

## North Northamptonshire Planning Committee (North) 2<sup>nd</sup> August 2023

<b>Application Reference</b>	<b>NE/22/00954/OUT</b>
<b>Case Officer</b>	<b>Sunny Bains</b>
<b>Location</b>	<b>Ashfield, Main Street, Cotterstock</b>
<b>Development</b>	<b>Erection of 1 two storey detached dwelling (All Matters reserved except access).</b>
<b>Applicant</b>	<b>Harold Ashby Deceased Will Trust</b>
<b>Agent</b>	<b>Berrys - Miss L May</b>
<b>Ward</b>	<b>Thrapston Ward</b>
<b>Overall Expiry Date</b>	<b>31 August 2023</b>
<b>Agreed Extension of Time</b>	<b>31 August 2023</b>

### List of Appendices

Appendix A – Committee Location Plan

Appendix B – Committee Site Plan

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the proposal has received over five objections from local residents.

#### **1. Recommendation**

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- 1.1 That planning permission be APPROVED subject to conditions.

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

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- 2.1 This application seeks outline planning permission for the erection of a two-storey dwelling with all matters reserved expect for access.
- 2.2 The existing access (south-east of the site) off Main Street would remain and serve the host dwelling (known as 'Ashfield' – north of the proposed dwelling) whilst a separate access also off Main Street and near the existing access would be created for the proposed dwelling.

### **3. Site Description**

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- 3.1 The site is situated within the settlement of Cotterstock and is located to the north of Main Street. The site forms garden land associated with the host dwelling ('Ashfield'), which is located to the north of the application site and outlined blue on the local plan (KA44546-BRY-St-PL-A-01).
- 3.2 Residential dwellings lie to the east, south and west of the site, although, the wider setting surrounding the site is encapsulated by agricultural land.
- 3.3 The site lies within flood zone 1 which is a low-risk area of flooding.

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

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- 4.1 06/01354/OUT – Outline: Single dwelling and detached garage (all matters reserved) – Approved – 11.08.06.
- 4.2 02/01017/OUT – Detached dwellinghouse (Plot B) – Approved – 05.05.03.

### **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 Cotterstock Parish Council**

The proposal is suitably spacious, and proportionate in scale, with due consideration for materials that will blend in. However it makes no specific reference to the Village Design Statement (VDS), which seeks developments that are 'in keeping with the character, style and ambience of the village'.

The VDS, emphasises the linear development of Cotterstock and the importance of retaining hedges and frontages for 'the traditional character and appearance of the village' (p22).

Residents accept the principle of 'in filling' gaps, and a single replacement dwelling on Ashfield that is in line with the design principles of the VDS. However, there is strong objection to a new house in front of the existing bungalow because building on this frontage and then, in future, developing on the footprint of the original house behind this plot, would create 'backfill'. There is no precedent for 'backfill' behind other houses off the Main Street

#### **5.2 Neighbours / Responses to Publicity**

Seven letters of representation have been received, expressing the following concerns (summarised):

- Impact to the local character.
- Set a precedence for residential development to the rear of the dwellings.

- Contrary to the Village Design Statement.
- Impact to the natural environment

### 5.3 Natural England

No representation received.

### 5.4 Highways

Highways has the following observations, comments and recommendations:

- 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.
- Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of a vehicular access or any works within the highway. The responsibility for arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.
- A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.
- The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contractor, who has the required and necessary public liability insurance in place.

### 5.5 Environmental Protection

No representation received.

### 5.6 Nature Space

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

### 5.7 Waste Management

No representation received.

### 5.8 Principal Ecological Officer

The Ecological Officer is disappointed to note that trees had already been felled, such that any bat roosting potential will have been lost. The remaining habitat is suitable for foraging and commuting bats however, so I would recommend a condition for an external lighting plan to avoid any additional disturbance to protected species. The plan should demonstrate consistency with Bats and Artificial Lighting in the UK (2018) by the Bat Conservation Trust and Institution of Lighting Professionals.

5.9 Community Development Officer

No representation received.

5.10 Senior Tree and Landscape Officer

No representation received.

## **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 and Allowable Solutions  
Policy 10 - Provision of Infrastructure  
Policy 11 - The Network of Urban and Rural Areas  
Policy 28 - Housing Requirements and Strategic Opportunities  
Policy 29 - Distribution of New homes  
Policy 30 - Housing Mix and Tenure

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

Policy 2 - Windfall Development in Settlements

6.5 Emerging East Northamptonshire Local Plan Part 2 (LPP2)

Policy EN1 – Spatial Development Strategy  
Policy EN2 – Settlement Boundary Criteria  
Policy EN13 – Design of Buildings  
Policy EN30 – Housing Mix and Tenure

## 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)

Cotterstock Village Design Statement (2020)

## 7. **Evaluation**

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The key issues for consideration are:

- Principle of Development
- Character and Appearance
- Residential Amenity
- Highway Matters
- Natural Environment

### 7.1 **Principle of Development**

7.1.1 The site is situated within the settlement of Cotterstock within the residential curtilage of the host dwelling (Ashfield, Main Street). Policy 11 of the JCS supports residential development that is within the settlement of the village. Likewise, Policy 2 of the RNOTP and Policy EN2 of the LPP2 supports residential development within the settlement. Therefore, the principle of development is acceptable subject to the policy considerations below.

### 7.2 **Character and Appearance**

7.2.1 Main Street has a pattern of linear form of development consisting of residential dwellings that spans for circa 390 metres from east to west. Beyond this concentrated development lies open countryside which contributes to the rustic character of the area.

7.2.2 Whilst the design (including layout) is a matter for consideration at the reserved matters stage, the illustrative site plan (KA44546-BRY-ST-PL-A-03-A) demonstrates that the proposed dwelling could be positioned onsite so it respects the linear pattern of development and provides a satisfactory external layout.

7.2.3 The proposed height of two-storey would also be in keeping with the local setting. However, at the reserved matters stage, the height of the dwelling would be expected to reflect that of the adjacent properties rather than exceeding them, which could result in the proposed dwelling disrupting the pattern of development and causing it to negatively stand out.

7.2.4 The comments of the Parish Council are noted. Although, they have no objection to the proposed scheme per se, they have expressed concerns of

the proposal creating a precedence for 'back land' development with the existing property being to the rear of the proposed dwelling, which the Parish Council states that it would not be in keeping with the local character and Cotterstock Village Design Statement (VDS).

7.2.5 Each application is assessed on its own merits and therefore this application would not set a precedence for 'back land' development. Regarding, the design of the proposed dwelling complying with the VDS this would be important and assessed at the reserved matters stage.

7.2.6 As such, it is considered that in principle the proposal would not cause adverse harm to the character of the local area and thus complies with Policy 8(d) of the JCS and Paragraph 130 of the NPPF.

### 7.3 Residential Amenity

7.3.1 The host dwelling, Drove Court and Barleymead, adjoin the application site and would be the closest dwellings to the proposal. Whilst full consideration would be given at the reserved matters stage in terms of the impact of the proposed dwelling on the neighbouring residential amenity and its own, the proposed dwelling could be designed in a manner that would not cause harm.

7.3.2 In light of the above, it is important that due considerations are given to the scale, mass and position of the proposed dwelling (including its fenestrations) so harm is not caused in terms of overlooking, overbearing, overshadowing, outlook and loss of light.

### 7.4 Highways

7.4.1 The proposal would retain the existing access off Main Street whilst also create an additional access off Main Street as well. The existing access would be used for the host dwelling and the new access would serve the proposed dwelling.

7.4.2 Highways has no objection to the proposal per se but has expressed the following comments:

- *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.*
- *A means of drainage across the back of the highway boundary, across the proposed site access draining to soakaways contained within the applicant's own land is required.*
- *Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of a vehicular access or any works within the highway. The responsibility for*

*arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.*

- 7.4.3 The access materials and drainage can be conditioned so that the details are provided at the reserved matters stage. This would mitigate against the potential harm to highway safety. Regarding the existing utilities, this can be added as an informative should permission be granted.
- 7.4.4 The application form details indicate that the proposed dwelling would consist of 4 bedrooms or more. The Northamptonshire Parking Standards stipulates that a dwelling of 4 or more bedrooms should provide 3 car parking spaces onsite. The illustrative site plan (KA44546-BRY-ST-PL-A-03-A) demonstrates that the site could adequately accommodate for 3 cars.
- 7.4.5 As such, the proposed development complies with Policy 8(b) of the JCS and the Village Design Statement.

## 7.5 **Natural Environment**

- 7.5.1 The site comprises of trees and hedgerows which are not protected but positively contribute to the rustic character of the area.
- 7.5.2 It is noted from the comments of the local residents and evident from aerial photograph that two mature trees, near the front boundary, have been removed prior to the submission of this application. The Principal Ecological Officer expresses disappointment in the felling of these trees due to any bat roosting potential being lost but states that the remaining habitat is suitable for foraging and commuting bats.
- 7.5.3 Landscaping details have not been committed as part of this application and would be considered at the reserved matters stage. Safeguarding conditions can be imposed for details of bat boxes and the retention of the existing trees and hedgerow (except for section of the proposed access) as well as the suggested light plan condition.

## 8. **Other Matters**

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- 8.1 Representations: The comments of local residents and the Parish Council have been taken into consideration and addressed in the above section.
- 8.2 Equality: The application raises no matters of direct equality concern.

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

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- 9.1 The site is located within the settlement of Cotterstock, where local policy supports the principle of residential development within the settlement. Thus, the principle of development is acceptable. Matters pertinent to appearance, layout, scale and landscaping do not form a consideration under this application and would be assessed at the reserved matters stage. Notwithstanding this, it is anticipated that the proposal could reasonably be designed in line with the village design guide and local policies. On this basis it would not cause adverse impact to the local character and neighbouring amenity.

- 9.2 Access has been committed as part of this application, which Highways has no objection to and the observations expressed in their comments can be conditions, thereby resulting in no harm to highway users or cumulatively to the road network.
- 9.3 Whilst it is unfortunate that the matures tree along the front boundary had been felled prior to the submission of this application, they were not designated with a tree protection. Landscaping details would be provided and assessed at the reserved matters stage, however, conditions can be imposed for the retention of existing trees replacement planting and hedgerow onsite as well as ecological enhancements. As such, it is considered that the proposal would not cause adverse harm to the natural environment.
- 9.4 The proposed development would therefore comply with local and national policies and as such it is recommended that outline planning permission is granted, subject to conditions.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions**

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1. Details of the appearance, landscaping, layout and scale (hereinafter called The Reserved Matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved

Reason: The application is in outline only

2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.

Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

4. Prior to the first occupation of the development the proposed access shall be laid out in accordance with the approved plan (RHC-22-102-01 and KA44546-BRY-ST-PL-A-03-A), surfaced in a hard bound material and drained within the site. The access, surfacing and drainage shall thereafter be maintained and retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).



Reason: In the interest of highway safety

5. The details to be submitted for approval in writing by the Local Planning Authority relating to Condition 1 above shall include full details of external lighting to be installed. The details shall include (but not limited to) position, number and type of external lighting as well as product specification. The development shall thereafter be carried out in accordance with the above details and maintained and retained in perpetuity.

Reason: In the interest of safeguarding and enhancing biodiversity

6. The details to be submitted for approval in writing by the Local Planning Authority relating to Condition 1 above shall include full details of the biodiversity enhancement measures. The details shall include (but not limited to) position, number and type of enhancement measures as well as product specification. The development shall thereafter be carried out in accordance with the above details and maintained and retained in perpetuity.

Reason: In the interest of safeguarding and enhancing biodiversity.

7. No trees, shrubs or hedges within the site which are shown as being retained on the approved plan (KA44546-BRY-ST-PL-A-03-A) shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority: any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In order to protect and safeguard the amenities of the area and the ecological environment.

8. The details to be submitted for approval in writing by the Local Planning Authority relating to Condition 1 above shall include drawings showing the slab levels and finished floor levels of the buildings in relation to the existing and proposed ground levels of the site, the ground levels of the surrounding land and the slab and finished floor levels of the surrounding properties as well as identifying the proposed ridge height levels and the ridge heights of all neighbouring properties have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of visual and residential amenity.

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

Location Plan - KA44546-BRY-ST-PL-A-01  
Site Plan - KA44546-BRY-ST-PL-A-03-A  
Access Plan - RHC-22-102-01

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

## 12. Informatives

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

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

Openreach Developer Portal ([openreach.co.uk](http://openreach.co.uk))

Virgin Media

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

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

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

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

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

For help and advice on broadband connectivity in North Northamptonshire please email [bigidea.ncc@northnorthants.gov.uk](mailto:bigidea.ncc@northnorthants.gov.uk)

2. Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of a vehicular access or any works within the highway. The responsibility for arranging and agreeing alterations, protection or relocation of such plant and meeting all associated costs rests with the developer.
3. The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways

Approved Contactor; who has the required and necessary public liability insurance in place.