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**North  
Northamptonshire  
Council**


**Meeting:** Area Planning Committee Thrapston  
**Date:** Wednesday 10th May, 2023  
**Time:** 6.00 pm  
**Venue:** Council Chamber, Cedar Drive, Thrapston, NN14 4LZ

To members of the Area Planning Committee Thrapston

Councillors Councillor 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

<b>Agenda</b>			
<b>Item</b>	<b>Subject</b>	<b>Presenting Officer</b>	<b>Page no.</b>
<b>01</b>	Apologies for non-attendance		
<b>02</b>	Members' Declarations of Interest and Informal Site Visits		
<b>03</b>	Minutes of the meeting held on 29 March 2023		5 - 12
<b>Items requiring a decision</b>			
<b>04</b>	<b>Planning Application NE/22/01472/FUL 1 Hunters Rise, Brigstock</b> Two storey dwelling with single storey granny annexe <b>Recommendation: Grant</b>	Relevant Case Officer	13 - 30
<b>05</b>	<b>Planning Application NE/23/00040/VAR 46 Cartrill Street, Raunds</b> Variation of condition 11 to allow for retention of porous driveway with gravel topping instead of the approved hard surface driveway pursuant to application 18/01510/OUT Outline: Demolition of existing building and residential development consisting of 5No 4-bedroom dwellings with amended access, associated parking and amenity space (all matters reserved except access); and to reflect the changes proposed to the site plan approved under condition 1 pursuant to 20/00346/REM - Reserved matters for Appearance, Landscaping, Layout, Scale, pursuant to Outline Planning Permission 18/01510/OUT.	Relevant Case Officer	31 - 40

	<b>Recommendation: Grant</b>		
<b>06</b>	<b>Planning Application</b> <b>NE/22/01571/FUL</b> <b>14 Main Street, Wakerley</b> Raise the roof of the garage to allow for creation of habitable space over to provide home office. <b>Recommendation: Grant</b>	Relevant Case Officer	41 - 48
<b>07</b>	<b>Planning Application</b> <b>NE/22/01328/FUL</b> <b>First Floor, 95 High Street, Rushden</b> Change of use of upper floor to C3 residential accommodation comprising 2 x 1 bed apartments and 2 x 2 bed apartments, with new front door and rear amenity space. <b>Recommendation: Grant</b>	Relevant Case Officer	49 - 64
<b>08</b>	<b>Planning Application</b> <b>NE/22/01569/FUL</b> <b>155 Wellingborough Road, Rushden</b> Proposed demolition of single storey element, front two storey extension, loft conversion including external fire exit staircase. <b>Recommendation: Grant</b>	Relevant Case Officer	65 - 74
<b>Urgent Items</b>			
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.			
<b>09</b>	Close of Meeting		
<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>25 April 2023</b></p>			

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

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Committee Administrator: Louise Tyers - Democratic Services  
☎01832 742198  
✉louise.tyers@northnorthants.gov.uk

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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 9 May 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 9 May 2023

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

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

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

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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](mailto:monitoringofficer@northnorthants.gov.uk)

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## Minutes of the Area Planning Committee Thrapston

At 6.00pm on Wednesday 29<sup>th</sup> March 2023

Held in the Council Chamber, Cedar Drive, Thrapston

### Present:-

#### Members

Councillor Jennie Bone (Chair)

Councillor Bert Jackson

Councillor Barbra Jenney

Councillor Andy Mercer

Councillor Gill Mercer (Vice Chair)

Councillor Roger Powell

Councillor Geoff Shacklock

Councillor Lee Wilkes

#### Officers

Karen Fossett (Interim Development Manager)

Sunny Bains (Principal Development Management Officer)

Pete Baish (Principal Development Management Officer)

Patrick Reid (Principal Development Management Officer)

Chris Hill (Senior Development Management Officer)

Simon Aley (Planning Lawyer)

Louise Tyers (Senior Democratic Services Officer)

### 61 Apologies for non-attendance

Apologies for non-attendance were received from Councillor Kirk Harrison.

### 62 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.

Councillors	Application	Nature of Interest	DPI	Other Interest
Barbara Jenney	NE/22/01273/FUL 27 Bradfield Close, Rushden	Had sat on the Committee when the previous application had been determined and her views had not changed.		Yes (left meet

The following informal site visits were declared:

- Wood Farm House, 11 High Street, Collyweston – Councillor Jennie Bone
- 11 Higham Road, Rushden – Councillors Bert Jackson and Jennie Bone
- 37 High Street, Irthlingborough – Councillors Bert Jackson, Jennie Bone and Roger Powell
- 27 Bradfield Road, Rushden – Councillors Bert Jackson and Jennie Bone

**63 Minutes of the meeting held on 1 February 2023**

**RESOLVED:**

That the minutes of the Area Planning Committee Thrapston held on 1 February 2023 be confirmed as a correct record and signed.

**64 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/22/01472/FUL – 1 Hunter Rise, Brigstock**

This application was withdrawn from the agenda.

**(ii) Planning Application NE/22/00633/FUL – Wood Farm House, 11 High Street, Collyweston**

The Committee considered an application for the conversion of an existing building to a one-bedroom dwelling.

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.

The Chair invited the Committee to determine the application.

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

- The images of the existing building showed a Collyweston slate roof and as the building was in the conservation area, could a condition be added to retain the roof in perpetuity. In response, officers advised that the wording of condition 3 could be modified to take into account members concerns.
- It was noted that the required visibility splay would not be able to put in place. The Officer advised that to include the visibility splay would require the removal of part of the existing wall but as the agricultural use was being removed it was felt that the splays were not required.
- As the dwelling would be more than 45 meters from the highway, would there be a turning circle for emergency vehicles. Also, would the width of the access road accommodate the size of those vehicles. It was confirmed that without changes to the application, they would not be able to be achieved.
- In response to a question as to whether a condition could be included to provide fire sprinklers in the building, officers confirmed that this would be

covered by Building Regulations and was not required, however it could be included as an informative.

It was proposed by Councillor Andy Mercer and seconded by Councillor Geoff Shacklock that planning permission be granted, subject to the rewording of the condition related to the roof and the inclusion of an informative on fire sprinklers.

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

**RESOLVED:-**

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

**(iii) Planning Application NE/22/00705/FUL – 11 Higham Road, Rushden**

The Committee considered an application for the demolition of an existing dwelling and the erection of six dwellings.

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

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

Requests to address the meeting had been received from Dorothy Maxwell, an objector and Richard Colson, the agent, and the Committee was given the opportunity to ask questions for clarification.

Mrs Maxwell stated that the application made no sense. The development would be cramped, over developed and have a difficult access with the junction at Washbrook Road being very bad. There would be cramped amenity space and little parking. The Committee needed to listen the planning inspector and local residents as this application was not substantially different to the previous application.

Mr Colson stated that he and the applicant welcomed the recommendation made by the officer. This new application had addressed the concerns which had been raised in the appeal decision. The number of dwellings had been reduced and the provision of parking had been improved. Access to the site could also be accommodated. The Local Highways Authority had still objected as there were over five properties using an access but there was now one less dwelling. The recommendation was welcomed, and the objections had been overridden by the Inspector's report.

The Chair invited the Committee to determine the application.

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

- Members raised concerns about the entrance to the site and the impact on traffic as it was between two sets of traffic lights and was a very busy section of the road. There was also concern at the impact the proposed gates would have on traffic. In response, it was advised that the gates were more than 5.5m from the highway, which Highways advised was sufficient. There was also a condition for the detail of the gates.
- It was acknowledged that this application was an improvement on the original but there was disappointment at the lack of proposed amenity space.
- There were still over five properties from a private driveway. In response, the officer advised that the Planning Inspector had found that the earlier proposal for seven dwellings would not cause harm to the network and users.
- Asked as to what weight the Committee needed to give to the Planning Inspector's report, the legal advisor advised that the Inspector had examined the highways issues in a planning context and therefore a high weight should be given.
- If the Committee were minded to grant the application, a condition should be added for the drive to be made to an adoptable standard.
- It was noted that there was a tiled ornamentation on the site, and members believed that this should be retained as it was of historical value.

It was proposed by Councillor Lee Wilkes and seconded by Councillor Bert Jackson that planning permission be granted, subject to additional conditions for the drive to be made up to an adoptable standard and the tiled ornamentation to be preserved on the site.

On being put to the vote, there were five votes for the motion, none against and two abstentions, therefore the motion was carried.

**RESOLVED:-**

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

*The meeting adjourned at 7.35pm and reconvened at 7.40pm.*

**(iv) Planning Application NE/22/01044/FUL – 37 High Street, Irthlingborough**

The Committee considered an application for the conversion of a building to 4No 1-bedroom flats, together with a two-storey rear and side extension and change of use from retail/storage to residential.

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 Councillor Dorothy Maxwell, a Ward Member and the Committee was given the opportunity to ask questions for clarification.

Councillor Maxwell stated that this application was an overdevelopment of the site within a conservation area. The proposed flats were cramped and there would be a lack of privacy. Parking would also be an issue and the applicant's parking survey did not take into account daytime parking. There would also be issues with waste. The loss of a shop would have an impact on the economy of the High Street. The application should be refused to protect residents and over development of the property.

The Chair invited the Committee to determine the application.

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

- It was noted that the proposed units met or exceeded the required standards for one-bedroomed flats, however they were not large enough. The building would be more suited for three units. Four units was too many and there was also a lack of amenity space.
- The lack of parking provision was noted. The surrounding roads had limited time parking during the day and spaces were very limited.
- Whilst two of the units exceed the minimum space standards, it was suggested that the developer be asked to look at only three units to improve their quality. In response, officers advised that all of the proposed units met the national minimum standards. It was accepted that it was difficult to get amenity space in a town centre setting.

It was proposed by Councillor Lee Wilkes and seconded by Councillor Geoff Shacklock that planning permission be granted.

On being put to the vote, there were four votes for the motion, two against and one abstention, therefore the motion was carried.

**RESOLVED:-**

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

**Councillor Barbara Jenney left the meeting for the following item.**

**(v) Planning Application NE/22/01273/FUL – 27 Bradfield Close, Rushden**

The Committee considered an application for a proposed detached dwelling and associated works.

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

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

The Chair invited the Committee to determine the application.

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

- Members questioned how the back garden could be accessed and where waste bins would be stored. In response, the officer advised that there would be a side access to the back garden and bins would be stored at the front of the building.
- It was noted that the previous application had been approved on appeal, where the principle of development on the site had been approved.
- The parking spaces had to be reduced but they did not now meet the visibility splay standards. If the Committee were minded to grant the application, an additional condition for 2m x 2m visibility splays should be included.

It was proposed by Councillor Lee Wilkes and seconded by Councillor Geoff Shacklock that planning permission be granted, subject to the additional condition for 2m x 2m visibility splays.

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

**RESOLVED:-**

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

**Councillor Barbara Jenney returned to the meeting.**

**65 Suspension of Meeting Procedure Rule 10 – Guillotine**

**RESOLVED:-**

That Meeting Procedure Rule 10 (Guillotine) be suspended to enable the Committee to continue the business on the agenda.

**66 Continuation of Planning Applications**

**(vi) Planning Application NE/22/01407/FUL – Polebrook Airfield, Lutton Road, Polebrook**

The Committee considered an application for the erection of an industrial storage building anchored to existing hardstanding.

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

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

The Chair invited the Committee to determine the application.

It was proposed by Councillor Gill Mercer and seconded by Councillor Geoff Shacklock 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.

**67 Close of Meeting**

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

The meeting closed at 9.05pm.

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Chair

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Date

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# Agenda Item 4



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**North Northamptonshire Area Planning Committee  
(Thrapston)  
10 May 2023**

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

## 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**

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- 1.1 That planning permission be GRANTED subject to conditions.

### **2. The Proposal**

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- 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**

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- 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**

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- 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

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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 (Waste 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

The application should have been heard at the Planning Committee on the 29<sup>th</sup> March 2023, however, the application was deferred due to concerns over the submitted location plan. Comments have been submitted by residents which were to be addressed to Members at the meeting. These comments are with regards to the footpath and concerns over the wording of Condition 7 and also in respect to the footpath from Swan Avenue to the MK12 footpath being blocked off.

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 2 – Historic Environment  
Policy 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**

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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.

## **7.7 Footpath**

- 7.7.1 Public footpath MK12 runs along the western boundary of the site, to the west of the public footpath is Swan Avenue which has a stepped access route on to the public footpath. This is outside the red line in the current planning application. This link is currently blocked and a number of objections have been received with respect of the blocked path and the requirements imposed on previous applications.
- 7.7.2 In 2008, planning permission for a number of bungalows was granted at Swan Avenue and a condition stipulated that footpath linking the access road to the adjoining MK12 be completed prior to occupation of the dwellings. The path was constructed as a stepped path with street lighting on Swan Avenue. The use of Swan Avenue footpath is currently restricted by a substantial wooden fence where the footpath link and MK12 meet.
- 7.7.3 Previous planning permission, 17/02567/FUL, included a condition requiring that prior to commencement of development that the access between MK12 and the Swan Avenue footpath link is enabled and kept open and useable as a footpath link in perpetuity. This condition was subject of a variation of condition application (18/01525/VAR) to remove the footpath element, which was refused and then subject to appeal, APP/G2815/W/19/3223241. The appeal was dismissed as the Inspectorate concluded that the footpath link was important, and the condition was necessary as without it the use of the route would be permanently impeded. The Inspector went on to conclude that the condition continues to serve a useful purpose have regard to the current development plan and there would be significant harm caused to future users of the footpath link and the condition was necessary to ensure that boundary treatments do not obstruct the continued use of the footpath link. It was also concluded that the condition met the tests for conditions as set out in the framework.
- 7.7.3 In considering the appeal, the Inspector made a reference that the appellant had control over this area of land. The current application has been submitted with a different red line and under the current application the public footpath, MK12, and the link to Swan Avenue do not form part of the application site. The applicant has confirmed in writing that the red line is accurate.
- 7.7.4 The footpath is now outside the application boundary and as a result the requirement to remove the barrier to MK12 from Swan Avenue could not form part of the conditions given it would not meet the 6 tests which require conditions to be necessary, reasonable, enforceable, relevant to planning, relevant to the application and precise. Only a condition requiring the submission of the boundary treatment along the footpath could be imposed to protect the Public Footpath to the eastern boundary.

7.7.5 Therefore, whilst the restriction of the footpath link to MK12 is a material planning consideration as it falls outside the site boundary of the site it would not form part of the consideration of this current application. Any complication with the footpath is a separate private/civil matter.

## **8. Other Matters**

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- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 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 are no alterations to its width proposed as part of this application.
- 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**

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- 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**

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- 10.1 That Planning Permission be GRANTED subject to conditions:

## **11. Conditions**

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- 1 The development hereby permitted shall be begun before the expiration of 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;
- iii) details of any proposed hard surfacing.

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 as shown in drawings 1540 101 Rev C, prior to the first occupation of the dwelling hereby permitted. Thereafter, the access shall be retained in this condition permanently.

Reason: In the interests of Highway safety.

- 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 en-suite and dressing room for bedroom two and the en-suite 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.

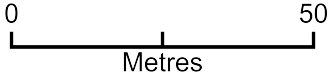
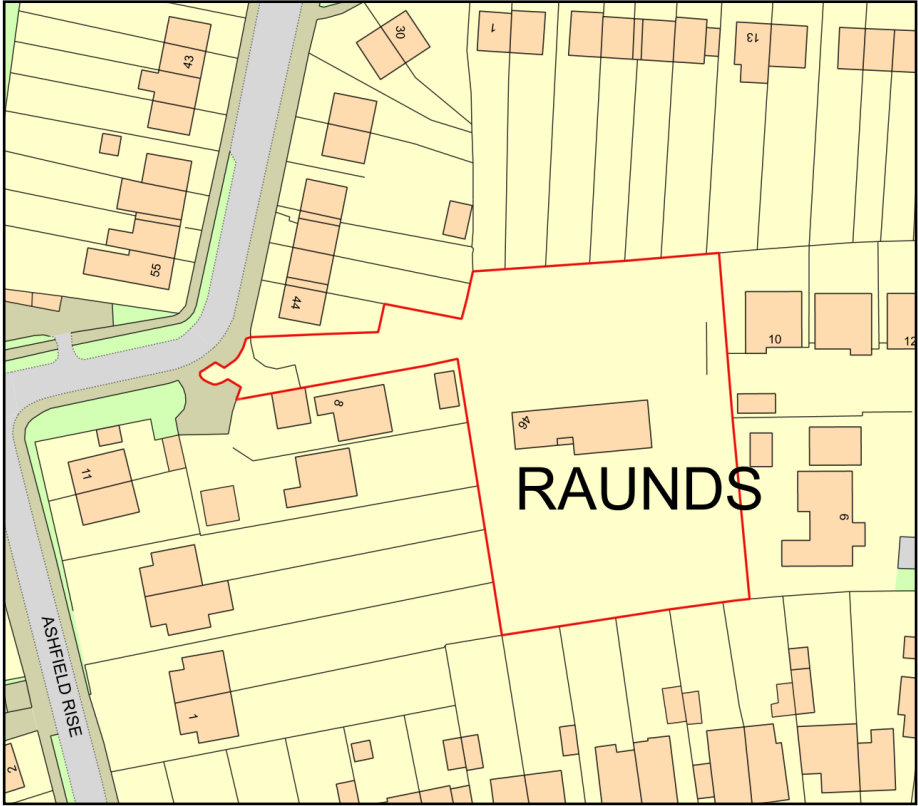
- 13 Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and be approved in writing by the local planning authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- 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.

# Location Plan



Plan Produced for: Alpine Planning Ltd  
Date Produced: 18 Jan 2023  
Plan Reference Number: TQRQM23018104655003  
Scale: 1:1250 @ A4

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
10 May 2023**

<b>Application Reference</b>	NE/23/00040/VAR
<b>Case Officer</b>	Jacqui Colbourne
<b>Location</b>	46 Cartrill Street, Raunds, Wellingborough, NN9 6ER
<b>Development</b>	Variation of condition 11 to allow for retention of porous driveway with gravel topping instead of the approved hard surface driveway pursuant to application 18/01510/OUT Outline: Demolition of existing building and residential development consisting of 5No 4-bedroom dwellings with amended access, associated parking and amenity space (all matters reserved except access); and to reflect the changes proposed to the site plan approved under condition 1 pursuant to 20/00346/REM - Reserved matters for Appearance, Landscaping, Layout, Scale, pursuant to Outline Planning Permission 18/01510/OUT.
<b>Applicant</b>	Tophaven Homes Ltd - Mr I Johnson
<b>Agent</b>	Alpine Planning Ltd - Mr A Jelley
<b>Ward</b>	Raunds Ward
<b>Overall Expiry Date</b>	16.03.2023
<b>Agreed Extension of Time</b>	15.05.2023

## Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Officer recommendation is contrary to the Town Council's objection and more than 5 letters of objection have been received.

### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

## **2. The Proposal**

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- 2.1 The application seeks variation of condition 11 to allow for the retention of a porous gravel driveway topping with a section of tarmacadam road topping instead of the previously approved hard surface driveway pursuant to 18/01510/OUT. It is noted that the proposed surfaces are already in situ and that as such this application is retrospective in nature.

## **3. Site Description**

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- 3.1 The application relates to the road surface serving a residential development consisting of 5No 4 bedroom dwellinghouses, access and associated parking and amenity space (18/01510/OUT). The site is located to the south-east of Cartrill Street.

## **4. Relevant Planning History**

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- 4.1 48/0006/RA - Proposed house – Approved- 22.09.1948
- 87/00278/FUL - Change of use to day nursery – Approved- 24.06.1987
- 94/00335/RTN - Continuation of change of use from dwelling to children's day nursery – Approved - 24.06.1994
- 18/01510/OUT - Outline: Demolition of existing building and residential development consisting of 5No 4-bedroom dwellings with amended access, associated parking and amenity space (all matters reserved except access) – Approved – 20.12.2018
- 20/00346/REM - Reserved matters for Appearance, Landscaping, Layout, Scale, pursuant to Outline Planning Permission 18/01510/OUT for demolition of existing building and residential development consisting of 5 No. 4-bedroom dwellings with amended access, associated parking and amenity space (all matters reserved except access) – Approved – 19.05.2020

## **5. Consultation Responses**

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

### **5.1 Raunds Town Council**

Raunds Town Council objects to the proposed variation, on the grounds that the substitute materials would provide a lower quality and less durable surface in comparison to the materials included in the original application. The Town Council supports the concerns of residents that over time the proposed surface would become an eyesore and a safety concern.

## 5.2 Neighbours / Responses to Publicity

One letter of support and 8 letters of objection have been received. Material planning issues raised are summarised below:

- Safety
- Lighting
- Footpath poorly laid
- Drainage
- Poor quality
- Not as sold to occupants.
- Pushchair / wheelchair/ bicycle/ motorcycle access.

## 5.3 Environmental Protection

No comments to make.

## 5.4 Senior Tree and Landscape Officer

No comments received.

## 5.5 Highways

The LHA would like to recommend the variation of Condition 11 (Access and Parking and Turning), provided that the first 5 metres of the access from the highway boundary are constructed of a hardbound material,

## 5.6 Police

Northants Police has no objection to the variation of condition 11 of 18/01510/OUT.

## 5.7 Waste

No comments to make.

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy

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

- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)  
 Policy 1 - Presumption in Favour of Sustainable Development  
 Policy 3 - Landscape Character  
 Policy 4 - Biodiversity and Geodiversity  
 Policy 5 - Water Environment, Resources and Flood Risk Management  
 Policy 6 - Development on Brownfield Land and Land Affected by Contamination  
 Policy 8 - North Northamptonshire Place Shaping Principles  
 Policy 9 - Sustainable Buildings  
 Policy 11 - The Network of Urban and Rural Areas  
 Policy 19 - The Delivery of Green Infrastructure  
 Policy 28 - Housing Requirements  
 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  
 EN13 – Design of Buildings/ Extensions
- 6.5 Raunds Neighbourhood Plan (made November 2017)  
 Policy R1- Ensuring an Appropriate Range of Sizes and Types of Houses  
 Policy R2 - Promoting Good Design  
 Policy R3 - Flexibility and Adaptability in New Housing Design  
 Policy R4 - Car Parking in New Housing Development  
 Policy R16 - Built and Natural Environment  
 Policy R17 - Greening the Town  
 Policy R19 - Upper Nene Valley Gravel Pits SPA/SSSI
- 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)  
 East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

## **7. Evaluation**

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The key issues for consideration are:

- Principle
- Highway Safety
- Residential Amenity

### **7.1 Principle of Development**

- 7.1.1 Since approval of the original planning permission construction has begun on site and as such the time limit for commencement condition has been complied with. Therefore, with the previous consent, the principle of

development is established. The sole issue of consideration under this S73 application is as to the acceptability of varying condition 11 of the original permission 18/01510/OUT:

*“Prior to the occupation of the dwellings, the site access and parking and turning facilities within the site shall be constructed in accordance with the following:*

*a. The access roads and parking provision shall be suitably hard surfaced and the gradient of the access, between the correct level at the highway boundary (back of footway) and a point of 5m back, shall not exceed 1 in 15, in the positive or negative direction.*

*b. Pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular accesses to each property and the site. The areas of land forward of these splays shall be reduced to and maintained at a height not exceeding 0.6m above carriageway level.*

*c. The parking and turning facilities shall be provided in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.*

*d. The development shall include a positive means of drainage to ensure that surface water from the site or access roads does not discharge onto the highway or neighbouring properties.*

*Once these works have been carried out, they shall be maintained in perpetuity thereafter.*

*Reason:* *In the interests of Highway safety.*

## 7.2 Highway Safety

7.2.1 It is noted that both the Raunds Town Council and 8 members of the public have objected to the proposed access road surface. The Town Council have observed that the substitute materials would provide a lower quality and less durable surface in comparison to the materials included in the original application. The Town Council has also stated that they support the concerns of residents that over time the proposed surface would become an eyesore and a safety concern.

7.2.2 Correspondence has been received raising concerns about the part gravel and part tarmac access/drive with regard to safety, pushchair/ wheelchair/ bicycle/ motorcycle access, quality of materials and the drainage of the proposed materials. It is noted that Highways (LHA) have recommended approval of the variation, provided that the first 5 metres of the access from the highway boundary are constructed of a hard bound material. The submitted plans detail that in excess of the first 10 metres of the access are constructed in tarmac, which more than satisfies this requirement. In addition, the Police were consulted and have raised no concerns. It is not unusual for vehicular access/driveways to be constructed of a porous surface with a gravel topping, as long as the first five metres of access from the highway boundary are constructed of a hard bound material; which is the case with this proposal. Neither LHA nor the Police have raised any concerns with regard to safety. It is of note that should these materials had

been submitted with the original application 18/01510/OUT, given LHA and Police comments, they would have been deemed acceptable, and approved.

- 7.2.3 It is noted that the submitted plan refer to revised lighting, parking and surfaces that do not form part of the application and as such these are not being considered. Letters received detail concerns regarding lighting and a poorly laid footpath. Whilst these comments are noted, these matters are not pertinent to the consideration of this application which is to consider the application received to vary Condition 11 to allow the retention of porous driveway with gravel topping instead of the approved hard surface driveway pursuant to application 18/01510/OUT.
- 7.2.4 In addition, concerns that this change would result in the development differing to what was sold to the occupants have been received. Whilst these are noted, these concerns are not a material consideration given these are civil not planning matters, relating the purchase of properties. As such these matters are not pertinent to the consideration of this application
- 7.2.5 In determining an application for the variation of a planning condition a decision maker must consider only the question of the condition. In this case and based on the consultee advice the development is acceptable with the variation of condition 11 given that it would not cause adverse harm to highway users or the residual road network. As such, given the above in this regard the proposal is considered acceptable and accords with Policy 8 (b) of the JCS and Paragraph 111 of the NPPF.

### 7.3 **Residential Amenity**

- 7.3.1 The proposal seeks to vary Condition 11 to allow for retention of porous driveway with gravel topping with a tarmac to more than the first 5 metres from the highway boundary, instead of the approved hard surface driveway pursuant to application 18/01510/OUT. The proposals seek no changes to the access other than the retention of the surface materials which are supported by the LHA and furthermore have raised no concerns from the Police. As such the proposal is not considered to have any unacceptable impact on the residential amenity of the surrounding properties.
- 7.3.2 It is noted that the change in materials may generate additional noise compared to a hard bound material when vehicles or people travel on it, however Environmental Protection has raised no concerns in this regard, or objection to the proposal and therefore it is considered that the noise generate would not cause adverse harm.
- 7.3.3 Given the above, the proposal would accord with Policy 8(e) of the JCS and Paragraph 130 of the NPPF, the development is acceptable in terms of its impact on residential amenity.

## **8. Other Matters**

---

- 8.1 Neighbour comments: The concerns raised have been addressed in the paragraphs above.
- 8.2 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.3 Raunds Town Council comments: The concerns raised have been addressed above.

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

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- 9.1 Overall, the proposal is considered to be of an acceptable design, and that there is no adverse impact on the amenities of neighbouring properties or the highway which would justify refusing the application. Thereby, the proposal accords with local and national policies and thus it is recommended that the variation of the condition is approved.

## **10. Recommendation**

---

- 10.1 Approve subject to the following conditions:

## **11. Conditions**

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1. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following:

Application Form  
Received by this council 12.01.2023

Location Plan  
Received by this council 18.01.2023

Block Plan  
Received by this council 20.04.2023

Drawing 17-049-01  
received by this council 31.08.2018

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

2. Within 6 months of the permission hereby permitted, the approved access shall be completed in accordance with the approved plan (0328/11C) and the gradient of the access (between the level at the highway boundary (back of footpath) and a point of 5 metres back) shall not exceed 1 in 15 in the positive or negative direction.

Reason: In the interest of highway safety and ensuring suitable means of access arrangement.

3. Pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular accesses to each property and the site within 6 months of the permission hereby permitted. The areas of land forward of these splays shall be reduced to and maintained in perpetuity at a height not exceeding 0.6m above carriageway level.

Reason: In the interest of highway safety.

4. The parking and turning facilities shall be provided within 6 months of the permission hereby permitted in accordance with the approved plans (0328/11C) and shall thereafter be set aside and retained for those purposes.

Reason: To ensure suitable means of access and parking arrangement and residential amenity.

5. The development shall within 6 months of the permission hereby permitted include a positive means of drainage to ensure that surface water from the site or access roads does not discharge onto the highway or neighbouring properties and thereafter it shall be maintained and retained in perpetuity.

Reason: In the interest of highway safety and to ensure suitable means of residential amenity.

6. The side facing first floor windows in the dwellings on plots 1 and 2, and the East and West facing first floor windows on plots 3, 4 and 5, which serve bathrooms and ensuite bathrooms, shall all be obscurely glazed and non-opening to a minimum height of 1.7m above floor level in the room in which the window is installed and maintained and retained in perpetuity.

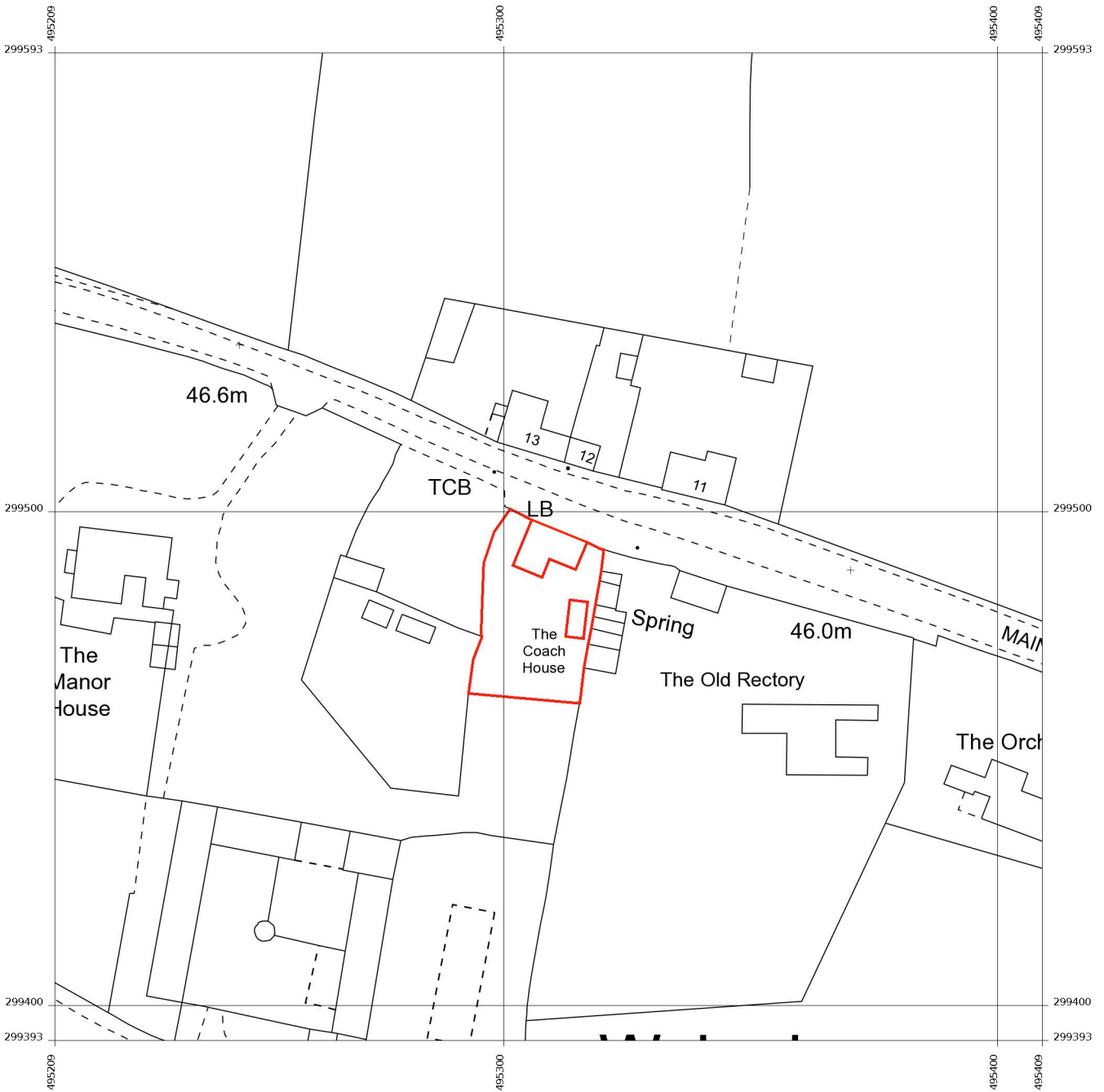
Reason: In the interests of residential amenity.

7. Within 3 months of the permission hereby permitted, a scheme of lighting for the access road serving the development shall be submitted to and approved by the local planning authority. The approved details shall be implemented within 3 months of the details being approved and maintained in perpetuity.

Reason: In the interests of amenity and crime prevention

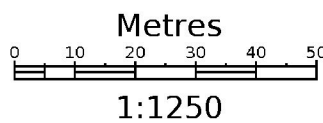


# Agenda Item 6



Produced 04 Jun 2021 from the Ordnance Survey MasterMap(Topography)Database and incorporating surveyed revision available at this date.

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.



14, Main St, Wakerley  
LE15 8PA

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Reference: O11477944  
Centre coordinates: 495309 299493

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
10 May 2023**

<b>Application Reference</b>	NE/22/01571/FUL
<b>Case Officer</b>	Ellen Carr
<b>Location</b>	14 Main Street, Wakerley, LE15 8PA
<b>Development</b>	Raise the roof of the garage to allow for creation of habitable space over to provide home office.
<b>Applicant</b>	Harrison Developments Ltd - Michael And Oliver Harrison
<b>Agent</b>	Angus McLeish Architect - Angus McLeish
<b>Ward</b>	Oundle Ward
<b>Overall Expiry Date</b>	12 <sup>th</sup> May 2023
<b>Agreed Extension of Time</b>	12 <sup>th</sup> May 2023

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation due to the applicant's relationship to Cllr Helen Harrison.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

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

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- 2.1 This application for planning permission proposes to raise the roof of the exiting garage to allow for the creation of a habitable space providing a home office at 1<sup>st</sup> floor level for the host dwelling 14, Main Street, Wakerley. There are no changes proposed to the host dwelling.

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

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- 3.1 The host dwelling is a 19<sup>th</sup> Century, two storey stone building with a detached garage set back within the site, accessed via the driveway and gate to the left of the property.

- 3.2 Although the site is not within a designated Conservation Area, it is adjacent to the Grade II listed 'Old Rectory' (east) and within close proximity to the Grade II listed 'Manor House' (west). However, the host dwelling itself is not listed.

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

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- 4.1 82/01281/FUL– Kitchen and bedroom extension – Approved – 20.10.1982.
- 4.2 97/00209/FUL– Detached garage – Approved – 13.05.1997.

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

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

##### 5.1 Wakerley Parish Council

No comments received.

##### 5.2 Neighbours / Responses to Publicity

No letters have been received.

##### 5.3 Local Highway Authority (LHA)

No objection.

##### 5.3 Principal Conservation Officer

Comments received stating 'I have no objections to the development proposed, subject to the usual conditions regarding materials and joinery.'

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

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##### 6.1 Statutory Duty

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

##### 6.2 National Policy

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

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

1 (Presumption in Favour of Sustainable Development)  
2 (Historic Environment)  
8 (North Northamptonshire Place Shaping Principles)

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

EN13 - Design of Buildings / Extensions

EN14 – Designated Heritage Assets

6.5 Neighbourhood Plan – N/A

6.6 Other Relevant Documents

Northamptonshire Parking Standards (2016)

Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Residential Extensions

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact and Impact on Neighbouring Amenity
- Heritage
- Parking provision and highway safety and capacity

### **7.1 Principle of Development**

7.1.1 The applicants demolished the existing garage on site to build a detached single storey garage under permitted development. The erected garage has not been completed but has been built up to roof joists. Any reference to 'Existing garage' within this report or plans relate to this structure.

7.1.2 The existing garage has a footprint of 7040mm by 10930mm with what would be a double garage door frontage, side access door, 2 windows on the western elevation and external staircase to the rear. The garage is situated between 1000mm - 970mm from the neighbouring boundary and is approximately 2450mm to roof joists.

7.1.3 The footprint of the existing garage at ground floor is not proposed to change; however, the extension to add a 1<sup>st</sup> floor level would increase the ridge height to 6050mm. There are two windows proposed to the front elevation at 1<sup>st</sup> floor level along with 4 Velux windows on the western roof slope.

7.1.4 The room above the garage and workshop is to be used as a home office for the host dwelling, 14 Main Street, Wakerley.

7.1.5 Given the existing residential use on the site, the principle of the proposed home office element to the existing garage is acceptable. It is considered reasonable and necessary for the proposed outbuilding to be conditioned as an incidental use, subordinate to the host dwelling and not be used as a separate business or dwelling, for which a further planning application would be required.

## **7.2 Impact on Neighbouring Amenity**

- 7.2.1 Due to the positioning of the development on site, away from the neighbouring/adjacent dwellings, it is considered acceptable in terms of overlooking, overbearing and loss of light and would not have a significant impact upon residential amenity. No first-floor windows on the side elevations are proposed, just roof lights which provide natural light. It is also considered the external steps and first floor entrance ensure views are directed to the rear of the site, rather than private amenity spaces or habitable rooms of neighbouring properties.
- 7.2.2 Overall, the proposal would not have an adverse impact on residential amenity and therefore meets criteria within Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 and the Householder Extensions Supplementary Planning Document.

## **7.3 Design and Heritage**

- 7.3.1 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process.

Paragraph 199 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 7.3.2 Policy 2 (Historic Environment) of the North Northamptonshire Joint Core Strategy (JCS) (2016) states that the historic environment will be protected, preserved and where appropriate enhanced. Policy 8 of the North Northamptonshire Joint Core Strategy (JCS) (2016) encourages good design.
- 7.3.3 Due to the site being adjacent to the Grade II listed 'Old Rectory' (east) and within close proximity to the Grade II listed 'Manor House' (west) the Council's senior conservation officer was consulted. They had no objections to the proposal, however they requested to have pre commencement conditions for materials and joinery added to the decision if permission is granted. These pre commencement conditions are considered reasonable and necessary and have been agreed by the planning agent for this application.
- 7.3.4 In this instance due to the scale and location of the proposed development, it is considered that is of an acceptable design and there would be no harm to the setting, special architectural or historic interest of the adjacent listed buildings. It is considered the proposal would therefore preserve the character of the area and therefore subject to the materials and joinery details to be submitted and agreed by the planning authority, the proposal is deemed acceptable.

## 7.4 **Parking provision and highway safety and capacity**

- 7.4.1 The Local Highways Authority have been consulted and have no objections to the proposal. Given the scale and siting of the proposal, it is considered that there would not be an adverse impact on highways safety and sufficient parking retained on the site.

## 8. **Other Matters**

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- 8.1 It is stated within the submitted Design & Access Statement, that the host dwelling is to be developed in the future (subject to planning permission) and the applicant wishes to use the proposed home office as temporary living accommodation during the build, until the main dwelling house is ready for completion. For the avoidance of doubt, this application is being determined as a detached garage and workshop with home office at 1<sup>st</sup> floor level and not as separate living accommodation. Any future proposals to use the development as separate accommodation and not a use subordinate to a host dwelling would require a further planning application.
- 8.2 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

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

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

## 10. **Recommendation**

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- 10.1 Planning permission is granted.

## 11. **Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out using materials as stated within the application.
- Reason: To preserve the character and special interest of the adjacent listed buildings in accordance with policy 2 (b) of the North Northamptonshire Joint Core Strategy.
3. The development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority on the 19<sup>th</sup> December 2022 & 23<sup>rd</sup> January 2023:

- Location Plan – 19<sup>th</sup> December 2022
- Site plan and existing plans and elevations - 22811/03A – 23<sup>rd</sup> January 2023
- Proposed plans and elevations – 22811/04A – 23<sup>rd</sup> January 2023

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

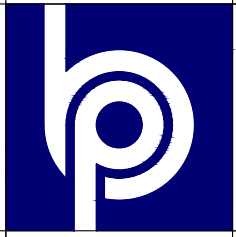
4. Prior to the installation of any new external doors and windows, full details of the proposed items shall be submitted to and approved in writing by the Local Planning Authority. Details shall include elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and details of specific mouldings at a scale of at least 1:2. Details shall confirm the finish; depth of reveal; and, include their opening method and sill. The works shall thereafter be carried out in accordance with the approved details.

Reason: To preserve the character and special interest of the adjacent listed buildings in accordance with policy 2 (b) of the North Northamptonshire Joint Core Strategy.

5. The home office hereby approved shall be used only in association with, and incidental to the occupation of the existing dwelling at 14 Main Street, Wakerley, and shall not be used as a separate business or residential unit.

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





Feathe.  
(PH)

High Street

103

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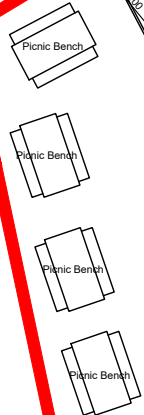
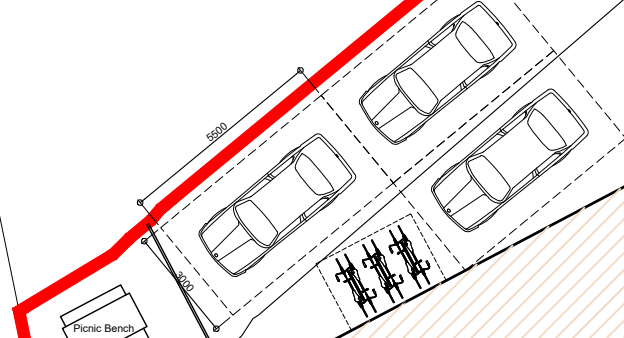
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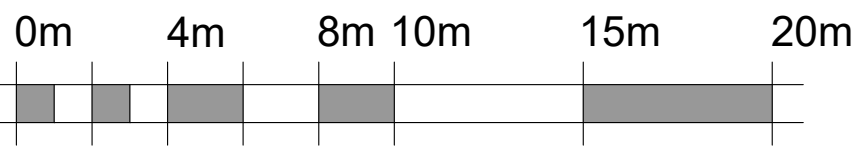


Shared Amenity Space

Washing Line

Low maintenance shared space with fixed seating, paving, and basic planting

Proposed Conversion of first floor to residential apartments



Proposed Block Plan  
Scale 1:200

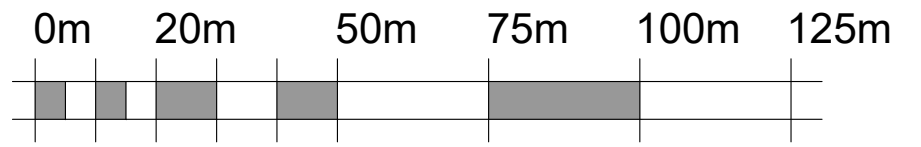
Scale 1:200

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Site Location Plan  
Scale 1:1250



Scale 1:1250

**PLANNING ISSUE**  
PLEASE NOTE  
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PLANNING ONLY  
THESE ARE NOT CONSTRUCTION DRAWINGS

REV.	DETAILS	INIT.	DATE
A	Amended parking and added amenity space	KD	30/06/2022
B	Added shared amenity space note.	KD	10/11/2022

TITLE	95 High Street, Rushden, N'hants, NN10 0NZ		
DETAIL	Site Location & Proposed Block Plan		
SCALE	As Noted	SHEET:	A3
DRAWN	KD	CHECKED	KLK
DATE	January 2022	ISSUE	PLANNING
		21-187-11B	



5 BLOTTS BARN, BROOKS ROAD, RAUNDS, NORTANTS, NN9 6NS  
01933 551389 :: info@blueprintdesign.org.uk

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Agenda Item 7

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**North Northamptonshire Area Planning Committee  
(Thrapston)  
10 May 2023**

<b>Application Reference</b>	<b>NE/22/01328/FUL</b>
<b>Case Officer</b>	<b>Chris Hill</b>
<b>Location</b>	<b>First Floor. 95 High Street, Rushden</b>
<b>Development</b>	<b>Change of use of upper floor to C3 residential accommodation comprising 2 x 1 bed apartments and 2 x 2 bed apartments, with new front door and rear amenity space.</b>
<b>Applicant</b>	<b>Glendale Securities Ltd - Mr N Hanspal</b>
<b>Agent</b>	<b>Blueprint Architectural Design - Miss K Davis</b>
<b>Ward</b>	<b>Rushden South Ward</b>
<b>Overall Expiry Date</b>	<b>11.01.2023</b>
<b>Agreed Extension of Time</b>	<b>14.05.2023</b>

### Scheme of Delegation

Per the Local Planning Authority's adopted Scheme of Delegation, this application was referred to the Planning Committee Chairman & Vice-chairman due a sustained objection from Rushden Town Council. Both the PCC and PVC have agreed that the application be considered under delegated authority.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

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

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- 2.1 Permission is sought for the change of use of a first floor area of an existing Class E commercial premise to that of Use Class C3, residential. The first floor would constitute 2 x 1 bedroom apartments, and 2 x 2 bedroom apartments.
- 2.2 There would be minimal external alterations as a result of the proposed development. A communal entrance presenting on the left side of the High

Street facing elevation would be added, leading to a stairway and landing area/corridor on the first floor. A window would be added on the south-facing elevation at the first floor level for a bedroom. A small window would be added on the north facing elevation, to serve a smaller second bedroom of another apartment. Cycle storage and parking area would be formalised to the north of the site. Outdoor amenity space would be provided for the flats to the west, on the ground floor.

### **3. Site Description**

---

- 3.1 The site is located within the central area of Rushden town centre and is generally surrounded by properties and uses that one would typically expect to see in a town centre. Specifically, the proposal relates to the 1st floor of no.95 High Street which is currently used as storage for the coffee shop below. The property itself fronts the High Street with access to the upper floors currently being via internal stairs at the rear of the coffee shop.
- 3.2 The site is within Rushden's Conservation Area and within the 3km Zone of Influence for the Nene Valley Gravel Pits Special Protection Area (SPA).

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

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- 4.1 None applicable

### **5. Consultation Responses**

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

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

Comments received 16/12/2022:

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

Parking is our main concern and having read the comments from the LHA it would appear they have the same concerns. We would object most strongly to the public car parks being considered for parking provision for the development. Residential parking within the public car parks has a detrimental effect on the volume of customer parking available and therefore is a negative economic factor for the town. The LHA have also expressed concerns about splays and site lines and the use of tandem to achieve the required parking numbers. There is no capacity to achieve off street parking in the area and therefore we do object on the grounds of insufficient parking.

We also consider the scheme offers inferior, cramped accommodation with very little amenity space for all units. Therefore, giving the problems with parking we would suggest that the number of units are reduced to provide better quality living space and help alleviate the parking issues.

Comments received 27/02/2023:

Your email below was discussed at our last Planning Meeting and members still wish to lodge the same objections.

## 5.2 Neighbours / Responses to Publicity

No letters have been received from individuals. A letter representing Royal Mail was received, as a neighbouring property, included below:

I am writing on behalf of the Royal Mail, who would like to submit comments to the planning application ref: NE/22/01328/FUL as follows.

The Noise Impact Assessment submitted confirms impact of Royal Mail existing operation on the proposed development, most significantly the residential bedroom overlooking the yard area and provides proposed mitigations to deal with the noise impact. Royal Mail asks that if the planning permission is recommended for approval the planning conditions are recommended to protect future occupiers to avoid any future complaints and protect Royal Mail operations.

We request any planning permission is subject to the following conditions:

No development shall take place until a detailed scheme of noise insulation measures for the development has been submitted to and been approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

Reason: In order to safeguard the amenities of the future occupiers.

Prior to the occupation of the development, the noise mitigation measures as set out in Environmental Noise Survey (by Noise June 2021) should be installed and agreed in writing with the Local Planning Authority so that future occupiers will not be affected by noise from the existing business in the vicinity. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

Reason: In order to safeguard the amenities of the future occupiers.

## 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:

Access onto High Street

- 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 distance between structures for a single driveway must be 3.3 metres. This is consistent with internal width dimensions required for a single garage.
- The access appears to be in poor conditions and will require resurfacing. The access must be constructed in a hard bound material for the first 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.
- 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.

#### Parking Beat Survey

- The number of parking spaces required for the proposed use is 1 space per 1-bed flat, 2 spaces per 2- bed flat and 0.25 spaces per flat for visitors. This results in a total of 7 spaces (6 residential and 1 visitor), so while this can be achieved, the LHA would like to raise concerns that the nearby streets are operating at very high stress levels.
- The LHA would also like to raise concerns with relying on parking spaces which form part of a public car park and that whilst there are currently available for residents this may not be the case for the lifetime of the development.

#### 5.4 Waste Management

No objections or comments from Waste

#### 5.5 Natural England

Standing advice concerning SPA received.

#### 5.6 Environmental Health

I have been asked to comment on the above application which is the proposed change of use to the upper floor of 95 High street, Rushden, into 2x 1 bedroom apartments and 2x 2 bedroom apartments.

I am commenting on the aspects of noise and odour. In respect of noise a BS 4142:2014 assessment was carried out and several recommendations were made by the consultant. The assessment suggests that the noise impact will likely be low. As a result, I am satisfied that there should not be an adverse impact on future residents as a result of noise.

In respect of odour, three field odour surveys were carried out using IAQM methodology. These surveys indicate that considering the worst-case scenario odour is likely to be not significant. I am satisfied that odour should not adversely impact future residents.

In order to ensure that the recommendations made within the document known as Noise Assessment are followed. I would ask, if you are minded to approve the application, that the following conditions are attached and the informative fed back to the applicant.

Conditions:

#### Commercial/residential noise transmission

Prior to the development hereby permitted an acoustic engineer shall be engaged to determine the level of noise transmission between the ceiling and floor that separates the residential and commercial units. This shall include flanking transmissions. Based on this assessment a scheme for sound insulation between the ceiling and floor (including measures to mitigate against flanking transmission) shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation and retained thereafter in perpetuity.

Reason: In the interests of residential amenity

#### Ventilation

Prior to the development hereby permitted a scheme for the ventilation system shall be produced to show how each part of the development shall be supplied with appropriate ventilation. This scheme shall comply with the relevant standards and regulations. This scheme shall be submitted and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation and retained thereafter in perpetuity.

Reason: In the interests of residential amenity

#### Informative:

The type of ventilation system utilised for this development should be carefully considered. There are several issues that can result from the use of active ventilation. For example, noise from associated mechanical ventilation can pose more of a problem than the noise that is causing the windows to be kept closed. Passive ventilation, such as trickle ventilation, should be considered and this should be reflected in the scheme for the proposed ventilation system

### 5.7 Others

The following were consulted but did offer comments:

- Nature Space Officer
- Community Development Officer
- Council Ecology Officer
- Principal Conservation Officer

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

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### **6.1 Statutory Duty**

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

### **6.2 National Policy**

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

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

Policy 1 - Presumption in favour of Sustainable Development  
Policy 4 - Biodiversity and Geodiversity  
Policy 8 - North Northamptonshire Place Shaping Principles  
Policy 9 - Sustainable buildings  
Policy 11 - The Network of Urban and Rural Areas  
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  
EN2: Settlement boundary criteria – urban areas  
EN12: Health and wellbeing  
EN13: Design of Buildings/ Extensions  
EN14: Designated Heritage Assets  
EN15: Non-Designated Heritage Assets

### **6.5 Rushden Neighbourhood Plan (NP) (2018)**

EN1 - Design in development  
EN2 - Landscaping in development  
T1 - Development generating a transport impact  
H4 - Market housing type and mix  
R3 - First floor uses

### **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 - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

## **7. Evaluation**

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### **7.1 Principle of Development**

7.1.1 Provided that all other material considerations can be satisfied, the NPPF operates with a presumption in favour of sustainable development with the



established built up areas of a settlements. Policy 11 and Policy 29 of the JCS identify Rushden as a growth town and highlight the requirement for the town to find space for 3285 dwellings before 2031.

- 7.1.2 The Rushden Neighbourhood Plan recognises this requirement, however (as per Policy EN1) requires all new development to be high quality in design and respectful of the local character, prevailing density and pattern of development.
- 7.1.3 Housing Mix/Tenure - Policy 30 a) ii) of the Joint Core Strategy requires the mix of house types within a development to reflect the existing housing stock in the settlement or neighbourhood/ward "in order to address any gaps in provision and to avoid an overconcentration of a single type of housing where this would adversely affect the character or infrastructure of the area". Due to the large number of flatted developments in the town, the Rushden Neighbourhood Plan seeks to ensure that more flats are only brought forward where a need can be robustly demonstrated.
- 7.1.4 Policy H4 of the Rushden Neighbourhood Plan, in particular, states that notwithstanding the requirement in Policy 30 (JCS) for providing smaller households in Rushden, flatted development will only be permitted where this meets an identified local need, where the constraints of a site are such that it is not possible to provide small one or two bedroom houses or maisonettes, or where an existing non-residential building is being converted.
- 7.1.5 As the building is an existing non-residential building that is being partly converted for residential use with the ground floor retained as a commercial premise on a high street, the proposed development is considered to comply with this policy. There are no other planning policies that would constrain the principle of residential development on this site and in addition to this, planning permission has also been granted for a number of other similar conversions in the nearby area. The proposed development is therefore considered to be acceptable in principle, subject to other material planning considerations.

## 7.2 **Visual Impact**

- 7.2.1 Policy 8 of the JCS requires development to respond to the overall form and character of the local area as well as the site's immediate and wider context. Similarly, Policy EN1 of the Rushden Neighbourhood Plan requires development to understand the local character, prevailing density and pattern of the surrounding area. 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.
- 7.2.2 The proposed external changes the building are minimal, with the additional unblocked/new access to the side of the commercial premise facing the high street and the two new windows on the north and south facing elevations. None of these new openings would result in an architectural rhythm change to their elevations that could be considered negative to either the host building or the special character of the Conservation Area.

7.2.3 The submitted plans and application form indicate that the new access door would be 'Black/grey aluminium or pvc' both of which would be acceptable against the existing materials in use for the commercial ground floor premises. The application form and Design & Access Statement that new and replacement windows would be 'Double or triple glazed upvc or aluminium'. Typically within a Conservation Area such a type of window would be resisted. However, the existing windows are not of a particular high quality or historical appearance and both neighbouring properties and similar properties in the immediate vicinity make use of similar windows to that which are proposed. Given this, the introduction of such windows on the first floor of this building is not considered to diminish the special character of the Conservation Area nor result in an unacceptable appearance for the host building.

7.2.4 As such, the overall design is considered acceptable with there being limited impact on the character of the Conservation Area and the resultant appearance of the building not being dissimilar to that which presently exists.

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

7.3.1 The installation of a new first floor window on the southern elevation would introduce an additional level of overlooking, however, given that the ground floors of the overlooked properties are commercial it would not introduce an unacceptable impact on residential amenity. The north facing elevation contains a number of windows at present, and the introduction of a singular additional small window would not result in a material change on this elevation.

7.3.2 The Council's Environmental Health Officer has commented on the application and the submitted Noise & Odour assessments. They agree with the conclusions drawn and are satisfied that there should not be an adverse impact on future residents as a result of noise or odour. They recommended conditions concerning noise transmission and ventilation as part of any granted permission, which are considered reasonable and proportionate to the scale of development. Comments submitted by the Royal Mail are considered to be covered by this assessment and conditions.

7.3.3 The proposed flats all meet the adopted Nationally Described Space Standards, per the requirement of JCS Policy 30. The inclusion of external private amenity space allocated to the flats is considered a positive element for the proposed development.

7.3.4 Some concern has been expressed concerning the internal light for the flats, given that they face north and are at times served by a single window with relatively deep floor plans. The existing windows on this north elevation are large, measuring approximately 1.9 metres in height and a minimum of 1.4 metres in width. 'Flat 1' includes east facing windows and an additional window serving a single bedroom measuring just 4 metres in depth, and is not considered to be subject to this concern.

7.3.5 'Flat 2' includes a bedroom served by two of the aforementioned large windows, with a depth of just 3.66 metres. The living space is also served

by the same large windows, but does have a depth of approximately 7.39 metres. It is considered that the height, width and overall size of these windows would provide the living space with more than adequate light for good levels of internal amenity for future residents.

- 7.3.6 'Flat 3' has a single bedroom, served by a very large window, in this instance a triple paned window of the same height. As the depth is just 2.85 metres this is considered more than adequate. The living space is served by a similar, very large window. Whilst it is of the same depth as the aforementioned living space of 'Flat 2' it is of the triple panel design, being approximately 2.1 metres in width. Whilst the levels of daylight would be diminished by the north facing aspect, it is considered that the size of the aperture would provide access to more than adequate daylight for future residents.
- 7.3.7 'Flat 4' includes a west facing, large window of the same type seen on the north facing elevation for the double bedroom. The single bedroom includes a south facing window of the same type. In both of these instances, more than adequate daylight would be experienced. The living space is dual aspect, with both a double and triple panel window servicing it, providing a plentiful amount of daylight for future residents.
- 7.3.8 Whilst the north facing nature of the proposed development and single aspect nature of the flats would be of concern in most instances, the size of the existing and retaining windows is such that future residents would enjoy reasonable to plentiful levels of daylight for both sleeping and living spaces, such that a refusal on these grounds would not be reasonable.
- 7.3.9 Overall the proposed development is not considered to impinge on the amenity of neighbouring properties and affords a positive degree of amenity both externally and internally for future residents.

#### **7.4 Impact upon Highway Safety and Parking**

- 7.4.1 Vehicular access for the dwellings would be to the north of the application property (adjacent no.97 High Street). From visiting the site, it was established that this space is currently used for alternative access to no.95 and 97, external storage space and informal parking.
- 7.4.2 Policy T1 of the Rushden Neighbourhood states proposed will take into the Highways team comments and that "Planning permission will only be granted for development that generates a transport impact if the development would not result in a significant residual impact on any aspect of the transport network".
- 7.4.3 The LHA have submitted comments regarding the provision of parking and the number of parking spaces required for the proposed use. They specify that it is:
- 1 space per 1-bed flat
  - 2 spaces per 2- bed flat
  - 0.25 spaces per flat for visitors
  - Total of 7 spaces (6 residential and 1 visitor)

- 7.4.4 The Town Council's objection to the scheme is predominantly concerned with that of parking and highways safety. Having visited the site, reviewed the submitted Design & Access Statement and undertaken an assessment, it is considered that the existing area to the rear of Costa is not formally associated with the commercial unit. It is therefore considered unconstrained regarding its future use and would not negatively impact the commercial operations at this location.
- 7.4.5 As the site lies within Rushden town centre, there is greater potential for residents to access and utilise more sustainable modes of transport such as walking and public transport. Given that the Rushden Neighbourhood Plan and JCS seek to encourage the use of more sustainable modes of transport, there is scope to diverge from the strict off-road parking provision identified within the Parking Standards. Were the first floor area to come back into commercial usage, it would likely warrant a comparable number of parking spaces. Additionally, the existing space is not formally allocated parking to either the first floor or commercial ground floor. It would not therefore necessarily warrant the provision of parking to the same extent to which the LHA suggests. Therefore, the provision of 3 car parking spaces, of which two are tandem and associated with the same flat thereby preventing conflict, is an appropriate car parking provision at this location.
- 7.4.6 Regarding safety, the existing rear access surface is in a poor state of repair and would require improvement for the first 5m from the highway boundary as part of any granted permission. Visibility splays would not be achievable owing to neighbouring dwellings, but the formal creation and improvement of this access, including improved highway markings, would be considered a net improvement over the informal rear access that presently exists. Additionally, the High Street at this location is a one way street and to the North of the site is an amenity space with a 1-metre high bar fence which would allow for a degree of visibility. Submitted vehicle tracking demonstrates manoeuvrability within the space allocated such that all vehicles could exit the site in a forward gear. It would not therefore be reasonable to resist the application on highways access alone.
- 7.4.7 Adequate means of drainage to avoid runaway onto the Highway is shown on plan. This would be secured as part of the described improvement to the access surfacing.
- 7.4.8 Overall, given the existing informal parking arrangements, net highways safety improvements from formalisation and surfacing secured via permission and sustainable location, matters concerning highways parking and safety are considered satisfactory in this instance.

## 7.5 Ecology

- 7.5.1 There is a planning policy requirement from Natural England and Policy 4 of the North Northamptonshire Joint Core Strategy for all new residential development within 2km of the River Nene Special Protection Area (SPA) to mitigate against impact on that area.

7.5.2 This proposal is located within 2km of the Upper Nene Valley Gravel Pits Protection Area. This is a protected site from a nature conservation point of view under the terms of European Legislation. The Council has a requirement linked to an adopted Supplementary Planning Document which at present requires a contribution of £322.41 per dwelling to mitigate against any impact. If this payment (or other mitigation) is not secured, it will form a reason for refusal.

7.5.3 In this instance both a SPA Mitigation Form and SPA fee have been submitted and paid and therefore the application complies with policy concerning such.

## **8. Other Matters**

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8.1 Waste: The Council's Waste Management team have agreed they are satisfied with the proposals.

8.2 Equality Act (2010): The proposed development is not considered to have a negative impact in terms of equality.

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

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9.1 The proposed development is considered to be acceptable in relation to the impact on highway safety, neighbour amenity, design and conservation and noise and disturbance. There are no other material planning considerations that would justify a refusal of planning permission for the proposed development and it is therefore recommended that planning permission is granted.

## **10. Recommendation**

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10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions**

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

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

2. The development only be carried out in strict accordance with the following approved plans:

Application Form – Dated 17/10/2022

Dwg. No. 21 187 011A - LOCATION PLAN

Dwg. No. 21-187-11B - LOCATION AND BLOCK PLANS

Dwg. No. 21 187 010A OPTION 2 ELEVATION - PROPOSED

Dwg. No. 21-187-09D PROPOSED FLOOR PLANS OPTION 2 – PROPOSED

Reason: Reason: To define the terms of the planning permission.

3. The development hereby permitted shall be constructed using materials as described within the submitted and approved plans and application form.

Reason: In the interests of visual amenity.

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 from site preparation works (i.e. clearance of trees, scrub, vegetation, internal fittings etc).

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

6. Prior to the development hereby permitted an acoustic engineer shall be engaged to determine the level of noise transmission between the ceiling and floor that separates the residential and commercial units. This shall include flanking transmissions. Based on this assessment a scheme for sound insulation between the ceiling and floor (including measures to mitigate against flanking transmission) shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation and retained thereafter in perpetuity.

Reason: In the interests of residential amenity

7. Prior to the development hereby permitted a scheme for the ventilation system shall be produced to show how each part of the development shall be supplied with appropriate ventilation. This scheme shall comply with the relevant standards and regulations. This scheme shall be submitted and agreed in writing with the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation and retained thereafter in perpetuity.

Reason: In the interests of residential amenity

8. a. Prior to first use or occupation of the development hereby permitted, the means of access shall be paved with a hard bound surface for at least the first 10m from the highway boundary. Such surfacing shall thereafter be retained and maintained in perpetuity. The maximum gradient over a 5m distance (from the highway boundary) shall not exceed 1 in 15.

b. Prior to first use or occupation, the proposed vehicular access and parking facilities shall be provided in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

c. Prior to first use or occupation, suitable drainage shall be provided at the end of the driveway as shown on the approved plans to ensure that surface

water from the vehicular access does not discharge onto the highway or adjacent land.

d. No gates shall be erected at any point within the site.

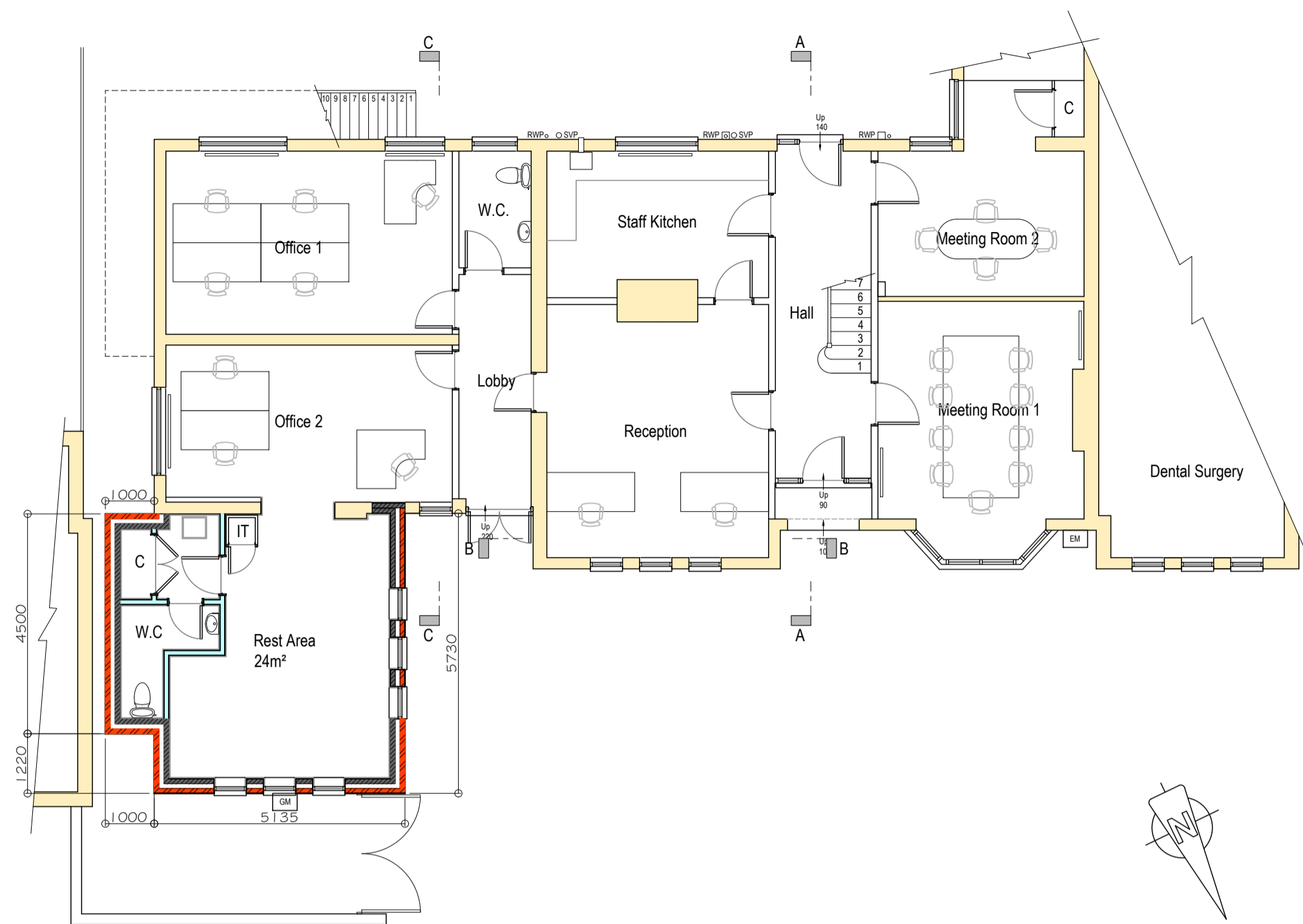
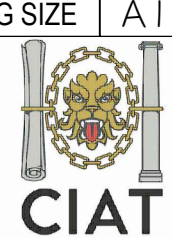
Reason: In the interests of Highway safety.

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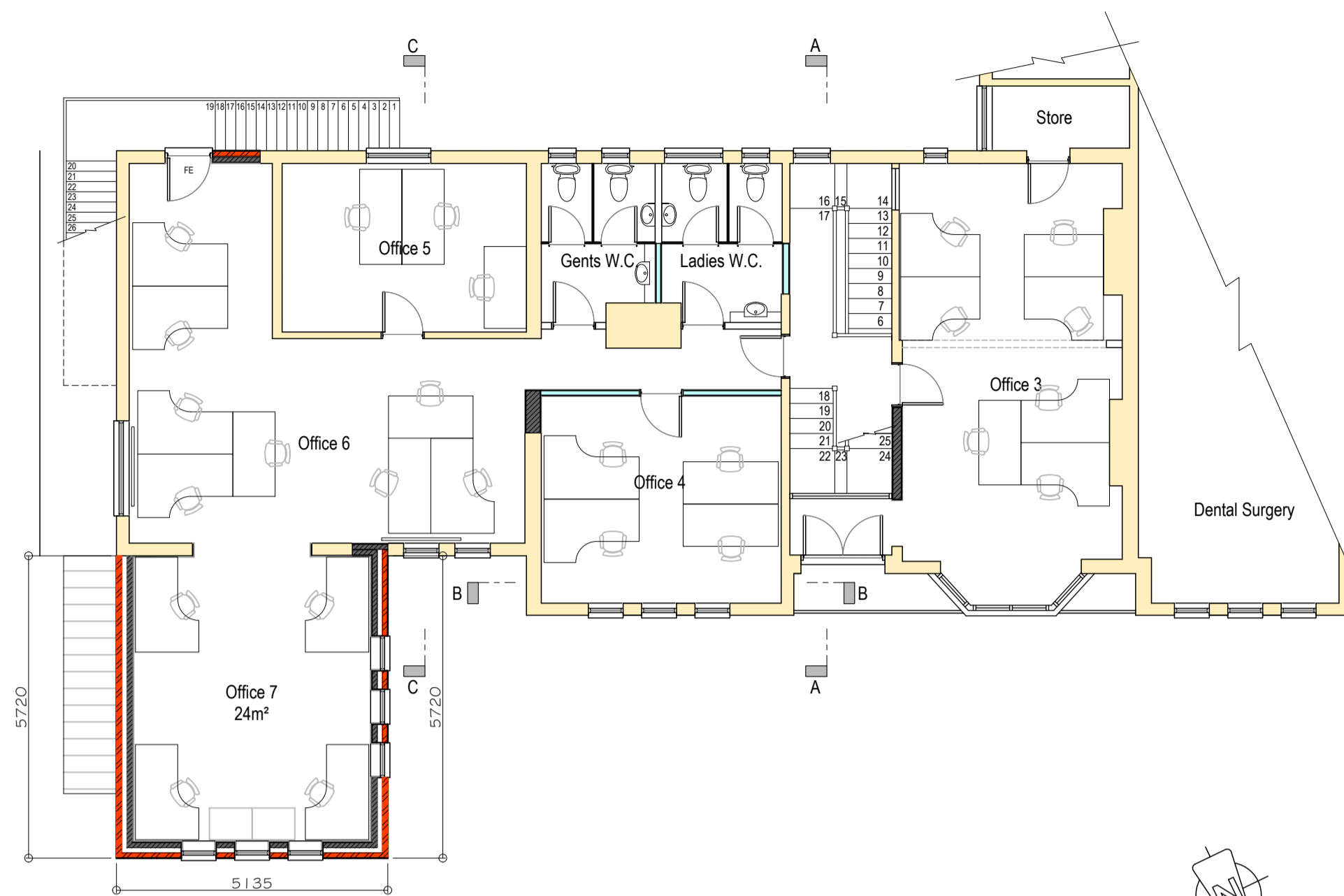


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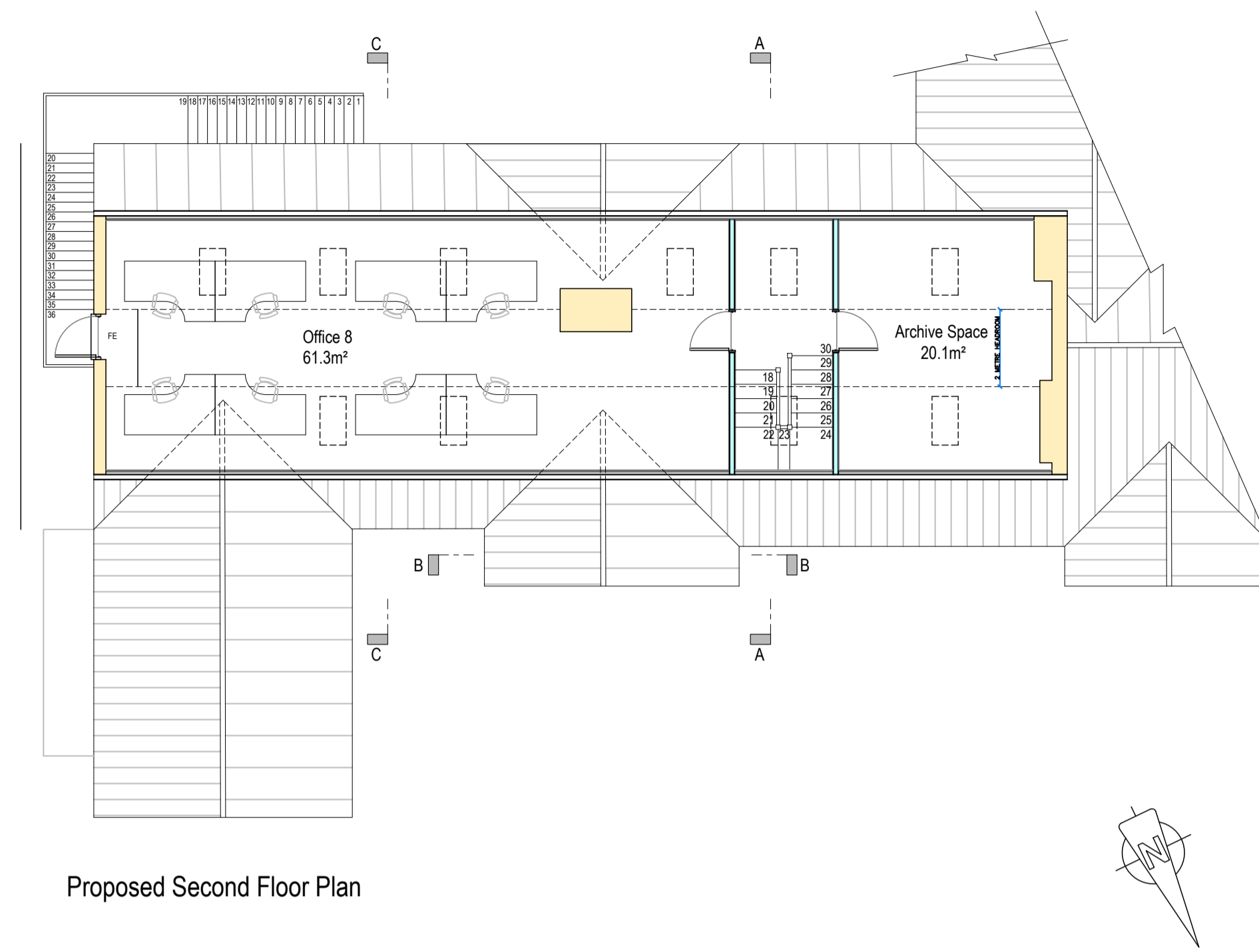
IT IS THE CLIENTS AND/OR PRINCIPAL CONTRACTORS RESPONSIBILITY TO ENSURE ASBESTOS IS IDENTIFIED. SIDNEY DESIGN WILL ASSUME THE ROLE OF "PRINCIPAL DESIGNER" THROUGH PRE-CONSTRUCTION PHASE UNDER CDM REGULATIONS. UNLESS CONTRACTED TO DO SO, SIDNEY DESIGN WILL NOT ACT AS THE "PRINCIPAL CONTRACTOR". ALL DIMENSIONS TO BE CHECKED ON SITE. ANY DISCREPANCIES TO BE RAISED WITH SIDNEY DESIGN ASSOCIATES BEFORE WORK COMMENCES. DO NOT SCALE EXCEPT FOR THE PURPOSES OF PLANNING. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH STRUCTURAL ENGINEERS INFORMATION AND CALCULATIONS. SIDNEY DESIGN ASSOCIATES ARE A PROUD MEMBER OF THE CHARTERED INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS



Proposed Ground Floor Plan Scale 1:100



Proposed First Floor Plan

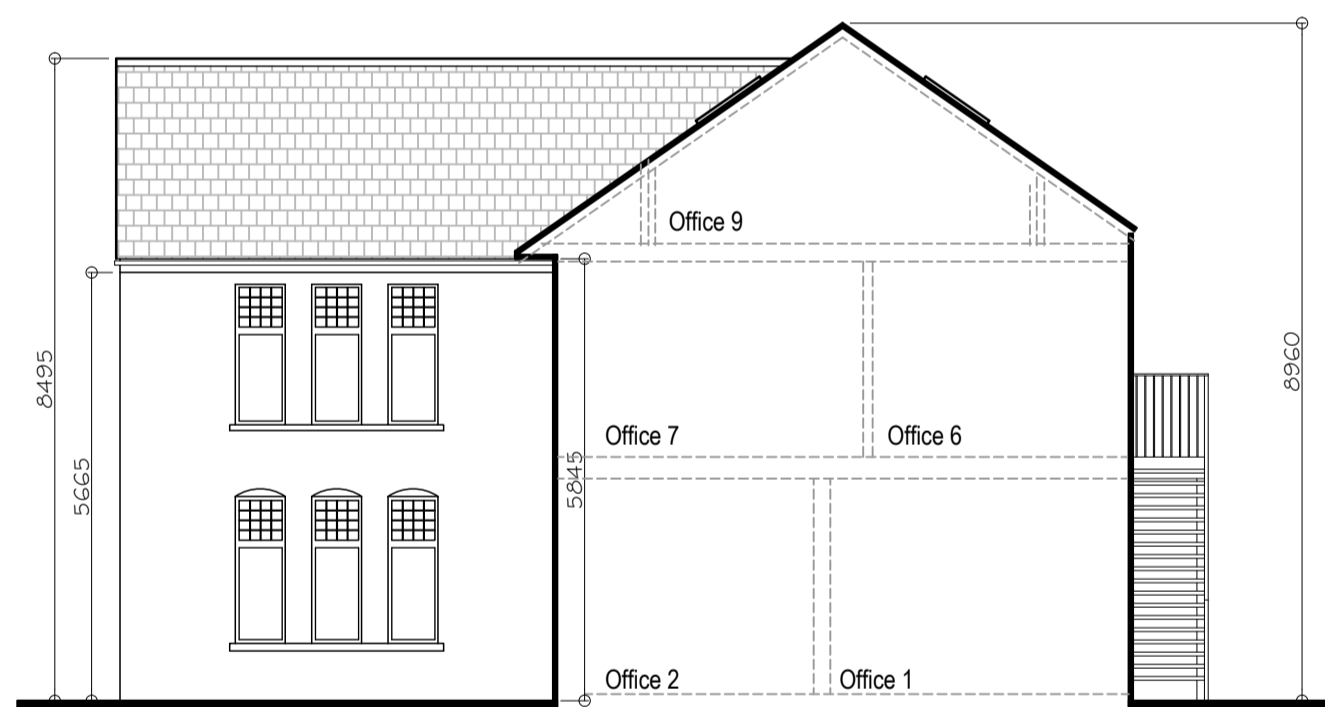


Proposed Second Floor Plan

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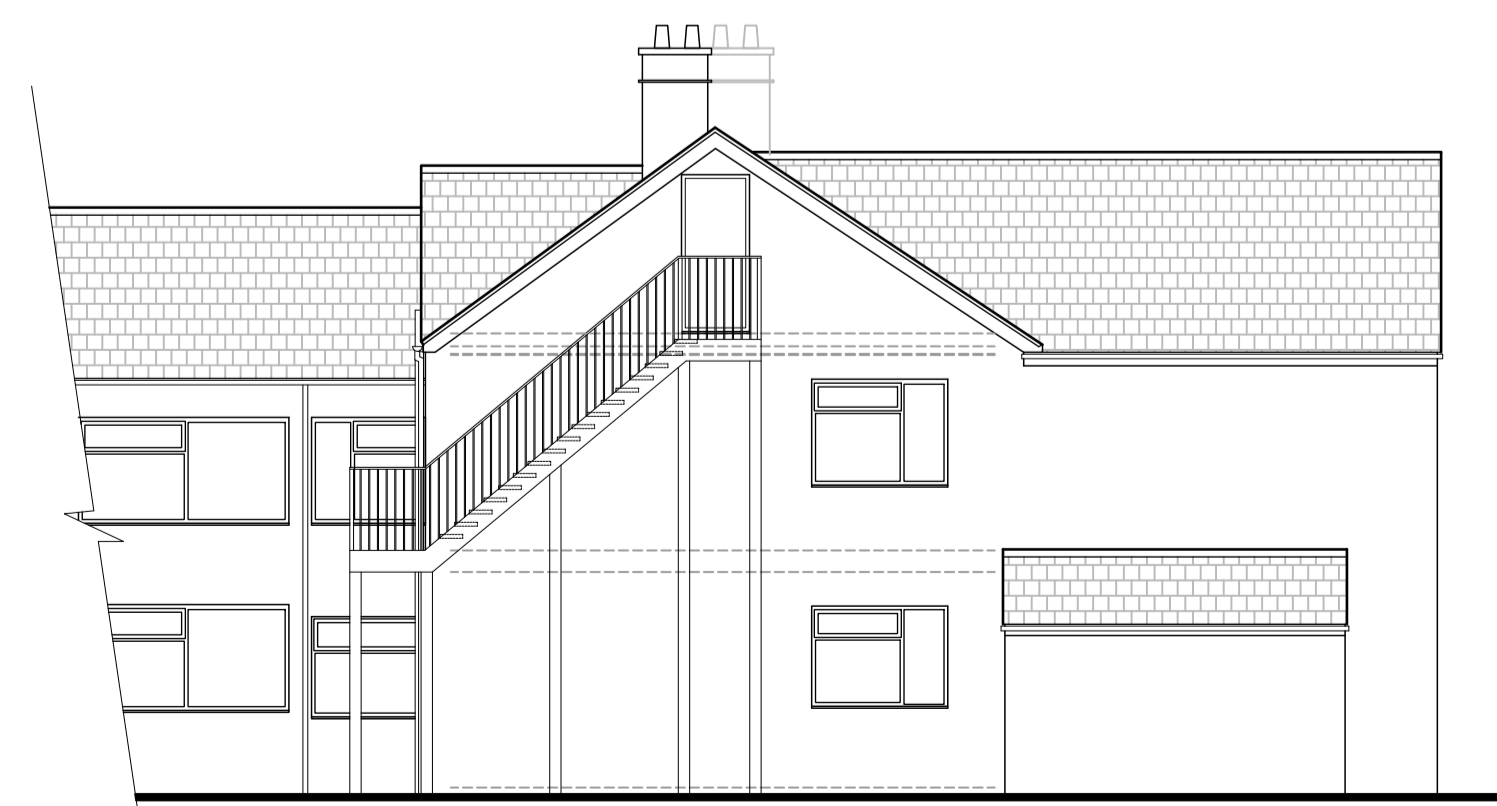
Proposed Front (Northeast) Elevation Scale 1:100



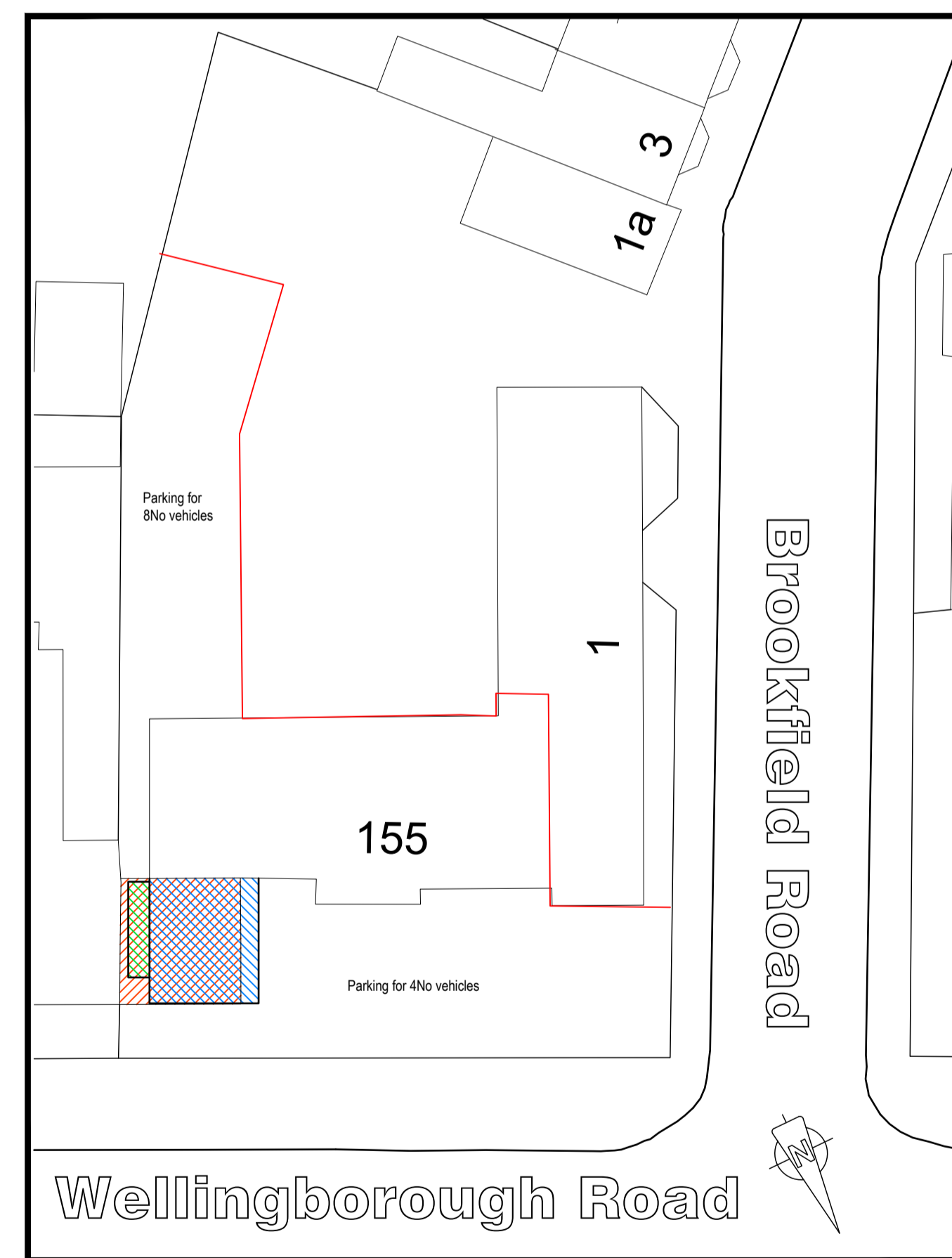
Proposed Side (Northwest) Elevation



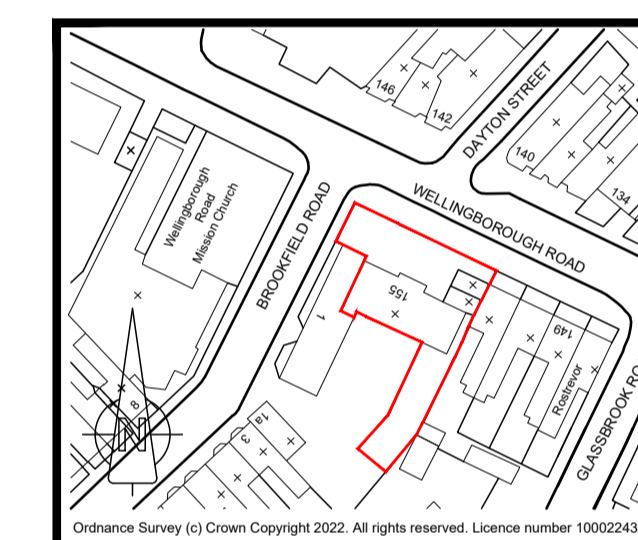
Proposed Rear (Southwest) Elevation Scale 1:100



Proposed Side (Southeast) Elevation



Proposed Site Plan Scale 1:250



Location Plan Scale 1:1250

- Key
- Proposed Demolition
  - Proposed Single Storey Extension
  - Proposed Two-Storey Extension

Rev A: Change proposed gable end windows from double to triple sets at request of L.A. PW 18.04.23.

**Sidey Design**  
 ARCHITECTURE  
 10 MARKET SQUARE, HIGHAM FERRERS, NN10 8BT  
 TEL: 01933 317967 FAX: 01933 311161  
 EMAIL: enquiries@sideydesign.co.uk  
 WEBSITE: www.sideydesign.co.uk

Client: Elsby & Co Ltd (Christina Barclay)  
 Title: Proposed Front & Side Extension & Loft Conversion of 155 Wellingborough Road, Rushden NN10 9TB  
 Drawing Status: Proposed Plans & Elevations

Date	Drawn	Checked	Scale	Drawing No.	Rev.
Apr '23	PW	JMS	As Stated	22-008-02	A

Agenda Item 8

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## North Northamptonshire Area Planning Committee (Thrapston) 10 May 2023

<b>Application Reference</b>	<b>NE/22/01569/FUL</b>
<b>Case Officer</b>	<b>Chris Hill</b>
<b>Location</b>	<b>155 Wellingborough Road, Rushden, NN10 9TB</b>
<b>Development</b>	<b>Proposed demolition of single storey element, front two storey extension, loft conversion including external fire exit staircase.</b>
<b>Applicant</b>	<b>Elsby And Co Ltd - Christina Barclay</b>
<b>Agent</b>	<b>Sidey Design Architecture - Mr Jon Sidey</b>
<b>Ward</b>	<b>Rushden Pemberton West Ward</b>
<b>Overall Expiry Date</b>	<b>03.02.2023</b>
<b>Agreed Extension of Time</b>	<b>15.05.2023</b>

### Scheme of Delegation

This application is brought to committee because of conditional objection from Rushden Town Council due to objections made by the Local Highways Authority.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

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

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- 2.1 The proposed development consists of the following elements:

- Demolition of the existing single storey front extension facing onto Wellingborough Road.
- Erection of a 2-storey gable end extension in place of the demolished extension. It would measure 5.72 metres in depth, 5.24 metres in width, 8.6 metres in total height and a height to eaves of 5.6 metres. It would feature three windows on both the ground and first floor facing Wellingborough Road and a triple set of windows on the ground and first floor facing Brookfield Road. It would have an appearance

similar to that of the gable ends currently featured, with a deeper projection that matches the depth of the neighbouring property No. 153 Wellingborough Road.

- The construction of an external fire exit staircase, to facilitate building control compliant access and egress to a proposed loft conversion, wrapping around the south and east facing elevations and starting in the car park accessed from Brookfield Road. This would also insert a fire escape door on the rear elevation at the 1<sup>st</sup> floor.
- The conversion of the existing loft, to facilitate additional office and storage space for the ongoing use of the building. It would be accessed via an internal staircase and via the east facing elevation off of the external staircase that is proposed. It would include 3 rooflights presenting on the south roof slope and 6 rooflights on the north facing roof slope.

### **3. Site Description**

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- 3.1 The site sits within Wellingborough Road, itself a busy through road within Rushden. The area is typified by dense residential and commercial properties.
- 3.2 The site itself hosts an existing two storey red brick building that lies on the south side of Wellingborough Road. It is adjacent to the junction with Brookfield Road, where the rear parking courtyard is accessed from.
- 3.3 It is not within a Conservation Area, is within Flood Zone 1 and is not in close proximity to any listed buildings.

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

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- 4.1 18/00961/FUL - Replacement of all timber framed single glazed windows to front elevation with upvc framed double glazed windows. Replacement front/porch door (under balcony) – Granted 02.07.2018
- 4.2 98/00848/FUL - Conversion of office building to 6 flats and provision of parking facilities - Granted 11.02.1999
- 4.3 80/01540/FUL - Part use for office and store for car washing machine business – Granted 19.12.1980

### **5. Consultation Responses**

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

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

Rushden Town Council had no objection to this application subject to the LHA having no objections

## 5.2 Neighbours / Responses to Publicity

No neighbour letters or responses to the site notice, posted for 21 days have 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:

- Due to the increase of office floor space, the applicant will need to demonstrate the correct number of parking spaces as per the NNC Adopted Parking Standards (September 2016). Please see below.
- The LHA would also require further information regarding the suggestion that some staff will have to park on the road, in the Design & Access Statement. For example, how will it be decided which members of staff will park on the road?
- It is contrary to NNC Adopted Policy for the intensification of usage of an existing access on a principal county road to be permitted. The local highway authority actively resists all such applications on the grounds of highway safety, and the likely obstruction to traffic taking place on a principal road whilst a vehicle sits stationary on the carriageway waiting to turn into the site against oncoming traffic. To mitigate this, a dedicated right hand turn lane will be required. The A5001 is a principal county road and carries a considerable volume of traffic throughout the day, and particularly during the two peak periods of the day.
- Please note that the proposed means of vehicular egress at the front of the building appears to be less than 10 metres from the give way line of the adjacent junction (in accordance with the LHA Standing Advice Documents dated June 2016).
- The access to the rear of the building must have a minimum width of 4.5 metres for the first 10 metres from the highway boundary. 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 highway 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 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.

## 5.4 Others

The following were consulted but did not comment:

- Natural England
- Nature Space Officer
- Ecology Officer
- Northamptonshire Fire Service
- Northamptonshire Police

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

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### 6.1 Statutory Duty

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

### 6.2 National Policy

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

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

Policy 1 - Presumption in Favour of Sustainable Development  
Policy 8 - North Northamptonshire Place Shaping Principles  
Policy 22 – Delivering Economic Prosperity

### 6.4 Rushden Neighbourhood Plan (NP) (2018)

Policy EJ3 – Existing Employment Floorspace  
Policy T1 - Development generating a transport impact  
Policy T2 - Car park provision

### 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)

## **7. Evaluation**

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The key issues for consideration are:

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

### 7.1 **Principle of Development**

7.1.1 The proposed development would be an increase in the maximum floorspace and scale of a commercial unit (Use Class E). The site is also

located in an area that features a number of extensive commercial uses, mixed with residential. Policy 22 of the North Northamptonshire Joint Core Strategy seeks to prioritise the enhancement of existing employment sites and Policy EJ3 seeks to safeguard existing employment sites. There are no other planning policies that would constrain the principle of the proposed development. The principle of the proposed development is therefore considered to be acceptable subject to other material planning considerations.

## 7.2 Visual Impact

- 7.2.1 The proposed development would remove an existing double pitched roof single storey extension. The single storey extension sits closer to the public highway than the majority of the building by some distance. It is of a more recent construction than the rest of the building and of a lower quality, including window proportions and render that are at odds with the existing structure.
- 7.2.2 The proposed two-storey front extension would be larger than the single storey extension by some considerable margin in terms of height, but would project forward an identical amount and be of the same width. It would introduce a gable end that would mimic the existing pair of gable ends, introducing a sympathetic and architecturally rhymical addition in terms of the number of windows on the ground and first floor, height, width and material treatment. It would enclose the end of the front car park in a manner that would not be incongruous with the existing building or the wider street scene. Whilst substantial in scale, it would not read as visually at odds with either the existing building nor its immediate neighbour and would replace a visually poor-quality single storey extension that currently harbours both of these issues.
- 7.2.3 The proposed loft conversion would introduce roof lights on both the front facing elevation, facing onto Wellingborough Road, and to the rear car parking courtyard. Although not a common feature, rooflights can be found in a number of locations along Wellingborough Road and the number of rooflights proposed facing the road itself is modest, would be viewed setback from the road and ultimately not harm the character of either the building or street scene. As they are largely only visible within the parking courtyard, the rooflights to the rear are considered to have a lesser visual impact and acceptable for largely the same reasons.
- 7.2.4 The proposed fire escape would introduce an industrial element to what is otherwise a Victorian-style red brick building. It would however be inserted along a narrow gap between the building and No. 153 Wellingborough and is not considered visually prominent outside of the car park. A number of examples of such fire escape staircases can be found in the immediate vicinity and is not an unusual feature of a commercial building. On balance, it is considered a reasonable feature given the pragmatic need.
- 7.2.5 The proposed extension is to be constructed of materials to match existing. The proposed rooflights are assumed to be upvc, of which all windows currently existing are themselves having been replaced in 2018/2019. Given



the prominent location of the elevation, it is considered reasonable to require the submission of materials for approval of the LPA prior to commencement.

- 7.2.6 Overall the proposed development is considered sensitive to the existing character and appearance of the building, replaces a poor quality existing extension and is modest in terms of its introduction of new features such as rooflights and a fire escape staircase.

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

- 7.3.1 The proposed extension, whilst two stories in height, would be adjacent to a blank elevation of No. 153 Wellingborough Road. Accordingly it is not considered to negatively impact the amenity of said dwelling, nor does the extension impact any properties across the road given the separation the public highways provides.

- 7.3.2 The proposed roof conversion, including rooflights, are considered to not materially impact the amenity of any neighbouring properties by virtue of the height of the windows in question and the existing 1<sup>st</sup> floor windows. Additionally, the rear of the building largely faces a large car park.

- 7.3.3 The proposed fire escape stairwell would offer views of the garden of No. 153 Wellingborough Road. However, such views would rarely if ever be experienced given the function of the staircase as a fire escape route and not a primary access. Given that an internal access stairwell, readily accessible from both the rear and front of the building, it is considered that this would be the primary means of access and egress and that the building control regulation of the fire escape would be an adequate means of ensuring such.

### 7.4 **Highways**

- 7.4.1 The Local Highways Authority (LHA) have expressed comments drawing attention to a number of matters. The agent for the application has clarified that no changes to access are proposed as there is no scope to do so, nor that any additional parking is to be provided.

- 7.4.2 Under the NNC Adopted Parking Standards (September 2016), to which the use of the office would be considered under the historic 'B1: Business' use class, the required number of spaces would be 1 space per 30sqm. The existing commercial property has 12 spaces, and currently measures 319sqm internally. The proposed extension and loft conversion would increase this to 464sqm. This would equate to the need for a total 15 spaces. The proposed total number of employees to be gained from the increased operational spaces would be 9 full time equivalent employees.

- 7.4.3 The location of the proposed development is serviced by regular public transport and would, by regular convention, be considered a sustainable location. Cycle storage is provided within the existing building.

- 7.4.4 It is considered therefore that it is not unreasonable that a number of staff employed at this location, being town centre adjacent, would undertake their commute to the office location on foot, bicycle or public transport. Whilst a



parking beat survey has not been submitted, the supposition contained with the D&A access that some small amount of on-street parking can be found in proximity is not disputed. The shortfall of 3 spaces is not therefore considered adequate a reason for refusal in isolation.

- 7.4.5 The LHA's comments express that the intensification of usage of an existing access off of a principal county road would be resisted, and that they would seek a right turn lane. They also express that the existing access is inadequate.
- 7.4.6 Owing to the existing structures along Wellingborough Road and Brookfield Road it would not be practical to introduce a dedicated right hand turn lane nor would it be possible to widen the access. The existing rear parking courtyard access measures approximately 4.4 metres metres and is itself off of Brookfield Road, not directly off Wellingborough. The parking to the front would remain much more broadly accessible, but again off of Brookfield Road.
- 7.4.7 Whilst some modest intensification of the access would occur, presumably from the arrival and departure of staff or clients, it is not considered that the increase amounts to a significant impact on highways safety or parking such that refusal would be warranted.

## **8. Other Matters**

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- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Flood Risk & Drainage: The proposed development is within Flood Zone 1, the lowest risk of flooding issues and drainage issues, and is not considered to heighten the risk of such.
- 8.3 Environmental Matters: The proposed development is not considered to give rise to any additional impacts in terms of noise given the form of employment undertaken at this site.
- 8.4 Ecology: The proposed development is not considered to give rise to any impacts in terms of Ecology.

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

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- 9.1 The enlargement and retention of employment space is acceptable and encouraged in principle and the proposed development is considered to be acceptable in terms of its visual impact, impact on the amenity of surrounding units, impact in terms of drainage, ecology and noise. The proposed development represents a marginal increase in highways usage but sits in a sustainable location with only a minor shortfall in parking provision. On balance, the proposed development is considered to be an acceptable.

**10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

**11. Conditions**

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

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

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

22-008-02 REV A LOCATION PLAN INC PROPOSED PLANS  
22-008-DAS DESIGN & ACCESS STATEMENT

Application Form Dated: 08/12/2022

Reason: To assist in defining the terms of the planning permission.

3. Prior to the commencement, samples of the materials to be used in the proposed development, including windows, shall be submitted for assessment and shall be approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.