

**North Northamptonshire Area Planning Committee
(Thrapston)
18th October 2021**

Application Reference	NE/21/01194/FUL
Case Officer	Carolyn Tait
Location	137 Huntingdon Road Thrapston Kettering Northamptonshire NN14 4NG
Development	Construction of a brick clad, tiled roof, with bi-fold doors, external outbuilding to house a swimming pool.
Applicant	Mr Anthony Binns
Agent	Nice(design)ltd - Mr Jason Ghayour
Ward	Thrapston
Overall Expiry Date	30 September 2021
Agreed Extension of Time	25 October 2021

Scheme of Delegation

This application is brought to Area Planning Committee because it falls outside of the Council's Scheme of Delegation because the Town Council has objected to the proposal contrary to the officer recommendation.

1. Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 The application proposes a single storey outbuilding at the rear of the garden to house a swimming pool, gym, changing area and pump room. The building would be brick clad with a tiled roof to match the existing dwelling. It would measure approximately 15 metres in length by 14 metres

in width with a height of 2.5 metres to the eaves and 3.9 metres to the ridge. The northern most part of the roof would be flat, following a re-design of the proposal.

3. Site Description

- 3.1 The site accommodates a large detached property with a large garden to the rear. The applicant has already erected two single storey outbuildings to the rear of the dwelling under permitted development rights.
- 3.2 The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA).

4. Relevant Planning History

- 4.1 07/00360/FUL - Demolition of existing dwelling and construction of dwelling and cellar – Permitted – 16.04.2007

5. Consultation Responses

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

5.1 Thrapston Town Council

Object for the following reasons:

- Too close to 5 The Limes impacting on neighbouring amenity;
- The building is more than 4 metres in height which is too high as it is within 2.4 metres of the boundary and over 20 metres from the host dwelling; and
- Plans do not show where mechanical equipment would go, and this may impact on neighbouring amenity.

The Town Council has been re-consulted on amended plans, which have taken in to account the above objection, and revised comments are due by 11 October 2021. Any updated comments will be reported on the update sheet.

5.2 Neighbours / Responses to Publicity

One letter has been received. The issues raised are summarised below:

- Design is poor and contrary to Householder Extension SPD;
- There will be a cumulative effect with the other outbuildings;
- Impact on biodiversity;
- Too large for the site and too close to the boundary;
- Impact on neighbouring amenity;
- The proposal is more akin to a separate dwelling;
- The boundary / hedge is not shown accurately;
- Overdevelopment; and
- Plans are inaccurate

The neighbouring properties have been re-consulted on amended plans and revised comments are due by 12 October 2021. Any updated comments will be reported on the update sheet.

5.3 Environmental Protection

No objection.

5.4 Ecologist

No comments received.

5.5 Natural England

No comments received.

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 4 – Biodiversity and Geodiversity
Policy 8 – North Northamptonshire Place Shaping Principles

6.4 Local Plan – Emerging East Northamptonshire Local Plan (LPP2) (2021) (awaiting Examination)

EN1 – Spatial Development Strategy
EN13 – Design of Buildings / Extensions

6.5 Other Relevant Documents

Householder Extensions Supplementary Planning Document (SPD) (2020)
Residential Annexes SPD (not yet adopted)
Upper Nene Valley Gravel Pits Special Protection Area SPD (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity

7.1 Principle of Development

- 7.1.1 Concern has been expressed by a neighbour that the proposed building could be used as a separate dwelling. Given that the proposed outbuilding is large and positioned away from the main dwelling, it needs to be considered whether the proposal would be tantamount to a new dwelling and if it is, if the principle of developing the site would be acceptable or not.
- 7.1.2 It should be noted that the applicant has applied for a householder development using a householder application and this route cannot be used to gain planning permission for a dwelling. In addition, the plans show that there is no separate access to the building and that the curtilage of the existing dwelling is not being divided in any way. Therefore, it is considered that the building is not tantamount to a new dwelling in an unsuitable location. However, given that the building is of a scale which means it theoretically could accommodate a dwelling with some internal works, it is relevant to add a condition to ensure that it remains ancillary to the host dwelling and not to be used as a separate unit of accommodation.

7.2 Visual Impact

- 7.2.1 The NPPF emphasises the importance of good design and this is reflected in Policy 8 of the JCS.
- 7.2.2 It is acknowledged that the outbuilding is large, however, it is located in a large rear garden and would not be visible in the street scene. It would be constructed from materials to match the existing dwelling. Therefore, it is considered that the proposal would not result in a detrimental visual impact on the character and appearance of the street scene, surrounding area or host dwelling.
- 7.2.3 It is also noted that the proposed outbuilding would be permitted development if the height was a maximum of 2.5 metres. This is because parts of the building are within 2 metres of the boundary. Where an outbuilding is sited more than 2 metres from the boundary, the maximum height under permitted development is 4 metres. Therefore, it is only reasonable to consider the additional height proposed. In this case the fallback position under permitted development would be a flat roofed outbuilding with a height of 2.5 metres.

7.3 Impact on Neighbouring Amenity

- 7.3.1 The nearest property to the proposal is No.5 The Limes. The proposed building would be located adjacent to the southern boundary of this neighbouring property's garden. There will therefore be a level of overshadowing that occurs to the garden of this neighbouring property. However, given that the building would only be single storey in height, with a flat roof element closest to this neighbouring property, this level of overshadowing would not be detrimental. There are no windows that face toward this neighbouring property and as such no overlooking would occur. The single storey nature would also prevent any overbearing impact occurring.

- 7.3.2 All other nearby properties would be located far enough away not to be impacted upon by the proposal.
- 7.3.3 An additional plan has been submitted during the determination of the application which shows where the mechanical equipment will be housed. This, along with details of the proposed heating system (including sound data), has been sent to the Environmental Protection team for review. The heating system will be housed in a plant room within the proposed building. There will be an external vent next to the bifold doors. Based on the technical data and that the heating system will be housed inside, this should not result in adverse noise impact on neighbouring properties. As such there is no objection to the proposed development from the Council's Environmental Protection Team.

8. Other Matters

- 8.1 Neighbour comments: One neighbour has commented that the proposal would have a cumulative effect with the other outbuildings within the site. Whilst there would be a number of outbuildings to the rear of the property, the cumulative impact is not considered detrimental and the property would retain sufficient private amenity space.
- 8.2 It has been raised that the boundary / hedge shown on the plan is not shown correctly. The location of the hedge is not relevant to the determination of the application and is a civil matter between the two owners that it affects. The removal of any hedge is not necessary to implement the proposal and it could be removed without the need for planning permission in any case.
- 8.3 For the reasons set out in this report, the proposal is not considered to be an overdevelopment of the site that would be harmful to the character and appearance of the surrounding area.
- 8.4 The neighbour states that the plans are inaccurate. It is assumed that this is referring to the two outbuildings that have been erected in the rear garden and that they are not shown on the originally submitted plans. A site visit has been carried out by the case officer and the presence of the two outbuildings has been considered when putting forward the recommendation to grant planning permission. The presence of the outbuildings does not result in the officer forming a different opinion. In addition, the applicant has now submitted revised plans which show the two outbuildings and the neighbour has been sent a re-consultation. Any further comments will be reported on the update sheet.
- 8.5 Biodiversity: The site is a residential garden which is laid to lawn. There would therefore be no impact on biodiversity. Whilst the site is within 3km of the SPA, no mitigation is required as the proposal is not for a new residential unit.

9. Conclusion / Planning Balance

- 9.1 The proposed outbuilding would not be visible in the street scene and would be single storey in nature. As such it would not result in any detrimental visual harm or any unacceptable impact on neighbouring amenity. The proposed building requires planning permission because it is taller than the 2.5 metres which is allowed under permitted development rights. Overall, the proposed development is considered acceptable for the reasons set out in this report.

10. Recommendation

- 10.1 That planning permission be granted subject to the following 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 materials to match those of the host dwelling at 137 Huntingdon Road and as specified in the application details.

Reason: In the interests of visual amenity.

- 3 The development hereby permitted shall be carried out in accordance with plans received by the local planning authority on 2 August 2021 and 13 September 2021, drawing numbers:

- A3 2053 06 Proposed floor plan
- A4/2060/01 Issue 1.0 Site Location Plan
- A3-2060-01 Issue 02 Site Block Plan
- A1-2060-01 Issue 2 Existing and Proposed Plans

Reason: To ensure that the development is carried out as permitted.

- 4 The development hereby permitted shall remain ancillary to the host dwelling at 137 Huntingdon Road and shall not be used as separate residential accommodation.

Reason: In the interests of neighbouring amenity and to the clarify the terms of this permission.