

North Northamptonshire Area Planning Committee (Wellingborough)

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

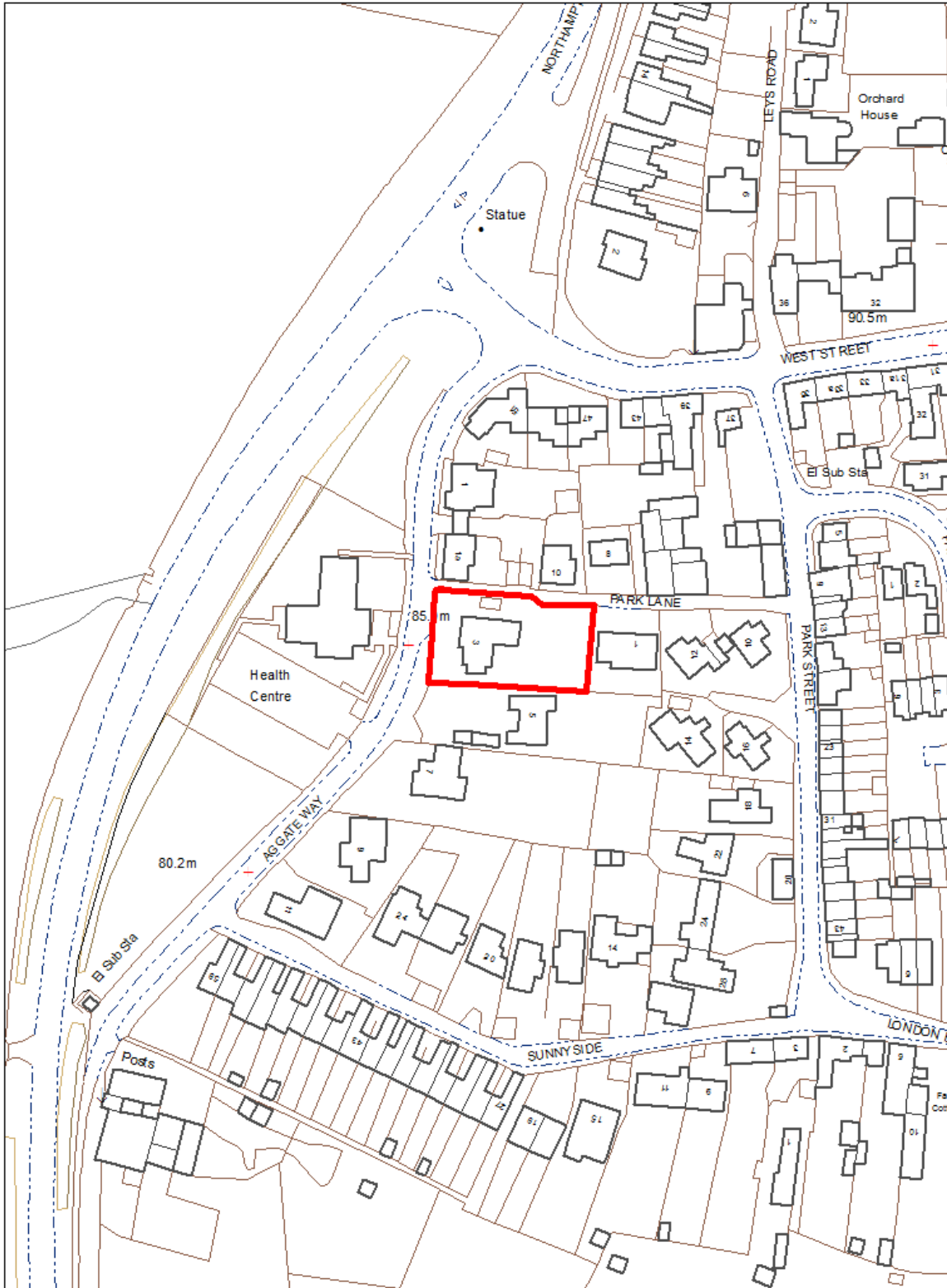
Scheme of Delegation




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

1. Recommendation

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

NW/23/00071/FUL



 <p>North Northamptonshire Council</p>	<p>N</p>  <p>Scale: 1:1,250</p>	<p>ICT Services</p> <p>This map is accurate to the scale specified when approved as of</p>	<p>© Crown Copyright and database right 2020. Ordnance Survey 100049687.</p> <p>Data Provided: Aerial Photography copyright: GeoInformation PLC 1999</p>	<p>Legend</p> <p> NW/23/00071/FUL 3 Aggate Way, Earls Barton</p>
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2. The Application Proposal and Background

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

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

3. Site Description and Surroundings

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

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

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

4. Relevant Planning History

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

WR/1948/0083

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

20.12.1948

5. Consultation Responses

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

5.1 Earls Barton Parish Council -

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

5.2 Neighbours/Responses to publicity

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

Loss of curb side parking

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

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

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (July 2021)

Planning Practice Guidance (PPG)

Planning (Listed Buildings and Conservation Areas Act) 1990

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

Policies:

1 (presumption in favour of sustainable development)

2 (historic environment)

8 (North Northamptonshire place shaping principles)

6.4 Earls Barton Neighbourhood Plan

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

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

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

Policy SS1 (villages)

6.6 Other Relevant Documents:

Sustainable Design

Residential Extensions: a guide to good design

North Northamptonshire Parking Standards (2016)

Local Highways Authority Standing Advice (June 2016)

7. Evaluation

7.1 The proposal raises the following main issues:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7.38 Conditions

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

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

8. CONCLUSION/PLANNING BALANCE

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

9. RECOMMENDATION

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

10. Conditions

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

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

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

Location Plan PL05 REV C01 - Received 03.02.23

Block Plan PL04 REV C01 - Received 03.02.23

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11. INFORMATIVE/S:

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

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