

**North Northamptonshire Area Planning Committee  
(Thrapston)  
8 June 2022**

<b>Application Reference</b>	<b>NE/21/01767/FUL</b>
<b>Case Officer</b>	<b>Jacqui Colbourne</b>
<b>Location</b>	<b>Blackthorn Lake, Station Road, Ringstead, Northamptonshire.</b>
<b>Development</b>	<b>Replacement of existing site manager's office/accommodation with a new site manager's cabin.</b>
<b>Applicant</b>	<b>Mr C Hodgson</b>
<b>Agent</b>	<b>Insight Town Planning Ltd - Mark Flood</b>
<b>Ward</b>	<b>Irthlingborough</b>
<b>Overall Expiry Date</b>	<b>14.06.2022</b>
<b>Agreed Extension of Time</b>	<b>13.06.2022</b>

**Scheme of Delegation**

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

**1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

**2. The Proposal**

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- 2.1 The application proposes the replacement of the existing site manager's office / accommodation with a new site manager's cabin for the same function.

### **3. Site Description**

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- 3.1 The application relates to the replacement of an existing manager's cabin with an office / accommodation located to the south of the landing stages at Black Lake. To the west and south west are a variety of other buildings associated with the site including storage, communal building and toilet and shower facilities. The site is located with Flood Zones 2 and 3, Gravel Pits Special Protection Area (SPA), Ramsar and Special Site of Scientific Interest (SSSI).

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

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- 4.1 NE/21/01768/FUL - Construction of enclosure for existing dry dock-permitted – 18.02.2022
- 4.2 08/00004/PPC – Enforcement enquiry - Development commenced prior to discharge of planning condition – Closed - 12.01.2011
- 4.3 17/02386/FUL – Steel building over the dry dock and work area - Withdrawn 12.04.2018. This was on the understanding that a further application would have been required to regularize all structures on site that would require permission including the manager's office/accommodation.

### **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 Ringstead Parish Council**

The objection states that the site manager's cabin looks to be a semi-permanent 2 bedroom home and that this is misrepresented as a site manager's cabin; a site manager's cabin intermates a space used for offices.

Ringstead Parish Council has evidence of various breaches of planning control that have taken place over the years and some are still ongoing.

The Neighbourhood Plan states in Policy R23: Blackthorn Marina (as shown on the Policies Maps on pages 84 & 85) will be safeguarded for water-based leisure uses. The development of additional boatyard facilities at Blackthorn Marina will only be supported where it takes place in accordance with a Masterplan. These observations relate to the emerging Neighbourhood Plan, on which a referendum will take place on the 30th June 2022, which has yet to be "made".

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

No correspondence has been received.

5.3 Highways Team (LHA)

The highways team has stated that it has no objections, subject to an informative note relating to the applicant's responsibilities in respect of Bridleway No. NR6 which runs in close proximity to the proposed development.

5.4 Community Development

No comments received.

5.5 Waste

No comments.

5.6 Environmental Protection

Environmental Protection has no comments to make with respect to this planning application.

5.7 Senior Tree and Landscape Officer

No comments received.

5.8 Natural England

No objection, however further information is required via a Habitats Regulation Assessment (HRA).

5.9 Ecology

No comments received.

5.10 Royal Society for the Protection of Birds

No comments received.

5.11 North Northants Bat Group

No comments received.

5.12 The Environment Agency

No objection subject to a condition for flood measures to be implemented and an informative to for the applicant to be added to any decision notice relating to an Environmental Permit.

5.14 Lead Flood Authority

No objection, and they refer to standing guidance, and an informative note for the applicant.

5.15 The Wildlife Trust

No comments received.

5.16 Planning Policy

No comments 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 8 - North Northamptonshire Place Shaping Principles

Policy 15 - Well Connected Towns, Villages and Neighbourhoods

Policy 20 - Nene and Ise Valleys

Policy 22 - Delivering Economic Prosperity

6.4 Emerging East Northamptonshire Local Plan (LPP2) (2021)

EN1 – Spatial Development Strategy

LEN13 - Design of Buildings / Extensions

EN16 - Tourism, Cultural Developments and Tourist Accommodation

6.5 Raunds Neighbourhood Plan (referendum stage)

Policy R23: Blackthorn Marina

6.6 Other Relevant Documents

North Northamptonshire Sustainable Design Supplementary Planning Document - (Adopted March 2009)

Trees and Landscape Supplementary Planning Document - (Adopted June 2013)

Biodiversity Supplementary Planning Document for Northamptonshire, 2016  
Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document, 2016

## **7. Evaluation**

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The key issues for consideration are:

- Other Applications
- Principle of Development
- Visual Impact
- Ecology
- Highway Matters

### **7.1 Principle of Development**

- 7.1.1 The application site is within an ecologically sensitive location and falls within the Upper Nene Valley Gravel Pits Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and RAMSAR site; as such any development in this location must be very sensitive to these assets.
- 7.1.2 The proposal relates to an existing, lawful manager's cabin with an office and associated accommodation. The Council's enforcement team has confirmed that their investigations showed that the existing structure has been in site for the requisite period of four years (April 2018) and it is therefore lawful and immune from enforcement action. It is surrounded by other associated structures at Blackthorn Lake, so providing that the other material considerations can be adequately addressed, a replacement is considered to be acceptable as the principle of this type of accommodation has already been established by the existing lawful use.
- 7.1.3 Ringstead Parish Council has raised an objection stating that the site manager's cabin looks to be a semi-permanent two bedroom home and that this is misrepresented as a site manager's cabin; a site manager's cabin intermates a space used for offices. The proposed works are stated to be the replacement of existing site manager's office/accommodation with a new site manager's cabin. The marina is an established facility comprising lakes, moorings and boat maintenance services. The proposal includes one additional bedroom, when compared to the existing structure however, the proposal is still modest in scale and conditions could be used to ensure the use is restricted to a manager running the activities at Blackthorn Lake. It is noted that the Ringstead Neighbourhood Plan has not yet been "made" and is at referendum stage and therefore cannot be used to assess this proposal. In any event, an application for replacement building for an existing use would not warrant the submission of a masterplan as the emerging policy would require, so the principle remains acceptable subject to other material considerations being addressed.

## **7.2 Visual Impact**

- 7.2.1 The proposed replacement site manager's office / accommodation would be visible from nearby public viewpoints around Blackthorn Lake, as well as by those on boats on the lake itself. However, it should be noted that this is also the case for the current building. The proposed site manager's office / accommodation is relatively small in scale relative to the size of the overall lake and wider site. Furthermore, this is proposed to replace an existing building of the same nature immediately north of its current location. The existing structure is a mobile home and the proposed timber clad structure would be more sympathetic to the surroundings and an improvement visually.
- 7.2.2 In terms of scale this proposal would not be significantly different to the existing structure. The existing single storey structure is 13 metres in length and 4 metres in depth, 2.3 metres to the eaves and 2.5 metres to the ridge. The proposed structure would be 14 metres in length by approximately 8 metres in depth, approximately 2.3 metres in height to the eaves and 3.9 metres in height to the ridge. The proposed materials are such that would be expected for a structure of this nature, namely timber cladding, with interlocking concrete roof tiles. These would be considered an improvement when compared to the existing mobile home structure and furthermore these could be secured via planning condition.
- 7.2.3 On balance, considering what is existing, in terms of visual impact, this proposal, is considered a betterment and therefore it is considered to be acceptable in this regard. The removal of the existing manager's office / accommodation and returning the existing site to grassland could be secured via planning condition to ensure that the two buildings do not sit side by side.

## **7.3 Ecology**

- 7.3.1 As mentioned in the 'Principle of Development' section above, the site is in a sensitive location (SSSI and Upper Nene Valley Gravel Pits Special Protection Area (SPA) protected under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
- 7.3.2 Natural England has stated that a Habitats Regulations Assessment (HRA) is required and this has been carried out. On this basis as the proposals are to provide a replacement manager's office / accommodation, this proposal includes no intensification at the site and as such raises no concerns. Whilst it does relate to residential development, this is a proposal to replace what is existing, so it would not result in any additional recreational harm - which is the key concern with residential development in and around the SPA.
- 7.3.3 In addition, the Council's Ecologist has raised no objections or concerns.
- 7.3.4 On this basis, subject to the suggested conditions and informatives, the proposals are considered to be satisfactory in this regard. This element of the proposal is therefore considered acceptable.

## **7.4 Flood Risk**

- 7.4.1 Whilst the Lead Local Flood Authority raised no concerns in regard to flood risk, the Environment Agency has stated that the proposed development will only meet the National Planning Policy Framework's (NPPF) requirements in relation to flood risk subject to the imposition of a condition and informatives to the applicant.
- 7.4.2 As such, subject to the suggested conditions and informatives the proposals are considered to be satisfactory in this regard.

## **7.5 Highway Matters**

- 7.5.1 The Highways team has confirmed that it has no objections to the proposal, but it has asked that the applicant is made fully aware of their responsibilities in respect of Bridleway No. NR6 which runs in close proximity to the proposal. This can be addressed via an informative on the decision notice. As such in this regard the proposal is acceptable.

## **8. Other Matters**

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- 8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.2 Ringstead Parish Council comments: These comments are noted and have been largely addressed in the sections above. The Ringstead Neighbourhood Plan has not been "made" or yet consulted on fully (the referendum relating to this will be held on Thursday 30 June 2022). As such, this plan carries little to no weight. This proposal seeks the replacement of an existing development, and this has been addressed above. Furthermore, the enforcement team has confirmed that the existing manager's office / accommodation is lawful, and that no enforcement action is outstanding in regard to this. Whilst the Parish Council has referred to other enforcement cases, these are not relevant to the determination of this case. On balance Officers consider the application to be acceptable in these regards.
- 8.3 Recent applications at the site: Whilst it is noted that another application at the same site, namely NE/21/01768/FUL 'Construction of enclosure for existing dry dock' was recently permitted, this has no impact on the determination of this application due to its different nature given this is to cover an existing dry dock and not for a dwellinghouse.

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

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- 9.1 Overall, the proposal is considered to be acceptable with regard to relevant policies and material considerations. Whilst flood risk and ecology carry particular weight in this location, there have been no objections in relation to these matters and any concerns that have been raised can be addressed via planning condition or applicant informative. Therefore, on balance the principle of replacement accommodation is acceptable, it is of an acceptable design, and there is no impact on the amenities of neighbouring properties or the highway which would justify refusing the application.

## 10. Recommendation

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10.1 That Planning Permission be GRANTED subject to conditions.

## 11. Conditions

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1 The development hereby 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 Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following:

Application Form

Outline Proposals Managers Cabin/Reception Dwg 5

Site layout Dwg. T01

Ecological Appraisal

Flood Risk assessment

All received 06.12.2021

Managers Cabin Location Plan Dwg.1B

Planning Statement

Received 20.12.2021

Managers Cabin Site Plan Dwg.3D

Outline Proposals Managers Cabin/ Reception Dwg. 5A

Both received 03.02.2022

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

3 The development hereby permitted shall be carried out using materials detailed in the submitted application form and plans.

Reason: In the interests of visual amenity.

4 The development shall be carried out in accordance with the submitted flood risk assessment (FRA) & email addendum and the following mitigation measures they detail:

- Finished floor levels shall be set no lower than 35.30 metres above Ordnance Datum (AOD).
- Flood resilience and resistance measures shall be incorporated into the building design as shown on the floor plans proposed drawing (ref: 4109 05A).
- These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.



Reason: To reduce the risk of flooding to the proposed development and future occupants.

- 5 The existing managers office / accommodation as identified on the existing Manager Plan drawing received 04.04.2022, shall be demolished, all materials relating to it removed and the site returned to grassland within 3 months of the completion or occupation of the hereby approved replacement building; whichever is satisfied first.

Reason: To ensure only one managers office/accommodation remains on the site.

- 6 The occupation of the manager's office / accommodation dwelling hereby permitted shall be limited to a person solely or mainly working, at the Blackthorn Lake marina.

Reason: To allow the local planning authority to retain adequate control over the occupancy of the dwelling given the special circumstances of the site.

### **Informatives**

#### 1. Bridleway No. NR6

With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements;

- The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.
- There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office, under Section 131 HA1980.
- If as a result of the development, the Right of Way needs to be closed, where a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks' notice period is required.
- Any new path furniture (e.g. gates preferred over stile) needs to be approved in advanced with the Access development Officer, standard examples can be provided.

Please do not rely on the position of features on site for an accurate position of the public rights of way. This must be taken only from the Definitive Map and Statement 2016.

## 2. Flood resistance and resilience.

We strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

[https://www.ciria.org/Research/Projects\\_underway2/Code\\_of\\_Practice\\_and\\_guidance\\_for\\_property\\_flood\\_resilience.aspx](https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx)

British Standard 85500 - Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686>

## 3. Environmental Permit.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission