



**North Northamptonshire Area Planning Committee
(Thrapston)
20 September 2021**

Application Reference	21/00542/REM
Case Officer	Peter Baish
Location	Land rear of 7 – 12 The Willows, Thrapston, Northamptonshire
Development	Reserved Matters: Revised house types within parameters of approved scale, appearance, landscaping, and layout pursuant to 18/02459/OUT - Proposed residential development to erect four dwellings on redundant land
Applicant	Lourett Developments
Agent	Aitchison Rafferty – Mr Andrew Gray
Ward	Thrapston
Overall Expiry Date	21 June 2021
Agreed Extension of Time	24 September 2021

Appendices

Appendix 1 – Appeal Decision APP/G2815/W/19/3232099.

Scheme of Delegation

This application is brought before the Area Planning Committee because it falls outside of the Councils Scheme of Delegation as the proposal has received more than three neighbour objections.

1. Recommendation

- 1.1 That Reserved Matters Approval is GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposal is for the approval of the reserved matters pursuant to application reference number 18/02459/OUT which was allowed on appeal on 17 December 2020 (APP/G2815/W/19/3232099 – Appendix 1) for the erection of four dwellings. Access and scale were agreed at outline planning stage with only the appearance, landscaping and layout to be determined under this current reserved matters application.

3. Site Description

- 3.1 The application site is situated to the west of Thrapston, on land to the rear of 7-12 The Willows. The site is an area of redundant land which covers an approximate area of 1.1 acres/0.4 ha. It is served from the existing access off The Willows between Nos. 9 and 10. The site is located within flood zone 2, as identified on the Environment Agency's flood map; within a Nature Improvement Area (NA), within the buffer zone of an SSSI; and within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA).
- 3.2 The Willows is a recently constructed housing development, which is located east of the site and comprises two storey detached dwellings constructed in a mixture of buff and red brick with grey roof tiles.
- 3.3 Sedge Close and Osier Way are located to the south-east of the site and form a housing development constructed circa early 2000. Houses are predominantly detached, with two instances of town houses closer to Midland Road. The detached dwellings are two storeys, with some instances of three storey properties scattered throughout the estate.
- 3.4 The site does not lie within a Conservation Area and there are no listed buildings nearby.
- 3.5 Access and scale were agreed by way of the recent appeal decision. Condition 5 stipulates that the height of the proposed dwellings should not exceed 7.2m from finished floor levels.

4. Relevant Planning History

- 4.1 19/01616/OUT - Outline: Erection of 4 dwellings (All matters reserved except access and scale) Re-submission of 18/02459/OUT – APPROVED (20.02.2020)
- 4.2 18/02459/OUT – Outline: Proposed residential development to erect four dwellings on redundant land (all matters reserved except for access and scale) - REFUSED (27.02.2019) – Appeal Ref: APP/G2815/W/19/3232099 APPROVED (17.12.2020)

5. Consultation Responses

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

5.1 Thrapston Town Council

Originally objected to the plans as they stood as they were unable to make a consideration as the datum levels were missing. They also had concerns regarding the environment corridor as the landscaping did not appear to enhance the natural environment.

However, Further comments received and the Town Council withdrew their objection subject to a dischargeable condition being put in place regarding ecological provision.

5.2 Environmental Protection

No comments.

5.3 Natural England

No comments.

5.4 NorthamptonshireHighways

Comments can be summarised as:

Vehicular accesses over 45 metres in length can 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. Please note it is unlikely for a refuse vehicle to enter and use a private drive.

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.

Please note that all driveways and private drives must meet the highway at a 90-degree angle in the interest of highways safety as not doing so may cause visibility issues when exiting.

Please note the required number of parking spaces per number of bedrooms (in accordance with the NCC Parking Standard Documents dated September 2016)

The applicant will be required to obtain a Section 184 licence, from Northamptonshire Highways Regulations in order to install 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.

5.5 Environment Agency

No objection.

The submitted floor plans include the proposed finished floor levels in metres above Ordnance Datum and as they are above those conditioned in 19/01616/OUT (resubmission of 18/02459/OUT) they have no further comments to make.

5.6 Housing Strategy

No comments.

5.7 Lead Local Flood Authority

No comments

5.8 Waste Management

Comments can be summarised as:

The Council's Refuse Collection Vehicle will not be going along the shared access drive to these properties unless it is adopted, which is assumed unlikely. This means that residents will have to bring their waste collection containers down to The Willows as waste collection staff would not walk to collect. A hardstanding bin presentation point (or possibly even a shorter one on both sides of the drive) will need to be provided immediately adjacent to The Willows on the access drive or they will have to be presented in front of Nos 9 and 10 The Willows. If all properties opt for a green waste bin that means on the collection week there could be eight 240 litre wheeled bins and 4 food caddies presented for collection.

5.9 Neighbours / Responses to Publicity

6 representations have been received raising the following concerns:

- Contrary to policy
- Highway safety implications
- Noise disturbance and smells
- Impact on character and appearance of area
- Impact on privacy
- 3 and 4 bedroom properties not acceptable
- Dwellings out of keeping with surrounding properties
- The first-floor terraces will overlook neighbouring properties
- Noise from new properties socialising in their gardens

- Details of refuse strategy
- Object to tree planting as they could block out light
- Gas pipe crossing the site
- Access to neighbouring amenity land
- No footpath, just a road leading to the site
- Neighbour fences on the road with no path
- Impact on wildlife
- Land suitability

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 and Guidance

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 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings

Policy 11 - The Network of Urban and Rural Areas

Policy 13 – Rural Exceptions

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 Development in Settlements

Policy 4 – Green Infrastructure

6.5 East Northamptonshire Local Plan Part 2: Submission Plan March 2021 (2011 – 2031)

Policy EN1 – Spatial Development Strategy

Policy EN13 – Design of Buildings/Extensions

Policy EN30 – Housing Mix and Tenure to Meet Local Need

6.6 Other Documents

Northamptonshire County Council – Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Northamptonshire County Council – Local Highway Authority Parking Standards

Joint Planning Unit – Design Supplementary Planning Document (March 2009)

East Northamptonshire Council – Domestic Waste Storage and Collection Supplementary Planning Document (July 2012)

Biodiversity Supplementary Planning Document (February 2016)

Upper Nene Valley Gravel Pits Special Protection Area SPD

7. **Evaluation**

7.1 **Principle of Development**

7.1.1 The principle of residential development has already been established with the granting of outline consent 18/02459/OUT for the development of four dwellings on redundant land (all matters reserved except for access and scale) which was approved at appeal (APP/G2815/W/19/3232099) on the 17th December 2020.

7.1.2 A second outline consent was granted 19/01616/OUT on 20th February 2020 for the erection of 4 dwellings with all matters reserved except access and scale.

7.1.3 This reserved matters application seeks approval for the appearance, landscaping and layout of the development under the original outline planning consent (18/02459/OUT – Appeal Ref: APP/G2815/W/19/3232099)

7.2 **Access**

7.2.1 The position and layout of the access was consented as part of the outline application, with condition no.17 of the consent providing full requirements of surfacing, visibility splays, parking and drainage. Condition 4 of the outline application agrees the access from the Willows into the site but excludes the internal layout of the proposed dwellings. It is considered that the layout of the dwellings allows for a circular turning area where driveways can be accessed from. This is deemed an acceptable internal arrangement on a private drive for a scheme of four dwellings. There are to be no alterations to the existing access arrangements as approved under reference 18/02459/OUT (APP/G2815/W/19/3232099).

7.2.2 The current proposal has been viewed by the Local Highway Authority and no additional observations have been raised to the development in terms of the information submitted to inform the planning application. Condition no.17 of the outline consent covers the requirements that need to be implemented prior to first use of occupation of the development. The proposal is not therefore considered to have a harmful impact on highway safety.

- 7.2.3 A representation was received making comments about the access, in particular the fact that the drive has no footpaths and the neighbouring fences are in essence against the edge of the drive. The access is a private drive that leads to the four proposed dwellings with no requirements for footpaths on a private drive. This access arrangement was agreed at the outline stage.
- 7.2.4 Ultimately, given that the outline consent dealt with 'access', officers are satisfied that the development would not have any significant adverse impact upon highway safety and safe access from the adopted highway can be provided as previously agreed.

7.3 Appearance

- 7.3.1 The site is in a relatively sensitive location on the edge of the town, however despite reservations, the appeal inspector concluded that the proposed development would form its own unique small cul-de-sac to the rear of The Willows. The inspector at the time noted that the detailed design was not for consideration during the outline application but did state that the new dwellings should be no taller than the surrounding development.
- 7.3.2 Condition 5 of the outline planning consent required the height of the proposed dwellings to not exceed 7.2 metres from the finished floor levels and the width and depth of each plot were set as part of the appeal decision. All of the proposed dwellings would all be at a maximum of 7.2 metres in height from the finished floor levels at their tallest point and the proposed width and depth of each unit is within the scale parameters allowed at appeal. In this regard, the application complies with condition 5 of the outline consent.
- 7.3.3 The applicant has sought a contemporary appearance in the building design. The NPPF does not prohibit contemporary or innovative design approaches but does allow great weight to be given to innovative designs which promote high levels of sustainability or raise the standard of design more generally in the area.
- 7.3.4 Plots 1 and 4 represent a 3-bedroom detached dwelling with an integral double garage. An outdoor terrace is located above the garage, which is accessible from the open plan living area at first floor level and a staircase to the side of the property (underneath which an air-source heat pump is discreetly located). Space is provided within the hallway to accommodate a future lift, with the dwelling designed to Lifetime Homes Standards. Within the utility room, space is made for battery storage which will retain energy produced by solar panels positioned to the rear of the roof slope. The property will also include the installation of a water barrel to allow for rainwater recycling to meet typical gardening needs. The dwellings will be dressed in Red Cedar timber cladding and off-white render, finished with a zinc standing seam clad roofing system.

- 7.3.5 Plot 2 forms a 4-bedroom property, with two feature gables across the front elevation. The dwelling will be finished in off-white render with a zinc standing seam clad roofing system. A double integral garage would be provided. The property would contain a small plant room to accommodate battery storage associated with the solar panels. An air source heat pump would be discreetly located beneath the external stairs to the first-floor terrace. Space is provided within the hallway to accommodate a lift for future occupants as part of a Lifetime Homes compliant dwelling. A water barrel will also be installed to allow rainwater recycling to meet typical gardening requirements.
- 7.3.6 Plot 3 represents a 3-bedroom dwelling which is dressed in Red Cedar timber cladding, off-white render and finished with a zinc standing seam roof system. It is formed as a 1.5 storey dwelling whilst still making space to accommodate a future lift for the purposes of Lifetime Homes. It is designed with a contemporary dormer feature across the front and rear elevations. A double integral garage would be provided, with battery storage provision located within the utility room which will store energy produced by the solar panels. An air source heat pump would be discreetly located underneath the external stairs leading to the first-floor terrace. A water barrel will be provided to allow rainwater recycling to meet typical gardening requirements.
- 7.3.7 Each dwelling has been designed to meet 'Passivhaus' standards. This is defined as a dwelling in which thermal comfort can be achieved solely by post-heating or post-cooling the fresh air flow required for a good indoor air quality, without the need for additional recirculation of air. It is noted that a representation has been received stating that 3 and 4 bedroom dwellings are not appropriate, however this size of dwelling is considered to be acceptable given the context of the surrounding development, furthermore the inspector concluded on the outline permission that generally 70% of the properties should be smaller dwellings (1-3 bedrooms). In this instance the proposal accords to this guidance as 3 of the dwellings would be 3 bedroom with the remaining 1 dwelling providing 4 bedrooms. The proposed housing mix would therefore broadly comply with Policy 30 of the North Northamptonshire Joint Core Strategy 2016.
- 7.3.8 The surrounding area is neither a Conservation Area nor does it contain any Listed Buildings within the immediate surroundings. The proposed dwellings have been designed as a cluster with commonality within the features and materials. The provision of complementary dwellings is therefore seen as an appropriate design solution given the scheme represents an exemplar in sustainable living. Plot 2 has been positioned to ensure its 2-storey gable feature frames the forward view from The Willows. Gables are the predominant feature within the surrounding street scene. Historically, the site has been a single holding and the cul-de-sac access arrangement with the view forward framed by plot 2, ensures the scheme is in keeping with the surrounding form of development which is also at a comparable height to that which is proposed.

7.3.9 It is considered that the accommodation is reflective of modern-day living requirements whilst working to exceed current Building Regulations by using sustainable technologies. The proposal is very contemporary, however the approach taken in the detailed design and appearance is considered to be acceptable and in accordance with Policy 8 of the Joint Core Strategy and the relevant guidance noted in the NPPF with regard to design.

7.4 Landscaping

7.4.1 The applicant has previously submitted a Landscape and Visual Impact Assessment as part of the outline approval. The Planning Inspector found that the visual effect of development would be contained, as there was already some landscaping and vegetation along the site boundaries and towards the river to the west; before concluding that the proposal would not have an unacceptable effect on the character of appearance of the area.

7.4.2 On this basis, the applicant has submitted, as part of this application, a landscape scheme that builds on the existing vegetation. A mixture of plants, trees and hedges would be planted to encourage more wildlife to the site and result in some biodiversity net gain.

7.4.3 The landscaping scheme remains simple and, other than the existing site boundaries, would be more ornamental in appearance. Along the eastern boundary there would be a number of trees planted within a native hedge to provide an attractive screen between the development and the properties on The Willows. A representation has been received stating that the trees could block light from the gardens of the Willows. Given the size and scale of the proposed trees, their location, distance and orientation from the properties on the Willows, it is unlikely that there will be any significant impact upon sunlight/daylight into the neighbouring rear gardens or properties.

7.4.4 All of the properties would have gardens laid to lawn with permeable resin driveways, patios and a mixture of paddock fencing and close boarded fencing which is typical of a residential scheme.

7.4.5 The proposal would continue to accord with Policy 3 of the North Northamptonshire Joint Core Strategy (JCS) in respect of landscape matters. The landscape scheme has also been prepared to ensure some bio-diversity net gains, over and above the existing redundant land, in accordance with Policy 4 of the JCS and the NPPF. The proposal is therefore considered to be acceptable in terms of its landscaping.

7.5 Layout

7.5.1 The proposal is served off a private driveway with one way in and out. Plot 2 has been designed to feature gables across its front elevation and has been positioned within the site layout to ensure that forward views capture this visual element; which is a form of development that reflects the form of dwellings along The Willows (given gables are the predominant feature of the street scene). The Planning Inspectorate on appeal considered this design approach to represent a form of development reflective of the existing street which would accord with the requirements of the NPPF to provide a 'high standard of design'.

- 7.5.2 In allowing the appeal, the Inspector, whilst recognising existing residents currently benefitted from an open aspect across the site, found that “an appropriate layout would provide not unacceptable levels of privacy, light and visual impact, as well as limiting overshadowing” and thereby could be controlled at reserved matters stage.
- 7.5.3 Plot 1 has been set back from the nearest existing dwelling by a minimum of 12.5m (from side elevation to rear elevation). Its position ensures that it does not result in any unacceptable loss of light. The submitted landscaping scheme proposes new landscaping along the eastern boundary helping to ensure that there is an acceptable relationship between the existing and proposed dwellings. There is only one window at first floor level on the elevation facing towards the properties on The Willows. This window would be conditioned to be obscure glazed to further protect any overlooking issues into the rear gardens of neighbouring properties. In terms of impacts upon neighbouring residential amenity a representation was received stating that the properties would generate noise and smells from people using the gardens. It is considered that the residential use is compatible with the existing residential nature of the area and concerns of noise and smells are not warranted over and above any existing neighbouring residential use. It is understood that there is a gas pipe that runs across the site, in this instance it will be the responsibility of the applicant to deal with the pipe in conjunction with whichever body owns the gas pipe.
- 7.5.4 The remaining three properties are set back in a horseshoe shape and are considered to be laid out in a manner that makes best use of the land available without compromising private residential amenity. Plots 1 and 4 have large terrace areas that would have the potential to overlook into the rear gardens of Plots 3 and 2, however the applicant is proposing a 1.8m venetian hit and miss cedar fence that will allow plants to grow on it to create a ‘green wall’. This fence is considered to provide adequate screening to the plots and accord with the character of the site. A condition is attached requiring details of the fence prior to first occupation to ensure its quality. It is considered that the proposed housing scheme would not cause harm to the residential amenity of existing neighbouring occupiers and the relationship between each of the proposed dwellings is also acceptable, subject to the condition to ensure screening around the balcony areas for Plots 1 and 4. Therefore, the proposal complies with JCS Policy 8 and the aims and objectives of the NPPF with regard to neighbouring amenity.

7.6 Scale

- 7.6.1 The proposed density is consistent with the numbers of dwellings approved at outline stage. Although the dwellings are larger than those adjacent on The Willows, it is not considered that the proposed dwellings would be harmful to the surrounding character.
- 7.6.2 Despite officer reservations, the scale was agreed at outline stage with the proposed dwellings not to exceed 7.2 metres in height from the finished floor levels (as secured by condition 5 of the outline planning permission). In this sense the application meets the requirement in terms of scale and is therefore acceptable in this regard.

7.7 Flooding

7.7.1 The application site is within Flood Zone 2 and as such, the Environment Agency has been consulted on the application. No objection is raised, based on the information submitted, subject to a condition to ensure that the development is carried out in accordance with the submitted Flood Risk Assessment. This has already been conditioned on the outline planning approval and an additional condition is not required as part of any reserved matters approval.

7.8 Ecology

7.8.1 The applicant has submitted an ecology appraisal which was found to be acceptable as part of the appeal scheme. As such, the Council has no reason to doubt that the submitted Ecology Survey is deficient and it is recommended that a condition be used to ensure that the development is carried out in accordance with the methods and recommendations within the survey.

7.8.2 The application site is located within 3km of a Special Protection Area (SPA) and Natural England has advised that mitigation against harm caused by residential development should be secured via a financial contribution. The applicant has already paid this contribution as part of the outline scheme as approved by the Planning Inspectorate.

7.9 Contamination

7.9.1 Further investigation of possible contamination is required given the former use of the site. Some remediation has already taken place; however, the outline planning permission secures pre-commencement conditions in regards to contamination.

8. Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

8.2 Waste: A condition is recommended to ensure that a bin collection area is identified on plans to support this application for reserved matters approval. It is not expected that waste collection vehicles would enter the site. If a bin collection point cannot be agreed then the Council will need to operate a sack collection from the site.

8.3 Contributions: The proposed development does not trigger any other developer contributions.

9. Conclusion / Planning Balance

- 9.1 The proposed development is considered to be compliant with the relevant national and local policy and follows the parameters set by the outline planning approval (18/02459/OUT). The proposed residential development to erect four dwellings on redundant land is considered to be acceptable in regards to access, landscaping, appearance, layout and scale.

10. Recommendation

- 10.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore recommended that permission be GRANTED subject to the following conditions.

11. Conditions

1. The development hereby permitted shall be carried out strictly in accordance with following plans received by the Local Planning Authority:
- 2178 – 100 – Site Location Plan (29.03.2021)
 - 106 – Landscape Plan (22.07.2021)
 - 2178 – 100 Rev C – Proposed Site Plan (18.08.2021)
 - 2178 – 101 Rev B – Proposed Floor Plans & Elevations Plots 1 & 4 (18.08.2021)
 - 2178 – 103 – Proposed Floor Plans & Elevations Plot 2 (02.06.2021)
 - 2178 – 102 Rev C – Proposed Floor Plans & Elevations Plot 3 (18.08.2021)

Reason: In order to clarify the terms of this consent.

2. The development hereby permitted shall be constructed in accordance with the materials as specified on the approved plans submitted as part of this application listed in full under Condition 1 and therein maintained in perpetuity.

Reason: To enhance the appearance of the development in the interests of visual and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

3. The development hereby permitted shall be constructed in accordance with the levels details as specified on approved plan references: 2178 – 101 Rev B (Plots 1 & 4), 2178 – 103 (Plot 2) and 2178 – 102 Rev C (Plot 3) submitted as part of this application for reserved matters consent.

Reason: In the interests of residential and visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

4. Details of the cedar venetian hit and miss fencing on the first floor terraces of Plots 1 & 4 are to be submitted to and agreed in writing by the Local Planning Authority. The fencing shall thereafter be implemented in the manner agreed by the Local Planning Authority prior to the first occupation of the dwelling to which the fencing is attached and therein maintained in perpetuity.

Reason: In the interests of residential and visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

5. Details of the bin collection strategy for the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the bin collection strategy as agreed shall be implemented prior to occupation of the development and therein maintained in perpetuity.

Reason: In the interests of residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

6. Prior to the occupation of Plots 1 & 4 the east facing windows at first floor level on both Plots 1 & 4 will be obscure glazed to a minimum of Pilkington Level 4 or equivalent and shall only be top opening and therein retained in this manner in perpetuity.

Reason: In the interests of residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

7. The proposed development shall be implemented in accordance with the mitigation measures and recommendations as set out in Biodiversity Enhancement Statement by Ecology Link dated July 2021 and the Landscape Plan (Dwg: 106) received by the Local Planning Authority on 22nd July 2021. These biodiversity measures shall be retained in perpetuity.

Reason: To safeguard ecology and biodiversity in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy 2016.

12. **Informatives**

The applicant will be required to obtain a Section 184 licence, from Northamptonshire Highways Regulations in order to install 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.