

## North Northamptonshire Area Planning (Kettering) Committee 17/05/2023

<b>Application Reference</b>	<b>NK/2022/0053</b>
<b>Case Officer</b>	<b>Natalie Westgate</b>
<b>Location</b>	<b>The former Woolpack Inn, Market Hill, Rothwell</b>
<b>Development</b>	<b>Application for Relevant Demolition in a Conservation Area: Demolition of garages and single storey element of public house</b>
<b>Applicant</b>	<b>Hazelton Homes Ltd</b>
<b>Agent</b>	<b>Mr D Bates Staniforth Architects Ltd</b>
<b>Ward</b>	<b>Rothwell</b>
<b>Overall Expiry Date</b>	<b>31/03/2022</b>
<b>Agreed Extension of Time</b>	<b>19/05/2023</b>

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

This application is brought to committee because the relevant town council has a material written objection.

### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

### **2. The Proposal**

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- 2.1 Application for Relevant Demolition in a Conservation Area: Demolition of garages and single storey element of public house
- 2.2 Reason given in the application form for the proposal:  
- Existing garage element is single storey red brick, metal roof sheeting and in disrepair. Requires re build to accommodate 2 storey dwelling use.

- Single storey kitchen element is single skin brick, later extension to original sandstone building and sub standard for use as two storey dwelling.

### **3. Site Description**

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3.1 The application site consists of a former public house which has been vacant since 2017, former associated garage and dense overgrown landscaping. The site is situated in the centre of the market town of Rothwell. The site is adjacent to the main A road that runs alongside Rothwell.

3.2 Site Constraints  
Within Rothwell Conservation Area  
Adjacent to A road

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

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4.1 NK/2022/0047 - Redevelopment of site to create 6 no. dwellings  
- Pending

### **5. Consultation Responses**

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

5.1 Town Council  
Rothwell Town Council strongly object on grounds of change of use, housing in the centre of a conservation area, loss of amenity / retail space.

5.2 Neighbours / Responses to Publicity  
2 number of letters have been received. The issues raised are summarised below:

- Proposed build looks impressive and carefully thought out.
- The Woolpack should not be converted to six miniscule, little houses with no garden spaces.
- More commerce is needed to maintain and expand Rothwell
- The curtilage of proposed property number 1 could have extra metal fencing.
- The frontage of number 6 does not match with existing attached property.
- There should be no right turn out of property, which avoids the blind spot and zebra crossing on Bell Hill.

5.3 Local Highway Authority (LHA)  
The proposal is understood to be for the demolition of garages and the single storey element of the public house.

Whilst the LHA do not object to the proposed demolition in principle, a suitably worded condition is requested to ensure that the developer shall put in place systems to ensure that all operational vehicles arriving at or leaving the site are appropriately sealed or covered, to prevent any material spillage, wind blow and odour nuisance and be cleansed of debris. Any debris deposited on the adopted highway (maintainable at public expense) during construction is to be removed and the highway cleansed.

5.4 Environmental Health officer

No objections to the demolition proposals but would request the submission of a Construction Environmental Management Plan prior to work commencing on site. Condition and informative recommended on Demolition and Construction Management Plan.

5.5 NNC Ecological Advisor

The net gain assessment was not completed correctly, however after correcting the errors I'm satisfied that a marginal net gain would result.

The bat survey report is marginally acceptable, however in this case I will defer to the surveyor's years of experience and accept the results. A method statement for bats would be required to ensure works are undertaken sensitively. I would recommend the following condition from BS42020: No development shall take place (including any demolition, ground works, site clearance) until a method statement for bats has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the: a) purpose and objectives for the proposed works; b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used); c) extent and location of proposed works shown on appropriate scale maps and plans; d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; e) persons responsible for implementing the works; f) initial aftercare and long-term maintenance (where relevant). The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

## **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 Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

National Planning Policy Framework (NPPF) (2021):

Section 2: Achieving Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 11: Making Effective Use of Land

Section 12: Achieving Well-Designed Places

Section 15: Conserving and Enhancing the Natural Environment

Section 16: Conserving and Enhancing the Historic Environment

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 6: Development of Brownfield Land and Land affected by Contamination  
Policy 7: Community Services and Facilities  
Policy 8: Place Shaping Principles  
Policy 9: Sustainable Buildings  
Policy 11: The Network of Urban and Rural and 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 Local Plan – Site Specific Part 2 Local Plan (LPP2) (2021)

Policy LOC1: Settlement Boundaries  
Policy HOU1: Windfall and Infill Development: Principles of Delivery  
Policy TCE4: Residential Development within the Town Centres  
Policy HWC2: Protection of Community Facilities and Proposals for New Facilities Development  
Policy ROT1: Rothwell Town Centre Development Principles Development

## 7. Evaluation

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The key issues for consideration in this application are: -

1. Principle of the development including implications to the site
2. Implications associated with the loss of the buildings
3. Impact on character and appearance
4. Impact to surrounding land users
5. Impact to highway safety
6. Impact to ecology

1. Principle of the development including implications to the site

In its broadest terms the principle of demolishing a building and single storey element of a building within the defined Town Boundary to make way for residential development is acceptable. The proposal would not have any implications or otherwise inconvenience the continued use of the public house.

2. Implications associated with the loss of the buildings

The existing building is functional and the loss of the single storey rear element would not restrict the reuse of the public house in the future. The existing garage is of limited size so its loss would be minimal impact on the site.

As such and as the building has no community benefits its loss is not considered to cause harm.

3. Impact on character and appearance

Policy 8(d) of the JCS consistent with chapter 12 of the NPPF seeks development to respond to the site's immediate and wider context.

As the site is located within a Conservation Area the proposal falls to be considered under Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

As the proposal relates to heritage assets it should be considered against Policy 2 of the Joint Core Strategy which seek development to preserve and enhance the historic environment, consistent with chapter 16 of the National Planning Policy Framework.

The garage building is small scale and set back behind a mature tree and wall so is relatively inoffensive in the streetscape so therefore its overall contribution to the setting of the Conservation Area is limited. The proposed single storey element of the public house to be demolished is set to the rear deep within the site and not visible from the streetscene so would have no impact on the character of the Conservation Area.

The buildings are set back from the streetscene behind high wall and mature tree so therefore the land would not be significantly changed in character and appearance after demolition of the buildings and prior to its residential redevelopment of the site.

As a result, the proposal would enhance the character and appearance of the area generally and the Conservation Area. As such the proposal is acceptable in this respect subject to imposition of the condition mentioned.

#### 4. Impact to surrounding land users

The demolition period will be short-lived and set back from public land on private property so thereby will cause limited impact to pedestrian and vehicle movement on surrounding land and towards residential amenity. However, conditions shall be applied restricting the hours of demolition and demolition and construction management plan, in the interests of nearby residential occupier's amenity.

#### 5. Impact to highway safety

Due to the modest size of the buildings, its removal and demolition will be handled over a short period. As a safeguard and consistent with the advice of the Highway's officer and Environmental Health officer there is conditions to be applied to ensure that arrangements are taken to be safe and to prevent debris being carried to the highway – which would also ensure that the immediate area is kept detritus free.

The proposal would not interfere with established walking routes.

The proposal therefore maintains highway safety and is acceptable.

#### 6. Impact to ecology

Policy 4 of the Joint Core Strategy requires new development to consider biodiversity.

The Ecological Advisor has considered the proposed development and states that the bat survey report is acceptable so recommends the attached condition for a method statement for bats.

The Ecological Advisor is satisfied that there would be a marginal net gain.

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## **8. Other Matters**

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- 8.1 Neighbour and Town Council comments: The issues raised in the neighbour and Rothwell Town Council comments do not reflect the application for demolition and were considered in application NK/2022/0047.

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

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- 9.1 For the reasons given above and conditions to be imposed then the proposal would be acceptable in terms of character, appearance, highway matters and impact on ecology. The proposal is in accordance with the development plan and the National Planning Policy Framework.

## **10. Recommendation**

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- 10.1 The application is therefore recommended for approval subject to attached conditions.

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.  
REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
3. No works of demolition, construction or deliveries shall occur outside these times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Saturday, Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.  
REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
4. Prior to the commencement of development a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.  
REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy.

5. The developer shall put in place systems to ensure that all operational vehicles arriving at or leaving the site are appropriately sealed or covered, to prevent any material spillage, wind blow and odour nuisance and be cleansed of debris. Any debris deposited on the adopted highway (maintainable at public expense) during construction is to be removed and the highway cleansed.

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

6. No development shall take place (including any demolition, ground works, site clearance) until a method statement for bats has been submitted to and approved in writing by the

local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant).

The works shall be carried out strictly in accordance with the approved details and shall

be retained in that manner thereafter.

REASON: To ensure protection for bats and ecology and to comply with Policy 4 of the North Northamptonshire Joint Core Strategy.

## 12. Informatives

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Positive/Proactive - amendments  
Demolition and Construction Management Plan

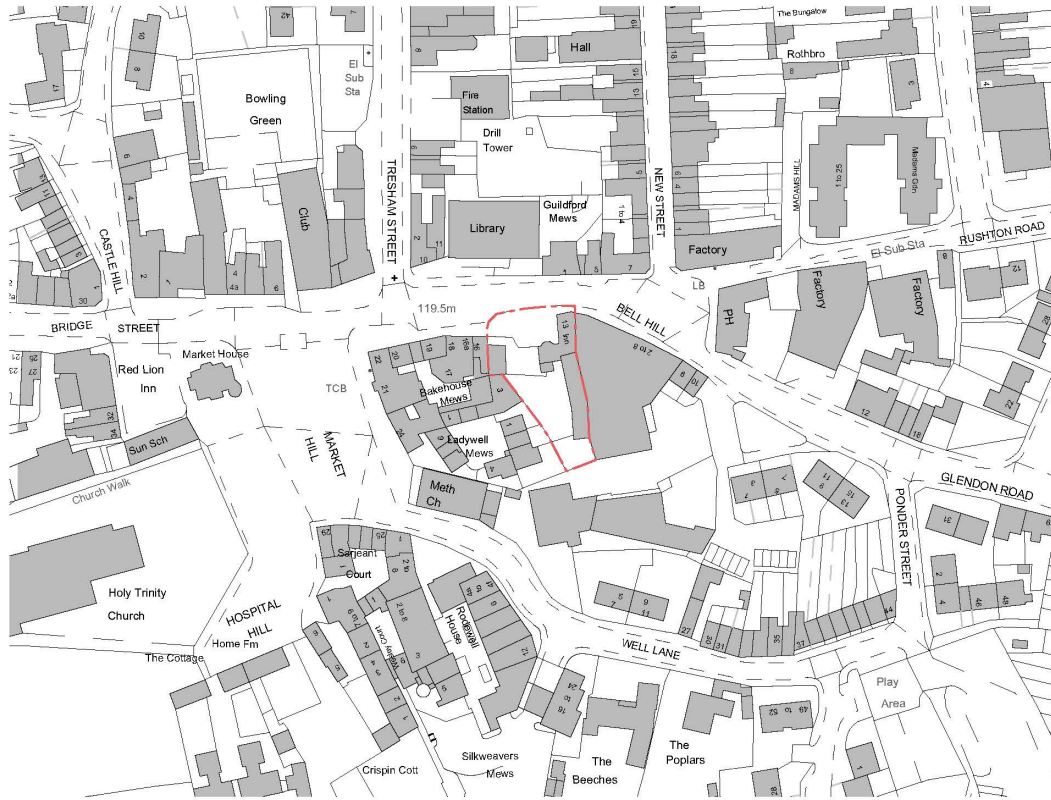
List of plans

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

Title	NK Ref.	Agent's Ref	Received Date
Design & Access Statement	NK/2022/0053/1		03/02/2022
Location plan		1618_P01B	01/02/2022
Existing site plan		1618_P02B	01/02/2022
Existing basement and ground floor plan		1618_P03A	19/01/2022
Existing first/second floor and roof plans		1618_P04A	19/01/2022
Existing elevations		1618_P05A	19/01/2022

Existing sections		1618_P06A	19/01/2022
Proposed site plan		1618_P07A	19/01/2022
Proposed new build areas		1618_P07.1	01/02/2022
Proposed ground and first floor plans, plot 1 & 2		1618_P08A	19/01/2022
Proposed second/first floor plans, plots 1& 2		1618_P09A	19/01/2022
Proposed elevations, plot 1		1618_P10A	19/01/2022
Proposed elevations front and left, plot 2		1618_P11A	19/01/2022
Proposed elevations rear and right, plot 2		1618_P12A	19/01/2022
Proposed views, plot 1		1618_P13A	19/01/2022
Proposed ground/first floor and roof plans, plots 3-4		1618_P14A	19/01/2022
Proposed elevations plots 3-4		1618_P15A	19/01/2022
Proposed views, plot 4-6		1618_P16A	19/01/2022
Proposed ground/first floor and roof plans, plot 5		1618_P17A	19/01/2022
Proposed elevations, plot 5		1618_P18B	03/02/2022
Proposed views, amenity space and sun room, plot 5		1618_P19A	19/01/2022
Proposed views north to south and south to north		1618_P20A	19/01/2022
Proposed ground/first floor and roof plans, plot 6		1618_P21A	19/01/2022
Proposed elevations, plot 6		1618_P22A	19/01/2022
Proposed site views, Main entrance and west view		1618_P23A	19/01/2022
Proposed site views north to south and south to north		1618_P24	19/01/2022
Former Woolpack Rothwell Suds Report		CO21_457_11	19/01/2022
Drainage layout		CO21_457_11_201P1	19/01/2022
Pre-Development Impermeable Area Plan		CO21_457_11_202P1	19/01/2022
Post-Development Impermeable Area Plan		CO21_457_11_203P1	19/01/2022
Exceedance Flow Route		CO21_457_11_204P1.	19/01/2022
Ecology Report		HE_1330321	19/01/2022
Transport Statement		PN_00265_21_22	19/01/2022
Marketing Report and Sales Details		AMF/nl	01/07/2022
Visibility Splays		1618_P25B	22/07/2022
BNG Metric	NK/2022/0053/2		16/09/2022
Parking Stress Table 09.10.22	NK/2022/0053/3		17/10/2022
Parking Stress Table 12.10.22	NK/2022/0053/4		17/10/2022
Environmental Noise Assessment		MDR/J5246a	21/02/2023





Site Area = 885m<sup>2</sup> (0.21 Acres)  
Based on OS data

--- = Application Boundary

Sketch proposals are for illustrative purposes only & such are subject to detailed site investigation including ground conditions / contaminants, drainage, design & planning/conservation regulations. Sketch proposals may be based upon enlargements of OS sheets & visual estimations of existing site features, accuracy will therefore need to be verified by survey. Sketch proposals have not been considered in respect of CDM Regulations.

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## FOR PLANNING

0 10 50  
Metres at scale 1:1250

Revision	Date	Notes
A	24.11.21	Updated as per Local Authority comments on Pre-app PRE/2021/0126.
B	01.02.22	Map scale amended and more map are shown



# STANIFORTH ARCHITECTS

## Location Plan

The Warehouse  
16 Staniforth Street  
Leicester LE1 6NL  
0116 2853775  
www.staniforth.co.uk

Drawing Status:	Cell Reference:	PLANNING
1618-P01	DB	
Drawn:	IP	
Checked:	19-07-2021	
Date:	Scale:	1:1250@A3

Project No.	Drawing No.	Revision
The Woolpack Rothwell	1618	P01 B

