding environment.

7.4.5 The proposal is also not considered to cause harm in terms of overshadowing and overbearing.

9 Higham Road (No.9)

7.4.6 No.9 is a 2-storey semi-detached dwelling. A first-floor bedroom window and a bathroom window are located on the side elevation of No.9. The view from the bedroom window would be the proposed car parking area and therefore it is considered that the outlook from these windows would not be severely harmed.

7.4.7 Also, it is not considered that the proposed dwellings would cause adverse harm to the amenity of No.9 in terms of overshadowing, overbearing and overlooking due to the orientation of the built form and distances.

7.4.8 The proposed car park area would be sited next to the rear curtilage of No.9 and whilst the 'comings and goings' of cars and door openings would be intensified with the proposed development, the noise levels generated from this is not considered to be greater than the noise levels from the surrounding environment given Washbrook Road and Higham Road are heavily used by vehicles at all times of the day, the commercial premises surrounding the site including 'ASDA' supermarket and petrol station within very close proximity and Spencer Park. Environmental Protection has also not raised concerns in regards to noise levels.

Proposed dwellings

7.4.9 The Planning Inspector found with the refused scheme that Plots 1, 2 and 3 would have a poor residential amenity, especially the rear private gardens due to being overlooked by the respective properties as well as No.9 Higham Road. In addition, Plots 2 and 3 had small and awkward shaped garden which limited its usefulness and contributed to the poor amenity space. This was further exacerbated by the insufficient parking provision.

7.4.10 It is noted that the Town Council considers the proposed scheme to still have small gardens. However, the garden sizes for plots 1 and 2 have been increased beyond the garden sizes of the rest of the plots, which the Planning Inspector found to be of an acceptable size.

7.4.11 The proposed scheme has also omitted the dwelling (plot 1 within the refused scheme) closest to No.9 thereby mitigate the overlooking harm. In regard to the parking provision, this is discussed within the below section of the report ('Highways Safety and Parking'), however, in short the proposed scheme provided adequate provision in line with Northamptonshire Parking Standards.

7.4.12 The proposed scheme therefore addresses the concerns expressed by the Planning Inspector and thus would not cause adverse harm in respect to the aforementioned matters.

- 7.4.13 Furthermore, the proposed dwellings would adequately provide internal amenity space in line with the National Space Standards and is not considered to be affected by the operations of the surrounding commercial premises nor by the two small windows on the side elevation of No.175, which the secondary small window would overlook the rear amenity space of Plot 6, but at an overt angle and with a limited viewpoint.

Subsection Conclusion

- 7.4.14 Overall, the proposed scheme is not considered to cause adverse harm to the residential amenity of the neighbouring properties and vice versa. The concerns of the Planning Inspector have been addressed and whilst the Town Council has concerns with the proposed scheme, these would not substantiate a reason or refusal. Subsequently, the proposed development complies with Policy 8(e) of the JCS as well as Policy EN1 of the RNP and Paragraph 130 of the NPPF

7.5 Highway Safety and Parking

- 7.5.1 Policy 8(b) of the JCS seeks for new developments to provide safe, convenient and well-designed accesses and parking provisions as well as for new developments to not cause adverse harm to the highway network and users. This is also reflected by Policy T1 of the RNP and Paragraph 110 of the NPPF.
- 7.5.2 The application site currently has a vehicular access off Washbrook Road which the proposed scheme intends to widen to 4.5 metres to allow for the intensified use and provides a footpath 1.2 metres wide which would be a continuation from the public footpath off Washbrook Road into the site.
- 7.5.3 Highways comments are noted which are similar to their comments for the refused application. The Town Council also supports Highways comments which contributes to their reason for objecting to the proposed scheme.
- 7.5.4 Taking into consideration Highways previous comments, the Planning Inspector stated:

‘Turning to the proposed access, the footway adjacent to the highway is of sufficient depth to enable good visibility for motorists exiting the site. Nevertheless, the access would not meet the requirements of the County’s standing advice in terms of its width. This requires residential development, of over 5 dwellings, to include an access of sufficient width to be of an adoptable standard. Nonetheless, the access would be able to accommodate two-way traffic movements and would include a separate pedestrian path. As such, whilst the shared driveway may present some challenging management and maintenance issues, this could be addressed by a suitably worded condition. Accordingly, the access would be able to provide for the requirements of the proposed development without causing detriment to its users’.

- 7.5.5 As such, the proposed access which is very similar to the access proposed under the refused scheme, has been found to not cause adverse harm to highway users or the road network, and therefore a reason for refusal on this ground cannot be substantiated.
- 7.5.6 The Northamptonshire Parking Standards stipulates that dwellings with 3 bedrooms should provide 2 car parking spaces onsite. As such, the proposed scheme would be required to provide 14 car parking spaces (12 spaces for future occupiers and 2 spaces (1.5 rounded up) for visitors. In total the proposed scheme would provide 16 spaces, of which 12 spaces would be allocated for future occupiers and 4 spaces would be for visitors.
- 7.5.7 Highways comments are noted regarding the tandem parking spaces however, given that these would be allocated to plots 1 and 2 rather than a free-for-all and that there are adequate parking spaces, it is considered that minimal conflicts would occur.
- 7.5.8 A tracking plan (SP02A) has also be submitted demonstrating that vehicles would be able to manoeuvre into the parking spaces satisfactorily. The parking spaces would be in accordance to dimensions noted within the Northamptonshire Parking Standards.
- 7.5.9 Waste Management has concerns with refuse trucks waiting on Washbrook Road while carrying out their operation and causing implications in terms of highway safety and congestion. However, Highways has not expressed concerns in this regard and nor do they consider there to be an impact on the highway network due to the waste arrangement. Also, the Planning Inspector had no concerns with the waste arrangement. Therefore, a reason for refusal on this ground would not be substantiated.
- 7.5.10 Waste Management concerns regarding the bins being displaced on the footpath adjacent to Plot 6 is noted, however, the site plan (0001B) denotes a bin collection area near the access which can be conditioned to be demarcated so the allocation of this area for bins is clear to residents and a reasonable degree of responsibility lies with the future occupant to ensure the bins are placed in the collection area in an orderly manner.
- 7.5.11 Overall, the proposed scheme has addressed the concerns of the Planning Inspector and a reason for refusal could not be substantiated on highway grounds. Thus, the proposed development complies with Policy 8(b) of the JCS Policy T1 of the RNP and Paragraph 110 of the NPPF.

7.6 **Natural Environment**

- 7.6.1 Policy 4 of the JCS seeks for new development to provide a net gain in biodiversity with features of geological interests being protected and enhanced. Policy 4 also seeks for developments to not cause adverse harm to the Upper Nene Valley Gravel Pits Special Protection Area (SPA). Paragraph 170 of the NPPF also echoes Policy 4 of the JCS.
- 7.6.2 In addition, Policy 3 of the JCS and Policy EN2 of the RNP seek for new developments to deliver well integrated hard and soft landscaping. And, Policy 8(e) seeks to prevent new and existing development from contributing

to or being adversely affected by unacceptable levels of soil, air, light, water or noise pollution or land instability.

- 7.6.3 The proposed site plan (20-187-01E) illustrates the existing front boundary hedgerow would be retained with the proposed development and a balanced soft and hard landscaping being achieved so the proposed scheme is not dominated by hardstanding.
- 7.6.4 Details of biodiversity enhancement features have not been provided with this application and therefore to ensure that the proposed scheme delivers biodiversity enhancement a condition can be imposed should planning permission be granted.
- 7.6.5 The application site lies within 2 kilometres of the SPA which the SPA supplementary planning document (SPD) states that there is a strong body of evidence that increasing levels of development, even when well outside the boundary of protected sites, can have negative effects on these sites. As a means of mitigation a financial contribution of £322.41 (index linked) per dwelling should be sought from developments. The Applicant has provided the financial contribution and thus mitigated its harm on the SPA.
- 7.6.6 The Newt Officer also states the proposal would not have an impact on great crested newts and their habitat.
- 7.6.7 Environmental Protection also have no objection to the proposed scheme subject to the suggested conditions (internal layout, burning of materials, construction operational times, dust mitigation, prevention of mud onto the highway and construction traffic), which can be imposed should permission be granted.
- 7.6.8 As such, the proposal complies with Policy 4 of the JCS and Paragraph 170 of the NPPF.

7.7 **Crime Prevention**

- 7.7.1 Policy 8(e) of the JCS seeks for new development to design out antisocial behaviour and crime and reduce the fear of crime through creation of safe environments that benefits from natural surveillance, defensible spaces and other security measures having regard to the principles of the 'Secure by Design'. This is also reflected in Paragraph 95 of the NPPF.
- 7.7.2 The Police Community Safety Officer has no objection to the proposed scheme in principle subject to the scheme incorporating the crime prevention measures recommended. These matters can be conditioned should planning permission be granted and the applicant has also agreed to this.

8. **Other Matters**

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

- 8.2 Sustainable Construction: The Sustainable Design Statement demonstrates that the design of the scheme has taken into account the surrounding context of the local environment but does not demonstrate how the proposed scheme would minimise the use of resources and creation of waste. A condition is recommended to ensure sustainable measure are adopted as part of the scheme in line with Policy 9 of the JCS, should planning permission be granted.
- 8.3 Other Matters Raised: Concerns raised by Rushden Town Council and the objectors have been noted and addressed within the above sections of this report.

9. Conclusion / Planning Balance

- 9.1 The proposed development would be located within the settlement of Rushden and would utilise previously developed land which is supported by local policy and thus the principle of development is considered to be acceptable.
- 9.2 Since the refused scheme (21/00063/FUL) and the appeal decision (APP/G2815/W/21/3277113), the proposed scheme has been amended to address the concerns of the Planning Inspector. In doing so, it is considered that the proposed scheme would not cause adverse harm in terms of the character of the local area, residential amenity of the future occupants and nearby residents, highway users and the road network and the natural environment.
- 9.3 Whilst, the Town Council and Highways have expressed concerns with proposed scheme, their concerns would not substantiate a reason for refusal, especially given consideration to the appeal decision which holds significant weight.
- 9.4 In addition, the proposed scheme would provide a housing mix (medium sized) to meet the local housing need.
- 9.5 As such, the proposed development complies with Local and National Policies and it is therefore recommended that planning permission is granted, subject to conditions.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions.

11. Conditions

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

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

- 2 Prior to development above slab level for the development hereby permitted, details of the external materials of the proposed dwellings shall have been submitted to and approved by the local planning authority and the development shall thereafter be carried out in accordance with the approved details. The details shall include full product information as well as sample panels onsite.

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

- 3 Prior to the first occupation of the development hereby permitted, the access (including the footpath) shall be completed as per the site plan (0001 rev B) and drainage away from the public highway.

Reason: In the interest of highway safety and ensure satisfactory means of access.

- 4 Prior to the first occupation of the development hereby permitted, a maintenance and management plan for the access (including the footpath and parking court) shall be submitted to and approved in writing by the local planning authority. Thereafter, the proposed development shall be carried out in accordance with the approved details and maintain and retained in perpetuity.

Reason: To ensure adequate means of access and parking standards are maintained.

- 5 Prior to the first occupation of the development hereby permitted, full details of the pedestrian and vehicular gates shall be submitted to and approved by the Local Planning Authority. Thereafter the proposed development shall be carried out in accordance with the approved details. The submitted details shall include product details and elevations.

Reason: In the interest of highway safety.

- 6 No gates shall be placed within 5.5 metres of the public highway.

Reason: In the interest of highway safety.

- 7 Prior to the first occupation of the development hereby permitted, the parking court as per the site plan (0001B) shall be completed and demarcated for the relevant plots as well as visitors. Thereafter, it will be maintained and retained in perpetuity.

Reason: To ensure adequate amenity and proper parking provision.

- 8 Prior to the first occupation of the development hereby permitted, full details of the external lighting shall be submitted to and approved by the local planning authority. Thereafter the proposed development shall be carried out

in accordance with the approved details. The submitted details shall include a location plan of the lighting position, product detail and elevation plan.

Reason: In the interest of crime prevention and safe amenity.

- 9 Prior to the development above slab level of the development hereby permitted, full details of the security measures pertaining to windows, doors and gates shall be submitted to and approved in writing by the local planning authority. Thereafter, the proposed development shall be carried out in accordance with the approved details.

Reason: In the interest of crime prevention and safety.

- 10 Prior to the development above slab level, details of the cycle store shall be submitted to and approved by writing by the local planning authority. Thereafter, the proposed development shall be carried out in accordance with the approved details. The submitted details shall include product details, elevation and floor plans and security measures.

Reason: In the interest of crime prevention and safety.

- 11 The internal layout of the properties hereby permitted shall be as detailed in drawing numbers 0002C and 0003B. No changes shall be made unless agreed in writing with the local planning authority.

Reason: To protect future residents of the development from external environmental noise.

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

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

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

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

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

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

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

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

- 16 Vehicles, including delivery vehicles, must not park outside the development site at any time of the day or night unless specifically agreed in writing with the Local Planning Authority. Vehicles must enter the site immediately and must leave the site in a safe and controlled manner. The public highway shall not be used as a holding area for deliveries. There shall be no contractor parking on the public highway at any time.

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

- 17 Prior to the first occupation of the development hereby permitted, the refuse collection point shall be demarcated and maintained and retained in perpetuity.

Reason: To ensure satisfactory placements for the storage of bins.

- 18 Prior to the first occupation of the development hereby approved, the ensuite windows on the west elevation of Plot 6; shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and any part of the window (s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

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

- 19 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
- ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
- iii) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
- iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);

Reason: To prevent overlooking of neighbouring properties and to retain control over the future extension and alterations of the development, in the interest of its architectural and visual integrity and character of the local area as well as residential amenity.

- 20 Prior to the development above slab level of the development hereby permitted, details of biodiversity enhancement features including location and product detail shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and maintained and retained in perpetuity.

Reason: To protect and enhance biodiversity.

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

Reason: In the interest of climate change and environmental protection.

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

Location plan
Proposed site layout plan – 0001B
Proposed Street Scene Plan – 0005B
Proposed Elevation and Floor Plan – 0003B
Proposed Elevation and Floor Plan – 0002C

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

12. Informatives

- 1 All openings (doors and windows) will be in accordance with building regs for new dwellings and include the enforcement of AD 'Q' - Security of Dwellings - Q1 Unauthorised access i.e. certified products to BS PAS24:2016. In addition to Building Regs requirements any side lights adjacent to doors (within 400mm), safety glazing and easily accessible emergency egress windows with non-lockable hardware must include one pane of laminated safety glass meeting the requirements of BS EN 356:2000 class P1A (minimum).
- 2 The Applicant / Developer is required to secure a 278 Agreement and provide a Road Safety Audit (RSA1) to the Local Highway Authority prior to carrying out works on the public highway.

- 3 The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure). This should be gigabit capable and where possible, full fibre broadband connectivity. Early agreement with a telecoms provider is key to being able to enhance your asset. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations. Proposals should be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R.

Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach Developer Portal (openreach.co.uk)

Virgin Media <http://www.virginmedia.com/lightning/network-expansion/property-developers>

Gigaclearnetworkbuildcare@gigaclear.com (rural areas and some market towns)

OFNL (GTC) <http://www.ofnl.co.uk/developers>

CityFibre <http://cityfibre.com/property-developers>

Details of other fibre network providers operating locally can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>.

For help and advice on broadband connectivity in North Northamptonshire please email bigidea.ncc@northnorthants.gov.uk



Appeal Decision

Site visit made on 10 January 2022

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2022

Appeal Ref: APP/G2815/W/21/3277113

11 Higham Road, Rushden NN10 6EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Antonio Di-Fazio against the decision of East Northamptonshire Council.
 - The application Ref NE/21/00063/FUL, dated 12 January 2021, was refused by notice dated 25 March 2021.
 - The development proposed is the demolition of a dwelling and the erection of 7no. dwellings with new and altered access.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the living conditions of future occupiers with particular regard to privacy, use of the access and the provision of parking,
 - The effect on the proposed dwellings on the character and appearance of the area, with respect to the size of the rear gardens, and
 - Whether the proposal would affect the integrity of the Upper Nene Gravel Pits Special Protection Area (SPA) and its effect on local air pollution.

Reasons

Living conditions

3. The appeal site is adjacent to 9 Higham Road (No 9). The neighbouring dwelling has two first-floor, and one ground-floor, side windows that appear to serve habitable rooms. The proposed development, being a perimeter block formation, would be largely consistent with the local pattern of development. Nevertheless, this would result in a layout where the rear garden of plot one would be overlooked by occupiers of No 9 and plot 3. The views from windows of these properties into the garden would be over a short distance. Consequently, the extent of overlooking would be overt and direct, reducing the usefulness of the garden and the privacy enjoyed by its occupiers. Moreover, the degree of overlooking would be increased, from No 9, due to its higher elevation. I am unconvinced that landscaping or screening would adequately mitigate this effect.

4. Furthermore, plots two and three, would also include rear windows of habitable rooms at first floor. Due to their location and proximity to boundaries, these windows would also enable occupiers to overlook each other's gardens, over an extremely short distance. Therefore, despite the urban setting of the site, the layout would result in an absence of privacy within these rear gardens. This would demonstrably harm the living conditions of future occupiers of plots one, two and three.
5. The Council has not identified a policy requirement with respect to the size of residential gardens. Nevertheless, the majority of these would be a uniform size and shape and provide adequate recreational space. However, the gardens of units two and three would be small, and an awkward shape. This would limit their usefulness. Consequently, these gardens would present a poor-quality external environment for future occupiers. The quality of these spaces would be further denuded by the privacy concerns already expressed.
6. Turning to the proposed access, the footway adjacent to the highway is of sufficient depth to enable good visibility for motorists exiting the site. Nevertheless, the access would not meet the requirements of the County's standing advice in terms of its width. This requires residential development, of over 5 dwellings, to include an access of sufficient width to be of an adoptable standard. Nonetheless, the access would be able to accommodate two-way traffic movements and would include a separate pedestrian path. As such, whilst the shared driveway may present some challenging management and maintenance issues, this could be addressed by a suitably worded condition. Accordingly, the access would be able to provide for the requirements of the proposed development without causing detriment to its users.
7. The proposed layout would provide 12 parking spaces. This would be arranged in a generous layout, with adequate manoeuvring space to enable vehicles to enter and exit in a forward gear. However, the County's parking standards¹, seek a minimum provision of two spaces per three-bedroom dwelling and a visitor space. The proposed parking provision is below these standards. On-street parking opposite the site is limited and double yellow lines restrict most parking in front and around the site.
8. The site is within a short walk of Rushden Town Centre and there are several bus services that operate within the area. The Appellant's car parking analysis shows that local car ownership is around 1.5 cars per dwelling. However, the area includes a substantial quantity of housing with limited on-plot parking, potentially suppressing car ownership in the area. Furthermore, the site is not within a town centre location. Consequently, nearby bus services would be insufficient to compensate for the limited parking provision within the scheme. The site would not be in a location that offers genuine choice of transport modes as required by paragraph 105 of the Framework. As such, the absence of adequate on-site parking would result in a poor-quality development that would not adequately provide for the needs of future occupiers.
9. Consequently, the proposal would result in poor living conditions for future occupiers with respect to privacy and parking provision. As such, with regard to the effect on living conditions, the proposal would conflict with policy 8(e)(i) and (b) of the North Northamptonshire Joint Core Strategy (2016) (JCS) and policies EN1 and T1 of the Rushden Neighbourhood Plan (2018) (RNP). It would

¹ Northamptonshire Parking Standards, supplementary planning guidance 2016

also conflict with the National Planning Policy Framework (The Framework) and the National Design Guide. These seek development, among other matters, to protect the amenity of future occupiers by not resulting in an unacceptable impact on overlooking, ensure a satisfactory provision of parking and for development to function well.

Character and appearance

10. Higham Road is a residential street within an urban environment. Local housing is a diverse range of styles spanning from traditional Victorian terraces to more modern infill development. Many of these dwellings are built close to the highway. The appeal site consists of a detached dormer bungalow with a series of connected rear extensions forming a wide and deep building. It is slightly elevated from the highway especially with respect to its boundary with Washbrook Road. The dwelling is recessed from both adjacent highways and has a simple design. As such, the site makes a neutral contribution to the character and appearance of the area.
11. The proposed scheme would result in a pattern of development that would be prominent in comparison to the existing dwelling due to its increased height, proximity to the road and elevated position. The scale and proposed materials of the proposal would be commensurate with the form and appearance of local buildings. Consequently, the scale and general density of the proposal would suit the local context.
12. The proposed rear gardens would be arranged adjacent to the car parking area. These would be smaller than the size of most gardens in the local vicinity. Nevertheless, being to the rear the gardens would not be overt in the streetscene. Consequently, the arrangement and size of the proposed rear gardens and the development, as a whole, would complement the character and appearance of the surrounding area.
13. The proposed development would therefore accord with policy 8(d) of the JCS, policy EN1 of the RNP and the Framework and the National Design Guide. These require, with respect to character, for development to respond to a site's context and be sympathetic to local character.

Special Protection area

14. The JCS includes policies to protect the Upper Nene Valley Gravel Pits Special (SPA). The appeal site is in a location where occupiers of the development are likely to use the SPA for recreational purposes. Thus, I cannot rule out the possibility that the development would have adverse effects on the integrity of the designated area, either alone or in combination with other planned development. In those circumstances, having regard to the Habitats Regulations, planning permission should not be granted unless an Appropriate Assessment (AA) has been undertaken to assess the likely effects. Such an assessment is necessary regardless of the status of the emerging policies of the development plan.
15. Following recent case law, potential mitigation cannot be taken into account when determining whether an AA is required. However, it may be considered if an AA has been undertaken and determined that the development would harm the integrity of the SPA. The Appellant has paid a financial contribution in accordance with the mitigation measures required by the Upper Nene Valley

Gravel Pits SPA Supplementary Planning Guidance. However, as I am dismissing the appeal for other reasons it is not necessary for me to consider this matter further as it could not change the outcome of this appeal.

16. Turning to the pollution effects of the development, the Council identifies that the scheme would not accord with the East Midlands Air Quality Network Guidance. However, the evidence does not indicate that this document has been incorporated into planning policy and is therefore of limited weight in my consideration of this matter. Furthermore, the Appellant's Air Quality Assessment² demonstrates that the required air quality standards would be met. Also, air quality management measures as advanced by paragraph 186 of the Framework, such as the provision of electric car charging, could be addressed through a condition had I been minded to allow the appeal. Accordingly, in regard to air quality, the proposal would comply with policy 8(e)(ii) of the JCS where it seeks to prevent new development from contributing towards local air pollution.

Conclusion

17. The Framework seeks to significantly boost the supply of housing. The scheme would make efficient use of land, on previously developed land within a settlement boundary. The scheme would also be in character with the local area. These merits weigh in favour of the scheme.
18. However, the proposal would result in a scheme that would suffer significant overlooking and have insufficient parking provision and would not therefore function well. Consequently, it would conflict with the development plan when taken as a whole. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Ben Plenty

INSPECTOR

² Air Quality Assessment, by Viridian-Air, dated January/August 2021

NE/22/01044/FUL



LOCATION PLAN 1:1250

This page is intentionally left blank

**North Northamptonshire Area Planning Committee
(Thrapston)
29 March 2023**

Application Reference	NE/22/01044/FUL
Case Officer	Chris Hill
Location	37 High Street, Irthlingborough, NN9 5TE
Development	Conversion of building to 4No 1 Bed flats, together with two storey rear and side extension and change of use from retail / storage to residential.
Applicant	NMT Developments - Mr Richard Neale
Agent	Mr Nick White
Ward	Irthlingborough
Overall Expiry Date	
Agreed Extension of Time	02 June 2023

Scheme of Delegation

This application is brought to committee because of a sustained objection by the Town Council, 5 or more objections from the public have been received, and by decision of the Planning Committee Chairman and Vice-Chairman.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposed development is for the change of use an existing commercial building, located at No. 37 High Street, Irthlingborough from Class E (Commercial, Business and Service) to that of Use Class C3 (Residential). It also proposes a two storey side and rear extension that would outlook eastwards onto Spinney Road.

- 2.2 The north facing elevation, facing the High Street, would retain the ground floor shop-style window. The existing timber sash window on the first floor would be refurbished.
- 2.3 The east facing elevation of the existing building, facing Spinney Road, would be altered in the following ways:
- Conversion of existing doorway to that of a timber sash window at ground floor.
 - Additional first floor timber sash window at first floor.
 - Replacement timber panelled door, located approximately at the midpoint of the overall elevation.
 - Side/rear extension set back 0.29 metres from the existing front elevation.
- 2.4 The extension would measure 5.974 metres in width, be 4.787 metres in depth, be 7.005 metres in maximum height to ridge and 4.296 metres in height to eaves. It would include a pair of ground floor timber sash windows at the ground floor facing Spinney Road, and a pair of flat roof lead clad dormers to serve the first floor roof space. The south facing elevation, facing in the direction of No. 4 Spinney Road, would present a gable end with a single ground and single first floor timber sash window. The two storey element described above would sit in front of an existing single storey element and enclose a small rear bin and cycle storage, accessed via a gate accessed from Spinney Road. It would be enclosed by an existing boundary wall and partial close board fence replacement. Two conservation style roof lights would be located on the west facing roof of the extension.
- 2.5 The extension is proposed to be constructed of stone to match the existing stone of the building and its extension. It would feature a slate roof to match the existing, black UPVC rainwater goods and timber lintels over ground floor openings.
- 2.6 Of the proposed residential units, unit 1 and unit 3 would be located within the ground and first floor of the existing building, specifically the corner element adjoining the High Street and Spinney Road. Unit 2 and 4 would be located in the ground and first floor of both the southern end of the existing building and proposed extension. The singular doorway facing Spinney Road would serve as the communal entrance for all four units. No parking is proposed for the development. No communal amenity space is provided.

3. Site Description

- 3.1 The application site is situated within the settlement of Irthlingborough and comprises a two-storey end-of-terrace dwellinghouse with existing ground floor retail use. The dwelling is not itself a listed building, but is opposite both 62 and 64 High Street both of which are Grade II listed. The site also lies within Irthlingborough Conservation Area (CA) and within 2 kilometres of the Upper Nene Gravel Pits Special Protection Area (SPA).

- 3.2 The building itself has a number of boarded up windows and entrances, which are assumed to be due to a poor state of repair. The building is otherwise in a generally reasonable state of repair. The southern end of the building is itself an extension, permitted in 1976 and assumed to have been constructed shortly after such granting of permission.
- 3.3 The existing permissible use of the building is that of a Class E (Commercial, Business and Service). It is presently vacant.

4. Relevant Planning History

- 4.1 76/00558/FUL - Extension to shop premises – Granted 16.06.1976

5. Consultation Responses

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

5.1 Irthlingborough Town Council

Comments received 01.09.2022:

OBJECTION on the following grounds: -

1. Loss of retail premises in a run of shops where the others are still used as businesses - computer consultants and café.

2. Overdevelopment - If the building were to be converted into four flats, the flats would be very small and poorly designed with unit 1 having the former shop window in the bedroom.

3. Replacement Windows - The proposed aluminium windows are not in keeping with the existing windows in the non-statutory historic terrace property within the Conservation area.

4. Insufficient parking - the extension is proposed on the current parking area. This leaves no parking provision. The property is on the corner of the High Street/Spinney Road which is a busy junction with very limited visibility. There is no close on road parking provision.

5. Conservation Area - the proposed development would have a detrimental impact on the Conservation Area

Comments received 11.01.2022:

Irthlingborough Town Council's Planning Committee have considered the amendment to Planning Application NE/22/01044/FUL and wish to return the following response:-

OBJECTION on the following grounds: -

1. Loss of retail premises in a run of shops where the others are still used as businesses – computer consultants and café.
2. Overdevelopment – If the building were to be converted into four flats, the flats would be very small and poorly designed with unit 1 having the former shop window in the bedroom.
3. Insufficient parking – the extension is proposed on the current parking area. This leaves no parking provision. The property is on the corner of the High Street/Spinney Road which is a busy junction with very limited visibility. There is no close on road parking provision.
4. Conservation Area – the proposed development would have a detrimental impact on the Conservation Area

5.2 Neighbours / Responses to Publicity

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

- Inadequate parking provision in the vicinity.
- Blocking of pavements for pedestrian use from parked vehicles.
- Nearby planning permissions will intensify nearby parking.
- Loss of parking on site.
- Contrary to Development Plan policy.
- Loss of privacy.

5.3 Local Highway Authority (LHA)

Comments received 06.09.2022:

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

o Please note that parking beat survey parameters are incorrect however, this is a moot point as the application does not demonstrate any intensification of use, with the requirement for a 1-bedroom flat is 1 parking space with 0.25 visitor spaces per dwelling. This results in a total of 5 parking spaces, with the existing retail use totalling 5.3 spaces. Therefore, the LHA can confirm no objections to this application.

5.4 Waste Management Team

Comments received 06.09.2022:

The plan as shown presents issues for waste storage and presentation. The council does not provide 360 litre wheeled bins as illustrated on the Floor Plans. We would require space to either:

Store and manoeuvre a pair of 1100 litre wheeled bins. The access as shown is barely wide enough to allow 1100 litre bins to be moved in and out (these are typically around a metre wide) as it is too narrow. The cycle storage area

would also provide an unnecessary obstacle to manoeuvring 1100 litre bins which should be stored closer to the highway for emptying. It is not clear if the access could be made wide enough for 1100 litre wheeled bins - these should be located in the area currently marked "planting" which would also be more acceptable for the distance collection crews would have to move them.

Or

Each flat would be provided with its own 180 litre refuse and 240 litre recycling bin plus food collection caddies. However, these would be crowded in the space as shown which would cause concern for their correct use and the ease with which residents would be able to wheel the appropriate bin to the highway for collection.

Comments received 14.12.2022:

Previous comments from Waste have been acted upon and as such the waste arrangements are now acceptable

5.5 Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE DESIGNATED SITES [EUROPEAN] - FURTHER INFORMATION REQUIRED

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

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

5.6 Environmental Protection Officer

I have had the opportunity to view the submitted application for NE/22/01044/FUL - Conversion of building to 4No 1 Bed flats, together with two storey rear and side extension and change of use from retail / storage to residential at 37 High Street Irthlingborough NN9 5TE . Environmental Protection have no objections, however, would ask for the following conditions to be placed on the planning permission to preserve residential amenity during construction.

Hours of work

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

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

No burning

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

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

5.7 Principal Conservation Officer

Comments received via telephone conversation on 11.11.2022:

- No objection in principle.
- Wholesale use of Timber Sash Windows & avoidance of metal framed windows, including extension
- Removal or shortening of door conversion facing Spinney Road.
- Need to include pre-commencement condition requiring historic building recording, the submission of material samples and joinery details.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development

Policy 2 - Historic Environment

Policy 3 - Landscape Character

Policy 4 - Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

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

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings and Allowable Solutions

Policy 11 - The Network of Urban and Rural Areas

Policy 28 - Housing Requirements and Strategic Opportunities

Policy 29 - Distribution of New homes

Policy 30 - Housing Mix and Tenure

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

EN1 - Spatial development strategy

EN3 - Settlement boundary criteria – freestanding villages

EN13 - Design of Buildings/ Extensions

EN14 - Designated Heritage Assets

EN15 - Non-Designated Heritage Assets

IR1-A - Provision for Housing in Irthlingborough

6.5 Other Relevant Documents

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

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

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

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

East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Character, Layout and Historic Environment
- Impact on Neighbouring Amenity
- Highway Matters

7.1 Principle of Development

7.1.1 The proposed development is for the change of use of the ground floor from retail to residential, extensions and subdivision of the property into 4 flats. From the submission, it appears that the 1st floor of the property is also ancillary to this retail space, being labelled as 'store' or 'store room'. Policy 11 of the North Northamptonshire Joint Core Strategy 2016 (JCS) identifies Irthlingborough as a 'Market Town' where residential development is broadly supported. Policy 29 of the JCS also echoes Policy 11 whilst also encouraging the re-use of previously developed land. This is also reflected by Paragraph 120 of the National Planning Policy Framework 2021 (NPPF).

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

7.1.3 Emerging planning policy in the Local Plan Part 2 for the East Northamptonshire Area shows the property to be located within the designated Town Centre of Irthlingborough but not within the designated

Primary Shopping Frontages. Policy EN21 of the emerging Local Plan Part 2 sets the requirements for development within Town Centre boundaries and there is potential for this policy to change as the examination of the Local Plan, which is ongoing, progresses.

- 7.1.4 As such, it is not considered that the location of the proposed development requires the applicant to demonstrate commercial viability. As such, the principle of residential development on the site is considered to be acceptable subject to compliance with the below policy considerations.

7.2 **Character, Layout and Historic Environment**

- 7.2.1 Policies 2, 8(d) and 30 of the JCS seek for developments to not cause adverse harm to the historic environment and the character of the local area and to provide adequate external and internal amenity space in accordance with the National Space Standards as minimum.

- 7.2.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.

- 7.2.3 The dwelling is not itself a listed building, but is opposite both No. 62 and 64 High Street both of which are Grade II listed. The proposed development is within the Conservation Area. It is considered a reasonable position to take that the existing area presently used for storage and informal parking does not contribute positively to Spencer Road or the Conservation Area.

- 7.2.4 The proposed schedule of changes to the existing building, including the insertion of new timber sash windows and partial blocking of an existing doorway, are considered to result in a balanced architectural appearance that would read in a visually congruent manner with that which exists. The retention of the 'shop front' window and the sole use of timber sash windows would result in an appearance not unlike that which presently exists. The partial blocking or conversion to a window of the existing entrance is not considered to negatively harm the appearance of the building, nor that of special character of the Conservation Area or setting of the nearby listed buildings.

- 7.2.5 The proposed extension of the building is located to the south of the existing building and its 70s extension, along Spinney Road. Spinney Road is itself a mid to late 20th century focused development featuring a number of red-brick dwellings and community buildings (namely the Salvation Army building) of single storey and two storey heights.

- 7.2.6 The proposed extension would be subservient to the host building, being both set back and lower in ridge height. It would be constructed of materials to match the existing, including stone and slate tiles. Windows would be expected to match the existing timber sash windows. Details of materials and joinery would be conditioned as part of any granted permission.

- 7.2.7 Whilst Dormer Windows are not readily present within this part of the CA, it is considered that they would be an appropriate means of ensuring the extension is subservient to the host building. They are to be lead clad, an appropriate response within the Conservation Area. On balance they are considered an appropriate elevational treatment. The rear elevation includes 'Conservation Style Rooflights' which would again be an acceptable approach. All of these windows would be expected to be fully detailed through a planning conditioned attached to any granted permission.
- 7.2.8 Owing to the scale of the proposed development and visual separation, it is not considered that it would have any impact on the setting or special character of No. 62 and 64 High Street nor that of Grade I listed building St Peters Parish Church.
- 7.2.9 Overall, it is considered that the proposed development would not harm the architectural and historical merits of the Conservation Area and that of the local character. The proposed design of the converted dwelling is considerate of its existing character and would not give rise to any harm to the special character of the Conservation Area. As such, the proposed development complies with Policy 2 and 8(d) of the JCS and Paragraph 202 of the NPPF.

7.3 **Impact on Neighbouring Amenity**

- 7.3.1 The proposed development would introduce residential living to the ground floor of both the existing building and the proposed extension. As previously noted, the site is not within a protected commercial location and is also in immediate proximity to a great number of residential properties that include street facing windows. It is not considered reasonable therefore to resist the proposed development for this reason alone.
- 7.3.2 In terms of impact neighbour amenity, the proposed development would have no significant impact on the amenity of dwellings across Spinney Road or that of the High Street owing to the existing highway creating adequate front to front separation.
- 7.3.3 The proposed rooflight windows serving the first floor of the extension would be 1.8 metres above the floorplate of Unit 4. They would not therefore afford the property any overlooking of neighbouring properties nor adversely impact their privacy.
- 7.3.4 The south-east elevation of the extension features a pair of windows on the ground floor and first floor. Both of these windows serve a bedroom and both of these bedrooms are served by an additional window facing onto Spinney Road. No. 4 Spinney Road has first floor windows serving habitable rooms that would sit approximately 10 metres and 13 metres away at between a 30 and 45 degree angle. Given this, it is considered reasonable that these windows be conditioned as part of any granted permission to be obscure glazed and fixed shut. As the bedrooms that feature in the extension are both served by an additional window it is not considered that this will have any undue impact on the internal amenity of future residents in terms of light or air circulation. The proximity of the proposed extension is not considered

to give rise to any unacceptable impacts in terms of overbearing development or loss of light.

- 7.3.5 The proposed dwellings would all provide adequate internal amenity space in line with National Space Standards and Policy 30 of the JCS.
- 7.3.6 The proposed flats do not have private external amenity space except for that which is provided for bin and cycle storage. However, given the town centre location, proximity to public open space and dwelling type this would not be considered inappropriate.
- 7.3.7 Overall, it is considered that the proposed development would not cause any adverse harm to the residential amenity of any neighbouring property and thus is compliant with Policy 8(e) of the JCS.

7.4 **Highway Matters**

- 7.4.1 The existing use of the site is that of commercial usage and would under NCC Local Highway Authority Parking Standards (2016) result in the expectation of the provision of 5.3 parking spaces. The proposed development that would result in 4 one-bedroom flats would require a single parking space per flat and 1 total visitor space, resulting in parking expectation of 5 parking spaces. At present, prior to any development, the site can accommodate 2 parking spaces measured in accordance with the LHA standard dimensions.
- 7.4.2 The LHA have expressed that they would not object to the proposed development as it does not result in any intensification of the use of the site. Additionally, the 'parking spaces' are not formally allocated parking provision under any approved plan and would not be required for retention as such with or without planning permission.
- 7.4.3 The applicant has also submitted a Parking Beat Survey with snapshots undertaken between 00:30-05:30hrs on a Wednesday and Thursday and 00:30-05:30hrs on a Sunday, all in July. The degree of parking 'Stress' was shown to be within reasonable parameters. The LHA have expressed that the undertaking of the assessment within July may have underrepresented the 'Stress' as July is a 'down time' for parking surveys. However, it is the opinion of this Officer that the demonstrated stress and availability of parking observed during a site visit is such that the LPA cannot reasonably dispute the findings of this Parking Beat Survey.
- 7.4.4 Additionally, per the comments of the LHA, the PBS is not strictly required as the parking expectation intensity of the proposed development is less than that which presently exists. Additionally, the existing area that may or may not be used for parking is not a formally required space under any existing permission and cannot be assumed to be retained were planning permission to be refused.
- 7.4.5 4 cycling store spaces are provided within the enclosed area, 1 per flat.
- 7.4.6 Therefore, when considering the lowered intensity of parking requirement, the existing informal conditional spaces that do exist and the LHA not

sustaining an objection, it would not be considered reasonable to refuse the proposal on highways grounds alone.

7.5 Ecology

7.5.1 The application site is located within 3km of the Nene Valley Gravel Pits Special Protection Area. The associated Supplementary Planning Document (SPD) requires that applications for residential development make appropriate mitigation for the impact of bird populations on this area. The relevant amount has been requested and paid and as such the proposal is acceptable in this respect.

7.5.2 The building appears to exhibit no features that would provide obvious habitats or features of ecological significance. There is no reason to indicate the development would affect any protected species, and the proposal is considered acceptable in ecological terms.

8. Other Matters

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

8.2 Neighbour comments: Are addressed in the above assessment.

8.3 Flood Risk and Drainage: As the development would not introduce any new impermeable surface, the development is not considered to cause any drainage issues.

8.4 Waste: The submission includes adequate bin storage facilities, accessed via the gate off of Spencer Road. The Council Waste Management Team have commented that the provision and arrangement are acceptable.

8.5 Amenity for future occupiers: All of the four flats exceed the minimum space requirements set in the National Space Standards. All of the habitable rooms are served by windows and would receive natural daylight. In respect of amenity, the accommodation is considered acceptable.

8.6 Housing mix: Policy 30 of the JCS expresses a preference for developments to include smaller dwellings of 1-3 bedrooms. The development is exclusively 1-bedroom units and therefore contributes to meeting this need and policy required. This weighs in favour of the development.

9. Conclusion / Planning Balance

9.1 The proposed development is in accordance with the adopted policies in relation to residential development. It would provide four residential units in a sustainable location near to services and facilities. The existing commercial use, presently vacant, is not in a location identified as a protected use. The design of the development is considered to be

sympathetic to the setting within the Irthlingborough Conservation Area and within the setting of the nearby Listed Buildings.

- 9.2 The lack of parking provision is of detriment to the proposal. However, the submitted Parking Beat Survey, whilst not of the parameters the LHA would usually seek does demonstrate that parking in the immediate vicinity is not over stressed. Regardless, the existing use would generate a higher parking requirement than that which is proposed and would not therefore be resisted on the lack of parking alone. The proposal is otherwise considered acceptable in terms of ecology, private amenity impact and access.

10. Recommendation

- 10.1 That planning permission is GRANTED subject to conditions.

11. Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the application form dated 08/08/2023 and the following approved plans:

EXISTING PLANS, ELEVATIONS, SECTION & LOCATION PLAN – Dwg. No. 0122 S 01 Rev A (As Location Plan only)
PROPOSED PLANS, ELEVATIONS & SECTIONS – Dwg. No. 0122 SK 01 Rev D

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

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

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

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

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

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

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

6. The proposed windows shown on the south-east elevation serving Unit 4 and Unit 2 seen on approved plan 'PROPOSED PLANS, ELEVATIONS & SECTIONS – Dwg. No. 0122 SK 01 Rev D' marked on the drawing with '**' shall be obscure glazed, fixed shut and retained as such in perpetuity.

Reason: In the interest of neighbouring amenity.

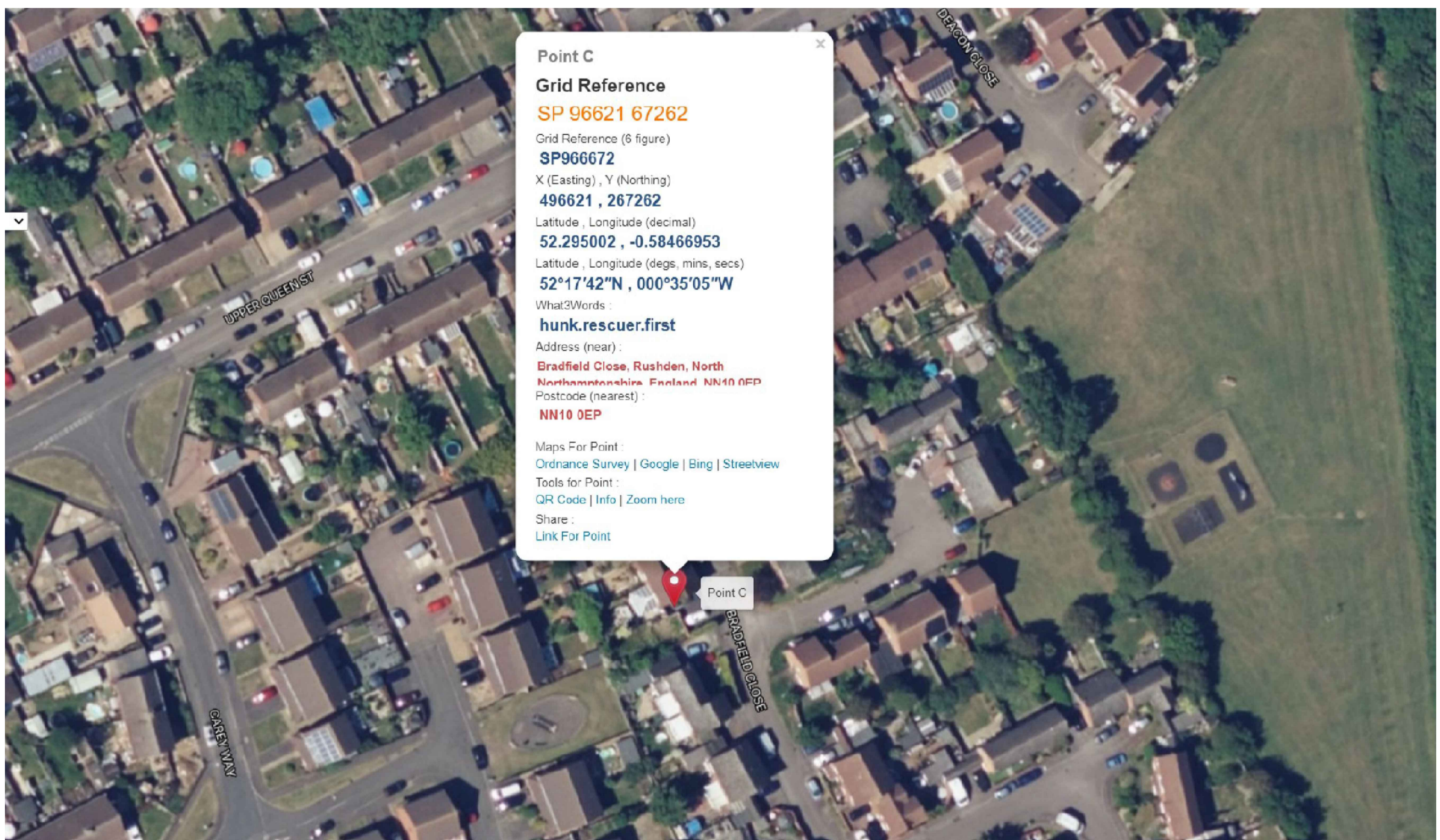
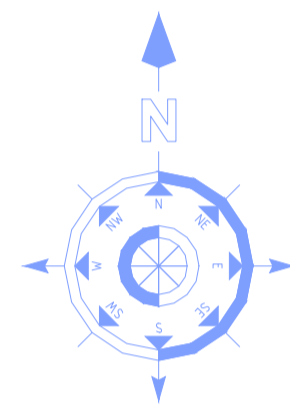
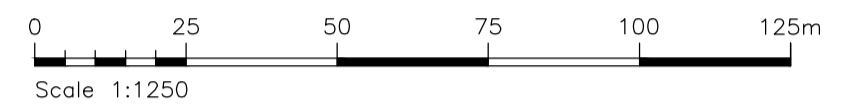
This page is intentionally left blank



SITE PLAN 1/500



LOCATION PLAN 1/1250



AERIAL VIEW

REVISION-B-2022.10.11-Location plan revised-KM
 REVISION-A-2022.10.10-Location plan revised-KM

SITE AND LOCATION PLANS

designer technologist 3d specialist specifier Project

27 Bradfield Close
Rushden, NN10

Proposed Dwelling and Associated Works at 27 Bradfield Close, Rushden, NN10 0PE.

Client **Hassan Ali**

Designed and drawn by

KUMBIRAI
MBOFANA

E: kumbie_72@yahoo.com
 M: +447877476202



ISSUE STATUS

PLANNING

Prop Ref	Project No	Job No	Checked	Date	Dwg No	Rev.
27BCR	27BCR	TBC	H.Ali	02.10.22	BCR-01	B

Drawn **K.Mbofana** Date **02.10.22** Scale as shown @ A2

This page is intentionally left blank

**North Northamptonshire Area Planning Committee
(Thrapston)
29 March 2023**

Application Reference	NE/22/01273/FUL
Case Officer	Patrick Reid
Location	27 Bradfield Close, Rushden, NN10 0EP
Development	Proposed detached dwelling and associated works.
Applicant	Mr Hassan Ali
Agent	Mr Kumbirai Mbofana
Ward	Rushden South
Overall Expiry Date	06 December 2022
Agreed Extension of Time	05 April 2023

List of Appendices

Appendix - Copy of Appeal Decision from the site dated 17.05.2018 ref. 3194974.

Scheme of Delegation

The application is brought before the Area Planning Management Committee because Rushden Town Council have objected to the application and the officer recommendation is for approval.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The application proposes a two-storey detached dwelling as well as the associated land including a parking area and outside amenity space. It would

be created through the use of space associated with no. 27. The space of no. 27 would be used, reducing the space available to it. The proposed shows the removal of a garage to the side of no. 27, however, from the site visit it is apparent that has already happened.

- 2.2 The proposed dwelling would be rectangular in footprint and would be set back from the road. It would have a pitched roof and is designed to have its principal elevation facing the road, with two windows either side and at first floor level. The brickwork and roof tiles proposed are to match those of the adjacent dwellings.
- 2.3 Externally, a single parking space would be created to the front of the new house. The space would measure around 5.4m in width and 7m in depth. There also would be space for three bins and a gap to allow pedestrian access to the side of the house leading to the garden. At the rear, the gap from the rear elevation to the rear fence would be around 5.4m. The boundary between the new dwelling and no. 27 would be defined by a 1.8m tall close boarded fence to separate the two rear gardens.
- 2.4 Internally, the dwelling would include living space at ground floor including a lounge, dining area and separate kitchen and w.c. At first floor there would be a bedroom, bathroom and study.

3. Site Description

- 3.1 The application site comprises land associated with no. 27 Bradfield Close, a semi-detached two-storey dwelling. The site is positioned in a residential area. The character of the properties is broadly similar albeit they vary in their design. The site is positioned on the western side of the cul-de-sac, with no. 27 to the north and 25 to the south. To the rear of the site are properties off Allen Road. The rear garden of no. 27 backs onto the rear garden of that of no. 127 Allen Road and a public play area.
- 3.2 The application site includes hedging and vegetation positioned between the two houses either side, numbers 25 and 29. No. 27 is set further forward, closer to the road than no. 25. The site is associated in planning terms with no. 27 Bradfield Close. From the site visit however, the site appears to have been physically separated from the garden/land of no. 27 by fencing.
- 3.3 Planning permission was granted for a house on the site via a combination of the outline and reserved matters consents ref. 17/01378/OUT and 19/01423/REM. The application site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA).

4. Relevant Planning History

- 4.1 NE/22/01221/REM – Approval of reserved matter pursuant to 17/01378/OUT. Outline Planning Application for the demolition of the existing garage and erection of a one bedroomed dwelling. The application was submitted in outline form with all matters except access reserved for

later consideration. The decision was taken to appeal after it had previously been refused and was later overturned by the Independent Inspectorate. Appearance, Landscaping, Layout, Scale – Withdrawn – 27.09.2022

4.2 19/01423/REM - Reserved matters: Appearance, Landscaping, Layout, Scale pursuant to 17/01378/OUT: demolition of the existing garage and erection of a one bedroomed dwelling – Approved 27.11.2019

4.3 17/01378/OUT – Outline Planning Application for the demolition of the existing garage and erection of a one bedroomed dwelling. – Refused 18.12.2017 – Appeal Allowed 17.05.2018

Extract of Inspector comments: *“Consequently, I cannot consider that this outline proposal would appear cramped and instead it would harmonise well with the character of the area. As such it would comply with part d) of Policy 8 of the North Northamptonshire Joint Core Strategy which seeks to ensure development responds to local character. It would also accord with Policy EN1 of the Rushden Neighbourhood Plan which says that development should respect the prevailing density and pattern of surrounding development, albeit this Plan is still to be adopted and so its policies carry limited weight.”*

5. Consultation Responses

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

5.1 Rushden Town Council

Comments summarised as follows:

- It does not represent good design as sought by paragraph 134 of the NPPF;
- The study could be used as a bedroom, and in this circumstance the bedroom would not meet the National Space Standards and neither would the overall floorspace;
- It is also recognised that the Council's Householder Extensions Supplementary Planning Document stipulates at paragraph 3.11 that “(unless properties are already in closer proximity), any new windows at first floor level or above should respect the ‘back to back’ distance of at least 21 metres between rear facing windows which has become the accepted in the discipline of planning over the years as being sufficient to avoid unacceptable overlooking into the windows of properties to the rear”;
- The rear of the house would be around 17m away from a neighbouring property off Allen Road. The proposal would risk setting a harmful precedent for separation distances in this location, given it would be out of keeping with its surroundings;
- The Council's Householder Extensions SPD also sets out at paragraph 5.2 that it is recommended that the Council will typically seek at least 50sqm of garden space to be retained as a reasonable amount of useable amenity space, and that a typical garden is 10.5m

long (which ties in with the 21m 'back to back' distance for separation standards). The proposal falls below these standards;

- The proposal is also contrary to Policy 8(e) of the Core Strategy & EN1 of the Rushden Neighbourhood Plan which require acceptable levels of residential amenity to be achieved and existing neighbouring amenity to be preserved and the proposal would be overbearing;
- draft Policy EN13 of the Part 2 Local Plan requires development proposal to relate well to and enhance the surrounding environment; achieving well designed amenity space of an adequate size for the property and serve the needs of all end users;
- Conflict with Rushden Neighbourhood Plan Policy EN1 which requires development to preserve existing neighbouring amenity and should not appear overbearing.

5.2 Neighbours / Responses to Publicity

One representation has been received which raised the following concerns:

- Concern that the plot/application site is associated with no. 27;
- A garage proposed to be demolished was done so prior to April 2019.

5.3 Local Highway Authority (LHA)

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

- The applicant must provide the necessary 2 metres x 2 metres pedestrian visibility splays required on both sides of the access. These splays must be contained fully within the applicant's site and not include any public highway land, or any other third party owned land. The splays shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.
- The applicant is required to provide the correctly dimensioned parking spaces; parking spaces will need to measure 3 metres x 5.5 metres, in line with the detail contained within the NNC Adopted Parking Standards. When a single driveway is between structures it must be widened to be 3.3 metres. This is consistent with internal width dimensions required for a single garage. This allows for the opening of doors and room to walk around vehicles.
- Tandem parking scenarios should be minimised, and there should be no tandem car parking in blocks of three. Tandem parking scenarios often lead to an increase in on street parking.
- A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.
- The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land.

5.4 Environmental Protection

We have no objection to the proposal but suggest the conditions are included in any permissions granted (conditions relating to construction hours and preventing burning).

5.5 Natural England

Designated sites [European] no objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (European sites).

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 – Presumption in Favour of Sustainable Development
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 11 - The Network of Urban and Rural Areas
Policy 28 - Housing Requirements
Policy 29 - Distribution of new homes
Policy 30 - Housing Mix and Tenure

6.4 Rushden Neighbourhood Plan (made 2018)

Policy H1 – Settlement Boundary
Policy H2 – Location of new housing development
Policy H4 – Market housing type and mix
Policy EN1 – Design in development
Policy EN2 – Landscaping in development
Policy T1 – Development generating a transport impact

6.5 Emerging East Northamptonshire Local Plan (LPP2) (submission version March 2021)

EN1: Spatial development strategy
EN2: Settlement boundary criteria – urban areas

EN10: Enhancement and provision of open space
EN12: Health and wellbeing
EN12: Design of Buildings/Extensions
EN13: Designated Heritage Assets
EN29: Delivering wheelchair accessible housing
EN30: Housing mix and tenure to meet local need
EN31: Older people's housing provision
EN32: Self and custom build housing

6.6 Other Relevant Documents

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

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

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Environmental Matters
- Flood Risk and Drainage
- Ecology
- Waste Management

7.1 Principle of Development

7.1.1 The application site is located within Rushden which is identified in the JCS as a 'Growth Town', the highest category of settlement in the plan's hierarchy. For Rushden, new dwellings are considered acceptable in principle. The site is within a residential area and the provision of a new dwelling is compliant with policies 11, 28 and 29 in respect of the principle.

7.2 Visual Impact

7.2.1 A key consideration is the recent appeal decision 3194974 that related to an application seeking outline permission with all matters reserved save for access, for a dwelling on the site. The appeal was allowed on 17 May 2018 (appendix 1) and was made under the same local planning policy context as currently albeit the Part 2 Local Plan has progressed closer to adoption since. The NPPF was under an earlier version at that time, but the changes under the current 2021 version do not materially affect the policy context. The Inspector's decision was made under a policy context that was fundamentally the same as currently. The physical context has also not materially changed.

7.2.2 The appealed application had been refused for two reasons: firstly, impact on the local character and secondly, impact on neighbouring amenities. The Inspector considered both matters and found them to be acceptable in planning terms. The Inspector's comment at paragraph 6 is considered relevant to the proposal:

'Consequently, I cannot consider that this outline proposal would appear cramped and instead it would harmonise well with the character of the area.'

7.2.3 Subsequent to the outline planning permission, Reserved Matters were approved under 19/01423/REM in November 2019. The appearance, landscaping, layout and scale were approved resulting in a permission that could have been implemented. The Reserved Matters including condition 1 which required that the development be begun within two years. There is no indication that the works began and as such the planning permission lapsed.

7.2.4 The dwelling approved under the Reserved Matters in 2019 was near identical to that currently proposed. The approved was in the same location using the same footprint and design as currently, incorporating a bedroom and a study at first floor level. The layout of the site is identical to that approved, including the extent of garden/external amenity space and the parking arrangements shown for the proposed dwelling and no. 27. The approved scheme in 2019 and that currently proposed are materially the same.

7.2.5 The recent planning permissions are material planning considerations and weigh in favour of the current proposal. The development proposed is considered under a planning policy context that is materially the same as then, both in terms of national and local planning policy. The design of the proposed house is nearly identical to that approved and the consideration of the design remains as previously determined.

7.2.6 The siting of the house, its scale and design are considered to be reflective of the locality and take suitable account of the nature of the space available on the site. The house would assimilate suitably into the street scene and it is considered the design is acceptable in planning terms.

7.2.7 The Town Council have objected on the basis of the proposal not being sufficiently well designed in terms of the extent of garden space for the house. This matter is discussed later in the report on the topic of private amenity.

7.3 **Impact on Neighbouring Amenity**

No. 27 Bradfield Close

7.3.1 To the north of the site is no. 27 and the house would be separated from it by the space for the parking of two cars associated with no. 27 and a pedestrian route to the rear of the proposed house. The side elevation of no. 27 does not include any windows and nor does the northern side of the proposed house. The first-floor rear windows of the house may allow some

view of the rear part of the garden of no. 27, but this is an acceptable relationship.

- 7.3.2 The proposed house would not cause a materially harmful impact on the outlook of no. 27. The house would result in some overshadowing of the garden of no. 27 due to it being south of it. However, the garden would still benefit from sufficient daylight and the impact on direct sunlight is not considered harm that would warrant the refusal of the proposed dwelling.
- 7.3.3 The development would remove land associated with no. 27 as a planning unit through its division. The extent of garden/amenity land that would remain with no. 27 is considered proportionate to the size of the dwelling and acceptable.

No. 25 Bradfield Close

- 7.3.4 To the south of the site is no. 25 which has an adjoining garage/store on the northern side which would be close to the side of the proposed house. A first-floor side window serving the bathroom would not cause a loss of privacy of no. 25 in part due to the nature of the use of the room and that there are no windows in the side of 25.. The bedroom windows would also not cause a material loss of privacy.
- 7.3.5 The dwelling would otherwise not cause any unacceptable impact on outlook or the extent of daylight reaching no. 25.

127 Allen Road

- 7.3.6 To the rear/west of the site is no. 127 which has its garden backing onto part of the application site. The property has a timber shed in its garden and a conservatory at the rear of the property. The separation between the first floor of the proposed house and the main rear wall of no. 127 Allen Road is around 19.5 metres when measured off the plans. Plans of no. 127 are not available but it is anticipated the rear facing first floor windows serve bedrooms.
- 7.3.7 The potential for overlooking from the bedroom windows of the proposed dwelling onto the rear windows and garden space of no. 127 needs to take into account the factors of the separation, the nature of the spaces and windows and well as any intervening objects/features, including trees. A further factor is the extent to which the garden and windows of no. 127 benefit from privacy or an extent of overlooking currently.
- 7.3.8 The Town Council (TC) have objected citing concern about the separation distance being less than 21 metres. The Supplementary Planning Document 'Householder Extensions SPD' is cited by the TC. The document provides guidance for householder extensions but nevertheless, the TC make the case it is relevant for the proposed dwelling. Paragraph 3.11 of the document, which is positioned within the section under: 'How an extension fits in with the character of the surroundings', includes the following wording:

'In addition, unless properties are already in closer proximity, any new windows at first floor level or above should respect the 'back to back' distance of at least 21 metres between directly facing rear windows which has become accepted in the discipline of planning over the years as being sufficient to avoid unacceptable overlooking into the windows of properties to the rear. Where properties with directly facing windows are already less than 21 metres apart, a judgement will be made as to whether the extension results in a significantly worse situation in terms of overlooking than that which already exists. Finally, where rear facing windows are at an angle to each other, a shorter distance between dwellings may be possible if the case officer is satisfied that the angle involved reduces the amount of overlooking between them sufficiently to protect the privacy of residents in both properties.'

7.3.9 In assessing the impact on no. 127, the separation is an important factor. A bedroom window to bedroom window separation of around 19.5m at the nearest point is evidently less than the guidance for householder extensions. On the site however, it was apparent that there are mature trees that obscure much of the view to the rear elevation of no. 127. The trees appear well established and there is no indication that the works or other causes would result in the removal of the trees. Therefore, it would be reasonable to expect that the trees will remain and provide a screen, preventing a significant extent of views between the properties. The Agent has advised the trees will remain and be unaffected by the development.

7.3.10 In assessing the impact with no. 127 Allen Road, the separation of 19.5 metres is considered to be sufficient to ensure an acceptable relationship in terms of privacy between the bedroom windows of no. 127 and the bedroom of the proposed house. The guidance of 21m cited in the Householder Extension SPD needs to be considered with an appropriate level of regard. It is guidance rather than an absolute necessity. Additionally, it is intended for householder extensions that this proposal does not represent. The presence of mature trees also provides a significant amount of screening that would limit views between the windows also. There is no indication that the trees will be removed and as such it is reasonable to consider they will remain indefinitely. For these reasons, the relationship between the two properties is considered acceptable.

7.4 Highway Matters

7.4.1 The proposed dwelling would be accessed off Bradfield Close and would have space for a single vehicle to be parked. The development also would involve the rearrangement of the parking space for no. 27, resulting in it having space for two vehicles to be parked to its side. As part of the application, the Local Highway Authority (LHA) have provided comments referring to the standard guidance, including the dimensions for parking spaces.

7.4.2 In terms of the proposed dwelling, it would have one bedroom and one study. The parking standards indicate that for a one-bedroom property, one on-site space should be provided. The first-floor study is relatively small in floorspace at around 6.92 sqm, which is less than the minimum size that the

National Space Standards set out for a bedroom (7.5 sqm). It is considered appropriate that this space not be considered a bedroom for this reason. Therefore, it should only be considered as a space for being a non-bedroom, such as a study or a store. Therefore, the parking provision on the site is considered appropriate.

7.4.3 The adjacent no. 27 currently is served by space for parking to its side, similar to that shown on the proposed plans. The space available allows for two vehicles to be parked. This arrangement is the same as currently exists and the development would not change this.

7.4.4 The proposal would result in a suitable provision of parking for the proposed house and would not materially affect that of no. 27, which would continue to have two spaces. Access onto and off the proposed driveway, whilst requiring a reversing manoeuvre, is considered acceptable in the cul-de-sac location due to the low number of vehicular movements and low speeds.

7.5 **Private Amenity**

7.5.1 Policy 30 of the JCS requires that applications for new dwellings demonstrate the accommodation meets National Space Standards. The floorspace of the house is measured from the plans to be around 71sqm which exceeds the 58sqm minimum. The bedroom also exceeds the minimum space.

7.5.2 The study space is insufficiently large to be a bedroom, but as it is proposed as a study then the proposal is treated as such. The space is acceptable as a space for a study.

7.5.3 Internally, the dwelling will be served by rear ground floor windows to serve the lounge and dining area. These windows will allow light into the space to ensure acceptable levels of daylight. The bedroom, kitchen and study will also benefit from acceptable levels of daylight and outlook.

7.5.4 Externally, the dwelling will have a front driveway with space beside the area for parking. To the side and rear the dwelling will have a garden that will be defined from those adjacent by close boarded fencing. Concern has been raised by the Town Council that the garden is insufficient. In considering the size, it is necessary to note the proposal is for a single bedroom dwelling and as such would be occupied by less people than a 2 or 3 bedroom dwelling. The external space to the side gate is around 42sqm, which does then extend along the side also. The space available is considered to provide more than sufficient external amenity space for the one-bedroom dwelling.

7.6 **Environmental Matters**

7.6.1 Environmental Protection have been consulted on the above application and not objected. The suggested conditions relating to construction hours and controls are considered reasonable to limit the impact of a potential future construction.

7.7 Flood Risk and Drainage

7.7.1 As the proposal is minor in nature and within Flood Zone 1, there is no validation requirement for a Flood Risk Assessment. There also is no indication that the development would materially increase the risk of flooding locally or on site. As such, the proposal is acceptable in this regard.

7.8 Ecology

7.8.1 The application site, at the time of the site visit, included some rubble and some overgrown vegetation on the site. It appeared to have been separated by a fence from no. 27 and a hedge on the alternate site marks its general boundary. There was no indication that the site itself provides ecological value of significance.

7.8.2 The site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and the associated SPD notes that new dwellings can cause an impact on the bird populations of the SPA. To mitigate the impact, a financial contribution towards schemes to help the populations was requested and this was received and secured by the associated form. As such, the impact is considered to be adequately mitigated.

7.8.3 The direct on-site and wider SPA impact are considered to be neutral. The previous planning permission found the proposal to be acceptable in ecological terms also. It is considered therefore that the proposal is acceptable in this regard.

7.9 Waste Management

7.9.1 The layout provides sufficient space for the storage of waste and recycling bins to the front of the property. There is sufficient space for presenting bins on collection days.

8. Other Matters

8.1 Neighbour comments: One representation received raised a query primarily relating to the ownership of the site and the connection of the application with no. 27. Whilst the site may have been 'sold' from connection with 27, in planning terms it remains part of its planning unit. The second matter notes that the previous adjoining garage of no. 27 has been demolished as a matter of fact. This does not affect the consideration of the application

8.2 Equality: The application raises no matters of particular equality concern.

8.3 Health Impact Assessment: Paragraph 92 of the NFFP states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims

to be achieved and therefore it is considered acceptable on health impact grounds.

9. Conclusion / Planning Balance

- 9.1 The proposal is near identical that was subject of recently lapsed planning permission 19/01423/REM. There have been no material changes in either the planning policy or physical context of the site that alter the previous consideration of the proposal.
- 9.2 The proposed house is considered to be acceptable in principle, access, the ecological impact, and drainage. The impact on the amenities of nearby properties is considered to be acceptable and the house itself would benefit from acceptable levels of amenity. The proposal is considered to comply with the relevant policies of the development plan.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions.

11. Conditions

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

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

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

- Site and Location Plans ref. BCR-01B;
- Site Layout Plans and Street Views ref. BCR-02A;
- Floor Plans and Elevations as Proposed ref. BCR-03A.

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

3. Prior to the commencement of the development hereby permitted, details of the external finishes/materials of the building, shall be submitted to and approved in writing by the Local Planning Authority and the work shall be undertaken in accordance with the approved scheme and retained in perpetuity thereafter. The details shall include the materials for the external walls, roof, doors and window frames.

Reason: To achieve a satisfactory elevational appearance for the development to comply with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:
- a) proposed finished levels;
 - b) means of enclosure;
 - c) hard surfacing, other hard landscape features and materials, including a means of drainage across the front of the site adjacent the highway;
 - d) existing trees, hedges or other soft features to be retained;
 - e) planting plans, including specifications of species, sizes, planting centres number and percentage mix;

Reason: The landscaping details of this site is required in order ensure the external spaces are appropriately designed to ensure the development assimilates well into Bradfield Close.

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

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

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

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

12. Informatives

1. Conditions 3 and 4 require details to be approved prior to the commencement of development. The Applicant as agreed to these conditions.
2. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.
3. The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure). This should be gigabit capable and where

possible, full fibre broadband connectivity. Early agreement with a telecoms provider is key to being able to enhance your asset. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations. Proposals should be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R.

Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach Developer Portal (openreach.co.uk)

Virgin Media <http://www.virginmedia.com/lightning/network-expansion/property-developers>

Gigaclear networkbuildcare@gigaclear.com (rural areas and some market towns)

OFNL (GTC) <http://www.ofnl.co.uk/developers>

CityFibre <http://cityfibre.com/property-developers>

Details of other fibre network providers operating locally can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>.

For help and advice on broadband connectivity in North Northamptonshire please email bigidea.ncc@northnorthants.gov.uk



Appeal Decision

Site visit made on 10 May 2018

by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2018

Appeal Ref: APP/G2815/W/18/3194974 27 Bradfield Close, Rushden NN10 0EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Brady against the decision of East Northants District Council.
 - The application Ref 17/01378/OUT, dated 3 July 2017, was refused by notice dated 18 December 2017.
 - The development proposed is demolition of the existing garage and erection of 1 No. one bedroomed dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing garage and erection of 1 No. one bedroomed dwelling at 27 Bradfield Close, Rushden NN10 0EP in accordance with the terms of the application, Ref 17/01378/OUT, dated 3 July 2017, subject to the conditions in the attached Schedule.

Procedural Matter

2. The application was submitted in outline form with all matters except access reserved for later consideration. As such I have determined the appeal on the same basis and so give little weight to the drawings showing the appearance of the dwelling or the layout of the site.

Main Issues

3. The main issues are the effect of the proposal on the character of the area, and on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

4. Bradfield Close is a winding suburban road which includes a number of small cul-de-sacs. The houses are varied in design, but their modest scale, and close proximity to the road and each other, creates a distinctive concentrated character.
5. The appeal site comprises an area to the side of the dwelling at No 27. The plot is narrow in width, but this is not dissimilar to other nearby plots, such as that at No 12. Furthermore, the indicative elevation drawing shows that the dwelling could be very similar in its scale and proportions to the existing house at No 27 and comparable to many other properties in this part of the Close.

6. Consequently, I cannot consider that this outline proposal would appear cramped and instead it would harmonise well with the character of the area. As such it would comply with part d) of Policy 8 of the North Northamptonshire Joint Core Strategy which seeks to ensure development responds to local character. It would also accord with Policy EN1 of the Rushden Neighbourhood Plan which says that development should respect the prevailing density and pattern of surrounding development, albeit this Plan is still to be adopted and so its policies carry limited weight.

Living conditions

7. The Council's decision refers to an adverse impact on neighbouring amenity. The Council do not identify any specific impacts on neighbouring occupiers, but a local councillor states that the loss of the existing garage would impact on the amenity of the existing occupiers. The plans show the retention of two parking spaces at No. 27, which the Council consider to be sufficient, and I have no reason to come to a different view. Moreover, these two spaces would be in tandem fashion and this is common to many of the neighbouring houses. Indeed, residents managing their own tandem parking is often part of living in such a densely developed area.
8. Furthermore, the officer's report advises that precise impacts on surrounding properties would need to be assessed at the reserved matters stage, and I agree with that view. As such, I cannot conclude that the development would harm the living conditions of neighbouring occupiers and therefore the proposal would not conflict with part e) i. of Policy 8 which seeks to protect the amenity of neighbouring properties.

Other matters

9. The Council consider one parking space to serve the proposed dwelling to be sufficient. In light of the likely modest size of the dwelling and its urban setting, I have no reason to disagree. I accept on-street parking in front of the site and No 27 would restrict the flow of traffic on the road. However if cars were to park on the road, most vehicles could still get past, and as there are few houses beyond the site on this road, I consider the effect on the free flow of traffic would be minimal.
10. A car parked on the site in the position shown on the plans would have sufficient visibility along the pavement to either side even if the thick hedge on the western boundary were retained. Suitable visibility splays can be ensured by a planning condition.
11. The indicative plans do not show how access to the rear garden would be achieved. However, this is a matter that could be addressed at the reserved matters stage, as well as provision for bin storage.
12. There is a suggestion that there is a sewer under the site. If this is the case, it would require discussion with the relevant body, but it does not prevent me from granting planning permission.

Conditions

13. I have considered the Council's suggested conditions against the advice in the Planning Practice Guidance (PPG) and the National Planning Policy Framework. In accordance with that advice I have imposed the standard conditions relating

to the submission of reserved matters and a condition specifying the relevant plans in order to provide certainty.

14. Conditions to ensure the satisfactory drainage of the site, and to ensure visibility splays are retained in the interests of highway safety, are included.
15. I have not included the suggested conditions relating to finished floor levels, external finishes, screen walls or fences as such details can be assessed as part of the consideration of the reserved matters. Also the PPG advises that it is rarely necessary to withdraw permitted development rights, and I have no reason to consider there are exceptional circumstances in this case.
16. Some conditions require compliance prior to the commencement of development so that the effects of the proposal are properly mitigated in order to make it acceptable.

Conclusion

17. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

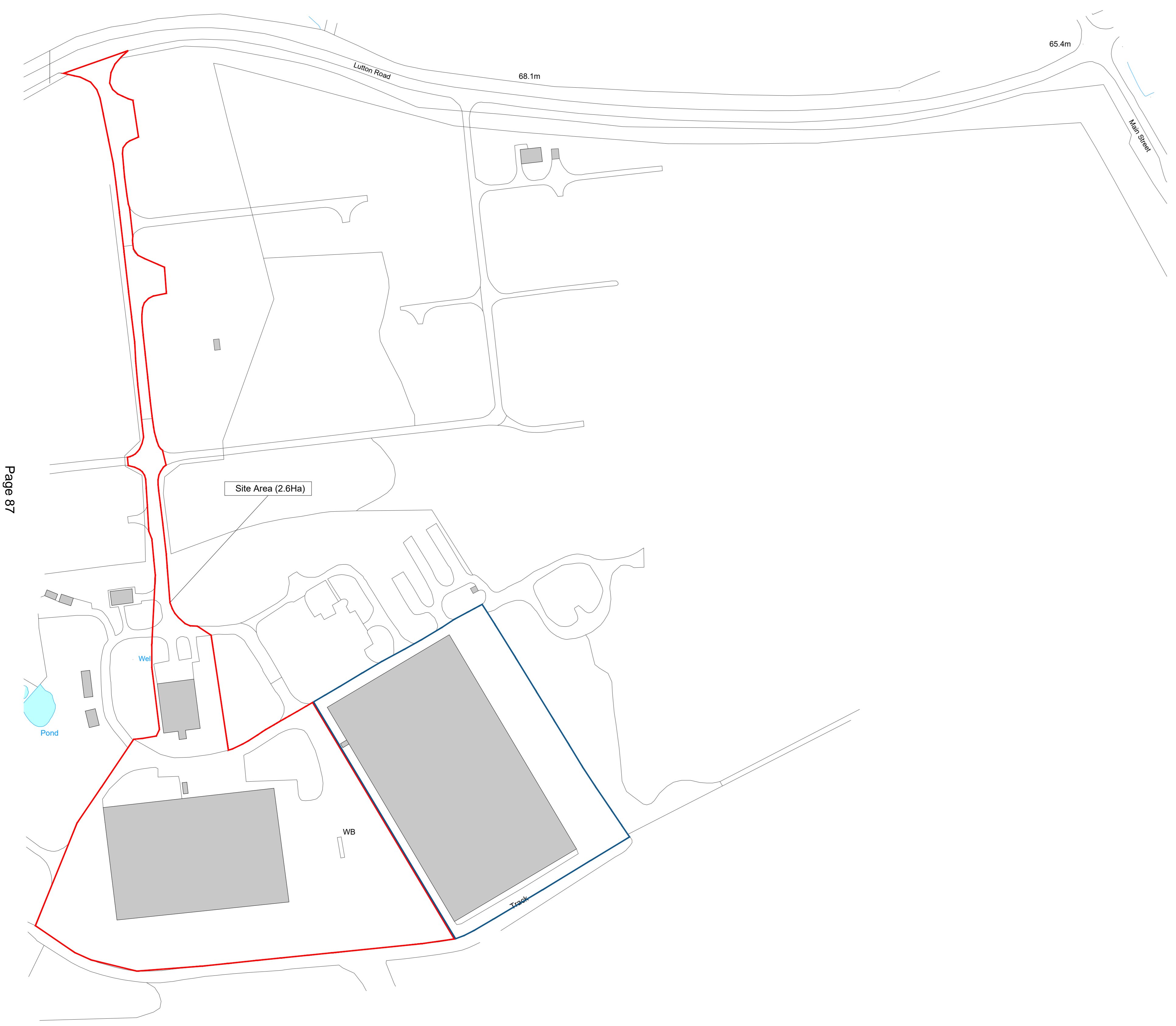
INSPECTOR

SCHEDULE OF CONDITIONS

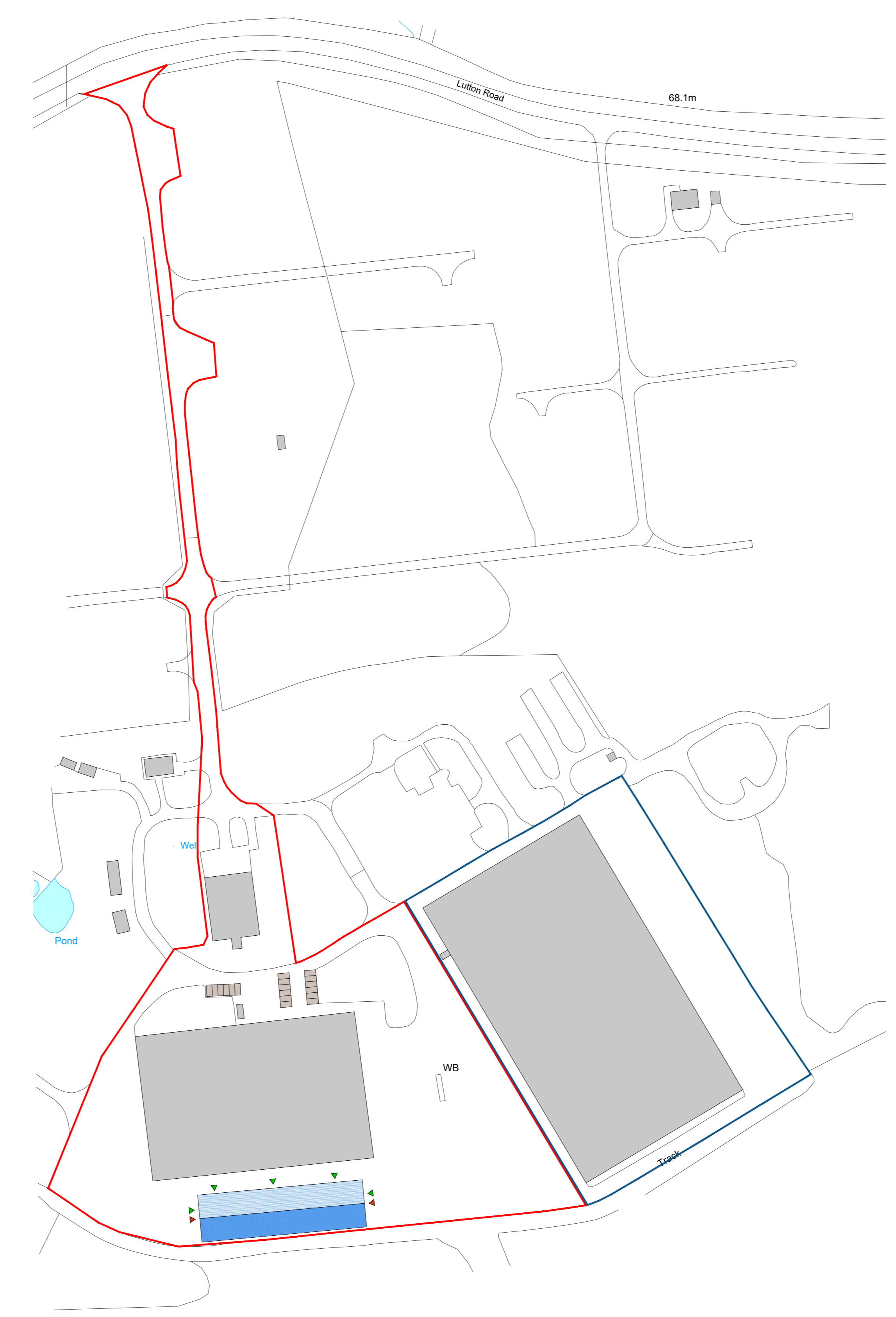
1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
4. The access to the development hereby permitted shall be carried out in accordance with the following approved plans: 17-057-01, 17-057-02B and 17-057-03A.
5. Prior to the commencement of development a detailed drainage plan, including details of foul and surface water collection and disposal methods and any water saving measures to be employed, shall be submitted to and approved in writing by the local planning authority.
6. From a point at the centre of the access to the site and 2 metres back from the nearside edge of the adjoining carriageway, visibility splays of 2 metres to either side shall be provided. No shrubs, trees or other vegetation shall be allowed to grow above 0.6 metres in height, and no structure or erection exceeding 0.6 metres in height shall be placed, within the visibility splays.

©TRIANGLE ARCHITECTS LIMITED
 THIS DRAWING IS THE SUBJECT OF COPYRIGHT WHICH RESTS IN TRIANGLE ARCHITECTS LIMITED. IT IS AN UNLAWFUL ACT TO REPRODUCE THIS DRAWING BY WHATEVER MEANS INCLUDING ELECTRONIC, WITHOUT THE EXPRESS WRITTEN CONSENT OF TRIANGLE ARCHITECTS LIMITED, WHICH IS RESERVED ALL ITS RIGHTS.
 TRIANGLE ARCHITECTS LIMITED ASSUMES ITS RIGHTS TO BE IDENTIFIED AS THE AUTHOR OF THIS DRAWING.
 DO NOT SCALE PLANS FOR CONSTRUCTION.
 THE CONTRACTOR IS RESPONSIBLE FOR CHECKING DIMENSIONS, TOLERANCES & REFERENCES.
 ANY DISCREPANCY TO BE VERIFIED WITH THE ARCHITECT BEFORE PROCEEDING WITH THE WORKS.
 REPORT ERRORS & OMISSIONS TO ARCHITECT.
 WHERE AN ITEM IS COVERED BY DRAWINGS OF DIFFERENT SCALES, THE DIMENSIONS SHOWN ON THE DRAWING TO BE WORKED TO DO NOT SCALE FROM THE DRAWING. DIMENSIONS ON SITE TO BE WORKED TO ALL CASES.
 CHECK ALL DIMENSIONS ON SITE.
 DRAWING TO BE READ IN CONJUNCTION WITH THE HEALTH & SAFETY PLAN AND ALL RELEVANT RISK ASSESSMENTS AND THE FOLLOWING DRAWINGS.

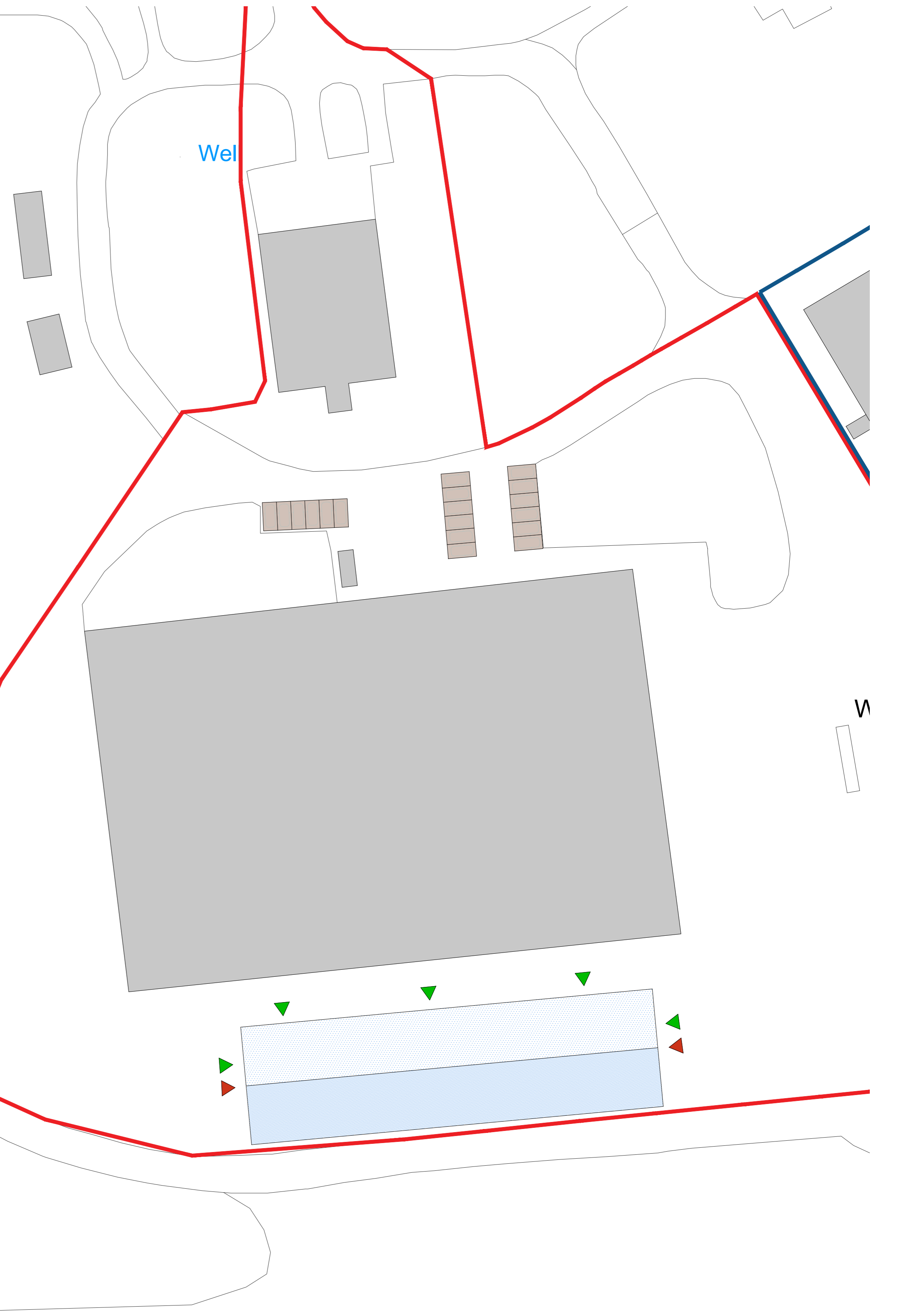
LOCATION PLAN 1:1250



PROPOSED SITE PLAN 1:1250



PROPOSED SITE PLAN 1:500



Page 87

- Key
- Site Boundary
 - Land Owned by Applicant
 - Existing Buildings
 - Existing Car Parking Spaces (18)
 - ▲ Single Pedestrian Door
 - ▲ Electric Roller Shutter Door
 - Proposed Building

PO2	201922	KG	Updated Site Boundary
PO1	091922	KG	First Issue
Rev	Date	By	Remarks

Client: Airfield Warehousing LTD

Project Name: Airfield Warehousing Peterborough

Drawing Name: Site Location Plan / Proposed Site Plan

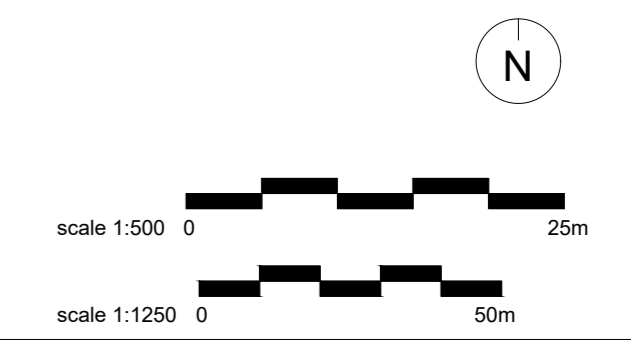
Drawing Purpose: PLANNING

Project Number:	Drawing Number:
22-031	3001

Project	Origin	Version	Level	Type	Role	Number	Revision
AIK	TRI	ZZ	00	DR	A	3001	PO2

Status:	Scale: A0	Drawn:	Checked:	Date:
1:1250	KG	HR		SEP 22

TRIANGLE ARCHITECTS
 Raven House, 113 Fairfield Road, Manchester, M12 6BJ
 Tel: 0161 272 3500
 E-mail: info@trianglearchitects.co.uk
 Web: www.trianglearchitects.co.uk
 Twitter: @TriangleArch



Agenda Item 8

This page is intentionally left blank

**North Northamptonshire Area Planning Committee
(Thrapston)
29 March 2023**

Application Reference	22/01407/FUL
Case Officer	Peter Baish
Location	Polebrook Airfield, Lutton Road, Polebrook
Development	Erection of an industrial storage building anchored to existing hardstanding
Applicant	Airfield Warehousing Ltd - Karen Munton
Agent	Mosaic Town Planning - Andrew Jalali
Ward	Thrapston Ward
Overall Expiry Date	08 February 2023
Agreed Extension of Time	20 February 2023

1. Recommendation

- 1.1 That Planning Permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 Planning permission is sought for the erection of a warehouse building for the purposes of storage for the commercial, retail and agricultural sectors at Polebrook Airfield adjacent to an existing warehouse building. The building would be located on an area of existing hardstanding (currently used for outdoor storage) and would be used to securely store goods under shelter.
- 2.2 The warehouse building would measure 70 metres in length by 20 metres in width. In terms of height the building would measure 5.2 metres to the eaves and 8.5 metres to the ridge.
- 2.3 In terms of materials the extension would be constructed from 40mm composite steel walls with a twin layer insulated PVC roof.

3. Site Description

- 3.1 The site is located on a portion of a former WWII airfield, approximately 2km east of the settlement boundary of Polebrook and 1.8km south-west of the settlement boundary of Lutton. The site is not located within the Conservation Area and in terms of flood risk, the site is identified as being located within Flood Zone 1 and not at risk of flooding.
- 3.2 The site is a 2.6ha plot of land containing: existing buildings including a large warehouse occupying approximately 0.58ha and one other smaller building; areas of hardstanding used for storage, parking and access; limited areas of grass cover separating vehicle access routes; and an access road connecting the facilities to Lutton Road.
- 3.3 The site is surrounded by open countryside in all directions and is bordered by a mixture of mature trees and hedgerows to the north that hide the site from the public road (Lutton Road), whilst to the south agricultural land continues towards the village of Hemington.

4. Relevant Planning History

- 4.1 None Relevant

5. Consultation Responses

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

5.1 Polebrook Parish Council

Comments received 13.12.2022

The Parish Council in principle do not object to the actual planning application for the addition of industrial storage space anchored to an existing building, however the Parish Council are strong in their opinion regarding HGV traffic emanating from the site and request that the following is taken in to consideration when this application is reviewed:

- Signage on the entrance to the site to be improved/upgraded alerting HGV traffic they MUST NOT turn left and must only turn right out of the site, this is to alleviate HGV traffic through Polebrook village. It is noted this HGV traffic is still ignoring the current signage and only last week an HGV was observed in the village, this is unacceptable;
- Concerns regarding HGV traffic not only relate to the village school which is located in the Main Street, but in the village generally, though the school is of the biggest concern. The Parish Council would ask a weight restriction and other traffic calming measures are imposed in the village particularly within the vicinity of the school.

The Parish Council request these points are considered by the Planning Department when determining any application.

Officer Response:

- *This site has been used for HGV access in excess of the last 40 years*
- *There is no anticipated increase in traffic volumes as a result of the proposed development from that existing. The proposed area for the building is already being used for outside storage, and so it is essentially just providing cover for existing activity.*
- *The existing signage installed by the applicant informs drivers to turn right out of the site to the dedicated lorry route and away from Polebrook village.*
- *The applicant is not in control of drivers once they leave site. Without a legal restriction in place, there is nothing stopping drivers from disobeying these instructions. Additional signage would not change this position and would not deter any driver that intends to disobey the advised routes.*
- *There are some lorry movements in the area that originate from other local businesses. It is not the role of the applicant to control or manage these lorry movements, nor is it the responsibility of this new development for a storage building to resolve existing and unrelated highways issues.*

5.2 Highway Authority

Comments received 09.12.2022:

The LHA can confirm no objections to this application as the proposal does not demonstrate any intensification, however please note the following observations;

- The access appears to be substandard with regards to; its width, as commercial accesses serving HGV's need to be a minimum of 7.3 metres for the length of the longest vehicle to use the site, from the highway boundary.
- The applicant will be required to demonstrate the necessary vehicular visibility splays of 2.4 metres x 215 metres (for a 60mph road) on both sides of the access. These splays must not contain any other third party owned land and shall be permanently retained and kept free of all obstacles to visibility over 0.6 metres in height above access / footway level.
- The proposed development site is situated in a remote, unsustainable location in respect of transport; all journeys to and from the site will need to be made by private motor vehicle, there are no public transport services serving the site

Officer Comment:

The LHA observations are noted but have no bearing on the determination of this planning application due to the existing situation and the fact that the proposal is not resulting in an intensification of the existing use.

5.3 North Northants Waste

Comments received 21.11.2022:

No Comments or Objections

5.4 North Northants Environmental Protection

Comments received 05.12.2022:

The site was used during WWII as a heavy bomber base and afterwards by the RAF for storage, and as a missile site. From my sources, and that readily available on the internet, the location of new building is situated where the old hangers were placed. I have been unable to find where the old bomb store was but would expect it to be located some distance from the main buildings. The fuel stores were situated well to the east and west of the proposed building. With any development on former military site there is always the potential risk from contamination and unexploded ordnance.

The building will be anchored to the existing concrete slab. From the Design and Access Statement 'it will be attached to the existing hardstanding, meaning that no intrusive groundworks, drainage or foundations are required for the erection of this storage building'. Given that no new contaminant pathway will be introduced there is no additional risks from contamination. Furthermore, as no excavations or penetrations will be made into the underlying strata there is no risk of encountering unexploded ordnance. As such no ground investigation will be required. However, it would be prudent to place the following condition on the planning permission with respect to unexpected ground conditions.

Unexpected contamination

If, during development, contamination (including unexploded ordnance) is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5.5 Environment Agency

Comments received 23.11.2022:

No comments to make

5.6 North Northants Ecology

Comments received 14.12.2022:

No comments to make

5.7 Naturespace

Comments received 14.12.2022:

I am satisfied that if this development was to be approved, it is unlikely to cause an impact on great crested newts and/or their habitats.

It would be unreasonable to require the applicant to submit a survey because this could be considered disproportionate to the scale and the likely impacts of the development. However, the application site lies within a red impact zone as per the modelled district licence impact map, which indicates that there is highly suitable habitat for GCN within the area surrounding the application site. Therefore, I recommend the use of the following informative:

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

5.8 North Northants Police Liaison Officer

Comments received 23.11.2022:

In relation to designing out crime I have studied the submitted documentation and in adherence to national and local planning policy whilst being commensurate with risk I make the following comments.

Northamptonshire Police have no objection or concerns with this application as proposed. All crime prevention related measures quoted within the original submitted documentation, should be implemented as agreed.

If the scheme is revised due to other consultees concerns I ask to be re-consulted to reassess any further designing out crime implications.

5.9 Campaign for Dark Skies

Comments received 21.11.2022:

CFDS notes from Section 6.22, Planning and Design Access Statement dated November 2022 that there is no proposal to install interior or exterior lighting to this new unit as part of this application.

As a result, CFDS is happy with the proposal.

Should interior (due to the translucent roof) or exterior lighting be proposed in the future then CFDS would expect the proposed scheme to meet National and Local Planning Guidance on the control of Light Pollution and that a full design is submitted to Planning for consideration.

5.10 North Northants Fire and Rescue

Comments received 21.11.2022:

No comments to make

5.11 Neighbours / Responses to Publicity

Five representations have been received stating the following concerns:

- Volume of HGVs coming through the village
- HGVs are a road and pedestrian safety issue in the village
- Stop HGVs in the village

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy and Guidance

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

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

Policy 1 - Presumption in Favour of Sustainable Development

Policy 3 – Landscape Character

Policy 4 - Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

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

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings

Policy 22 – Delivering Economic Prosperity

Policy 23 – Distribution of New Jobs
Policy 25 – Rural Economic Development and Diversification

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

Policy EN1 – Spatial Development Strategy
Policy EN13 – Design of Buildings/Extensions
Policy EN18 – Commercial Space to Support Economic Growth

6.5 Other Documents

Northamptonshire County Council – Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council – Local Highway Authority Parking Standards
Joint Planning Unit – Design Supplementary Planning Document (March 2009)
Biodiversity Supplementary Planning Document (February 2016)

7. Evaluation

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

- Principle of Development
- Design and visual impact
- Impact on neighbouring amenity
- The effect on highway safety and parking
- Flood Risk
- Ecology

7.1 Principle of Development

7.1.1 The proposed development site is located within the Polebrook Airfield, an established employment site. The new building would be ancillary to existing operations on site and will allow the business to grow by addressing changing demands from its customers in line with the guidance contained within policies 22 (Delivering Economic Prosperity) and 25 (Rural Economic Development and Diversification) of the North Northants Joint Core Strategy (2016) which encourage the enhancement of existing employment sites and the regeneration of previously developed land.

7.1.2 The proposed development would utilise previously developed land, making efficient use of existing employment land whilst limiting the impact of on-site operations and the surrounding area. Emerging Policies in the East Northamptonshire Local Plan Part 2 continue this policy approach. Draft Policy EN19 allocates Polebrook Airfield as an existing rural employment area that should be safeguarded for employment use.

- 7.1.3 The proposed storage building would allow the business to operate more efficiently, providing more sheltered, secure space for storage of its customers' goods. As the area is currently used for external storage, the changes would not impact on existing site operations and would instead improve efficiencies.
- 7.1.4 The proposal is supported by the National Planning Policy Framework which sets out that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The principle of development in this location is therefore considered acceptable subject to material planning considerations as assessed below.

7.2 Design and Visual Impact

- 7.2.1 The NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy 2016 expect developments to be designed sympathetically and in keeping in their surroundings, in terms of the detailed design and landscaping.
- 7.2.2 The proposed building would not be highly visible from any public viewpoints given its location to the rear of an existing large commercial property. By siting it adjacent to the main warehousing unit to the north, it ensures maximum efficiency of movement within the site and allows for continued and safe use of existing access routes.
- 7.2.3 The proposal is to construct a warehouse storage building measuring 70 metres in length by 20 metres in width. In terms of height the building would measure 5.2 metres to the eaves and 8.5 metres to the ridge. The building will be constructed from a dull aluminium frame with galvanised steel connections and a white/translucent PVC single skin roof. The translucent roof allows the transmission of natural light and helps to retain heat, reducing the need for electrical lighting or heating during daylight hours.
- 7.2.4 The design has been chosen such that the proposed building reflects the industrial nature of the surrounding buildings and their materials. Its scale and massing and proximity to existing large structures will limit its impact on the surrounding natural landscape. It is therefore considered that the proposal would not have a significant detrimental impact upon the existing street scene by virtue of its location, design and appearance which is considered to complement the host building and not harm the general character of the area in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

7.3 Residential Amenity

- 7.3.1 The NPPF and Policy 8 of the Joint Core Strategy (2016) seek to protect amenity of neighbouring users. The policy also seeks to ensure residential amenity is not harmed as a result of development; the NPPF within the core principles states that planning should *"always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
- 7.3.2 Given the location of the site and the complementary nature of the works, it is unlikely the proposal would have any significant impact on neighbouring

amenity due to its location within the open countryside. The closest dwellings are located over 600 metres away to the north (Bluestone Cottages) and it is considered that the proposal will have no significant impact upon their amenity.

- 7.3.3 The Council's Environmental Protection Team has not raised any concerns with regards to noise and the building would be used to support the existing operations occurring on site. Therefore this does not raise any concerns. They have however, due to the history of the site, requested that a condition be included that if, during development, contamination (including unexploded ordnance) is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority.
- 7.3.4 Overall, the relationship with the neighbouring properties is considered to be acceptable, accordingly the proposal is considered to have no significant detrimental impact upon neighbouring amenity and is therefore in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

7.4 Highway Safety and Parking

- 7.4.1 Under this application the existing access arrangements and the on-site manoeuvring space remain unchanged.
- 7.4.2 The Parish Council and a number of residents have submitted concerns in regard to highway safety, mainly focusing on the fact that HGVs appear to drive through the village of Polebrook. It should be noted at this point that the Local Planning Authority have no evidence to suggest the number of HGVs passing through the village and whether these HGVs are in fact accessing the site. The road the runs through the village is a public highway that is accessible by all vehicles.
- 7.4.3 It is however considered that it is likely that there may be some HGVs that travel through the village despite existing instruction and signage to inform HGV drivers not to drive through the village. The applicant is not in control of drivers once they leave site. Without a legal restriction in place, there is nothing stopping drivers from disobeying these instructions.
- 7.4.4 The site has been used for HGV access for in excess of 40 years and due to the fact that the proposal is to simply cover an area of existing outdoor storage into indoor storage, there is no anticipated increase in traffic volumes as a result of the proposed development.
- 7.4.5 The Local Highway Authority confirm no objections to this application as the proposal does not demonstrate any intensification. They do make some observations in terms of access width and visibility however this is irrelevant to the determination of this application as there is no proposed change to the existing operations on site. There will be no increase in vehicle numbers and no intensification to the existing access arrangements. The Local Highway Authority acknowledge this by confirming no objections to the scheme.

7.4.6 The Parish Council and local residents concerns are noted and it is suggested that if HGV movements are severely affecting the village then data on vehicle movements should gathered and presented to the relevant department at the Local Highway Authority to escalate the issue with the view to enforceable HGV control in the village (such as a weight limit). This falls outside of the realms of planning and is not considered as part of this planning application.

7.5 Flooding

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

7.6 Ecology

7.6.1 Policy 4 of the North Northamptonshire Joint Core Strategy 2016 requires all development to safeguard existing biodiversity. The proposal would have a neutral impact upon biodiversity, therefore the proposal is considered to be in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

8. Other Matters

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

9. Conclusion / Planning Balance

9.1 In this instance the proposed erection of a warehouse building for the purposes of storage is not considered to cause significant harm that would outweigh the economic, social and environmental benefits of the proposal, therefore given the current policy position, the proposed development is considered to be compliant with relevant national and local planning policy as:

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

10. Recommendation

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

11. Conditions

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

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

2. The development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority on 7th November 2022:

- Location Plan – 22-031 - 3000
- Proposed Site Plan – 22-031 - 3001
- Proposed Warehouse Plan & Elevations – 22-031 - 3002

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

3. The development hereby permitted shall be constructed in accordance with the materials as specified within the Application Form submitted as part of this application for planning permission (received 07.11.2022) unless submitted to and agreed otherwise in writing by the Local Planning Authority

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

4. If, during development, contamination (including unexploded ordnance) is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2014, (or any order revoking and re-enacting that Order with or without modification), the building hereby permitted shall be used for the following uses:

- Storage of commercial, retail and agricultural goods associated with Airfield Warehousing Ltd.

The building shall not be used for any other purpose outside of the permitted uses listed above, including any other use within the same use class (B8).

Reason: In the interests of residential amenity, highway safety and because this application has been considered on the basis of the information submitted by the applicant for the current building uses and not for any other.

12. **Informatives**

1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.



Promap
LANDMARK INFORMATION

Ordnance Survey Crown Copyright 2022. All rights reserved.
Licence number 100022432.
Plotted Scale - 1:1250. Paper Size - A4

This page is intentionally left blank

**North Northamptonshire Area Planning Committee
(Thrapston)
29 March 2023**

Application Reference	NE/22/01472/FUL
Case Officer	Jennifer Wallis
Location	1 Hunter Rise, Brigstock
Development	Two storey dwelling with single storey granny annexe
Applicant	Mr Gary Prodger
Agent	N/A
Ward	Thrapston Ward
Overall Expiry Date	19 January 2023
Agreed Extension of Time	24 February 2023

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation as the proposal has received more than 5 neighbour objections.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 Planning permission is sought for the erection of a detached two-storey dwelling with single storey granny annexe and detached triple garage.
- 2.2 Planning permission has previously been granted on the site (17/02567/FUL) for a two-storey detached dwelling with a detached triple garage/store to the eastern side of the site. This also included a self-contained annex linked to the north-western corner of the dwelling to provide accommodation for an elderly family member. This application is broadly similar but seeks to slightly amend the design of the previous approval. It is noted application ref 17/02576/FUL has now expired

- 2.3 The dwelling would have a rough 'U' shaped footprint with the annex forming a single storey projecting rear wing. The dwelling would have four bedrooms with a linked annex providing a further bedroom. The detached garage would be located on the eastern boundary and the dwelling will be accessed via a 'floating' driveway which straddles two large ponds.
- 2.4 The dwelling will be a modern design and will be constructed in a mix of white render, timber cladding and grey multi brick with the roof being finished in grey concrete tiles and grey windows.

3. Site Description

- 3.1 The application site is positioned to the north side of Stanion Road, on the western edge of Brigstock. To the west of the site is a modern development of bungalows known as Swan Avenue. To the east is 19 Newtown (previously Honey Bun Hill), a detached bungalow which is accessed off Newtown, and to the north is open countryside. To the south is further residential development of varying age and design. The application site was once part of the garden for 19 Newtown.
- 3.2 Access to the site is via Hunter Rise which is a long narrow track off Stanion Road which has been improved to meet Highway Authority standards (circa 2005) where it meets the public highway.
- 3.3 The application site itself was once part of a larger site which has now been split. Two large detached dwellings have already been built on one half of the site and planning permission was granted for a single large detached dwelling on the other half; which is the site the subject of this application. A previous consent (08/00395/FUL) was implemented and foundations laid, however, these were laid incorrectly and the build did not progress any further. The site has been left for a number of years and has become overgrown and the previous concrete foundations have now been removed.
- 3.4 There is a public footpath (MK12) along the western boundary of the application site.

4. Relevant Planning History

- 4.1 NE/22/00509/FUL – Two storey dwelling with single storey granny annexe – withdrawn
- 4.2 18/01525/VAR – Variation of condition 5ii pursuant to 17/02567/FUL: Erection of a detached dwelling and a detached triple garage – Refused 15.11.18
- 4.3 17/02567/FUL – Erection of detached dwelling and detached triple garage – Permitted 07.08.18
- 4.4 08/00395/FUL – Erection of two detached dwellings with swimming pools and other associated works – Permitted 04.06.08

5. Consultation Responses

A full copy of all comments received can be found on the Council's website <https://www.east-northamptonshire.gov.uk/viewplanningapplications>

5.1 Brigstock Parish Council

Comments received 19.12.22: The proposed development is in principle the same as previous applications 17/02567/FUL (permitted) and NE/22/00509/FUL(withdrawn) to which the parish council had no objection.

Brigstock parish council would like to make the following comments on this application:

There is no objection to the actual house, but the Amended Site Plan is not fully representative of the actual scale of development. Currently in construction on the north east corner of the site is a building which forms part of this development in an area designated in the plan as "meadow grass with mown paths and fruit trees". This addition should not be omitted from the application.

Concern is also been expressed at the 2.2mtr high timber/corrugated steel panelled fence to the western boundary of the development. Its construction and size are out of keeping with its setting.

In the Previous application 17/02567/FUL and NE/22/00509/FUL there was a landscaping condition number 5, one of its clauses being :-

5ii) details indicating the positions, height, design, materials and type of any new boundary treatment to be installed. The submitted information shall include provision to ensure that access between MK12 and the Swan Avenue footpath link is enabled and kept open and useable as a footpath link in perpetuity.

This clause was challenged with a new application 18/01525/VAR Variation of condition 5ii pursuant to planning application 17/02567/FUL. The application was refused.

Subsequent to the refusal to remove condition 5ii an application appealing the above decision was made to the planning inspectorate. The application was dismissed.

Should North Northamptonshire Council be minded to approve this application the above clause 5ii should be included as a condition prior to development commencement.

5.2 Highway Authority

Comments received 15.12.22: The LHA has the following observations, comments and recommendations:

- It is unclear whether the applicant has the rights to access by Hunters Rise due to it being a Public Right of Way. The LHA also query whether there are already 5 or more dwellings being served off Hunters Rise as per policy DM 15 we resist any proposal that seeks to intensify a private

- drive with more than 5 dwellings. Can the applicant demonstrate or provide evidence of these queries?
- The proposed dwelling is more than 45 metres from the highway boundary. Vehicular accesses over 45 metres in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access and turning for emergency vehicles will be required and the Northamptonshire Fire and Rescue service require;
 - All accesses over 45 metres in length to be a minimum of 3.7 metres wide for its whole length, to accommodate an appliance;
 - Such accesses to accommodate a fire appliance with a 15 Ton axle loading;
 - Turning space for a fire appliance;
 - Please see "Fire and Rescue Pre-Application Advice and Guidance for Developers Designing New Residential and Commercial Development Schemes in Northamptonshire" for further information.
 - Vehicular accesses over 45 metres in length can also have refuse collection implications. Part H of the Building Regulations limits carry distances for residents to no more than 30 metres from their building and that of operatives collecting waste to no more than 25 metres. There are also gradient restrictions.
 - Please note the required number of parking spaces per number of bedrooms (in accordance with the NNC Parking Standard Documents dated September 2016);
 - Parking for a 1 Bed = 1 Space,
 - Parking for a 2 Bed = 2 Spaces,
 - Parking for a 3 Bed = 2 Spaces,
 - Parking for a 4+ Bed = 3 spaces,
 - A single garage cannot be counted as a space,
 - A double garage can be counted as a single space,
 - Residential Spaces must be a minimum of 3 metres x 5.5 metres in size,
 - Please ensure that the applicant is made fully aware of their responsibilities in respect of Public Footpath No. MK12 which runs in close proximity to the proposed. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements;
 - The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.
 - There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office, under Section 131 HA1980.
 - Planning Permission does not give or imply permission for adoption of new highway or to implement any works within the highway and / or a Public Right of Way
 - The views, observations, comments and recommendations contained in this response represent those of North Northamptonshire Council as Local Highway Authority and in no other function or authority.

- If as a result of the development, the Right of Way needs to be closed, where a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks' notice period is required.

5.3 Northamptonshire Fire and Rescue Service

Comments received 07.12.22: It is recommended that consideration be made in regards to the NFRS Pre-Planning Guide for Domestic properties.

In summary it is not clear from the plans that the following have been taken into account:

- The minimum width of the roads should be 3.7m.
- Any turning circles between kerbs should be 15.7m
- The road carrying capacity should be a minimum of 15 tonnes to accommodate a Northants Fire and Rescue Service pumping appliance. Access to the furthest point of any building from the road should be no more than 45m

5.4 Environmental Protection

Comments received 12.12.22: I have looked through the submitted MCS 020 Planning Standard for Air Source Heat Pumps calculation, dated 17/05/2022, reference QR182380. Based on the information submitted I have no objection on noise grounds to the air source heat pumps being installed in the location shown in plan 1540-201F; facing down the garden in a north east direction.

However, should complaints of noise be received at any time in the future, then the Environmental Protection team will investigate them under the relevant legislation and take enforcement action where necessary.

Please include conditions in any permissions granted.

5.5 NCC (Waster Management)

Comments received 07.12.22: No comments

5.6 Neighbours / Responses to Publicity

Letters have been sent to 8 properties. 20 letters of objection have been received and 14 letters of support on the following grounds;

Objection

- There should be no reduction in width of MK12 footpath
- Access from Bells Close/Swan Avenue should be opened up and kept clear
- Clause from 17/02567/FUL should be included
- The path is shown to be narrowed making it difficult to pass
- No change to MK12 footpath

- Plans have not been updated to reflect the additional traffic from the housing development nearby
- The fence blocking the footpath should be removed
- Poor siting of the site notices

Support

- No objection
- A footpath of 1m is acceptable
- The fence of 2.2m is no problem
- Restrict access ensures pedestrian access only and no access for motorised bikes, scooters etc
- Stunning design
- Aesthetically pleasing
- There are other footpaths in the village
- Support
- Adds visual amenity to the area
- Do not want link opening
- Environmentally friendly house
- MK12 always accessible
- Asset to community
- Adequate room on footpath

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 – Historic Environment
Policy 4 – Biodiversity and Geodiversity
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 – Sustainable Buildings and Allowable Solutions
Policy 11 – The Network of Urban and Rural Areas
Policy 15 – Well-connected Towns, Villages and Neighbourhoods
Policy 28 – Housing Requirements
Policy 29 – Distribution of New homes
Policy 30 – Housing Mix and Tenure

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

Policy 2 – Windfall Developments in Settlements
Policy 4 – Green Infrastructure
Policy 5 – Transport Network
Policy 6 – Residential Parking Standards
Policy 12 – Considerate Construction

- 6.5 Brigstock Neighbourhood Plan (2019)
 Policy B1 – Housing Provision
 Policy B2 – Infill Development
 Policy B4 - Housing Mix
 Policy B8 – Landscape Character and Locally Important Views
 Policy B10 – Ecology and Biodiversity
 Policy B16 – Design
 Policy B17 – Construction Method Statements
- 6.6 Other Relevant Documents
 Northamptonshire Highways Parking Standards (2016)
 Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
 Householder Extensions Supplementary Planning Document (June 2020)
 Residential Annexes Supplementary Planning Document (Sept 2021)
 East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)
 East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)
 Biodiversity SPD
 Planning out Crime In Northamptonshire

7. Evaluation

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.2 The following considerations are relevant to the determination of this application:
- Principal of Development
 - Visual Impact
 - Impact on Neighbouring Amenity
 - Highway Safety and Parking

7.3 Principle of Development

- 7.3.1 The principle of development of a dwelling with annexe and detached garage was established by the previous consent (17/02567/FUL). This planning permission has expired therefore it does not carry full weight. Notwithstanding this, the decision was made under a policy position similar to the current development plan, therefore officers do consider it remains a material planning consideration. This application wishes to make slight alterations to the design and layout of the previously approved dwelling.
- 7.3.2 The annexe proposed is physically linked to the main dwelling and is therefore not easily occupied independently. There is also no boundary demarcation or sub-division of the land shown on the submitted plans. It would therefore be possible to impose a condition to secure that the building remained as ancillary accommodation.

7.3.3 Regardless of the above, the applications site is considered to be within the built up area when considering Policy 11 of the Joint Core Strategy 2011-20131. It is therefore considered that the principal of development is acceptable, and the proposal would meet the definition of an annexe and is acceptable in this respect.

7.4 Visual Impact

7.4.1 National guidance contained within the NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy 1 of the North Northamptonshire Joint Core Strategy seeks to secure sustainable development and Policy 8 requires new development to comply with a number of sustainable principles including being of a high standard of design and not impacting on the amenities of neighbours. Policy

7.4.2 The proposed dwelling and detached garage would be of a modern design which would complement the style of the two constructed dwellings on the adjacent site with Hunter Rise but it would be individual in terms of its appearance when compared to the development in the wider area. However, as the site is discreet, due to it being surrounded by but isolated from other development on three sides, the fact that the dwelling would have an individual appearance would not cause any significant harm to the character and appearance of the area. The design is broadly similar to that previously approved and has therefore already been accepted in principle as outlined above.

7.4.3 The dwelling would be visible from the footpath which runs to the side of the site, but as the site is isolated from the surrounding development, it takes on a character of its own and the proposed dwelling would not therefore appear out of keeping.

7.4.4 The dwelling would also be visible from the open countryside to the north but it would be set against a backdrop of other residential development of varying height. The scale of the dwelling proposed as part of this application is similar to the dwelling approved in 2017 in terms of its bulk and height. The scale of the development would therefore be acceptable for its context and would not appear cramped.

7.4.5 The dwelling will be constructed of render, timber cladding and grey multi brick for the walls and dark grey tiles for the roof. Solar PV panels are proposed on the flat roof element of the main roof. The dwelling would be large, but its mass would be broken down into smaller elements and the massing would be reduced by using a mix of contrasting materials and large windows.

7.4.6 Given the previous approval and the wide range of architectural styles and materials that surround the site it is considered that the design is appropriate.

7.4.7 The approach to the site will incorporate an innovative decked vehicular and pedestrian access way which will 'float' over two large ponds, one slightly

higher than the other. Again this is similar to the previous approval and is therefore considered acceptable.

- 7.4.8 Subject to conditions including requests for further details on materials, landscaping and boundary treatments, which are considered reasonable and necessary to preserve the character of the area, the design and layout of the development is considered acceptable in this location.

7.5 Impact on Neighbouring Amenity

- 7.5.1 The proposed dwelling has been designed with only two en-suite and one dressing room window at first floor level in the west elevation facing the Swan Avenue development. A condition is recommended to ensure that these three windows are obscure glazed to prevent overlooking and to protect user privacy, given that there would be less than 9 metres between the windows and the nearest adjacent bungalow at 25 Swan Avenue.

- 7.5.2 The proposed dwelling would be similar in terms of its height and bulk in the area close to the western boundary than the previously approved dwelling, although the dwelling would be positioned slightly closer to the boundary. However, on balance, the impact of the proposed dwelling would not be significantly increased in comparison to the previous approval.

- 7.5.3 Moving on to the impact on 19 Newtown to the east, the proposal is located in a similar location to the previous approval. The design is also broadly similar with the application proposing two secondary bedroom windows and a large en-suite window at first floor level in the east elevation. There would also be an external balcony with open sides allowing views to the east. A condition is recommended to ensure that the bedroom and en-suite windows are obscure glazed and it is also proposed that a screen is installed along the east side of the balcony to prevent views over the garden area of 19 Newtown. A similar screen is also required on the west side of the terrace to bedroom 2, to prevent views towards 25 Swan Avenue. Further details of the screens to be submitted and agreed.

- 7.5.4 There are windows on the front elevation of the proposed dwelling which would face the dwellings within Hunter Rise, however, the separation distance and oblique relationship would prevent any significant direct overlooking which would constitute refusing the application.

- 7.5.5 The triple garage would also be located on the eastern boundary and therefore the impact on the garden area of 19 Newtown and Ashmead needs to be assessed. The building is single storey in height and has no windows overlooking the garden of 19 Newtown. The garage will have a length of 10 metres and a ridge height of 5.2m. It is in a similar location to the previously approved dwelling (17/02567/FUL) and although the ridge height is slightly higher than previously approved (4.4m) it is not considered that the garage would have significantly more of an overbearing or overshadowing impact than the existing conifer hedge. Accordingly, the impact on No. 19 is considered acceptable.

- 7.5.6 The boundary to Ashmead is a 1.8m high brick wall on the application side (3.2m high on Ashmead side). There are no windows on the nearest part of

Ashmead that face this boundary, the nearest being on the southern part of the house which are over 12m from the boundary. Given this boundary is to the north of Ashmead there is not considered to be any loss of direct sunlight or daylight.

- 7.5.7 The dwelling would be accessed via a shared drive and the additional traffic resulting from the development would not be so great as to cause harm levels of disturbance to adjacent neighbours.
- 7.5.8 The proposal would also have an adequate sized garden, so as to provide a satisfactory level of amenity to future occupiers.
- 7.5.9 Having regard to the above it is not considered that the proposal would have an adverse impact upon neighbouring properties in terms of mass, overshadowing and overlooking.

7.6 Highway Safety and Parking

- 7.6.1 The Local Highways Authority have requested further details from the applicant with regards to the suitability of the main shared access and provided comments on the turning area and parking provision within the site.
- 7.6.2 It is clear from taking measurements of the plans that the required 6m is available for reversing manoeuvres and it is also possible to provide three useable parking spaces for the dwelling and one for the associated annex within the paved and gravel area at the frontage and in the triple garage. A condition is recommended to ensure that adequate parking provision is retained.
- 7.6.3 The main access into the site was constructed as part of the original planning approval for the two other dwellings within Hunter Rise. In accordance with the Highway Authority requirements at the time. The Local Planning Authority considered that the visibility splays, surfacing and drainage of the main private drive are therefore acceptable in this case. Similarly, the proposed access point into the site is in the same position as the access point previously approved and is of adequate width. In addition, there is limited risk of conflict between the vehicles leaving the application site and pedestrians using the public right of way given that there is a close boarded fence erected for a distance well beyond the access point.
- 7.6.4 The development incorporates a bridge feature crossing over two ponds in the front garden area. It will be the responsibility of the applicant to ensure that this feature is constructed appropriately to ensure that access to the parking area is achievable at all times, even in inclement weather. Standards conditions are recommended with regards to surfacing and drainage for the driveway within the site.
- 7.6.5 The access and parking for the site are similar to that previously approved and subject to the aforementioned conditions, it is not considered that the proposal would give rise to any significant highway safety issues.

8. Other Matters

- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 A satisfactory degree of private amenity space serving this dwelling after the addition of the extension would remain.
- 8.3 Environmental Protection: Requested conditions relating to construction hours and the burning of materials. These are considered suitable to be attached to any grant of planning permission.
Heating will be by air source heat pump and a phase electrical supply has already been installed. Environmental Protection are satisfied that air source heat pumps will not give rise to unacceptable noise and disturbance to neighbouring properties.
- 8.4 Biodiversity and Wildlife: The application includes two large ponds which will be designed to be suitable for natural pond life with the immediately surrounding garden designed to be a bog garden. It is not considered that the proposal would have a significant adverse impact on protected species.
- 8.5 Trees: The site was cleared several years ago and there are no significant trees within the site. The applicant has submitted garden illustrations but further landscaping details are required. A condition is recommended to secure the appropriate details.
- 8.6 Drainage: Rainwater will be harvested and storm water will be attenuated by the on site landscape features. The site is not on a floodplain and it is considered that drainage would be satisfactorily dealt with by the Building Regulations.
- 8.7 Waste: There would be adequate space on site for storage of refuse/recycling bins. The residents would need to present their bins for collection at the access
- 8.8 Crime and Security: The proposal would not be considered to have a significant impact on issues surrounding crime and security.
- 8.9 Public Footpath: The public footpath MK12 runs along the western boundary of the site. It is proposed to remain open as part of the proposals and should not be obstructed in any way. A number of objections have been submitted about the width of the footpath, the site location plan shows the footpath outside the red line of the site and there is no alterations to its width.
- 8.10 Pre-Commencement Conditions: The applicant has agreed to the proposed pre-commencement condition.
- 8.11 The comments of the Parish Council are noted and the conditions of the previous application can be imposed, if considered to be reasonable and necessary in relation to the current application. With regards to a building in the north-east corner, the application is not applying for a building and the land is shown as 'meadow grass with mown paths and fruit trees'. Any

structure built in this area, that wouldn't be classed as permitted development would require the benefit of planning permission.

9. Conclusion / Planning Balance

- 9.1 In light of the above it is considered that the revised proposal is acceptable. Overall, the principle of the development is acceptable and there would be no impact on the character and appearance of the area, amenities of neighbouring properties, or highway safety which would justify refusing the application.

10. Recommendation

- 10.1 That Planning Permission be GRANTED subject to conditions:

11. Conditions

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

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

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

- Proposed Location Plan, Scale 1:1250 submitted to the Local Planning Authority on 7th December 2022; and
- Proposed Site Plan, Drawing No. 1540-200 Rev A, submitted to the Local Planning Authority on 7th December 2022; and
- Proposed first floor and roof plan, Drawing No. 1540-202 Rev G, submitted to the Local Planning Authority on 7th December 2022; and
- Proposed Ground floor plan, Drawing No. 1540-201 Rev F, submitted to the Local Planning Authority on 7th December 2022; and
- Proposed Elevations Sheet 1 (of 2) , Drawing No. 1540-203 Rev G, submitted to the Local Planning Authority on 7th December 2022; and
- Proposed Elevations Sheet 2 (of 2), Drawing No. 1540-204 Rev G, submitted to the Local Planning Authority on 7th December 2022; and
- Proposed Sections, Drawing No. 1540-205, submitted to the Local Planning Authority on 7th December 2022; and
- Proposed Sections, Drawing No. 1540-101 Rev C, submitted to the Local Planning Authority on 7th December 2022.

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

- 3 No development above slab level shall take place until, details and samples of all external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and the approved materials shall be retained in the agreed manner in perpetuity.

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

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

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

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

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

- 6 The annexe hereby permitted shall not be occupied as a separate or self-contained residential unit and shall remain ancillary to the domestic use of the dwellinghouse at 1 Hunter Rise, Brigstock.

Reason: To clarify the terms of the planning permission in accordance with the appropriate consideration of material planning considerations within the scope of this application.

- 7 Prior to the progression of development above slab level, a landscaping plan shall be submitted to the Local Planning Authority for approval in writing. The plan shall include:

- i) proposed soft landscaping,
- ii) details indicating the positions, height, design, materials and type of any new boundary treatment to be installed. The submitted information shall include provision to ensure that access between MK12 and the Swan Avenue footpath link is enabled and kept open and useable as a footpath link in perpetuity;
- iii) details of any proposed hardsurfacing.

Thereafter, the development shall only be carried out in accordance with the agreed details. The boundary screening shall be provided/retained in accordance with the details so approved before the development is first brought into use and shall be retained thereafter in perpetuity. Any agreed planting shall be carried out in the first available planting season following the completion of the development or first occupation of the dwelling (whichever comes first). Any plants which within a period of 5 years from planting, die, become diseased, or are otherwise removed shall be replaced by plants of a similar size and species.

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

- 8 The vehicular access shall be constructed and the footpath shall be accommodated as shown in drawings 1540 101 Rev C, with fencing to separate the footpath and access, prior to the first occupation of the dwelling hereby permitted. Thereafter, the access and footpath shall be retained in this condition permanently.

Reason: In the interests of Highway safety and to protect the use of the public right of way.

- 9 Prior to the first occupation of the dwelling hereby permitted, the parking provision identified on the approved drawings shall be provided and made available for use. Thereafter, a minimum of 4 useable off-street parking spaces (including one garaged space) shall be retained in perpetuity.

Reason: In the interests of Highway safety.

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

Reason: To protect the amenity of adjacent occupiers and to ensure a satisfactory elevational appearance for the development.

- 11 The first floor east facing windows serving bedroom 1 and its en-suite and the first floor west facing windows serving the ensuite and dressing room for bedroom two and the ensuite for bedroom 3 shall either:
- i) be omitted; or
 - ii) be fitted with obscure glazing and be top opening only above 1.7m internal floor level and retained as such in perpetuity.

Reason: In the interests of residential amenity.

- 12 Prior to the first occupation of the dwelling hereby approved, the applicant shall submit details of a privacy screen to be erected along the east elevation of the rear first floor terrace off bedroom 1 in such a manner that would prevent direct views of the adjacent dwelling at 19 Newtown and details of a privacy screen for the west facing elevation of the terrace serving bedroom 2 in such a manner that will prevent the overlooking of 25 Swan Avenue. The screens shall be fitted in accordance with the approved details prior to the first occupation of the dwelling hereby approved and retained in that manner in perpetuity.

Reason: To protect the privacy of the adjacent occupiers.

- 13 Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and be approved in writing by the local planning authority. The Construction

Management Plan shall include and specify the provision to be made for the following:

- The timing/schedule of works;
- Details of hours of working;
- Parking areas for the vehicles of site operatives and visitors;
- Areas for the loading and unloading of plant and materials
- Areas for the storage of plant and materials used in constructing the development;
- Details of the erection and maintenance of security hoarding;
- Provision of wheel washing facilities;
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works;
- Access and haul routes for construction vehicles, deliveries, waste vehicles, etc. All such routes should not pass through Brigstock village centre.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

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

This page is intentionally left blank