

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

Application Reference	NE/21/00791/FUL
Case Officer	Sunny Bains
Location	Brickworks Farm, Church Street, Hargrave, Northamptonshire
Development	Conversion of an agricultural building to one residential dwelling
Applicant	Brookwell Estate Limited – Mr Robin Sykes
Agent	Amet Property – Mrs Sophie Fulton
Ward	Raunds
Overall Expiry Date	23 July 2021
Agreed Extension of Time	27 September 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Parish Council's objection is contrary to the recommendation of the Case Officer.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 This application seeks full planning permission for the conversion of an agricultural barn into a residential dwelling. The proposed conversion would include openings (windows and doors) on the four elevations of the existing building and would include improvement to the existing access off Church Street to highway standards, which would serve the proposed development.

- 2.2 Generally, permitted development rights (Class Q) allows for the conversion of agricultural buildings into residential dwellings subject to limitations, conditions and restrictions. The proposed development would exceed the curtilage size allowed under permitted development which is why a planning application is required in this case.

3. Site Description

- 3.1 The application site is situated within the open countryside near the settlement of Hargrave (approximately 769 metres away). A steel fabricated barn structure is located on the site which is accessed off Church Street (east of the application site). Agricultural land surrounds the application site which the land outlined in blue on the location plan is owned by the Applicant. The site also lies within flood zone 1 (low risk).

4. Relevant Planning History

- 4.1 20/01463/PDU – Change of use and associated operational development of a building from an agricultural use to five dwelling houses – Approved – 15.03.21.
- 4.2 20/00332/PDU – Change of use and associated operational development to create 5 dwelling houses (Schedule 2, Part 3, Class Q) – Refused – 18.05.20.

5. Consultation Responses

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

5.1 Hargrave Parish Council

Objects to the application as it is in open countryside and outside of the development boundary of the village. The Emerging Neighbourhood Plan, written to reflect the aspirations of Hargrave residents as ascertained from surveys, states that residents desire limited development within a specified development boundary. This site is not within that boundary.

The Parish Council does not think that an exception should be made for this application because the proposed dwelling is not of exceptional quality and design. Hargrave does not require further large, executive style homes.

The Parish Council is of the opinion that this development would harm the character of the countryside.

In the event that planning consent is granted, the Parish Council requests that conditions are imposed to ensure the following outcomes:

- Septic tank for foul water to protect the sewage infrastructure in Hargrave
- The existing public footpath be widened to 1 metre and preserved at 1 metre in the interests of public safety.
- All exterior lighting to be low level and designed to minimise light pollution in the interests of reducing light nuisance for the benefit of the environment
- Rainwater capture and use of grey water to minimise surface water flooding and to mitigate climate change
- Electric vehicle charging point/s to be included in the interest of reducing carbon emissions
- Permitted development rights to be removed to ensure all future changes are subject to scrutiny against planning policies.
- Prior to the first occupation of the development, the site access be upgraded in accordance with an approved access plan and Local Highway Standards. The visibility splays denoted on the access plan shall be free of obstruction over 0.6 metres high at all anytime in the interests of highway safety.

5.2 Neighbours / Responses to Publicity

Two letters of support have been received. The comments expressed are summarised below:

- The proposed development has permission for 5 dwellings (20/01463/PDU) and this application would be a significant reduction to 1 dwelling.
- The proposal would result in reduced traffic, be less disturbance and be better quality housing compared to the approval.
- No negative impact on the natural light or privacy of neighbouring properties.
- A number of properties have shared or single access onto Church Street and therefore the proposal is unlikely to cause highway harm.

5.3 Natural England

No comments to make.

5.4 Royal Society for the Protection of Birds (RSPB)

No representation received.

5.5 North Northants Badger Group

No representation received.

5.6 Local Highway Authority (LHA)

Highways states the following comments:

- The proposed dwelling is more than 45 metres from the highway boundary. Vehicular accesses over 45 metres in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access and turning for emergency vehicles will be required and the Northamptonshire Fire and Rescue service require;
- All accesses over 45 metres in length to be a minimum of 3.7 metres wide for its whole length, to accommodate an appliance;
- Such accesses to accommodate a fire appliance with a 15 Ton axle loading;
- Turning space for a fire appliance;
- Please see “Fire and Rescue Pre-Application Advice and Guidance for Developers Designing New Residential and Commercial Development Schemes in Northamptonshire” for further information.
- Vehicular accesses over 45 metres in length can also have refuse collection implications. Part H of the Building Regulations limits carry distances for residents to no more than 30 metres from their building and that of operatives collecting waste to no more than 25 metres.
- The query whether or not the proposed development intends to share an access with an agricultural interest, this is contrary to NCC adopted highway policy which does not permit private residential dwellings sharing an access with commercial and or agricultural interests. This policy is made in the interests of highway safety in order to prevent private motorists finding themselves in conflict with, and in opposition to the large vehicles associated with an agricultural interest.
- The proposed development site is situated in a remote, unsustainable location in respect of transport; all journeys to and from the site will need to be made by private motor vehicle, there are no public transport services or public footways serving the site.

5.7 Senior Tree and Landscape Officer

No representations received.

5.8 Environmental Protection

The current agricultural use does not pose any contamination risk to future occupants and as such no objection to the proposed development.

5.9 Waste Management Team

Bins need to be presented immediately adjacent to the highway (Church Street).

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) (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 13 - Rural Exceptions
Policy 28 - Housing Requirements and Strategic Opportunities
Policy 29 - Distribution of New homes
Policy 30 - Housing Mix and Tenure

6.4 East Northamptonshire District Local Plan (DLP) (1996)

Policy AG4 – Re-use and adaption of buildings in the countryside
Policy AG9 – Replacement dwellings in the countryside

6.5 Emerging Hargrave Neighbourhood Plan (HNP) (2021)

Policy HNDP1 – Housing Growth
Policy HNDP2 – New Development within Hargrave
Policy HNDP4 – Housing Design
Policy HNDP5 – Landscape Character
Policy HNDP6 – Local Green Space
Policy HNDP7 – Environment
Policy JNDP8 – Sustainable Infrastructure
Policy HNDP10 – Rural Diversification and Employment

The Neighbourhood Plan is at the examination stage and is therefore at an early stage of the plan adoption process. Therefore, little weight can be given to this document.

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)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Character and Appearance
- Residential Amenity
- Highways and Parking

7.1 Principle of Development

7.1.1 The proposed development seeks planning permission for a residential dwelling. Whilst the principle of new dwellings in open countryside is generally less favourable, there is also provision within legislation to allow for this under permitted development in certain circumstances. In the case of this site the principle of development has been established and is accepted by virtue of the consented prior approval application 20/01463/PDU for 5 dwellings. This forms a realistic 'fallback' position and is a baseline for assessment of this application.

7.2 Character and Appearance

7.2.1 The application site being within the countryside has a rural character. The prior approval consent (20/01463/PDU) allows for the existing agricultural barn to be converted and subdivided into five dwellings, which involves the retention of the existing frame and cladding of the barn and the additions of windows on four elevations including rooflights and doors on the south-east elevation. Internally, walls and mezzanine floors would also be added.

7.2.2 The proposed development would retain the existing frame and cladding of the barn but would alter the floor layout to form a 'L' shape instead of a rectangular floor layout. This results in a gross internal area of 312 sqm which compared to the consented scheme (465 sqm) would be a reduction of 153 sqm. The proposed size and arrangement of the openings (windows and doors) would also change compared to the consented scheme to reflect the functionality of the proposed dwelling.

7.2.3 It is considered that in visual terms the proposed development would not result in any more harm than the consented scheme and is arguably slightly more attractive as a single, large dwelling, than as 5 smaller ones. It would therefore comply with Policy 8(d) of the JCS and Paragraph 130 of the NPPF.

7.3 Residential Amenity / Highway Matters

- 7.3.1 The application site is in an isolated location, with the closest residential dwelling being 394 metres to the east of the site. The proposed development would therefore not cause harm to the residential amenity of nearby properties.
- 7.3.2 Sufficient internal amenity space would be provided by the proposed development which would accord with the National Space Standards. The external amenity space is also considered to be sufficient. As such, the proposed development complies with Policy 8(e) of the JCS.
- 7.3.3 The proposed development would utilise the existing access off Church Street but as part of the proposal the existing access would be widened to 4.5 metres for the first 10 metres of the access abutting the highway, as per visibility splays and access works plan (482-01).
- 7.3.4 Highways concerns are noted in regards to the access road being a minimum width of 3.7 metres for the allowance of emergency vehicles, refuse collection point being over 45 metres away from the highway and the access being shared by agricultural and domestic vehicles as well as the site being located in an unsustainable location.
- 7.3.5 The applicant's agent states that the access road is over 3.7 metres in width and could accommodate for emergency vehicles, the access would only be used by the proposed development and a private waste collection contract would be used for refuse collection. That may be how the future occupants wish to arrange their waste collection, but residential properties also have a right to a council collection, and this would need to be from the kerbside adjacent to Church Street.
- 7.3.6 The access road and the distance which future residents would have to pull their bins would be the same for the proposed development as it would be for the consented prior approval scheme. This is far from ideal, but the proposed development would have no more impact in terms of residential amenity of future occupants and highways than the already consented scheme. Also, under the consented scheme agricultural and domestic vehicles could share the access. Therefore, it would be unreasonable to request the access is only used for domestic vehicles. As such, a reason for refusal based on these matters would not be substantiated.
- 7.3.7 Should permission be granted then a condition can be imposed for the existing access to be upgraded to highway standards prior to occupation.
- 7.3.8 Whilst the site is located within an unsustainable location, the principle of residential development on the site is established and accepted by virtue of the prior approval consent (20/01463/PDU) therefore a reason for refusal would not be substantiated.
- 7.3.9 The proposed development would provide 4 car parking spaces which would exceed the minimum provision outlined in the Northamptonshire Parking Standards.

7.3.10 Overall, the proposed development is considered to comply with Policy 8(b) of the JCS.

8. Other Matters

8.1 Parish Council Comments: The comments of the Parish Council have been noted and addressed in the above section. Regarding the suggested conditions, it is noted below in the order of the suggested condition which may be imposed in line with the condition test (Paragraph 56 of the NPPF):

- *Septic tank for foul water to protect the sewage infrastructure in Hargrave* – it would be unreasonable and onerous for the proposed development to be responsible to protect the sewage infrastructure in Hargrave. In terms of foul drainage onsite, appropriate means of connection and disposing of this could be achieved and would be managed under Building Regulations. Therefore, it is not considered appropriate to impose such a condition.
- *The existing public footpath be widened to 1 metre and preserved at 1 metre in the interests of public safety* – Highways do not consider the widening of the footpath to be necessary and thus has not requested it. In addition, five dwellings could be implemented under the prior approval consent without the widening of the footpath. Therefore, it is not considered appropriate to impose such a condition.
- *All exterior lighting to be low level and designed to minimise light pollution in the interests of reducing light nuisance for the benefit of the environment* – this is considered appropriate and can be imposed.
- *Rainwater capture and use of grey water to minimise surface water flooding and to mitigate climate change.* - this is considered appropriate and can be imposed.
- *Electric vehicle charging point/s to be included in the interest of reducing carbon emissions* - this is considered appropriate and can be imposed.
- *Permitted development rights to be removed to ensure all future changes are subject to scrutiny against planning policies* - this is considered appropriate and can be imposed.
- *Prior to the first occupation of the development, the site access be upgraded in accordance with an approved access plan and Local Highway Standards. The visibility splays denoted on the access plan shall be free of obstruction over 0.6 metres height at all times.* - this is considered appropriate and can be imposed.

9. Conclusion / Planning Balance

- 9.1 Although this site is in open countryside, the principle of residential development has been established and accepted by virtue of the recent prior approval consent (20/01463/PDU) for five dwellings. The consented scheme presents a realistic 'fallback' position that can be implemented by the applicant and therefore forms the basis for the assessment of this application.
- 9.2 The proposed development is considered to cause no more harm to the character of the local area and highways than the consented scheme and is arguably a better quality proposal in this form than was the case in the consented scheme for 5 dwellings. It is also considered to provide adequate residential amenity for future occupants.
- 9.3 As such, it is considered that the proposed development would comply with local and national policies therefore it is recommended that planning permission is granted.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions.

11. Conditions

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

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

- 2 The development hereby permitted shall be carried out using external materials matching those of the existing building, as follows:

- Roof – green box profile roof cladding
- Walls - green box profile roof cladding
- Windows and Doors – grey aluminium clad UPVC

Reason: To achieve a satisfactory elevational appearance for the development.

- 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);

- ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
- iii) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
- iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);
- v) the erection of any walls, fences or other means of enclosure to all boundaries of the site (as detailed in Schedule 2, Part 2, Class A).

Reasons: To ensure that the Local Planning Authority retains control over future development in the interest of the local character of the area.

- 4 Prior to the first occupation of the development hereby permitted, the site access shall be upgraded in accordance with the approved access plan (482-01). The visibility splays denoted on the access plan shall be free of obstruction over a height of 0.6 metres at all times.

Reason: In the interest of highway safety.

- 5 The car parking spaces shown on the site plan shall be provided prior to the occupation of the development hereby permitted and maintained and retained in perpetuity.

Reason: In the interest of highway safety and residential amenity.

- 6 Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the lighting shall be installed in accordance with the approved details and maintained and retained in perpetuity. The lighting detail shall include a plan showing the position of the lights and full product details.

Reason: To safeguard the surrounding wildlife.

- 7 Prior to development above slab level of the development hereby permitted, details of sustainable measures to be incorporated within the approved dwelling, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the proposed development shall be constructed in accordance with approved details. The details should include water and energy efficiency measures and a minimum of one electric vehicle charging point to demonstrate compliance with Policy 9 of the North Northamptonshire Joint Core Strategy 2016.

Reason: In the interest of climate change and environmental protection.

- 8 Prior to first occupation, full details of a kerbside waste / recycling collection point shall have been submitted to, approved in writing by the Local Planning Authority, and have been fully implemented. It shall thereafter be retained for the lifetime of the development.

Reason: Although private waste / recycling arrangements are cited in the application, a household is entitled to a council collection and this would require a kerbside collection from Church Street. Details of this are required to ensure that the collection point is fit for purpose in terms of visibility and accessibility.

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

- Location Plan
- Proposed Site Plan
- Proposed Ground-Floor Plan – 7078PL02
- Proposed First-Floor Plan – 7078PL03
- Proposed Elevation Plan – 7078PL04
- Proposed Elevation Plan – 7078PL05
- Visibility Splays and Access Works Plan - 482-01

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

12. Informatives

- 1 None.