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Meeting: Area Planning Committee Wellingborough
Date: Wednesday, 26 April 2023
Time: 7.00 pm
Venue: Council Chamber, Swanspool House, Doddington Road, Wellingborough, Northants, NN8 1BP


Members of the Area Planning Committee Wellingborough

Councillors Paul Bell (Chair), Malcolm Waters (Vice-Chair), Scott Brown, Jonathan Ekins, Ken Harrington, Philip Irwin, King Lawal, Lora Lawman and Malcolm Ward

Substitute:

Councillor Tim Allebone

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	Adele Wylie, Monitoring Officer North Northamptonshire Council  Proper Officer Tuesday 18th April 2023		

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

This agenda has been published by Democratic Services.

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon Tuesday 25 April 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 25 April 2023

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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.

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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

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Agenda Item 3



Minutes of a meeting of the Area Planning Committee Wellingborough
held at 7.00 pm on Wednesday 7th December, 2022 in the Council Chamber,
Swanspool House, Doddington Road, Wellingborough, Northants, NN8 1BP

Present:-

Members

Councillor Paul Bell (Chair)
Councillor Scott Brown
Councillor Jonathan Ekins
Councillor Ken Harrington

Councillor Malcolm Waters (Vice Chair)
Councillor Philip Irwin
Councillor King Lawal

Officers

Ms J Sandhu (Interim Planning Management and Enforcement Lead Manager)
Mrs D Kirk (Senior Development Management Officer)
Mr N Bell (Legal Adviser)
Mrs F Hubbard (Senior Democratic Services Officer) (Committee Administrator)
Mrs E Robinson (Democratic Services Support Officer)

1 Apologies for non-attendance

It was noted that apologies were received from Councillor Lora Lawman and Councillor Malcolm Ward.

2 Members' Declarations of Interest

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

Councillors	Application	Nature of Interest	DPI	Other Interest
Jonathan Ekins	NW/22/00685/VAR	Is a member on Finedon Town Council		Yes

3 Minutes of the meeting held on 9 November 2022

RESOLVED:-

That the minutes of the Planning Committee held on 9 November 2022, be confirmed as a correct record and signed.

4 Planning Application NW/22/00685/VAR - 8 Regent Street, Finedon

The Committee considered an application for the amendment of condition 2 (approved plans) and 9 (compliance with category 2 of the national accessibility standards) of planning permission reference NW/22/00256/FUL. The reason for amending condition 2 is to provide an updated drawing to cater for alterations made to parking areas to allow drop kerb arrangements between sets of parking bays to meet highway requirements. The reason for amending condition 9 is to enable the dwellings to be built to some of the category 2 (accessible and adaptable dwellings) where possible of the schedule of the Approved Document M of the Building Regulations (2015) at 8 Regent Street, Finedon.

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.

The Committee considered the planning application report and noted the additional information in the Committee Update Report, in which Councillor Malcolm Ward (Ward Councillor), had queried why the variation had been brought to Committee, when the original application had not. It was clarified that Finedon Parish Council had raised objections to the previous planning permission reference NW/22/00256/FUL, however these were received outside the consultation period, and accordingly a delegated decision was made, and the officer report fully considered the points of objection.

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

A request to address the meeting had been received from Mr Steve Clark, as a representative on behalf of the agent.

Mr Steve Clark, a representative on behalf of the agent, made the following principal comments:

- (i) Mr Clark explained that this was a variation to amend condition 2 to the approved planning permission around the frontage parking and pedestrian access and relocating parking spaces to avoid an existing telecom box;
- (ii) He stated that the only objection received had been from Finedon Town Council and no other consultees;
- (iii) Mr Clark referred to one of Finedon Town Council's objections, in relation to no consideration for existing residents that currently use the frontage on the development for parking. He stated that vehicles parking in that frontage area of a splay junction are in contravention of the Highway Code;
- (iv) He referred to the loss of one parking space and the access would now be moved further away from the junction with Affleck Bridge. These were not deemed an issue by the local highway authority.

A Ward Member referred to this development on the former site of Finedon Health Centre which had been redundant for many years and stated that a lot of residents use this as an overspill car park. He could see no reason to refuse this planning application and considered the loss of one parking space was not significant. The member stated that our Development Management Officers are good at ensuring that design of a planning application is delivered in keeping with local amenities and the look of the area, and referred to examples at Glenvale Park and Stanton Cross.

It was proposed by Councillor Jonathan Ekins and seconded by Councillor Philip Irwin 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) 1 to 7 in the report.

5 Appeal Information

RESOLVED:-

That the Appeal Information be noted.

6 Planning Appeal Decision Letter

RESOLVED:-

That the Planning Appeal Decision Letter for the following be noted:

(a) 420 Kettering Road, Orlingbury.

7 Close of meeting

Chair

Date

The meeting closed at 7.10 pm

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North Northamptonshire Area Planning Committee (Wellingborough)

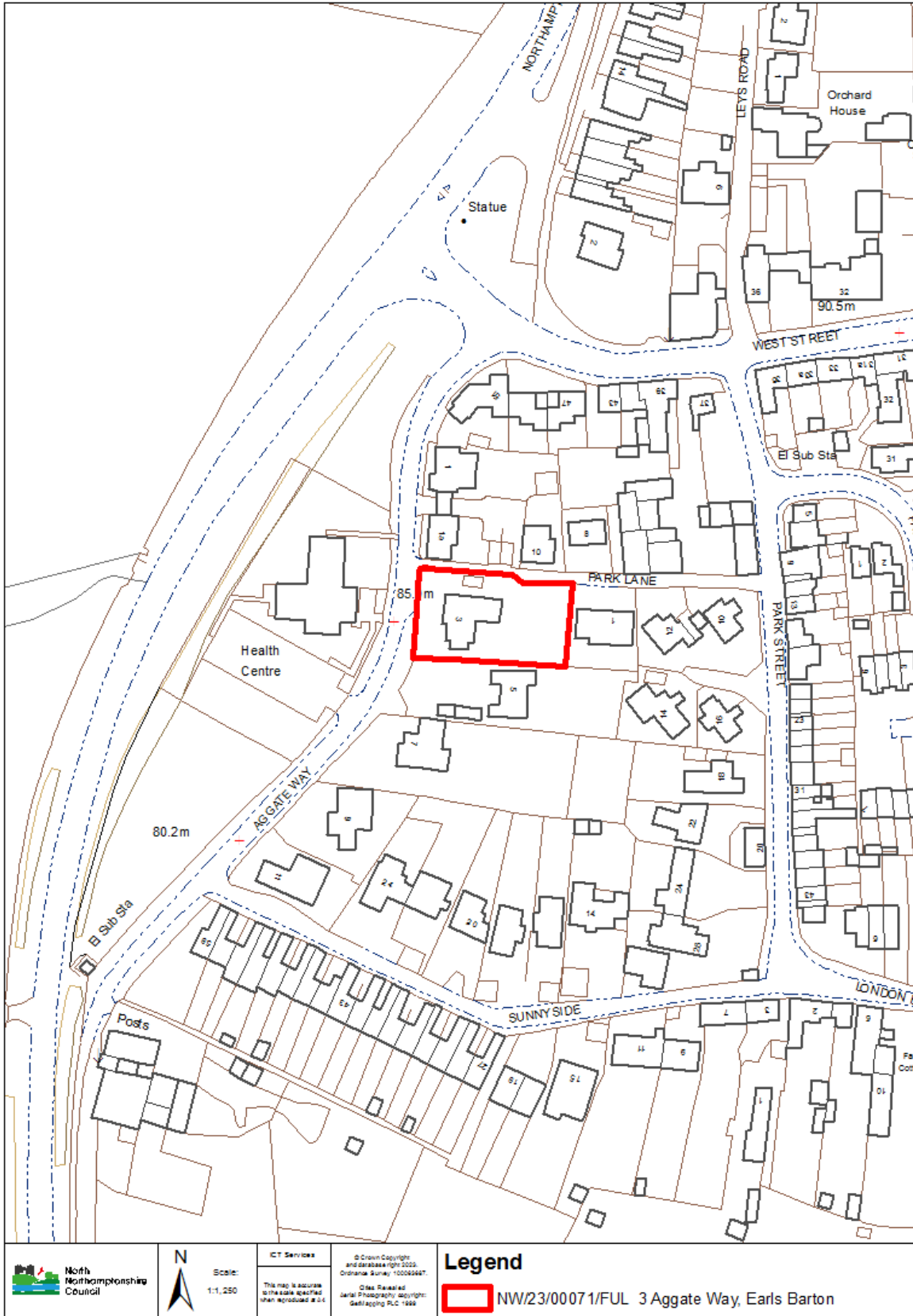
Application Reference	NW/23/00071/FUL	
Case Officer	Mr Christopher Mohtram	
Location	3 Aggate Way Earls Barton Northampton NN6 0EU	
Development	Demolition of an existing single garage and replacement with a double garage. Creation of new vehicular access from Aggate Way and demolition of a stone wall to create a 3 metres wide access and automatic single leaf sliding gate and formation of additional area of hardstanding	
Applicant	Mr Robin Chudley	
Agent	Mr Gavin Anderson	
Ward	Earls Barton Ward	
Overall Expiry Date	31 March 2023	
Agreed Extension of Time	31 April 2023	
Checked	Debbie Kirk	Senior Development Management Officer

Scheme of Delegation

This application is brought to the Wellingborough area planning committee because it falls outside of the council's scheme of delegation as the proposal has received an objection from Earls Barton Parish Council.

1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the conditions listed at the end of the report



2. The Application Proposal and Background

2.1 Planning permission is sought for the demolition of an existing single garage, to be replaced with a detached double garage to be served by a new vehicular access from Aggate Way. The proposed new vehicular access would result in the demolition of part of an existing stone wall to create a 3 metres wide vehicular access with an automatic single leaf sliding gate. The proposed scheme also includes the formation of an additional area of hardstanding across part of the existing front garden area, the existing access is to be closed.

2.2 The proposed garage is to be constructed of dark concrete tiles for the roof with elevations consisting of a red brick plinth with white painted render above replicating the design of the garage to be demolished. The rear pedestrian access door for the garage would be black upvc and the sectional garage door would be timber in a natural oak finish with leaded light windows along the top section.

3. Site Description and Surroundings

3.1 The development site is located within the village boundary of Earls Barton as defined by policy SS1 of the Plan for the Borough of Wellingborough – (PBW). The site lies adjacent to the western boundary of the Earls Barton Conservation Area and near a Grade II listed Barn, which lies approximately 50 metres to the south west of number 39 West Street (List Entry Number: 1189604). The application lies on the eastern side of the Aggate Way with a pedestrian access to Park Lane bordering the site to its north.

3.2 The site consists of a large detached two storey dwelling house on an elevated topography with a prominent front gable facing the highway, much of the dwelling being white rendered with the roof consisting of grey slate. The windows are white upvc with black flashing surrounding. The detached garage to be demolished sits along the dwellings northern flank with access onto Park Lane to be sealed off following construction of a new vehicular access.

3.3 The boundaries of the curtilage are surrounded by a low stone wall with a rear boundary to the east shared with no.1 Park Lane and a flank boundary with no.5 Aggate Way to the south.

4. Relevant Planning History

WP/14/00773/FUL	Approved with conditions Erection of a two-storey rear extension. Replacement of windows and conservatory	03.02.2015
WP/19/00365/FUL	Approved with conditions Demolition of existing single storey side extension and the erection of an orangery with roof lantern	17.07.2019
WP/20/00281/AMD	Approved with conditions	09.06.2020

Non-material amendment to planning permission reference WP/19/00365/FUL for a patio door to be changed to bi-fold door.
Fascia replaced with coping stone
Approved
Porch

WR/1948/0083

20.12.1948

5. Consultation Responses

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

5.1 Earls Barton Parish Council -

Objects to this application on the grounds of loss of amenity. This property is situated in a part of the village where parking is at a premium. The application as presented will result in the loss of three on street parking spaces which are used by those living in the area. When creating the Earls Barton Neighbourhood Plan, 90% of those responding to the housing needs survey stated that parking issues were their greatest concern. Therefore, any development that exacerbates the problem of parking should demonstrate that this problem is not increased.

5.2 Neighbours/Responses to publicity

1 objection to scheme, from the occupier in Sunnyside the points raised include:

Loss of curb side parking

5.3 **Local highway Authority (LHA)** - No objection subject to conditioning regarding gradient level, permeable materials and blocking off the existing vehicular access.

5.4 **North Northants Heritage Consultant** - No objection to the proposals.

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) (July 2021)
Planning Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas Act) 1990

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 2 (historic environment)
- 8 (North Northamptonshire place shaping principles)

6.4 Earls Barton Neighbourhood Plan

Policy EB. D1 – Ensuring high quality of design of proposal and in keeping with local character

Policy EB. T1 – Restrict development upon area of constrained access as identified along streets within diagrams provided within the Neighbourhood Plan

6.5 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policy SS1 (villages)

6.6 Other Relevant Documents:

Sustainable Design

Residential Extensions: a guide to good design

North Northamptonshire Parking Standards (2016)

Local Highways Authority Standing Advice (June 2016)

7. Evaluation

7.1 The proposal raises the following main issues:

- conformity with the development plan and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- Impact of the proposal on the adjacent Conservation area and Listed building
- effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- conditions

7.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise."

7.3 Policy 1 of the North Northamptonshire Joint Core Strategy (JCS) is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.4 The application site lays within the village boundary of Earls Barton as defined by policy SS1 of the PBW. Policy 11 (2 (b) of the JCS permits appropriate small-scale infill development on suitable sites within villages where this would not harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure and services. Small scale development includes extensions to existing dwellings. There would be no objection in principle to a proposed extension to an existing residential dwelling within the village boundary of Earls Barton. The proposed development would comply in principle with policy 11 (2) (b) of the JCS and policy SS1 of PBW.

7.5 The acceptability of the proposed development would be dependent on compliance with the more detailed policies and material planning considerations as set out below:

7.6 Design, layout and the effect on the character and appearance of the surrounding area

7.7 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.8 Policy EB.D1 of the Earls Barton Neighbourhood Plan requires new development within the village to meet a high standard of design in keeping with the surrounding area, as well as preserving the historic environment and meeting design guidance as set out within the North Northamptonshire Sustainable Design Supplementary Planning Document.

7.9 The government at paragraph 130 (a) – (d) of the revised NPPF attach great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the life time of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.10 The proposed detached double garage would be visible within the street scene of Aggate Way. The submitted design of the garage incorporates a lower ridge and eaves height than the existing garage but encompass a slightly larger footprint, it remains set back from the existing front building line to ensure subservience within the plot and to the original dwelling.

7.11 The proposed garage is considered to reflect the character of the host dwelling and wider street scene through its design and utilisation of materials such as red brick at low level with white painted render above to replicate the existing garage it would replace. The front elevation of proposed garage would contain a timber sectional door in a natural oak finish with leaded light windows along the top section of the door which would not detract in appearance to the front elevation of the existing dwelling house. The proposed design, scale, form and use of materials would accord the requirements of policy EB. D1 of the EBNP by ensuring the surrounding area including the adjacent heritage assets are not adversely impacted by poor design. The proposed replacement garage is not considered to be a visually intrusive extension or out of keeping with the street scene resulting in an appropriate extension within the curtilage of the host dwelling, in accordance with policy 8 (d) (i) and (ii) of the JCS..

7.12 The redundant vehicle access onto Park Lane will be closed and replaced with a matching stone boundary wall, a small pedestrian gate will be created to allow continued access onto Park Lane as shown on amended site plan on drawing number PL02 Rev C03.

7.13 The works to facilitate the new 3 metre wide vehicular access, including the installation of a 1.3 metre high single leaf sliding gate constructed timber (cedar), would be suitable in design and overall scale and would not appear detrimental to the character and appearance of the front boundary of the application site, suitably integrating into the existing stone boundary wall.

7.14 In conclusion, it is considered that the design, scale and form of the proposed new garage and partial demolition works to the front boundary wall to facilitate a new vehicular access and timber sliding gate would not be unacceptably harmful to the visual appearance or character of the application site or the wider street scene. The proposed materials on the amended plans are considered appropriate. The proposed new garage has been sympathetically designed, respecting the appearance of the original dwelling and would not result in any unacceptable harm to the character and appearance of the building, the street scene or the locality and would be in accordance with policy 8 (d) (i) and (ii) of the JCS and policy EB. D1 of the Earls Barton Neighbourhood Plan.

7.15 Impact of the proposal on the adjacent Conservation area and Listed building

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

7.17 The council is required by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.18 Policy 2 (a) and (b) of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment.

7.19 Policy EB. D1 of the Earls Barton Neighbourhood Plan ensures that new development preserves the historic environment.

7.20 With regards the revised NPPF, chapter 16 sets out government advice on conserving and enhancing the historic environment. Paragraph 201 sets out its guidance where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 202 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 207 informs that not all elements of a conservation area will necessarily contribute to its significance.

7.21 The application site lies adjacent to the western boundary of the Earls Barton Conservation Area and near a Grade II listed Barn at Number 39 West Street (List Entry Number: 1189604), which lies approximately 50 metres to the south west.

7.22 NNC's senior built heritage consultant has raised no objections to the proposed scheme which would not have a detrimental impact on the setting of the adjacent Earls Barton conservation area to the north or the nearby listed barn to the south west. The proposed new garage would be subservient in form and scale and would utilise an appropriate pallet of materials.

7.23 It is considered that the proposed scheme will would not result in any unacceptable detrimental impacts to the historic fabric of the nearby listed barn nor harm the setting of the adjacent Earls Barton conservation area in accordance with policy 2 (a) and (b) of the JCS, policy EB.D1 of the Earls Barton Neighbourhood Plan, advice contained within chapter 16 of the NPPF, the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the council has had special regard to the desirability of preserving the setting of nearby listing buildings and section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special attention has been paid to the need to preserve or enhance the character or appearance of a conservation area.

7.24 Effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development

7.25 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers whilst paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.26 The proposed detached garage would have no unacceptable impact on neighbouring amenity the closest property, number 1a Aggate Way to the north is sited approximately 3 metres from the boundary of the application site and although there is a ground and first floor window in the flank elevation these are positioned forward of the proposed garage would not be affected by with any unacceptable loss or light or privacy. The proposed development is considered acceptable in relation to the impact upon the amenity of the neighbours and would comply with policy 8 (e) (i) of the JCS.

7.27 Effect/Impact on highway safety in relation to (the proposed access arrangement and parking provision)

7.28 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

7.29 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

7.30 The proposed demolition of part of a front boundary wall to create a 3-metre-wide vehicular access has raised objections from Earls Barton Parish Council and a neighbouring property. The principle concern is that the proposed new vehicular access is considered to have the potential to lead to the loss of up to 3 on street parking places. However, it is considered at most two on street parking spaces would be lost as the new access spans 3 metres in width with 1.5-metre-wide visibility splays either side.

7.31 Additionally, the application site does not fall into 'areas of constrained access' as indicated within policy EB. T1 of the Earls Barton Neighbourhood Plan. The policy shows areas where parking issues are of concern, the policy was developed through concerns raised by residents that on street parking became constrained in the village centre and some residential areas. Aggate Way due to its locality near the western periphery of the village is outside of these constrained areas and not a main through route for traffic in the village. Therefore, the loss of two on street parking spaces along Aggate Way would not exacerbate parking elsewhere within Earls Barton due to its locality.

7.32 The neighbouring objector mentions that the grass verge along Aggate Way which forms part of the application site should be converted to hardstanding at the applicants' expense. This is considered unreasonable and would result in the loss of green amenity space in the street scene.

7.33 The objection comments received notes that the existing on street tarmac bays are not shown on the plans submitted with the application, the street scene shows no signage that indicates that the bays are for designated parking. This tarmac area outside the application site only accommodates a maximum of two vehicles to have three vehicles as public parking would involve parking perpendicular against the stone wall and result in a highway obstruction. Adopted parking standards show that residential parking dimensions for vehicles would be 3 metres (width) and 5.5 metres (length). Therefore, the creation of a new access to serve the replacement garage would facilitate improved off-street parking for the host dwelling which would otherwise be met on street.

7.34 Furthermore, it is considered there is insufficient justification for refusing the proposed access as it would be a safer for occupiers to enter and leave the site in forward gear as the existing vehicular access off Park Lane is more constrained due to its positioning resulting in vehicles only exiting in one direction due to its narrowing on its western side.

7.35 NNC'S highways engineer has 'no objection' to the proposed access as it would meet the guidelines set out within adopted parking standards subject to a number of conditions which relate to access gradient, old access to be blocked off prior to first use of new access, hardstanding and surface water drainage. The submitted plans shows the gradient of the new access not exceeding 1:15 from the first 5 metres from the back edge of the highway boundary as well as the access width of the new entrance. All are in line with the standing advice from the local highways authority and will be secured through conditions.

7.36 As there are no parking restrictions on Aggate Way vehicles will be able to continue to park on street in the vicinity of the application site.

7.37 Overall, the new vehicular access would enable more suitable parking provision on-site and provide a safe access from which vehicles can enter and leave in forward gear as the new area of hardstanding provides a turning area for vehicles. The proposed development would meet adopted parking standards and is considered compliant with policy 8 (b) (i) and (ii) of the JCS and policy EB. T1 of the Earls Barton Neighbourhood Plan.

7.38 Conditions

7.39 The revised NPPF at paragraph 56 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG reiterates this advice.

7.40 It is considered that the proposed conditions meet the tests set out in the NPPF and the provisions of the PPG.

8. CONCLUSION/PLANNING BALANCE

8.1 The proposed development is of an appropriate scale, form and design which would not unacceptably harm the character of the original dwelling nor the character and appearance of the surrounding area. The proposals would not result in any undue detriment or harm to the residential amenities of neighbouring dwellings and would not present any unacceptable highway safety implications.

9. RECOMMENDATION

That Planning permission be **GRANTED** subject to the conditions below:

10. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

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

Location Plan PL05 REV C01 - Received 03.02.23

Block Plan PL04 REV C01 - Received 03.02.23

Plan set out proposed new garage PL03 REV C01 - Received 03.02.23

Proposed Plan view new garage and driveway PL02 REV 3 - Received 03.04.23

Proposed House and garage elevation (front east) E05 REV C01 - Received 03.02.23

Proposed House and garage elevation (rear west) E06 REV C01 - Received 03.02.23

Proposed House and garage elevation (side north) E07 REV C01 - Received 03.02.23

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

3. The proposed development as permitted shall only be constructed with materials as shown on the approved drawings.

Reason: To ensure that the new work harmonises with the existing building and to ensure the development does not detract from the appearance of the locality in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

4. Notwithstanding the details on the approved plans, the new approved access point shall not be used until the vehicular areas that are within 5 metres from the boundary of the site where it meets the public highway have been constructed and surfaced in a stable and durable manner in accordance with details to be approved in writing by the local planning authority. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or surface water, in the interests of highway safety and to reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure a satisfactory parking of vehicles outside of highway limits in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

5. The vehicular access gradient from the highway boundary shall not exceed 1 in 15 for the first 5 metres from the highway boundary.

Reason: In the interests of highway safety in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

6. Prior to the first use of the new means of vehicular access the existing vehicular access from Park Lane must be stopped up and reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.

Reason: In the interests of highway safety in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

11. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.

2. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken. To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site boundary during construction should be carried out only between the following hours: 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
3. The vehicular crossing must be constructed as appropriate, and all highway surfaces affected by the proposals reinstated in accordance with the specification of the local highway authority and subject to a suitable licence/agreement under the Highways Act 1980.
4. Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the local highway authority or Statutory Undertaker and carried out at the cost of the applicant.
5. Any gates across a private drive must be set back a minimum 5.5 metres from the highway boundary to enable a vehicle to stand clear of the highway before gates are opened. Alternatively, they must be operated by electric remote fobs and in this case the setback will not be required. Gates must be hung to open inwards only.



Planning Appeal Decision Letters

- (a) 21 Manor Road, Mears Ashby
- (b) Fronting Number 44 Gilletts Road, Wellingborough
- (c) 15 Orlingbury Road, Little Harrowden
- (d) 60 Park Road, Wellingborough



Appeal Decision

Site visit made on 7 March 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2023

Appeal Ref: APP/M2840/D/22/3312253

21 Manor Road, Mears Ashby, Northamptonshire NN6 0DU

- 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 Dunkley against the decision of North Northamptonshire Council.
 - The application Ref NW/22/00666/FUL, dated 21 September 2022, was refused by notice dated 10 November 2022.
 - The development proposed is the construction of a garden shed.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. From the evidence submitted, and from my site visit, the proposed development has commenced. I have dealt with the appeal on a retrospective basis.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Mears Ashby Conservation Area.

Reasons

Character and appearance

4. The appeal site is the host dwelling and its domestic garden which is within the Mears Ashby Conservation Area. The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) provides, at section 72(1), that with respect to any buildings or other land, in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character, or appearance of that area.
5. The conservation area is supported by the Mears Ashby Conservation Area Appraisal which sets out the history of the village and identifies features and materials of historic interest. In so far as it is relevant to the appeal, I consider that the significance of the conservation area is mainly derived from the clustered street pattern of the village, with areas of narrowing created by buildings and walls, which contribute positively to the character and appearance of the conservation area as a whole.
6. Policy 2(a)&(b) and Policy 8(d)(i)&(ii) of the North Northamptonshire Joint Core Strategy 2011-2031, adopted 2016 (JCS), taken together, seek to conserve

- and, where possible, enhance the heritage significance and setting of heritage assets; requires developments to complement their surrounding historic environment through form, scale, design and materials; requires development to respond to the site's immediate and wider context and local character; and respond to the overall form, character and landscape setting of the settlement.
7. Character Guideline 2, Design Guideline 3 and Materials Guideline 1 of the Mears Ashby Village Design Statement, adopted 2017 (MAVDS), requires any development, that seeks to utilise traditional materials and designs, to draw cues from any nearby listed buildings or buildings of note in the village; expects that new build development, or extensions to existing properties, relate to the palette of materials described in the statement as being characteristic of Mears Ashby; and advises that any small additions, may, if inappropriately sited result in a cluttered street scene and therefore should be hidden from view from any public highway as far as possible.
 8. The garden shed is adjacent to the low stone wall along the front boundary of the appeal site and adjacent to the high stone wall boundary with the neighbouring property. The shed is feather-edge timber clad with a slate roof. As such, the roof is built of materials which are recognised as characteristic of Mears Ashby in the MAVDS, however the timber walls are not.
 9. The appellant has drawn my attention to the recent re-cladding of parts of the appeal property with timber boarding which I saw at my site visit. Although the dwelling now includes some timber cladding, this is not a material which is characteristic of the village. The timber cladding is also not characteristic of the other outbuildings referenced by the appellant. These other outbuildings on Manor Road are predominately stone or brick built, and some are also on lower ground level. Furthermore, they are, in the main, garages which need to be accessible from driveways.
 10. Although some landscaping has been provided to partially screen the shed, and the tall stone wall boundary with the neighbouring property screens the view from further along Manor Road, the shed is prominent in the views when approaching the site from the junction with North Street and from immediately outside the site. The building does not follow the form, scale, layout or materials of other buildings which are close to the road. It is therefore, out of keeping with the context and character of the street scene and results in harm to the significance of the conservation area.
 11. The harm to the conservation area is less than substantial, nevertheless this harm is of considerable importance and weight in my decision. There is a presumption in favour of the desirability of preserving or enhancing the character or appearance of the conservation area. The Framework advises that such harm should be weighed against the public benefits of the proposal and any harm requires clear and convincing justification.
 12. Although the materials are of high quality for a garden shed and the scale of the shed is subservient to the appeal property, these factors are not public benefits. The benefit of the shed in providing storage is a private benefit for the occupants of the appeal property. Although the garden extends to the side and up to Manor Road, it also wraps around the rear of the appeal property and the wrap around garden is not sufficient justification for the position of the shed and does not outweigh the harm.

13. I, therefore, find that the proposal fails to preserve or enhance the character or appearance of the Mears Ashby Conservation Area. As such the proposal is contrary to Policy 2(a)&(b) and Policy 8(d)(i)&(ii) of the JCS in not conserving, enhancing or complementing the Mears Ashby Conservation Area and does not respond to the character or context of the area.
14. Furthermore, the proposal is contrary to Character Guideline 2, Design Guideline 3 and Materials Guideline 1 of the MAVDS in that the timber finish does not comply with the palette of materials described as being characteristic of Mears Ashby and, therefore, is out of keeping with the street scene.
15. The proposal also does not meet the requirements of paragraph 206 of The National Planning Policy Framework which aims for new development within conservation areas to enhance or better reveal their significance and preserve those elements of the setting that make a positive contribution.

Conclusion

16. For the reasons given above I have found that the proposal is contrary to the development plan as a whole, including the Village Design Statement and the Framework. There are no other material considerations that would indicate that the proposal should be determined other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

K Townsend

INSPECTOR



Appeal Decision

Site visit made on 14 February 2022

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st March 2023

Appeal Ref: APP/M2840/W/22/3306552

Gillitts Road street works, Gillitts Road, Wellingborough NN8 2BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by CK Hutchison Networks (UK) Ltd against the decision of North Northamptonshire Council.
 - The application Ref NW/22/00412/PNT, dated 10 June 2022, was refused by notice dated 27 July 2022.
 - The development proposed is 5G telecoms installation: H3G street pole and additional equipment cabinets.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. As this is an application for prior approval the provisions of the 2015 Order require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. This appeal will be determined on the same basis.

Planning Policy

3. The Council has referred to development plan policies and the Framework in its decision notice. However, the principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. I have nevertheless had regard to these development plan policies but only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issues

4. The main issues are the effect of the siting and appearance of the proposal on the character and appearance of the area, and, if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

Reasons

Character and appearance

5. The appeal site is an area of grass verge which contains various items of street furniture. The site is located at the southern end of Gillitts Road close to the

- junction with Henshaw Road. The surrounding area is predominantly residential and is characterised by single and 2 storey properties. To the south of the site is a car park and Croyland Park, a large area of open space. This, in addition to planting within front gardens and grass verges, results in a green and verdant character to the surrounding area.
6. The appellant states that the height of the proposed monopole is the minimum to technically meet their needs. Whilst this may be the case, nonetheless it would be noticeably taller than existing street furniture and neighbouring buildings, and nearby trees would not provide any meaningful screening. Thus, even though the proposed colour would not be overly obtrusive, and there would be no harm to any areas with a statutory designation for a particular protection such as for heritage purposes, it would be readily visible from various points along Gillitts Road, Henshaw Road and from Croyland Park, where it would appear excessive in scale and would fail to visually integrate with its surroundings
 7. For the above reasons, the proposed siting and appearance of the development would result in unacceptable harm to the character and appearance of the surrounding area. Insofar as it is a material consideration, the proposal would conflict with those aims of policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) (JCS) which seek to ensure that development responds to the site's immediate and wider context and local character. For similar reasons, insofar as it is a material consideration, the proposal would be contrary to Chapter 12 of the National Planning Policy Framework (the Framework) which seeks to secure high quality design.

Availability of Alternative Locations

8. The appellant has set out alternative sites that were considered as part of the site selection process, and the reasons why they were not pursued. The Council raises concerns that not all available alternative options have been considered and state that alternative sites close to the appeal site would have a less harmful effect on the character and appearance of the area. Specifically, the Council refer to a site on the car park to the south of the appeal site. Wellingborough Town Council also suggest, as part of their consultation response, that an alternative to the south of the site would be more appropriate. Whilst I do not have the full details of the sites referred to by the Council and Wellingborough Town Council, based on my observations on site, they would appear to relate to the same alternative site.
9. No evidence has been submitted which sets out why, in this case, the suggested site is not a suitable alternative. Based on my observations, I noted that this area contains a number of tall trees which could provide some screening. For this reason, this area warrants a robust assessment as an alternative. Thus, it has not been adequately evidenced that the appellant has undertaken a thorough review of all alternative means of providing coverage within the search area in accordance with the guidance set down in paragraph 117 of the Framework.

Other Matters

10. The appellant comments that the proposal followed pre-application consultation with the Council and notification of ward members. However, this does not otherwise persuade me from my findings in relation to the main issue.

11. I note that the Council found that the mast would not harm the living conditions of the occupiers of neighbouring properties. This does not alter my findings on the main issue.

Planning balance and conclusion

12. I acknowledge the significant benefits that would arise from improving mobile telecommunications. However, it has not been demonstrated that such benefits could not be achieved in ways that would have a less harmful effect on the character and appearance of the area.

13. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Nichola Robinson

INSPECTOR



Appeal Decision

Site visit made on 7 March 2023

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2023

Appeal Ref: APP/M2840/D/23/3314403

15 Orlingbury Road, Little Harrowden, Northamptonshire NN9 5BH

- 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 & Mrs Coates against the decision of North Northamptonshire Council.
 - The application Ref NW/22/00727/FUL, dated 12 October 2022, was refused by notice dated 7 December 2022.
 - The development proposed is the addition of a single storey glass room located on the rear elevation of the property in the private garden.
-

Decision

1. The appeal is allowed and planning permission is granted for the addition of a single storey glass room located on the rear elevation of the property in the private garden, at 15 Orlingbury Road, Little Harrowden, Northamptonshire NN9 5BH in accordance with the terms of the application, Ref NW/22/00727/FUL, dated 12 October 2022, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The external surfaces of the development hereby permitted shall be constructed in the materials as shown on plan no. 35587-04 and 35587-03.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, site plan, 35587-01, 35587-02, 35587-03, 35587-04 and 35587-05.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 13 Orlingbury Road, with particular regard to daylight, sunlight, outlook and noise.

Reasons

3. The appeal property is a semi-detached dwelling adjoining 13 Orlingbury Road (No.13). The appeal property has a large patio area to the rear between an existing single-storey outrigger and the timber fence on the boundary with No.13.
4. The Borough Council of Wellingborough, Residential Extensions – A Guide to Good Design, Supplementary Planning Guidance II, 2002 (SPG), paragraph 4.1 sets guidelines on how far an extension can project in relation to windows in

neighbouring properties. For single storey extensions the SPG advises that proposals should not project beyond a line drawn at 60 degrees from the middle of the nearest ground floor window of a habitable room of an adjacent property.

5. Drawing 35587-05 shows that the proposal would conflict with the 60-degree line from the mid-point of the ground floor window of No.13. Therefore, the proposal would be contrary to the guidelines within the SPG. The purpose of this part of the SPG is to ensure that extensions would not adversely affect the outlook of, or daylight available to, the occupiers of the neighbouring property. Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy 2011-2031, adopted 2016 (JCS) seeks to ensure that the living conditions of the occupiers of neighbouring properties are not unacceptably affected.
6. The existing tall timber fence already restricts the outlook from the window of No.13 to within their own garden. Due to its position, attached to the appeal property, the proposal would only be seen above the fence and at an angle. As such it would not significantly alter the outlook and not be overbearing or oppressive to the occupiers of No.13.
7. Only a small part of the end of the proposed structure would conflict with the 60-degree line. Moreover, the proposal is a metal framed glass structure rather than a solid building. The proposed materials would allow sunlight and daylight to pass through the structure towards the window of No.13. Furthermore, the height of the proposal is not substantially greater than the height of the fence and the proposal is not immediately adjacent to the shared boundary. These factors, taken together, would ensure that daylight and sunlight to the window of No.13 would not be significantly restricted.
8. Notwithstanding the objection received, there is no substantive evidence before me to show that the proposal would cause unacceptable levels of light reflection. Furthermore, as the proposal is on part of the garden which can already be used by the occupants of the appeal property there is no greater risk of noise from the use of the building.
9. Consequently, whilst there is a technical breach of the 60-degree line, the proposal would still accord with the purpose of the SPG which is to safeguard the amenity of neighbours. The proposal would not result in an unacceptable effect on the living conditions of the occupiers of No.13, with particular regard to daylight, sunlight, outlook and noise. Therefore, I find that the proposal does not conflict with Policy 8(e)(i) of the JCS, which, amongst other matters seeks to ensure that the living conditions of the occupiers of neighbouring properties are not unacceptably affected.

Conditions

10. The Council has indicated the conditions that it considers would be appropriate. I have considered these in light of the Planning Practice Guidance. A condition specifying the time limit and approved plans is necessary as this provides certainty. I have also imposed a condition specifying materials are to be as detailed on the plans in order to safeguard the living conditions of the occupiers of the neighbouring property.

Conclusion

11. For the reasons given above, and taking into account all matters raised, I conclude that the appeal should succeed, and planning permission should be granted subject to conditions.

K Townsend

INSPECTOR



Appeal Decision

Site visit made on 30 September 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/M2840/D/22/3304369
60 Park Road, Wellingborough NN8 4QE

- 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 K Ahmed against the decision of North Northamptonshire Council.
 - The application Ref: NW/22/0230/FUL dated 6 April 2022, was refused by notice dated 25 May 2022.
 - The application is for erection of single storey first floor rear side extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the impact of the proposal upon the living conditions of neighbours.

Reasons

3. The appeal property is a modern detached house within what is a mixed area on the periphery of the market town of Wellingborough. The appeal property stands within a row of similar properties that generally present pitched roof elevations towards generous open plan front gardens that adjoin Park Road itself.
4. To the rear most properties have generous rear gardens backing onto an area of woodland type planting that contains several larger scale, mature trees. Number 60 Park Road has previously been extended to the rear with a relatively sizeable conservatory extension that runs the entire width of the house. Behind this there appears to have been an original outshut extension that protrudes around 4.1m. This structure appears to have used similar materials to that of the principal house in its design.
5. The proposal before me seeks to build above this single storey element and as such would create a first floor extension above so as to create two new bedrooms along with a smaller, flat roof element with an ensuite to one of the bedrooms. The majority of the extension would be of a pitched roof construction and would present a gable elevation to the rear, although the more modest, en suite element would be of flat roof construction and slightly set back from this new rear gable. The conservatory would remain in its current location and the first floor extension would be set in from the

- boundary by around 1 metre with a slight set down in the ridge. There would also be a new bedroom window inserted into the southern elevation that is proposed to be obscured glass.
6. The main issue within this appeal is the effect of the proposal upon the living conditions of residents in the adjoining property, number 58 Park Road. This property sits to the south of the appeal site but the layout and design of the plots means that the front elevation of number 58 is set forward of number 60. Accordingly, the rear elevation of this neighbouring property is therefore set back from the rear of number 60. Number 58 also has original windows to its side elevation that look out towards the appeal property.
 7. In assessing this appeal, I consider that, despite its obvious attempts to set down and set in from the boundary, the proposal would result in a relatively large scale rear protrusion to this property that, although not directly causing any overshadowing issue, would create an element of over dominance upon the neighbours at number 58. Although, I do not consider that direct sunlight would be affected, the presence of this extension to the north would likely result in loss of northern daylight into the ground floor windows of number 58 and this would be exacerbated through the proposal not meeting the 45 Degree rule as suggested by the Council's Residential Extensions Design Guide¹ (SPG).
 8. As such the proposal before me would fail to meet the guidance contained within the Council's SPG on residential extensions that aim to achieve such schemes that minimise or remove such impact upon resident's living conditions.
 9. The proposed side elevation window would also serve an existing habitable bedroom and although this would be proposed to be obscured glass, I consider that there would still be the possibility for a loss of privacy due primarily to the existing side elevation windows of number 58 being so close. Moreover, I do not consider that the obscuring of such a window would create acceptable living conditions for future occupiers of this room and as such I consider it likely that efforts could be made to remove this obscure glazing at a later date.
 10. In light of the above assessment therefore, the proposal before me would result in a rear protrusion that would be overly large, and dominant to those residents living at number 58 Park Road. As such the requirements of Policy 8 (e) (i) of the Joint Core Strategy (JCS) as well as the guidance on the importance of good design as included within the National Planning Policy Framework (The Framework).

Conclusion

11. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR

¹ Residential Extensions – A Guide to Good Design, Supplementary Design Guide (SPG) October 2002.



North
Northamptonshire
Council

Appeal Information

Received appeals

Appeal Site	Ref. No.	Date Received	Status	Type of procedure
Field Below Abbey Farm Wellingborough Road Wollaston	NW/22/00387/PAMB	17.01.2023	Appeal in progress	Written Representation
126 Northampton Road Earls Barton	NW/22/00489/FUL	08.02.2023	Appeal in progress	Fast Track
15 Orlingbury Road Little Harrowden	NW/22/00727/FUL	13.02.2023	Appeal allowed with conditions	Fast Track
21 Manor Road Mears Ashby	NW/22/00666/FUL	13.02.2023	Appeal Dismissed	Fast Track
Land rear 142 to 150 Wellingborough Road Earls Barton	NW/22/00730/OUT	02.03.2023	Appeal in progress	Public Inquiry
18 Cambridge Street Wellingborough	NW/22/00399/VAR	08.03.2023	Appeal in progress	Written Representation
Land rear of 325 Grendon Road Earls Barton	NW/22/00332/FUL	27.03.2023	Appeal in progress	Written Representation