

**North Northamptonshire Area Planning Committee  
(Thrapston)  
21 March 2022**

<b>Application Reference</b>	<b>NE/21/01558/FUL</b>
<b>Case Officer</b>	<b>Patrick Reid</b>
<b>Location</b>	<b>1 Woburn Court Rushden Northamptonshire NN10 9HL</b>
<b>Development</b>	<b>Erection of one-bedroom dwelling and access</b>
<b>Applicant</b>	<b>Mr &amp; Mrs Ailincal</b>
<b>Agent</b>	<b>JMAD Architecture - Mrs Jenny McIntee</b>
<b>Ward</b>	<b>Rushden Pemberton West</b>
<b>Overall Expiry Date</b>	<b>31<sup>st</sup> December 2021</b>
<b>Agreed Extension of Time</b>	<b>23<sup>rd</sup> March 2022</b>

**Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because Rushden Town Council have objected to the application and this is contrary to the recommendation for approval.

**1. Recommendation**

---

- 1.1 That planning permission be GRANTED subject to conditions.

**2. The Proposal**

---

- 2.1 The application proposes a new dwelling on part of land that is associated with an existing dwelling, number 1 Woburn Court. The dwelling would adjoin no. 1 and extend to its south-western side. The land would be divided between the existing dwelling and that proposed.
- 2.2 A new vehicular access would be created off Ashby Drive toward the end/northern part of the garden. It would be 3.3 metres wide and involve the

widening of a dropped kerb. A single parking space would be provided which would be to the side of two existing spaces that serve no. 1 Woburn Court and no. 3 Ashby Drive.

- 2.3 The dwelling would extend 5.7 metres in width at the rear, with the majority of it being 5.06 metres wide. It would have a length of 9.55 metres. The roof form would comprise two main elements: a pitched roof part toward the front part, and a flat roof toward the rear. The tallest part, the ridge, would be 3.99 metres in height with the flat roof at around 2.85 metres.
- 2.4 Internally, the dwelling would have an open plan kitchen/dining/living area, a wet room, storage room and bedroom. The floorspace of the dwelling would be around 51 square metres. The house would have around 67 square metres of external amenity space (around 107 sqm including the front garden, excluding the parking space).

### **3. Site Description**

---

- 3.1 The site comprises land associated with a dwelling located within an area dominated by residential properties. The land forms external amenity space on the south/western side of no. 1 Woburn Court, which currently includes structures such as fencing and a shed.
- 3.2 The context of the site is of land beside a junction on Woburn Court (a cul-de-sac) and Ashby Drive. No. 1 Woburn Court is a two-storey, semi-detached house that fronts the highway. The Western side of the site borders Ashby Court and is marked by 1.8 metre tall timber fencing for the majority. At the front of the site is a garden and low hedge.
- 3.3 The characteristics of the surroundings is of residential properties of a broadly similar style albeit with some variation in the appearance of the properties. The properties of Woburn Court include a combination of facing brick and white cladding. The properties to the south/west off Ashby Drive that face towards the application site are different in appearance and include flat roofed elements and less cladding. A number of alterations to the houses off Ashby Drive are visible from the street.
- 3.4 The highway for both Woburn Court and Ashby Drive includes pavements on both sides. The side fence of no. 1 is immediately beside the pavement.

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

---

- 4.1 None.

### **5. Consultation Responses**

---

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

#### **5.1 Rushden Town Council**

(Comments received prior to amendments altering location of proposed access) Objection for reasons summarised as follows:

- concerns about the proposed access due to proximity to a junction;
- overdevelopment of the site resulting in an inferior and cramped dwelling;
- The proposed dwelling would be out of keeping with existing properties and would spoil the existing street scene.

Summary of comments received on amended scheme with access off Ashby Drive:

- Concerns remain about the proposed access, we still do not consider this a safe access;
- an overdevelopment of the site resulting in an inferior and cramped dwelling;
- The proposed dwelling would be out of keeping with existing properties and would spoil the existing street scene.

## 5.2 Neighbours / Responses to Publicity

One representation has been received, in objection to the application. The comments are summarised as follows:

- Would result in two cramped houses;
- It may set a precedent;
- The landscaping at the front may not reflect what local covenants require about being open; (Officer comment: legal covenants are not a planning consideration)
- The landscaping may not be maintained if it is to be occupied by an elderly person;
- Concern at an additional parking space where there is limited visibility when exiting the drive;
- Concern that notification letter does not include a return address or details of who the sender is.

## 5.3 Highways(LHA)

(Comments received prior to amendments altering location of proposed access) the following observations, comments and recommendations:

- Please note that the proposed means of vehicular access shall at no point be less than 10 metres from the give-way line of the adjacent junction;
- The applicant must provide the necessary 2 metres x 2 metres pedestrian visibility splays required on both sides of the access;
- 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;
- Please note that the maximum length allowed for Dropped Kerbing, before Tapered and Full Height Kerbing are required, is 12 metres.

(Latest LHA comments, following access off Ashby Drive proposal) While the LHA can confirm no further objections to this application, please be aware of the following observations;

- Existing utility plant or features such as inspection chamber covers, cabinets, poles etc. may be affected by the creation of the 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.
- Please note that the maximum length allowed for dropped kerbing, before tapered and full height kerbing are required, is 12 metres. The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install the site access and the vehicle crossover of public highway land.

#### 5.4 Waste Management

No comments.

#### 5.5 Environmental Protection

No objection subject to conditions relating to construction hours, dust mitigation, mud mitigation, no burning on-site and information on any air-source heat pump that may be installed.

#### 5.6 Natural England

The site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and therefore is expected to contribute to recreational disturbance impacts to the bord populations of the SPA. Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the SPA.

### **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 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 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 Emerging East Northamptonshire Local Plan 2011-2031 (LPP2)  
(Submission version March 2021)

EN1: Spatial Development Strategy  
EN2: Settlement boundary criteria – urban areas  
EN12: Health and wellbeing  
EN13: Design of Buildings/Extensions  
EN30: Housing mix and tenure to meet local need

6.5 Rushden Neighbourhood Plan 2011-2031 (NP) (made 2018)

Policy H1 Settlement Boundary  
Policy H2 Location of new housing development  
Policy H4 Market housing type and mix  
Policy EN1 Design in development  
Policy EN2 Landscaping in development

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)

## **7. Evaluation**

---

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Ecology
- Landscaping
- Waste Management

### **7.1 Principle of Development**

7.1.1 The principle of a new dwelling in the location is subject to the housing provision policies of the JCS and the NP. Specifically, policies 11, 28 and 29 of the JCS are of particular relevance, as are Policies H1, H2 and H4 of the

NP. The site is located within a well established residential area of Rushden, within the built confines of the Town and the provision of a new dwelling in this location is acceptable. The alteration and amendments to the existing dwelling's land is also acceptable in principle.

## 7.2 Visual Impact

- 7.2.1 The site forms part of the land associated with no. 1 Woburn Court which is set in the context of residential properties. The proposed dwelling would be different than those nearby by virtue of being single storey and therefore smaller in massing. Due to the site's context of being beside a corner/junction, it is relatively prominent and visible from Ashby Drive, particularly from the south. Side boundary fencing currently is the main visual focus for the site of the proposed development. The development would introduce built form to the side of no. 1 on land that currently partially occupied by fencing and a shed.
- 7.2.2 The appearance of the dwelling from the front would not include a door and as such this design would result in an appearance that, to the general passer-by or onlooker, could be interpreted as an extension to the existing house. The submitted site plan shows the frontage of the dwelling being lawn, whilst that of the existing dwelling would be a driveway. The proposed landscaping to the front of the two properties, whilst different, means the two would not obviously be two separate properties.
- 7.2.3 The appearance from the street to the side and rear would not make it clearly apparent that it is a separate dwelling. In this sense, there would be a limited visual impact as it would appear as an extension to the existing house, rather than a dwelling of a different nature. Some views over the side fence that would show two gardens would indicate it to be two properties, but this would be limited view.
- 7.2.4 By its nature as being single-storey and 'different' to the nearby properties, the dwelling would visually stand-out to a certain extent. However, this, in and of itself, is not harmful. The nature and character of the surroundings includes different architectural styles of two-storey property, as well as single storey attached garages off Woburn Court. There are bungalows off Ashby Drive to the south. It is apparent a number of the properties nearby, including off Ashby Drive, have been altered. The proposed dwelling would appear as an addition to the original structure, but in the context of altered properties nearby, would appear within the general character, whilst providing a good use of land.
- 7.2.5 The design of the front part of the dwelling incorporates a pitched roof which is considered positive. The use of a bay window and roof feature would give the front elevation an element of interest. The side and rear part of the dwelling would include a flat roofed part of the building. The two-style roof design would be partly visible above the side fence. Flat roofs are commonplace in the immediate locality, and it is considered unreasonable to resist a further use of such. The design prioritises the front elevation with the use of the pitched roof and on balance, whilst the roof form is unusual, it is not considered harmful to the area.

### *External layout and appearance*

- 7.2.6 Aside from the building itself, the scheme involves a new fence/hedge layout, a new access and a new garden arrangement. The setting back of the fence with hedging immediately beside the path is considered an improvement as it is less harsh than the current arrangement.
- 7.2.7 The introduction of a parking space through the removal of fencing and the widening of a dropped kerb, would not be visually harmful. The addition of a parking space to those to the side would not be dissimilar to existing parking arrangements at properties nearby that have hardstanding to their frontages, off Ashby Drive. From a visual perspective, this arrangement is considered acceptable.
- 7.2.8 The division of the space to give each property its own private garden space would not have a material impact on the appearance from the public realm. From the private realm, the design is considered acceptable with each property having accessible and private external amenity space.

### **7.3 Impact on Neighbouring Amenity**

- 7.3.1 The scale of the dwelling would ensure it would not overlook either number 1 Woburn Court or no. 3 Ashby Drive. The physical structure would also not cause any material loss of daylight or overshadowing of nearby properties. The proposal is considered to be acceptable in this regard. The application site would remain in residential use so would be compatible with the surrounding land use.

### **7.4 Private Amenity**

- 7.4.1 Policy 30 of the JCS requires that new dwellings meet the National Space Standards. The dwelling proposed would have one bedroom and would cover around 42.5 square metres (sqm), which exceeds the minimum requirement of 37 sqm for a one-bedroom, one-person dwelling.
- 7.4.2 The dwelling provides the necessary storage space and the bedroom meets the dimensions required. The dwelling therefore meets the space standards required by Policy 30 of the JCS.
- 7.4.3 The living space of the dwelling would have acceptable levels of daylight and the garden would provide a modest but useable external amenity space for the resident. It is therefore considered the dwelling would have acceptable levels of private amenity.
- 7.4.4 The development would reduce the garden space of no. 1 considerably and the space remaining would be around 85 sqm (including the garage) for number 1; which is a 2 bedroomed dwelling. A room at first floor is labelled 'study' but in such instances, it can be open to the occupier whether they use it as a bedroom. The dimensions and area of the study is insufficient for it to be large enough to meet the minimum requirements for a bedroom, as per the Space Standards. As such, it is appropriate that no. 1 be considered a two-bedroom property. The size of both gardens are considered

appropriate for the size of the properties they serve. The space is useable and provide opportunity for sitting and general enjoyment of external space.

- 7.4.5 The outside space of the proposed dwelling would be partly visible from the rear windows of no. 1 Woburn Court, but this is a common and acceptable relationship between properties. The dwelling would be served by sufficient window space and outlook to ensure it has acceptable levels of private amenity.

#### **7.4 Highway Matters**

- 7.4.1 The application proposes a new parking space to be located at the rear of the property's garden, off Ashby Drive. The LHA have commented and do not object. The comments received include that their standard maximum width of a dropped kerb is 12 metres. The submitted plans show it would be around 11.65 metres. Earlier comments raised required the parking spaces to be 3.3m wide and amended plans achieved this.

- 7.4.2 The one-bedroom house would be served by a single parking space, which meets the Parking Standards of the LHA. Additionally, the proposal does not result in the loss of any parking provision for no. 1 and as such has a neutral affect. As the proposal has no objection from the LHA, the proposal is acceptable in highways terms.

#### **7.5 Ecology**

- 7.5.1 There is no indication that the site contains the habitats or protected or significant species. The physical development of the land, which is currently garden/amenity space, would not cause a material detrimental ecology impact.

- 7.5.2 The site is located within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA). The associated SPD sets out how applications for new dwellings are expected to mitigate for the impact that the additional residents of the dwelling would cause on the bird population of the SPA. The amount has been received by the Council, as well as the associated form, securing the mitigation. As such, the proposal is acceptable in this regard.

#### **7.6 Landscaping**

- 7.6.1 The division of the two gardens by a 1.8m tall fence is appropriate and would have minimal visual impact on the public realm. The separation of the garden of the new dwelling from the street by a 1.8m tall fence as well as hedging is appropriate. The frontage of the dwelling would be lawn except for a short walkway leading to a gate and access to the main door of the house. This landscaping arrangement is considered appropriate.

#### **7.7 Waste Management**

- 7.7.1 The Council's Waste Management team offered no comments on the application. There is space provided externally for both dwellings to store waste. Both are able to present waste at the roadside and the proposal is acceptable in this regard.



## **8. Other Matters**

---

- 8.1 Neighbour comments: One representation has been received, in objection to the proposal. The concerns are addressed in the main part of this report.
- 8.2 Equality: The application raises no matters of equality concern.
- 8.3 Health Impact Assessment: Paragraph 92 of the NFFP states planning policies and decisions should aim to achieve healthy, inclusive and safe communities. The proposal would provide a dwelling in a sustainable location and represents a bungalow, which can provide a form of housing well suited to people with mobility issues. The proposal is therefore considered to accord with the contents of paragraph 92.

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

---

- 9.1 The key consideration is the visual impact of the development on the surroundings of Woburn Court and Ashby Drive, as well as access considerations for the proposed parking space. The design is considered sympathetic to the surroundings and the parking is provided appropriately with no objection from the LHA. The scheme ensures appropriate levels of private amenity for the proposed dwelling and those nearby. The scheme also ensures appropriate mitigation for the impact on the nearby SPA.

## **10. Recommendation**

---

- 10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions**

---

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan ref. 101E received 19 January 2022;
- Existing Plans and Elevations ref. 103C received 27 October 2021;
- Site Plan Existing and Proposed ref. 102F received 19 January 2022;
- Proposed Floor Plan ref. 104B received 30 December 2021;
- Proposed Elevations ref. 105C received 17 February 2022;

Reason: To define the terms of the planning permission and to ensure that the development is carried out as permitted

- 3 Prior to commencement of development above damp-proof course level, details of the external materials including walls, roofs, windows and doors to

be installed shall be submitted to and approved in writing, by the Local Planning Authority. The details shall include the materials, colour and dimensions. The development shall be constructed in accordance with the approved details and shall thereafter be retained in the agreed manner in perpetuity.

Reason: In the interests of ensuring the development is sympathetic to the surrounding area.

- 4 Prior to the first occupation of the dwelling hereby approved, the parking space to be created as show on plan ref. 'Site Plan Existing and Proposed ref. 102F' shall have been completed and made available for parking. The space shall remain available for parking for the occupant of the approved dwelling in perpetuity.

Reason: To ensure the dwelling has adequate parking provision.

- 5 No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Public Holidays or Bank Holidays.

Reason: To ensure the protection of the local amenity throughout construction works

- 6 During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site.

The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

Reason: To ensure the protection of the local amenity throughout construction works

- 7 Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud refuse etc. deposited on the road as a result of the development must be removed immediately by the operator/contractor.

Reason: In the interests of residential amenity, highway safety and visual amenity of the area.

- 8 There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity

- 9 Prior to the operation of any air source heat pump or electric boiler, a scheme for the control of noise and vibration of any plant (including ventilation) or ducting system to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in that manner in perpetuity. The equipment shall be maintained in a condition so that it does not exceed background noise level whenever it is operating as agreed with the Local Planning Authority. After installation of the approved plant no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

Reason: To protect the residential amenity of the locality

## **12. Informatives**

---

- 1 Whilst there are no obvious issues with noise from the development, the applicant should note that should complaints of noise be received, then the Environmental Protection team will investigate them under the relevant legislation and take enforcement action where necessary.
- 2 The applicant will be required to obtain the correct licensing, from Northamptonshire Highways Regulations in order to install the site access and the vehicle crossover of public highway land.