

**APPLICATIONS FOR DETERMINATION  
DEVELOPMENT CONTROL COMMITTEE - 17 February 2010  
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# Committee Report

Committee Date : 17 February 2010

Printed: 4 February 2010

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Case Officer **Amie Baxter**

**EN/09/00935/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>17 June 2009</b>	<b>17 June 2009</b>	<b>12 August 2009</b>	<b>Lower Nene</b>	<b>Warmington</b>

Applicant **Mr J Bell - Bells Butchers**

Agent **W R Griffin Associates**

Location 10 Hautboy Lane Warmington Peterborough Northamptonshire PE8 6TQ

Proposal **Change of shop front, first floor and single storey rear extension to private living accommodation (Re-submission of 08/02146/FUL)**

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**This application is brought before the Planning Committee due to an objection from Warmington Parish Council and at the request of the local Ward Member.**

The application was deferred from the agenda on 27th January 2010 to allow for further consultations and to be undertaken. It has been noted that the application site sits near to a Grade II Listed building and therefore the Conservation Officer has been consulted and appropriated advertisement has been made. Further additional consultations include Neighbours, Warmington Parish Council, The Highways Authority, Design Officer and Conservation Officer for Trees. All consultation responses which had been received at the time of writing this report have been included here, any further responses received shall be added to the Committee update sheet. The expiry date for the Nene Valley News advertisement is 13.02.10.

## **1 Summary of Recommendation**

1.1 That authority to REFUSE the application be delegated to the Head of Planning Services in conjunction with the Chairman and War Member and subject to consultee responses.

## **2. The Proposal**

2.1 The application seeks approval for a first floor extension to an existing ancillary dwelling over a single storey butchers shop, known as 'Bell's Butchers'. The extension would provide additional floorspace for the existing single storey residential unit.

2.2 The application also involves the replacement of the existing shop front and a small single storey extension to the rear elevation of the existing bungalow.

## **3 The Site and Surroundings**

3.1 The application site sits on the eastern side of Hautboy Lane and is rectangular in shape. A vehicular access sits along the western boundary of the site which leads to a parking area, accommodating approximately two cars.

3.2 The site currently accommodates a Butchers shop and a single dwelling which is attached to the rear of the butchers and is associated with the retail use. The dwelling is currently occupied by the owner of the Butchers shop.

- 3.3 The site is surrounded by residential units to all sides. A Grade II Listed building sits to north west of the site and is known as Number 11 Hautboy Lane.
- 3.4 The existing butchers building is of simple construction with brick elevations, a green tiled shopfront and a tiled roof. The roof is pitched for the element adjacent to Hautboy Lane and runs into a flat roof as the building extends away from the road. The pitched part of the roof is covered in slate.
- 3.5 The existing dwelling is constructed from brick and blockwork, covered with render. The roof is covered with a concrete tile.
- 3.6 An open sided canopy covers the rear element of the parking area.

#### **4 Policy Considerations**

- 4.1 National Planning Policy Guidance  
PPS1– Sustainable Development  
PPG3- Housing  
PPG15- Planning and the Historic Environment.  
PPG 24- Planning and Noise.
- 4.2 Northamptonshire County Structure Plan  
None relevant to this application
- 4.3 North Northamptonshire Core Spatial Strategy  
Policy 13- General Sustainable Development Principles.
- 4.4 Regional Spatial Strategy 8- East Midlands  
Policy 2-Promoting Better Design.  
Policy 27- Regional Priorities for the Historic Environment
- 4.5 East Northamptonshire District Local Plan  
None relevant to this application
- 4.6 Supplementary Planning Guidance  
Residential Extensions and Alterations Design Guide  
Warmington Village Design Statement
- 4.7 Rural North, Oundle and Thrapston Submission Document.

#### **5 Relevant Planning History**

- 5.1 EN/01/00067/FUL Permitted on 21/03/01 Conversion of Slaughter House to dwelling. Permitted giving ancillary use only with dedicated parking space within the site.  
EN/08/02146/FUL: First Floor extension over existing Butchers Shop and associated dwelling. Refused on the grounds that the first floor extension over the existing dwelling would severely overlook the rear elevation and garden of Number 8 Hautboy Lane and as the applicant did not fully demonstrate that the existing plucking machine could be relocated in a manner which would not result in noise disturbance.

#### **6 Consultations and Representations**

- 6.1 Neighbours: Objections from Numbers 8 Hautboy Lane and 29 Chapel Street on the following grounds:  
Number 8, Hautboy Lane:
  - The proposed extension would block views of the village from upper floor windows, this view has been achievable for over half a century.
  - The development would alter the original benefits of the property and would remove a light source which would change the quality of life for occupiers.
  - The private amenity space of Number 8 would be overlooked and views will be possible from Number 8 to the proposed bedroom window.
  - The siting of the commercial machinery has yet to be addressed- this was a previous reason for refusal.
  - The proposal is a vast over development of the site.
 Number 29 Chapel Street:
  - The previous planning condition from EN/01/00067/FUL has been completely ignored and should be investigated.

- The internal dimensions are not large enough to be useable and are not of an acceptable height.
- Parking on the site is inadequate. The intensification of the site will only add to existing parking problems on Hautboy Lane. This is a danger to highway safety.
- Further intensification of the access will harm highway safety further.
- The proposal does not satisfy the criteria set by Policy 13 of the NNCSS and constitutes development with an over dominant form. This will harm a materially important view as stated in The Warmington Village Statement.
- Render is not an acceptable material when all other local buildings are stone.
- The existing birch tree is in good health and is an important landscape feature. The tree could also become a risk to safety if 45% of the tree roots are cut. There is no tree report.
- The proposed rooflights in the northern elevation would overlook the rear garden and windows of Number 29, which would result in loss of privacy,
- The development would overshadow the rear garden and windows of Number 29.
- The previous application was refused on the absence of adequate information detailing the potential noise impact from the plucking machine. No information has been submitted this time. The machine is very loud and causes considerable harm to the aural amenity of neighbouring occupiers.
- The dwelling mentioned is not a dwelling in its own right but is a dwelling associated with the Butchers Shop.

An additional letter from the Occupiers of Number 29 was received on 03.01.10 and requests that a Construction Management Plan is submitted as part of the application, to ensure that no soil excavations or foundation improvements are undertaken, as stated in Paragraph 6.3 of the Tree Report submitted by the applicant.

Following on from this, a letter was received by the Council on 25th January 25.01.10 from a Solicitor who acts on behalf of Mr and Mrs Helstrip - the owners and occupiers of The Old Bakery, 29 Chapel Street. The main concerns highlighted within this letter are as follows:

- Whether the proposed development could be erected in a way which protects the protected tree adjacent to the application site.
- How the proposed development will have an impact upon the neighbouring occupiers and how any impacts could be mitigated effectively.
- The letter notes that the current scheme has been modified and reduced in scale but that concerns still remain in terms of design and amenity.
- Lack of information has been given about the relocation of the existing plucking machine. Given the location of the site in the centre of a residential area, it is vital that additional information is submitted to overcome the previous reason for refusal and to make an informed assessment as to whether this site is a suitable location for the type of equipment proposed. If its proposed location is considered appropriate, can any potential noise issues be mitigated effectively.
- It is suggested that the applicants submit a construction management plan and structural report to set out the techniques to be employed during construction, before any approval is granted.
- The letter also raises the issue of the previous planning condition which relates to creation of a parking bay within the application site and notes that, given the above comments, the application is contrary to the Development Plan and should be refused.
- The Solicitor suggests, without prejudice to any decision, several conditions or changes to the previously suggested conditions which he feels should be imposed. The Solicitor suggests a condition requiring that details of the relocated plucking machine and a further condition requiring details of the proposed parking arrangements for the development. The Solicitor also suggests changes to several conditions, requesting a structural and construction report and making alterations to the proposed materials.

- 6.2 Parish Council: Objects on the grounds that the development would exacerbate existing parking problems on Hautboy Lane by increasing congestion. The application is a commercial application and as such will require a Design and Access Statement. The building work is likely to necessitate the destruction of the Silver Birch Tree. The Parish Council also notes that Condition 3 (Parking) of Planning permission EN/01/00067/FUL has not been complied with and asks that this is brought to the attention of the Enforcement Officer.
- 6.3 Environmental Health: No objection to the proposed development providing that the Plucking machine is relocated to an area within the site where adequate sound proofing is provided. A condition is recommended, if approved, to ensure that the dwelling stays within the same ownership as the Butchers to avoid any environmental issues resulting from the continuing use as a Butchers and Game dealer. A condition is also recommended requiring that the applicant demonstrates where the plucking machine is to be relocated together with the mitigation methods put in place to ensure that mitigation measures are employed to the satisfaction of the Council, to help prevent any noise nuisance.
- 6.4 Conservation Officer- Objects on the following grounds: The application building is a low order single storey building, it is assumed that the building was built circa the late nineteenth century for a commercial use. The building is a subordinate element in the street scene. Despite some more recent development on the west side of the street which is not entirely in keeping with the general village environs, the street is well preserved. I note the proximity of the application site to no. 3 Hautboy Lane, which is a statutorily listed building, built circa mid seventeenth century. The proposal is essentially to extend and remodel the building, giving it a similar form to the adjacent building which runs at right angles to the street. I am of the opinion that the design of the proposed when viewed with the neighbouring building (no. 8) will have a dominating appearance, which will appear awkward in the street scene. However, more importantly, I am concerned that the proposed development will have an overbearing impact on the listed building (No 11) when viewed from the north, thus adversely affecting the building's setting.
- 6.5 Highways Officer: No Objection- The Highway Authority is content that the allocated parking space identified on drawing No AB/W01/01a can be relocated within the curtilage of the site without undue compromise to any other party. The proposed development will not appear to create any further intensification of use to this single residential dwelling where no additional traffic is being generated by the proposed development. However the proposed plan drawing No 1430=P-03 rev B is promoting what could appear to be a individual flat accommodation, which could be separated in the future. I would therefore recommend that this be annexed to the main dwelling and conditioned accordingly.
- 6.6 Design Officer: Objects to the proposal on the following grounds:
- The proposed development is likely to have a negative impact on the street scene and the nearby listed building at Number 11 Hautboy Lane. One would expect that Listed Buildings would be given visual precedence over other buildings within the streetscene as they contribute significantly to the existing character of the street.
  - The proposed extension would be read in conjunction with the existing dwelling at Number 8 Hautboy Lane and this would give the buildings an undesirable precedence within the streetscene, which again would have a detrimental impact on both the street and the listed building.
  - The proposed alterations to the shop front have not been addressed or justified within the design and access statement submitted. The proposed window is considered too large and does not appear to conform to the existing window design along Hautboy Lane. The repositioning of the access door would result in reduced legibility for visitors and would adversely affect the appearance of the shop front. The proposed materials for the shop front are considered to be acceptable as coursed rubble stonework is considered to conform well with materials in the local area.

- The proposed extension would be highly visible and dominant within the streetscene. The extension would have the potential to detract from the current streetscene and have a negative impact on the setting of the listed building.
- The proposed materials for the extension would not be acceptable and the use of render is not common in the area and would not therefore be supported. Render is likely to add to the prominence of the proposed extension.

6.7 Conservation Officer (Trees)- Objects on the following grounds: I would like to raise some further comments. It has been brought to my attention that certain discrepancies still remain between the information within the submitted arboricultural report and the applicants plans. As I have outlined in my previous comments the submitted arboricultural assessment highlighted that no structural works are intended to the existing single storey walls, and that if such a situation were to arise that, a pile and raft construction would be utilised to reduce the risk to the neighbouring tree. However, the plans appear to contradict this and I do have concerns that any required structural upgrade of the wall may necessitate ground works which may potentially have a detrimental arboricultural impact. At this stage it would still appear that there is some uncertainty as to what is required for this structure and as such a risk to the tree (subject to a TPO) remains

## **7 Evaluation**

7.1 The following issues are relevant to the determination of this application: Visual Impact and Impact on the Streetscene, Neighbouring Amenity and Noise Nuisance, Impact on Trees, and Impact upon the nearby Listed Building.

7.2 Visual Impact and Impact on the Streetscene.

7.2.1 Hautboy Lane is a particularly narrow street and forms part of an important view towards the church, as defined by the Warmington Village Design Statement.

7.2.2 Hautboy Lane benefits from two listed buildings. One at Number 3 Hautboy Lane and the other, which is a thatched cottage, at Number 11 Hautboy Lane. Buildings along the lane range in date and size and there appears to be a varied roofscape, although generally buildings are low in height.

7.2.3 The application proposes a first floor extension above the existing butchers shop which would result in a structure which would closely mirror the design and proportions of Number 8, Hautboy Lane. Number 8 is the tallest and one of the largest buildings along the eastern side of Hautboy Lane and it is certainly one of the most prominent. The existing properties adjacent to the site are all fairly modest in scale and most have a ridge height which is lower than that of 8 Hautboy Lane.

7.2.4 Given the dominance of the existing dwelling at 8 Hautboy Lane, it would be detrimental to replicate its dominant appearance with the proposed extension. A first floor extension of this type would only increase the undesirable dominance of Number 8, Hautboy Lane and would result in the two buildings being read as one. The cumulative visual impact of the two buildings is likely to exacerbate the dominating effect over the streetscene and as a consequence, the buildings would detract from the character and humble form of the lane. Furthermore, the proposed extension would appear within close proximity to a Grade II Listed Building, where the extension being of such bulky and dominant proportions, is highly likely to have detrimental impact upon the setting of the listed building and also views along Hautboy Lane. In addition, the overall bulk of the proposed development would result in the focus being taken away from the listed buildings within the street scene, where one would expect that they were to be given visual precedence due to their positive contribution to the streetscene.

7.2.5 The design of the proposed shop front is considered detrimental to the character of the street scene due to the large, single casement shop window which is to be inserted within the front elevation and the relocation of the front access door. The proposed window would not conform with the scale of windows within the surrounding properties or be of a size and design that one would expect to appear in such a building. The design of the window is particularly unsympathetic in the context of the surrounding buildings where mullions and sub-divided window openings are a notable characteristic. With specific regard to the relocation of the shop entrance door, the proposed repositioning from the front elevation to the south elevation is considered to adversely impact the visual appearance of the shop front and also limits the legibility of the building for visitors. The need for its relocation has not been addressed nor justified within the Design and Access Statement.

7.2.6 The materials proposed for the alterations to the shop front are considered to be appropriate, given the context of the building. However, only general information has been given in regard to the proposed first floor extension. Given the resultant prominence for the proposed extension it is crucial appropriate materials are used. The application particulars state that render is to be used externally at first floor level and whilst the neighbouring dwelling at Number 8 uses render, it is not a dominant characteristic of buildings in the area. The use of render is likely to add to the undesirable dominance of the proposed extension, increasing its adverse visual impact.

7.2.7 Although the application site does not sit within a Conservation Area, the area around the site has a very attractive and distinct character. PPS 1 encourages development which enhances the existing character and appearance of an area and on this occasion, the proposed development is considered to fall contrary to the relevant policy.

### 7.3 Impact on the setting of a Listed Building.

7.3.1 It is noted that the application site sits in close proximity to a Grade II Listed Building, known as Number 11, Hautboy Lane and thus, the Conservation Officer has been consulted on the proposed development and the necessary consultations and advertisements have been issued. Any further representations to the additional consultations shall be highlighted in the Committee Update sheet.

7.3.2 The Conservation Officer has raised an objection to the proposed development on the grounds that the first floor extension, when viewed in conjunction with the existing dwelling at 8 Hautboy Lane would have a dominating appearance which would appear awkward within the streetscene. This awkwardness would consequently have a detrimental and overbearing impact on the nearby listed building, particularly when viewed from the North, resulting in an adverse impact on the setting of the listed building.

7.3.3 Hautboy Lane is a well preserved area of Warmington and benefits from a distinctive character, made up of low lying, humble stone built dwellings, the exception being 8 Hautboy Lane. Reiterating the point raised above, to emphasise the height and bulk of Number 8 with the proposed development would result in physical massing and bulk which would severely detract from the character and form of the nearby listed building and its setting.

7.3.4 The proposed development would therefore fall contrary to the advice given in PPG15 and would fail to respect or preserve the setting and appearance of a listed building

#### 7.4 Neighbouring Amenity and Noise Nuisance.

- 7.4.1 The proposed first floor extension would be constructed on top of the existing butchers shop and would extend for a distance of 12 metres back into the site. The existing butchers shop provides the boundary wall between the application site and the adjacent garden area serving 29 Church Street and the existing structure runs along the end of the garden. The proposed first floor extension would follow the same building line as the existing butchers shop and this would result in a two storey structure with a height of 7 metres to the ridge, running a length of 12 metres along the end of the garden at 29, Church Street. However, a distance of 19.3 metres would exist between the rear elevation of 29 and the northern elevation of the butchers shop.
- 7.4.2 Therefore, it is considered that there would be a sufficient distance between each property to prevent the likelihood of overshadowing. The structure could overshadow the very end of the garden at 29 Church Street from the late morning to the late afternoon. The area which would be overshadowed is not considered to be the sole or primary area of amenity space within the plot and this area already appears to be darkened by the existing butchers shop. The proposed development would not increase overshadowing to a level which would warrant the refusal of this application and would not overshadow the habitable room windows along the rear elevation of Number 29.
- 7.4.3 Due to the physical distance between the subject property and 29 Church Street, the resultant height of the dwelling is also unlikely that the proposal would result in an overbearing impact. Whilst the proposed first floor extension would hold some prominence when viewed from the rear of Number 29, it is considered unlikely that this would become harmful to the enjoyment of the dwellinghouse by having an overbearing impact.
- 7.4.4 Due to the relationship of all other neighbouring dwellings with that of the proposed first floor extension, it is unlikely that significant additional overshadowing or overbearing impact would occur.
- 7.4.5 The proposal includes the insertion of a bedroom window at first floor level in the western elevation of the proposed extension. This would not lead to overlooking of the dwellings opposite the site due to the distance of approximately 30 metres between the application site and the nearest opposing dwelling. Particular attention has been given to the relationship of the application site and 6 Hautboy Lane in terms of overlooking and it is concluded that the distance between the two would be sufficient enough to prevent harm. A small rooflight is proposed within the northern roofslope which would provide light to the stairway and landing area. A condition is recommended to ensure that the velux window has a minimum sill height of 1.6 metres above first floor level in order to prevent any overlooking of 29 Church Street. There is one habitable room window within the northern elevation of Number 8 Hautboy Lane; however, no overlooking from the proposed development would occur as obscure glazing is proposed for the new dormer window in the south elevation. No overshadowing of this window would occur, given the position of the proposed extension in relation to the orientation of the sun.
- 7.4.6 Due to the modest scale of the proposed single storey extension, no overlooking, overbearing impact or overshadowing would occur.
- 7.4.7 Overall then, the proposed development is considered unlikely to harm neighbouring amenity in terms of overlooking, overshadowing and overbearing impact due to the scale of the proposed extension and given the appropriate relationship of the resultant extension with neighbouring dwellings.

## 7.5 Impact on Trees.

- 7.5.1 The neighbouring garden at 29 Church Street contains a Birch tree which is subject to a Tree Preservation Order (TPO). The TPO was issued on 28th July 2009.
- 7.5.2 The applicant has submitted a comprehensive arboricultural report which concludes that the development would not have an adverse impact on the health and safety of the tree. This, according to the report, would be ensured as the current proposal 'will not require any soil excavations within the theoretical root protection area of the tree, prior to, or during, the construction works. No foundation improvements will be required, no root severance will be necessary' (pg.6, 6.0.)
- 7.5.3 In any event, the tree does not sit within the application site but it is highlighted that the tree is not only the sole responsibility of the occupier of 29 Church Street. The applicant must ensure that the development does not result in any significant harm to the protected tree.
- 7.5.4 The Conservation Officer for Trees noted that the arboricultural report identifies that the proposal is not likely to harm the health of the existing tree and gives details of sympathetic methods of construction. It is stated in the report that there will be no ground foundation improvements or soil excavation and as such, the possibility of damage to the root structure is minimal.
- 7.5.5 However, it has more recently been brought to the Tree Officers attention that Plan Number 1403-p-04 notes that 'additional foundation measures, in the form of root block and bridging may be implemented' This appears to contradict the information given within the Arboricultural report and shows an uncertain approach. No formal details of any underground works have been submitted and therefore a significant deal of uncertainty arises as to how the applicant can erect the proposed extension whilst safeguarding the health and safety of the tree.
- 7.5.6 Upon examining the existing building, it appears that the existing butchers shop is of very simple construction which gives rise to concerns as to whether the existing building is capable of supporting an additional storey. Whilst it states within the Arboricultural report that no additional foundation works are required, in order to ensure the health of the tree, the applicant would need to demonstrate that the existing building is capable of accommodating an additional storey without the need for any foundation works.
- 7.5.7 In summary, the applicant would need to provide detailed information showing the form of foundations which are to be laid to facilitate the development or the applicant would need to firmly state that there are no foundation works to be undertaken.
- 7.5.8 The information submitted in its current form does not confirm exactly what works are to be undertaken, and given the proximity of the protected tree, it is considered that the applicant has not demonstrated that the proposed development would not result in detriment to the wellbeing of the protected tree adjacent to the site.
- 7.5.9 Details have been provided in relation to the pruning works that would be required to facilitate the development. The pruning relates to branches 1C, 2A, 2B and 2C only under this planning permission and any other pruning would need to be covered under a separate planning application or Tree Preservation Order Consent. A condition is recommended to ensure that works to the tree are carried out in accordance with the current British Standard (BS3998: 1989, Recommendations for tree work.)

## 7.6 Other considerations.

- 7.6.1 Several consultation responses have noted that a previous condition was applied to the site under ref: EN/01/00067/FUL which required the applicant to provide a designated off road parking bay towards the rear of the site at the time when the existing residential unit was converted from a slaughterhouse. This parking bay has never been provided and the area for the parking bay has existed in its current form since the conversion of the bungalow. A plan showing the position of the parking bay approved as part of EN/01/00067/FUL shall be displayed at the Planning Committee meeting for clarification purposes.
- 7.6.2 The designated parking bay approved under EN/01/00067/FUL, is not considered to be of usable positioning or proportions and with the existing provision for 2 vehicles on site, the designated bay is not considered necessary. The current occupiers have not used the area as a parking bay and therefore it would be unreasonable to insist on its reinstatement within this application for an extension as the number of vehicles visiting or held on the site would not be likely to increase as a result of this application.
- 7.6.3 For further clarification since the previous Committee Report was drafted, we have undertaken an additional consultation with the Highways Authority to ascertain the likelihood of the said parking bay resulting in any detriment to the use or safety of the highway.
- 7.6.4 The response from the Highways Authority confirmed that the said parking bay could be relocated within the site without compromising any neighbouring occupier. In addition, as the proposed development would not result in an increase in traffic in its current form, parking provision is unlikely to become an issue. The Highways Officer noted that the proposed development should be conditioned to prevent the extended portion of the property becoming a separate unit as this may result in an increase in traffic along Hautboy Lane
- 7.6.5 Warmington Parish Council notes that parking is already an issue along Hautboy Lane. However, there would not be a likely increase in vehicles travelling to and from the site as a result of this proposal which relates only to an extension and shop front alteration and not the creation of a new unit. No further intensification of the site would result.
- 7.6.6 The issues of the previous condition and provision of a parking bay would need to be considered as a matter to be dealt with separate to this application, under the powers of enforcement. The matter has been investigated by our enforcement team and based on the comments of the Highways Officer, the lack of the said parking bay is not considered to be detrimental to the use or safety of the highway and the Officers view is that the matter would be expedient to enforcement action.

## 8 Other issues

- 8.1 Adequate private amenity space would remain to the rear of the property.
- 8.2 Crime and Disorder - this application does not raise any significant issues
- 8.3 Access for Disabled - The development would be covered by the necessary building regulations as public access is necessary. The proposed extension to the dwelling would not have any public access and does not therefore required to comply with disables access regulations.
- 8.4 Location of the Plucking Machine
- 8.4.1 The previous application was refused because of concerns regarding the need to relocate the plucking machine and the potential noise that could result.

8.4.2 The Councils Environmental Health Officer has met on site with the applicant to agree a suitable position for the relocation of the plucking machine. The Environmental Health Officer is satisfied that the plucking machine could be relocated internally without causing any further nuisance. However, this view is on the basis that adequate sound proofing and noise mitigation methods are used to prevent the potential for noise nuisance.

8.4.3 The applicant, however, has not provided plans showing where the plucking machine would be located, additional noise mitigation information and that appropriate soundproofing would be used. A proper assessment of the potential for noise nuisance cannot be undertaken. Should the applicant submit the required information, then a detailed assessment of the potential noise impact could be made and conditions could be applied to any approval. Given the level of uncertainty regarding the issue of noise and impact on residential amenity, it is recommended that the application be refused on this ground.

## **9 Recommendation**

9.1 That authority to REFUSE the application be delegated to the Head of Planning Services in conjunction with the Chairman and War Member and subject to consultee responses.

## **10 Conditions/Reasons -**

1. The proposed addition of a first floor to the existing single storey building, by nature of its design, scale and its relationship with the street, would have an unacceptable overbearing and dominating impact upon the streetscene to the detriment of the appearance and character of the area and the setting of a listed building. Therefore the proposed development would fall contrary to PPS1, PPG15, Policy 13- General Sustainable Development Principles of the North Northamptonshire Core Spatial Strategy, RSS8 Policy 2 and 27.
2. The proposed development would require the relocation of the plucking machine, however, the applicant has failed to demonstrate that the relocation of the existing plucking machine would not result in any additional noise nuisance or impact on residential amenity. Furthermore, the applicant has failed to give details of any necessary noise mitigation methods which may be required as a result of the repositioning of the plucking machine, Therefore, the proposed development is considered to fall contrary to the advice given in PPG 24-Planning and Noise.
3. Through the submission of insufficient information, the applicant has failed to demonstrate that the proposed development would not have a harmful impact upon the Birch tree which sits adjacent to the site and is subject to a Tree Preservation Order, and makes an important contribution to the visual amenity of the area.

## **Informatives**

1. The drawings to which this decision relates are as follows: Drawing No's 1430-p-01, 1430-p-02A, 1430-p-03B, 1430-p-04B and 1430-p-05A.  
Received by the Local Planning Authority on 17th June 2009

# Committee Report

Committee Date : 17 February 2010

Printed: 4 February 2010

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Case Officer **Anna Lee**

**EN/09/01014/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>29 June 2009</b>	<b>22 September 2009</b>	<b>17 November 2009</b>	<b>Thrapston Lakes</b>	<b>Thrapston</b>

Applicant **Mr D McAuley**

Agent **Toby Pateman Architects**

Location 17 Chancery Lane Thrapston Kettering Northamptonshire NN14 4JL

Proposal **Five unit residential development within curtilage of 17 and 19**

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**The application has been brought to Committee because the Town Council has objected and an Officer has declared an interest in the land (as he is the resident of No.19 Chancery Lane).**

## **1 Summary of Recommendation**

1.1 That permission be REFUSED.

## **2. The Proposal**

2.1 The application proposes residential development on land to the rear of Nos.17 and 19 Chancery Lane in Thrapston. The development is for five new detached dwellings, comprising of three, four bedroomed dwellings and two, three bedroomed dwellings.

2.2 An existing access is shared between Nos.17 and 19 Chancery Lane off Chancery Lane, and alterations are proposed to this access, to create an access which would serve the development in addition to the two existing properties. It is proposed that the existing semi-detached garages belonging to the two properties would be demolished and the new access would run in between Nos.17 and 19 Chancery Lane.

## **3 The Site and Surroundings**

3.1 The application site lies west of Chancery Lane, behind the dwellings fronting Chancery Lane, mainly behind Nos.17 and 19 Chancery Lane. Nos.17 and 19 Chancery Lane are both 1950/60s style two-storey detached style properties, adjoined by garages.

3.2 The Design and Access Statement states that the site is currently garden land attached to the rear of No.17 Chancery Lane; but visually, the site is separate from the enclosed garden areas of the main property and also No.19 Chancery Lane.

3.3 The site is separated from the surrounding area to north, south and west by boundary screening, including planting and fencing structures. A grass bund is found along the northwest boundary of the site and the site is separated from the main properties of Nos.17 and 19 Chancery Lane by closed boarded fencing.

- 3.4 The ground levels drop significantly from the rear gardens of Nos.17 and 19 Chancery Lane to the rear of the site, by some 2.0 metres; and therefore the site for the five dwellings is at much lower level than the existing properties.
- 3.5 Within the wider surroundings, there is residential development of mixed character and styles to the east and south. This includes the more historic development along Chancery Lane (including Nos.1 to 15 Chancery Lane), the post war style and later built 1960/70s semi-detached development to the northeast, and 20th Century flats behind the High Street. There are open recreational areas to the north and west including Castle Fields.
- 3.6 The site lies within the settlement boundary, as defined in the Rural North, Oundle and Thrapston Plan, and lies within 100 metres of the town centre.
- 3.7 The southern part of the site sits adjacent to the boundary of the conservation area, but the site falls outside of the conservation area.
- 3.8 Some protected trees lie along the front boundary of the site, on both sides of the access, to Chancery Lane.
- 3.9 Part of the site, where Plot 3 is proposed, falls within Flood Zone 2, as defined on the Environment Agency maps.

#### **4 Policy Considerations**

- 4.1 National Planning Policy Guidance:
  - PPS1– Sustainable Development
  - PPS3 – Housing
  - PPS7 – Sustainable Development in Rural Areas
  - PPS9 – Biodiversity and Geological Conservation
  - PPG13 – Transport
  - PPG15 – Planning and the Historic Environment
  - PPG16 – Archaeology and Planning
  - PPS25 – Development and Flood Risk
- 4.2 Regional Spatial Strategy 8: East Midlands Regional Plan, March 2009
  - Policy 1 – Regional Core Objectives
  - Policy 2 – Promoting Better Design
  - Policy 3 – Distribution of New Development
  - Policy 39 – Regional Priorities for Energy Reduction and Efficiency
  - Policy 45 – Regional Approach to Traffic Growth Reduction
  - Policy 48 – Regional Car Parking Standards
- 4.3 North Northamptonshire Core Spatial Strategy, June 2008:
  - Policy 1 – Strengthening the Network of Settlements
  - Policy 7 – Delivering Housing
  - Policy 9 – Distribution & Location of Development
  - Policy 10 – Distribution of Housing
  - Policy 13 – General Sustainable Development Principles
  - Policy 14 – Energy Efficiency and Sustainable Construction
- 4.4 Rural North, Oundle and Thrapston Plan (emerging document):
  - Policy 1 – Settlement Roles
  - Policy 2 – Windfall Development in Settlements
  - Policy 8 – Residential Parking Standards
  - Policy 9 – Buildings of Local Architectural or Historic Interest
- 4.5 Supplementary Planning Guidance:
  - Parking SPG, March 2003
  - Planning Out Crime in Northamptonshire, Feb 2004
- 4.6 Supplementary Planning Document:

- Design SPD, March 2009
- 4.7 Other Documents:  
Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008

## **5 Relevant Planning History**

- 5.1 EN/07/01103/TPO, 'Prune branches in proximity to telephone wires', Permitted, 24.07.2007.
- 5.2 79/00056/FUL, 'Garden wall over 2m high', Permitted, 26.02.1979.
- 5.3 76/01232/FUL, 'Change from dwellinghouse to dwellinghouse and bed-sit and greenhouse', Permitted 08.12.1976.
- 5.4 72/0199//OTR, 'Bungalow', dismissed at appeal on 25.09.1973.

## **6 Consultations and Representations**

- 6.1 Neighbours: Nine letters received from 4 Orchard Way, 22 Scotney Way, 24 Scotney Way, 51 Oakleas Rise (objection), 70 Market Road (objection), 19 Back Lane, Ringstead, 35 Sandlands Avenue, Brickstock, 21 Chancery Lane; and the reasons for comments/objections are summarised below:

- The historic interest/potential archaeological significance of the site should be fully explored and this has not been considered in the application details
- It is understood that the site is on part of the Castle mound and has features going back to the Roman times; possibly, a Roman Fort, earth bank, Roman wall/gateway; and skeletal remains
- "Human remains were dug up and reburied on the site where Nos. 17 and 19 Chancery Lane were built in the late 1950s – these bones were identified as part of a medieval burial ground. The development would remove a considerable portion of the east side of the mound where the medieval burials might be found".
- Any proposed development should be very carefully examined to ensure that no archaeological damage occurs
- "Thrapston has very little archaeology left and any archaeology left would be lost forever if the development is not properly considered"
- The difference in gradient of the site is evidence of the remains of a Castle Mound
- The development fails to comply with government guidance PPG16: Archaeology and Planning
- Concerns about highway safety
- The proposal would reduce the number of parking spaces available and add to traffic and congestion along Chancery Lane "At the northern end of Chancery Lane, there are the Castle Playing Fields, the existing Medical Centre, the Tennis Club and the site of a proposed further Medical Centre"
- The proposal would increase traffic and generate conflict with the Manor Close Flats immediately opposite
- Parking would be insufficient for the development
- The layout as seen from the plan does not allow for a second car to be parked in front of Plot 3 if a vehicle is parked in the drive of Plot 2
- There is no turning circle within the site that would allow vehicles to turn round and return to Chancery Lane and could be a problem for commercial vehicles

- 6.2 Thrapston Town Council: Objection, "The design and pattern of development is out of character with the surroundings, 5 extra houses will have an adverse effect on present residents in the area."

- 6.3 Thrapston Heritage Trust: Advises the following:

- “The remains of the Castle Mound and its immediate surrounding area are relatively undisturbed as much as the site is a garden area and is undeveloped”
  - “The site is close to Manor House in Chancery Lane, where there were a number of medieval and earlier finds in the 1960s”
  - “An archaeological assessment should be carried out before any consideration is made of the application for the proposed development, in order to avoid the lost of heritage for the town”
- 6.4 ENC Waste: have concerns about access to the properties for waste collection. “Our waste collection vehicles are 10 metres long and 3 metres wide. We need a turning circle of about 20 metres between the kerbs to turn the vehicle around... it seems that there is not enough room to turn the vehicle at the end of the access round”.
- 6.5 Environment Agency: Advises that a Flood Risk Assessment and sequential test would be required if the site falls within Flood Zone 2 (including part of the site) and that the application should be determined against Environment Agency’s Flood Risk Standing Advice and PPS25.
- 6.6 Senior Conservation Officer: The Conservation Officer advises that the site is a known location for archaeological activity, and recommends the submission of a programme of archaeological work, if the Council is minded to grant planning permission to the application. “The archaeological investigation will comprise an intensive watching brief during initial site works and construction for the proposed dwellings. The work should be undertaken by a professionally qualified archaeological contractor appointed by the applicant.”
- 6.7 Advisor of Sustainability Appraisal and Energy Efficiency Statements (JPU): It is advised that more details would be required to demonstrate how Policy 14 of the North Northamptonshire Core Spatial Strategy would be addressed, (see recommendations below).
- 6.8 Conservation Officer (Trees): no objection, subject to conditions to ensure that the protected trees at the front of the site are not adversely affected by the proposal, (see recommendations below).
- 6.9 Local Highway Authority: no objection on highway related issues, subject to conditions, (see recommendations below).
- 6.10 Housing Strategy: no objection, “This site is below the site size to trigger an affordable housing requirement. With this in mind I have looked at the market housing balance produced by Fordham’s in the SHMA and Thrapston falls in the upper quartile of the District in terms of requiring larger dwellings. I would interpret larger dwellings as 3 and 4 bedroom family homes. So in this respect this scheme provides the type of accommodation required. However the density of the scheme could be greater if terraced or semi detached properties are provided rather than executive style detached homes.”
- 6.11 Design Officer: The Officer is unable to support this proposal and the reasons and other comments are summarised below:
- The proposal would in effect create a cul de sac and cul de sacs are not encouraged by current best practice guidance.
  - The proposed access is considered to be relatively narrow, illegible for pedestrians, and could potentially have a negative impact on the amenities of the current and

potential occupiers of Nos.17 and 19 Chancery Lane.

- The applicant proposes to position cycle storage within the garages of the proposed dwellings. However, there are concerns that the garages would not be able to accommodate the cycle storage and additional storage may be necessary.
- The Officer is satisfied that the steep level change on the southern edge of the site would serve to reduce the visual impact of the development from Chancery Lane. However, the Officer is concerned about the size of the rear gardens proportionate to the units (Plots 3-5), and these garden areas are unusable due to the slope of the land (the identified bund).
- The way which the site is laid out would be suburban in character, with five relatively large detached family houses, and the Officer does not consider this in keeping with the character and appearance of the surrounding area. "To the south along Chancery Lane (near to the town centre) there is some tightly packed existing development; some of it listed. To the east there are some mid 20th century flats at the back of the High Street, and to the north along Chancery Lane there is a predominance of semi detached properties."
- "There is an expanse of blank wall on the front elevation of plot 1. This is not only visually unattractive on the building, but also reduces natural surveillance to the front."
- There is also a large expanse of blank elevation on the front of plot 2.
- There is no evidence of bin storage provision.

6.12 Email received from Agent on 19th November 2009 to address some of the comments raised and the contents of this email are summarised below:

- The agent points out that the site is not an ancient monument site, and refers to some discussions held with Officers in 2007 about archaeology. In these discussions, it was understood by the Agent that the presence of a watching brief during the site strip/excavations would eliminate any concerns regarding possible archaeological remains. (The Council, however, has not got any records of such discussion(s))
- Comments were made about design and that there were many house types in the locality and that these vary enormously.
- The agent refers to the Rockingham Forest Guide "Building on Tradition the Rockingham Forest Countryside Design Summary" – "which I feel, is the best possible source of material for designing houses in this region, in order to blend in with the local vernacular. The houses are individual, innovative and make good use of the topography."
- "Household waste is to be deposited in bin bags on the pavement (as is all of Thrapston's household waste) of Chancery Lane prior to refuse collection days and collected by the council's refuse collection team; recycling waste likewise (this was described in the Design and Access Statement).
- "I have spoken to Building Control and they do not have a problem with this arrangement and the refuse lorries will not be required to access the site."

## **7 Evaluation**

7.1 The following issues are relevant to the determination of this application:

7.2 Principle of Development

7.2.1 The application site falls within the settlement boundaries defined in the Rural North, Oundle and Thrapston Plan (RNOTP). PPS3 encourages the re-use of brownfield sites within existing settlements where good use can be made of land served by existing services. The proposal would accord with this advice. However, the effect on the character and appearance of the area is an important consideration which needs to be taken into account.

7.2.2 In considering how the proposal affects the character of the area, Members need to be aware that residential development has been granted to the rear of properties along Chancery Lane, further south of the site, in the past. However, such development was for single adhoc schemes. For example, a single dwelling was refused by the Council at the rear of No. 7 Chancery Lane under reference: EN/05/02353/FUL, but the development was allowed at an appeal. This application was not refused on grounds of character, but was refused on grounds of prejudice to the comprehensive redevelopment of the town centre and harm to the residential amenities of the future occupiers due to noise from the nearby industrial units to the west and south of the site. The application was allowed by the Inspector at the time as limited weight was given to the town centre policy THR3(2) in the RNOTP because the plan was considered at its preparation stage and the Council did not pursue the second reason for refusal.

7.2.3 In addition to the effect that the proposal would have on the character of the area, scale, siting, design, materials and means of access also need to be considered. This is in addition to all the other planning considerations, which will be discussed in the following sections of this report.

### 7.3 Visual Impact

7.3.1 There would be views of the development from the playing fields to the west and north of the site. The existing properties along Chancery Lane make up the built form of the settlement. The site and many of the rear garden areas of the other properties along Chancery Lane currently have an undeveloped and 'edge of settlement' character. These rear parcels of land currently provide a transition to the surrounding playing fields and other open space areas which connect into the open countryside to the west. Therefore, given this existing character and pattern of development, further development, in the scale and massing proposed in this application, would be harmful to the character and appearance of the area. Whilst other residential development has been allowed i.e. at No.7 Chancery Lane, this development is located further south of the site and sits in a different context.

7.3.2 Due to the fact that the site would be very much concealed behind the main dwellings along Chancery Lane and due to the drop in ground levels, the development would not be visible from the main street scene along Chancery Lane. Notwithstanding this, the design quality of the dwellings and their relationship with each other and the wider surrounding area needs to be carefully considered.

7.3.3 In the submitted Design and Access Statement, the agent explains that due to the variety of architectural styles found within the near locality and because the site is inward looking and concealed away from the surrounding area, the proposed development has been treated as a single entity and one architectural style has been adopted throughout the development (paragraph 9.1). In addition, the agent refers to the Rockingham Forest Guide and comments that the chosen style for the properties is not dissimilar to other houses which might be seen in other local areas such as Castle Ashby, the Rockingham Forest or other country estate. However, this is completely out of context in this situation.

7.3.4 The style of development proposed would appear too elaborate in contrast with the more modest post war style development and cottage style listed buildings found along Chancery Lane. In addition to this, the massing and layout creates a very suburban pattern of development which is considered at odds and would be incongruous with the existing surrounding pattern of development along Chancery Lane.

- 7.3.5 To reflect the character and style of the proposed dwellings, the materials proposed, are stone for the walls and concrete slate or pan-tiles for the roofs. Whilst such materials could be argued to be compatible with the more historic development along Chancery Lane further south; it is out of keeping against the post war style developments found immediately surrounding the site along the Chancery Lane.
- 7.3.6 In particular, there are detailed elements of the scheme which do not work. The proposed dwellings are all large detached two-storey dwellings, characterised by gabion ends, quoin detailing, and staggered portions. The ridge height of the dwellings ranges between 8.0 to 9.0 metres. Whilst most are two-storey high buildings, three-storey projections is proposed to follow the drop in levels on Plot 1. In addition, whilst not included within this application, due to the height of the buildings and roof pitch, it would be possible for the other plots to incorporate second floor accommodation within the roof in the future.
- 7.3.7 As identified by the Design Officer, the extending gable projections found on plot 1 and plot 2 are considered to be of a significant expanse. In addition to the creation of a blank elevation, these features would detract from the principle elevations of the dwellings and the main building form, by reason of their scale, projection and juxtaposition. Whilst the dwellings follow the same design principles with the gabion ends and detailing, the proposed house types all vary significantly in the way which the projections are staggered and how the gables are designed into the buildings. It is considered that this extent of variation would be too significant for a site of this scale (measuring some 0.20 hectares in area) and with only this number of dwellings (five). Overall, it is considered that the dwellings are visually unsatisfactory, both as individual buildings and as a group.
- 7.3.8 In terms of layout, the proposed dwellings would appear visually cramped. This is due to the scale of the buildings, the way which they would be closely positioned together within the site and due to the restricted turning area/parking facilities proposed within the site and for the individual dwellings. In addition, the buildings would have limited front and rear gardens. The front gardens are shown to measure approximately 3.0 metres for plots 3, 4 and 5; and approximately 2.0 metres for plots 1 and 2. For the rear gardens of plots 3, 4 and 5, the distance from the back of the properties to the north western boundary of the site is 10.0 metres at the longest point and 6.0 metres at the shortest point. However, whether the gardens of these properties are usable is questionable due to the presence of the landscape bund found in this area to the rear of the site.
- 7.3.9 The proposed means of access would create an unsatisfactory relationship with the existing dwellings Nos.17 and 19 Chancery Lane. The new dwellings are proposed on land at much lower level and the proposed means of access would be positioned very close between these existing buildings, and the overall parking and proposed access arrangement, would also appear congested and contrived near the front of the site. Furthermore, the elevational treatment and styles of the dwellings adds to this.

7.3.10 The relevant policy extracts include:

Paragraphs 5, 34 and 35 of PPS1 aims to ensure high quality development through good and inclusive design, and paragraph 34 in particular states "Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted".

PPS 3 requires LPA to consider the extent which development are well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access (paragraph 16).

Policy 13(h) of the NNCSS requires that development be of high standards of design, architecture and landscaping, respect and enhance the character of its surroundings and be in accordance with the Environmental Character of the area.

Policy 2 (c) of the RNOTP states: the scale and siting of any dwellings accord with the character of the surrounding properties and are satisfactorily integrated into the settlement and the surrounding area;

Design SPD, furthermore, advises of the need to ensure that development reinforces locally distinctive patterns of development and takes into account local character.

7.3.9 Overall, for the reasons given above in paragraphs 7.3.1, 7.3.4 and 7.3.5 to 7.3.9, it is considered that the proposal would result in an unsatisfactory form of development that would poorly relate with the context of the site, the surrounding area and would fail to enhance its surroundings, and in all, would be contrary to the above policies.

#### 7.4 Impact on Conservation Area

7.4.1 The southern side of the site adjoins onto the boundary of the conservation area, and as such, the impact of the development on the character, appearance and setting of the conservation area should be considered.

7.4.2 Noting that the site is not directly visible from the street scene and the fact that the site bears a 'back to back relationship' with the conservation area, it is considered that it would be difficult to justify that the development would have an adverse impact on the character, appearance and setting of the conservation area.

#### 7.5 Impact on Listed Buildings

7.5.1 The listed buildings closest to the site include Nos. 7 to 15, Chancery Lane. Given that these buildings would be located over 50 metres away from the application site facing Chancery Lane, it is considered that the proposed development would not harm the setting of these buildings.

#### 7.6 Neighbouring Amenity

7.6.1 Plot 1 would be located approximately 20 metres to the rear of No.17 Chancery Lane. Given this distance and the difference in levels (where Plot 1 would be located on some 2.0 metres lower level ground), no undue overbearing, overshadowing or overlooking would result on the existing property of No.17 Chancery Lane.

7.6.2 Plot 2 would be located approximately 30 metres to the rear of No.19 Chancery Lane. Given this distance and the difference in levels (where Plot 2 would be located on some 2.5 metres lower level ground), no undue overbearing, overshadowing or overlooking would result to the neighbouring property No.19 Chancery Lane.

7.6.3 Whilst the proposed dwellings would have no adverse impact on the existing dwellings of Nos.17 and 19 Chancery Lane by means of overbearing, overshadowing or overlooking, there are concerns that the proposed means of access would result in undue harm upon the residential amenities of the occupiers of these existing properties.

7.6.4 Following the demolition of the garages, the proposed shared access would be located directly adjacent to the main living areas of No.17 and 19 Chancery Lane. The

movement of vehicles into and out of the site would result in disturbance to the existing and future occupiers of these properties. In addition, the proposed vehicle parking and turning spaces at the front of the site for the existing occupiers is likely to generate conflict with the access proposed to be shared with the future occupiers of the dwellings. Overall, the new parking and access layout is considered to be contrived.

- 7.6.5 Whilst it is recognised that one of the existing properties (No.17 Chancery Lane) is occupied by the applicant, the Council has an interest to safeguard the amenities of the future occupiers. In this case, it is considered that the development, if allowed, would be detrimental to residential amenities of both the existing and future occupiers, and would be contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy, which seeks to ensure that development would not result in an unacceptable impact on the amenities of neighbouring properties.
- 7.6.6 The proposed development would be located over 20 metres away from No.15b Chancery Lane and over 35 metres away from No.15a Chancery Lane. This distance is sufficient to prevent any significant overlooking or overbearing impact.
- 7.6.7 Nos.21 and 23 Chancery Lane would be located over 35 metres away and therefore are far enough away to not be adversely affected.
- 7.6.8 All other neighbouring properties would also be far enough away to not be adversely affected.
- 7.7 Highway Impact
- 7.7.1 Policy 13 (d) of the North Northamptonshire Core Spatial Strategy requires development to have a satisfactory means of access and provide for parking, manoeuvring in accordance with the adopted standards.
- 7.7.2 In accordance with the Local Highway Authority's (NCC) requirements for a shared access, the proposed access measures 4.5 metres in width for the first 5.0 metres back from the highway. However, the Highway Officer has commented that it would be necessary to provide vehicular visibility splays of 2.4 metres x 33.0 metres on both sides of the access, rather than visibility splays of 2.0 metres x 75.0 metres. In addition, the Highway Officer has suggested conditions to ensure that the access is constructed to the required standards. This includes conditions to require (1) that the access gradient does not exceed 1 in 15, (2) that pedestrian visibility splays of 2.0 metres x 2.0 metres be provided where there is turning space within the site, (3) that means of drainage be provided to prevent the unregulated discharge of water onto the highway; and (4) that the first 5.0 metres of the access be bound with hard surface materials.
- 7.7.3 The Highway Officer comments that the proposed location of the access would not appear to conflict with the existing movement of traffic and use of the highway at the junction of Chancery Lane and Manor Close.
- 7.7.4 Overall, it is considered that there are no highway issues relating to this development that could not be dealt with by condition.
- 7.7.5 In terms of parking, the following parking facilities are proposed for each of the dwellings:

Plot 1 – One garage and two on-site parking spaces  
Plot 2 – One garage and one on-site parking space  
Plot 3 – One garage and one on-site parking space  
Plot 4 – One garage and one on-site parking space  
Plot 5 - Two garage and two on-site parking spaces

- 7.7.6 Policy 8 of the Rural North Plan requires the provision of two parking spaces per residential unit. In accordance with this policy, at least two off-road parking spaces

would be provided to serve each dwelling and 12 Parking spaces in total are proposed to serve the five properties. Overall, it is considered that sufficient off-road parking would be provided to serve the development and adequate off-road parking provision would also be provided for Nos.17 and 19 Chancery Lane (two on-site parking spaces in front of each property).

## 7.8 Flood Risk

7.8.1 PPS25 came into force in December 2006 and seeks to direct all development to areas at low risk of flooding. For new development in areas identified with a high risk of flooding (Flood Zones 2 and 3 of the Environment Agency Flood Zone Maps), applicants are required to demonstrate that there are no other reasonably available sites that could be considered as being appropriate and suitable for the development proposed. The practice guidance supporting PPS25 makes it clear that the onus is on the applicant to provide this evidence for the Local Planning Authority to carry out the test.

7.8.2 Plot 3 of the proposed development lies within Flood Zone 2 on the Environment Agency's Flood Zone Maps and residential use is identified as a 'more vulnerable use' in Table D3 of PPS25. PPS25 advises that 'more vulnerable' development is appropriate in Flood Zone 2, subject to the Sequential Test being passed.

7.8.3 The agent considers that the request for a sequential test would be onerous for this development given that only a small part of the site falls within the flood zone. The Environment Agency has been re-consulted on this matter and the Environment Agency has repeatedly advised that the Sequential Test must be applied in order for the appropriateness of the proposed development to be assessed in this location. In addition, the application should also be accompanied by a Flood Risk Assessment (FRA).

7.8.4 In terms of the submitted FRA, this was considered in accordance with the Standing Advice document published by the Environment Agency. For a development of this nature and falling within Flood Zone 2, the Environment Agency usually would need to be satisfied that the finish floor levels of the buildings are located 300mm above the general ground level of the site and that suitable measures are incorporated to minimise the risk of flooding. The Environment Agency has advised that the proposed finish floor levels indicated in the FRA would be 300mm above the 1% flood risk level and therefore meets the Standing Advice criteria. Overall, the Environment Agency has no objections to the submitted FRA.

7.8.5 Notwithstanding the FRA, the application would also need to be accompanied by a sequential test and this test must also be satisfied in order to meet the requirements of PPS25. The submitted FRA does not include a search of the area to see if there is a site capable of accommodating the proposed dwelling, which is in a lower flood risk area. PPS25 indicates that new housing development should not be permitted within Flood Zone 2 (within which part of the site lies) without sequential testing being passed. As a sequential test has not been submitted with the application and no relevant information has been provided in the FRA, the applicant has not satisfactorily demonstrated that no other sites are suitable and the proposal is therefore in conflict with the principles contained within PPS25, and should be refused.

## 7.9 Archaeology

7.9.1 It has been brought to Officer's attention that the site may have significant archaeology. Comments were received from local residents to say that the site is on part of the Castle mound and has features going back to the Roman times and there are skeletal remains beneath the ground.

7.9.2 The Sites and Monuments Records Office were therefore contacted. Back in 2000 Northamptonshire County Council (NCC) carried out an Extensive Urban Survey project which created an archaeological summary of all the major settlements in Northamptonshire and a report for Thrapston was published. Within this report, it was confirmed that the Chancery Lane site is on the site of the medieval De Veer manor and castle, where Roman/Saxon human remains have been found in the area.

7.9.3 The County Archaeologist was approached on this matter. As the site of 0.31 hectares falls below the threshold of 1.0 hectares, the County Archaeologist was unable to comment formally on the proposed development. However, advice was obtained that a prior Archaeological Evaluation would normally be required in order to assess the archaeological significance of a site and the impact of the proposed development on the site. In the case of archaeologically significant sites, the impact on archaeology is usually considered upfront in advance of the determination of the application to allow an informed decision to be made as to the appropriateness of the development.

7.9.4 From the report produced by the NCC in 2000, the County Archaeologist considers the site to be a archaeologically potentially significant site and the following sections of the study report are particularly relevant in informing us of this :

“It would appear that the majority of the footings etc for the development in Manor Close were shallow, and hence a considerable amount of archaeological data may survive in the area. Any future development on the manor and castle sites should be evaluated in order that the extent, nature, and dating of the cemetery can be determined, to locate and characterise the middle and late Saxon activity, and to define the extent, character and chronology of the castle. This may be valid even on relatively small scale disturbances given the potential importance of the monuments and the very limited nature of our current knowledge as to their extent and character.” (paragraph 2.2, page 40: NCC, 2000)

7.9.5 PPG16 paragraph 21 advises that it is reasonable for the Local Planning Authority to request an archaeological field evaluation be arranged and carried out before any decision on the planning application is taken. “This sort of evaluation is quite distinct from full archaeological excavation. It is normally a rapid and inexpensive operation, involving ground survey and small-scale trial trenching, but it should be carried out by a professionally qualified archaeological organisation or archaeologist”.

7.9.6 Paragraph 22, furthermore, advises that Local Planning Authorities can expect developers to provide the results of such assessments and evaluations as part of their application for sites where there is a good reason to believe there are remains of archaeological importance. “If developers are not prepared to do so voluntarily, the planning authority may wish to consider whether it would be appropriate to direct the applicant to supply further information...and if necessary authorities will need to consider refusing permission for proposals which are inadequately documented”.

7.9.7 PPG16 advises that archaeological remains should be considered as a finite and non-renewable resource and in many cases highly fragile and vulnerable to damage and destruction (paragraph 6) and require developers and Local Planning Authorities to give an appropriate level of consideration to archaeological remains and their settings in planning applications.

7.9.8 Should the Council be minded to grant permission to the application, the Conservation

Officer has recommended a condition to require the submission of a programme of archaeological work to closely monitor the initial site works. However, as the application is not accompanied by an Archaeology Evaluation, it is considered that there is insufficient information to allow the Council to make an informed decision on the archaeological matters relating to this site. As no archaeological information has so far been submitted with the application, it is considered that the presence of on-site archaeology has not been appropriately considered in the proposed development; and as such, the development is considered to be contrary to the guidance contained in PPG16 and should be refused.

## 7.10 Housing Need

### 7.10.1 The development falls below the threshold for affordable housing contributions.

Housing Strategy has advised that the local area is in need of larger type dwellings and has suggested that the density of the housing to be provided would be greater if terraces or semi-detached dwellings are proposed rather than the 'executive style' houses. Whilst the need for larger dwellings in the form of semi-detached properties and terraces rather than flats and maisonettes have been suggested, it is considered that the development would not be contrary to the housing strategy of the area, and the development, which proposes detached dwellings, would be difficult to resist on the grounds of housing need.

## 7.11 Trees

### 7.11.1 The trees located at the front of the site to Chancery Lane are protected under a Tree Preservation Order (TPO) and an Arboricultural Report has been submitted with the application. The Council's Tree Officer has considered the submitted report and has no objections to the proposed access alterations and the proposed removal of one of the trees located at the front of the site (identified in the report as T11) which is not subjected to a TPO. However, this is subject to conditions to require that the tree is replaced (as suggested in the submitted report) and that an Arboricultural Method Statement is submitted to provide details of "the phasing of the service installations, details of the construction exclusion zones" and details of the construction of the driveway. Overall, the purpose of the Arboricultural Method Statement condition is to ensure that the services and driveway can be constructed without harming the on-site trees and to ensure that any impacts are satisfactorily mitigated.

### 7.11.2 Overall, subject to the recommended conditions, the Tree Officer is satisfied that the development can be undertaken without adversely affecting the protected trees, and there are no matters relating to the on-site trees which could not be dealt with by condition.

## 7.12 Waste/Recycling and Cycle Storage

### 7.12.1 The agent has submitted an additional layout plan (drawing number: 18-09-01A received on 20th January 2010) to include a temporary bin store off Chancery Lane to address the Design Officer's concerns.

### 7.12.2 It was originally proposed that cycle storage would be provided within the garages of the proposed dwellings. However, there were concerns that the garages would not be able to accommodate the cycle storage. However, given that the amount of storage area required for the individual properties is unlikely to be significant; and for example, it may be possible to accommodate cycle, refuse and recycling storage to the side/rear of the properties; it is considered full details of the location of the storage of cycles, refuse and waste could be requested by condition.

7.12.3 Due to the distance of the properties to the highway (some 60 metres), this means that the future occupiers would have to move their refuse to the front of the site along Chancery Lane for collection. ENC Waste Management would not be able to collect waste directly from the site, as the distance recommended by ENC Waste Management for Waste Crews to travel to collect waste must not exceed 25 metres and the recommended distance for residents to travel to use bin stores should not be more than 30 metres. Whilst the temporary bin storage provided off Chancery Lane would allow refuse to be collected directly from Chancery Lane, the future occupiers of the dwellings would still have to carry their refuse a significant distance to the road. Notwithstanding this and the guidance adopted by ENC Waste Management, it is considered that the proposed refuse collection arrangements would be insufficient to justify the refusal of planning permission on this application.

## 7.13 Sustainable Construction and Energy Efficiency

7.13.1 Policy 14 of the North Northamptonshire Core Spatial Strategy requires new development to incorporate techniques of sustainable construction, provision for waste reduction and recycling and water efficiency and recycling.

7.13.2 Whilst limited information has been provided in the submitted Sustainability Appraisal and Energy Efficiency Statement to demonstrate how the development would meet the requirements of Policy 14, it is considered that this would be insufficient to justify a refusal of planning permission; as information on techniques of sustainable construction, provision for waste reduction and recycling, and water efficiency and recycling could be requested by condition, should the Council be minded to grant planning permission to the application.

## 8 Other issues

8.1 Crime and Disorder - this application does not raise any significant issues.

8.2 Access for Disabled - this building would not be subject to any public access and therefore does not raise any significant issues.

## 9 Recommendation

9.1 That the application be REFUSED for the following reason(s):

## 10 Conditions/Reasons -

1. The development would have a layout that is unacceptably cramped; the dwellings and their associated parking areas would be closely positioned together and the dwellings would have limited surrounding garden spaces. The proposed development would result in an unsatisfactory relationship within the site and with the existing residential properties along Chancery Lane (in particular Nos.17 and 19 Chancery Lane) due to difference in levels, the proposed means of access and congested parking and access layout. Overall, the proposal would result in an unsatisfactory and contrived form of development. For these reasons, the development is contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy, Policy 2 of the Rural North, Oundle and Thrapston Plan (Emerging Policy); Design SPD 2009, and guidance contained in PPS1: Sustainable Development and PPS3: Housing.

2. In addition, the proposed dwellings, by reasons of their mass, building form, design and

detailing are visually unsatisfactory and are considered out of keeping with the character and style of surrounding development. The development would poorly relate with the context of the site and the surrounding area and would fail to respect and enhance the character of its surroundings. For these reasons, the development is contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy, Policy 2 of the Rural North, Oundle and Thrapston Plan (Emerging Policy); Design SPD 2009, and guidance contained in PPS1: Sustainable Development and PPS3: Housing.

3. The proposed means of access is considered contrived and would create an unsatisfactory relationship with the existing properties, Nos. 17 and 19 Chancery Lane, due to the movement of vehicles entering and leaving the site and the potential conflict with the parking areas proposed at the front of the existing properties. If allowed, the development would compromise the residential amenities of the present occupiers and would also be detrimental to the residential amenities of the future occupiers of these properties. The development, therefore, is considered contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy.
4. PPS25 aims to steer development to areas at the lowest probability of flooding (Zone 1). Residential development is defined as a "more vulnerable" use, and part of the site is located within Flood Zone 2. The applicant however has failed to demonstrate that there are no other reasonably available sites that could be considered as being appropriate and suitable for the development proposed. They have provided no evidence to enable the Local Planning Authority to carry out the required Sequential Test.
5. The site is found to be a potentially significant site where archaeological remains are likely to be present and the applicant has failed to assess the archaeological significance of the site and give the required level of consideration to archaeology as required by PPG16: Archaeology and Planning. As such, the proposal is contrary to the advice contained within PPG16.

## **Informatives**

1. The drawings to which this decision relates are as follows:  
Plans received by the Local Planning Authority on 10th July 2009, drawing numbers: 18-09-01, 18-09-03, 18-09-02; drawing number 18-09-04 received on 29th June 2009; Design and Access Statement received on 29th June 2009; Flood Risk Assessment received on 22nd September 2009; Sustainability Appraisal and Energy Statement received on 10th July 2009; and drawing number: 18-09-01A received 20th January 2010.

# Committee Report

Committee Date : 17 February 2010

Printed: 3 February 2010

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Case Officer **Anna Lee**

**EN/09/01411/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>4 September 2009</b>	<b>7 September 2009</b>	<b>2 November 2009</b>	<b>Thrapston Market</b>	<b>Denford</b>

Applicant **The Higham Family**

Agent **Henry H Bletsoe & Son**

Location Land South Of The Hollies Pegs Lane Denford Northamptonshire

Proposal **Erection of two houses**

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**This application is brought before the Development Control Committee in accordance with the 2006 scheme of delegation as the proposal relates to more than one residential unit within a Restricted Infill Village (as formerly classified by policy H10 of the local plan).**

## 1 Summary of Recommendation

1.1 That permission be GRANTED subject to conditions.

## 2. The Proposal

2.1 The application proposes the construction of two, two-storey dwellings. Both dwellings would be detached; one dwelling (House 2) would have five bedrooms and the other dwelling (House 1) would have four bedrooms (with a first floor study area which could potentially be converted into a fifth bedroom).

2.2 One integral garage parking space is provided within each dwelling and each dwelling would have the following accommodation areas:

House 1 – Lounge, kitchen, study, garden room, reception hall, 2 en-suits and a bath room.

House 2 – Lounge, kitchen/dinning area, study, reception hall, 2 en-suits and a bath room.

2.3 In addition, the proposal is to widen the existing access from Pegs Lane, to create a shared access to serve the two properties.

2.4 Amended drawings were received on 20.11.2009 proposing alterations to the internal layout of House 1, removal of some chimneys on House 1 and to reduce the length of the rear extension on House 2. With these amendments, re-consultations were carried out with the Parish Council and local residents and these consultations expired on 23.12.2009.

### **3 The Site and Surroundings**

- 3.1 The application site forms part of the garden curtilage of The Hollies. The site accommodates a small derelict cottage and double garage.
- 3.2 The Hollies is a large two-storey detached house, appearing to be an early 1900s style building. The existing access for the property is located on the southern side of the main house and the off-road parking facilities are currently provided near the front of the site to Peg's Lane.
- 3.3 The site covers a long piece of land which extends, and adjoins onto the rear garden boundaries of a number of properties to Chapel Lane, Freeman's Lane and Peg's Lane.
- 3.4 The site is situated on higher ground level than Peg's Lane and the surrounding properties along Freeman's Lane. Land levels vary significantly across the site from the south to north and from the front of the site to the rear.
- 3.5 A small stream runs along the north eastern corner of the site, within the rear garden.
- 3.6 The surrounding properties consist mainly of detached houses, of older age, and are of a mixture of style and character.

### **4 Policy Considerations**

- 4.1 National Planning Policy Guidance:  
PPS1 – Sustainable Development  
PPS3 – Housing  
PPS9 – Biodiversity and Geological Conservation  
PPG13 – Transport
- 4.2 Regional Spatial Strategy 8: East Midlands Regional Plan, March 2009  
Policy 1 – Regional Core Objectives  
Policy 2 – Promoting Better Design  
Policy 3 – Distribution of New Development  
Policy 11 – Development in the Southern Sub-area  
Policy 39 – Regional Priorities for Energy Reduction and Efficiency  
Policy 45 – Regional Approach to Traffic Growth Reduction  
Policy 48 – Regional Car Parking Standards
- 4.3 North Northamptonshire Core Spatial Strategy, June 2008:  
Policy 1 – Strengthening the Network of Settlements  
Policy 9 – Distribution & Location of Development  
Policy 10 – Distribution of Housing  
Policy 13 – General Sustainable Development Principles  
Policy 14 – Energy Efficiency and Sustainable Construction
- 4.4 Rural North, Oundle and Thrapston Plan (Emerging Policy):  
Policy 1 – Settlement Roles  
Policy 2 – Windfall Development in Settlements  
Policy 8 – Residential Parking Standards
- 4.5 Supplementary Planning Guidance:  
Parking SPG, March 2003  
Planning Out Crime in Northamptonshire, Feb 2004
- 4.6 Supplementary Planning Document:  
Design SPD, March 2009
- 4.7 Other Documents:  
Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008

## **5 Relevant Planning History**

- 5.1 Outline planning permission ref: EN/05/02360/OUT and subsequent reserved matters approval ref: EN/09/00167/REM granted two bungalows on the site, on 06.02.2006 and on 19.05.2009, respectively.
- 5.2 One of the conditions attached to the reserved matters (EN/09/00167/REM condition 3) required a scheme securing off-road parking for the main property The Hollies be submitted and provided before commencement of development. Subsequent to this, an application was submitted and granted under reference EN09/01001/FUL for the 'creation of new access and parking area' to the north of The Hollies. This application was granted permission on 18.08.2009.
- 5.3 The other planning history details for this site are listed below:

EN/02/00041/FUL, Vehicular access and parking area, Granted, 15.04.2002.

EN/02/00042/OUT, Dwellinghouse, Granted, 10.05.2002.

EN/02/00397/OUT, Two dwellinghouses, Granted, 19.05.2003.

EN/99/00795/OUT, Detached dwellinghouse with vehicular access, Granted, 20.01.2000.

## **6 Consultations and Representations**

- 6.1 Neighbours: Seven letters of objection received from 2 Cromwell Cottages (2 letters), 3 Cromwell Cottages, 1 West View, S.Baren, York Stone, Pine View, and the reasons for objections are summarised below:

- Massing, height, scale, position, design and detailing
- Impact on the character and appearance of the village
- The development would not be in keeping with the character and scale of development in the area, i.e. bungalows along Freeman's Lane
- Lack of consideration of the local vernacular/conservation of buildings
- Impact on the street scene "the sloping nature of the narrow lane being overshadowed by the development"
- The dwellings would be much bigger than the bungalows previous granted
- Only single-storey development has been granted before on this site and this is the preferred height of development
- Five bedroom properties would 'urbanize' the area
- The development intrudes the present open character of the area and spoils open aspect of neighbouring properties
- Parking would overflow onto Pegs Lane and High Street, where parking is already a problem
- Increase in traffic, "The occupants may own up to three cars in total and increase traffic at the junction and the surrounding roads"
- Noise, in particular from traffic
- Harm to residential amenity
- Loss of privacy/overlooking
- Loss of view
- Loss of natural day light and overshadowing (No.1 West View)
- There are concerns over the flood and drainage, as this is a known problem for the site and the surrounding area
- Impact on wildlife

- 6.2 Denford Parish Council: no comments received.

- 6.3 Natural England: no objections.

- 6.4 Local Highways: no objections providing the access is reconstructed to current standards, as required for a shared access, (see recommendations below).
- 6.5 Tree Officer: no objections, subject to conditions, (see recommendations below).
- 6.6. Design Officer: "I have no objections to the revised proposals. I consider that two storey developments on this site is acceptable, particularly along the Pegs Lane frontage. Existing development along Pegs Lane is predominantly two storeys and its steps upward to the south with the topography. I am encouraged by the revision to House 1 which removed the garage space from the front of the property."
- 6.7 Advisor for Sustainability Appraisal and Energy Efficiency Statement (JPU): no objections, subject to conditions (see recommendations below).

## **7 Evaluation**

7.1 The following issues are relevant to the determination of this application:

### **7.2 Principle of Development**

7.2.1 The site lies within the settlement boundary, within the centre of the village, surrounded by existing residential development. The principle of residential development is therefore considered acceptable subject to fulfilling other criteria in terms of siting, design, access etc.

7.2.2 The principle of residential development on this site was previously established by ref: EN/02/00397/OUT and EN/99/00795/OUT which granted a single dwelling on the site, and more recently, by outline planning permission ref: EN/05/02360/OUT and reserved matters approval ref: EN/09/00167/REM which granted two bungalows on the site. The most recent permission for the two bungalows granted under EN/09/00167/REM, furthermore, does not expire until 19.05.2011.

### **7.3 Visual Impact**

7.3.1 As viewed from Peg's Lane, House 1 presents a cottage style development and an active frontage to the road. The cottage is adjoined to a two-storey element to the rear by an extension link and it is understood that the overall building is designed with a cottage and 'barn-like' design to reflect the style and character of what would sometimes be seen on rural buildings.

7.3.2 The original proposal was for an integral garage at the front of House 1, where a parked vehicle would 'peer through' the ground floor window of the cottage. Following advice that this was unlikely to be acceptable for a front elevation, the agent has amended the layout of House 1 by replacing the garage area with a study and has positioned the garage behind the study. Therefore, all that would be visible in the street scene would be the main living accommodation areas.

7.3.3 The submitted street scene drawing shows that the a two-storey dwelling can be comfortably accommodated between the existing two-storey buildings of The Hollies and Holmsley, and in effect, fill the gap in the street.

7.3.4 The materials proposed for House 1 are stone and pantiles for the cottage and brick and slate for the rear barn. These materials are considered acceptable in principle, and overall, no significant visual harm is considered to result from House 1.

- 7.3.5 House 2 is designed with hipped roofs, brick and quoin detailing similar to those found on existing property of The Hollies. In addition, the overall form and character of the building would appear similar to the main property. Given that this building would be relatively set back in the street scene and would be mostly concealed by House 1, it is considered that no significant visual harm would result from this building; as viewed from both Pegs Lane and Freeman's Lane.
- 7.3.6 The main materials proposed for House 2 include red/orange facing brick for the walls and natural slate for the roof. Again, these materials are considered acceptable in principle and overall no significant visual harm is considered to result from House 2.
- 7.2.7 Along the front boundary of the site, a wall measuring approximately 1.4 metres in height borders the site to Peg's Lane. This wall is currently constructed from large grey bricks and the proposal is to replace the external skin of this wall with brick and blue coping to match the front wall of The Hollies.
- 7.3.8 In order to ensure that the development would be well assimilated into the street scene, conditions requesting the submission of the further details of the materials to be used in the construction of the dwellings and further construction details of the wall are recommended.
- 7.3.9 From the representations received, concerns were raised about the massing, height, scale and position of the buildings and that the development would be out of character with the local area. The two dwellings proposed in this application would have a very similar footprint as the two bungalows granted in the reserved matters ref: EN/09/00167/REM. The dwellings, in particular, at their highest point measure 7.5-9.0 metres to the ridge and 5.0-6.5 metres to eaves; this would be approximately between 2.0-3.5 metres higher in ridge than the 5.5 metre high bungalows previously granted in EN/09/00167/REM. In addition, the dwellings would maintain a reasonable distance away from each other, as well as the surrounding residential properties. On the basis of this information, it is considered that it would be difficult for the Council to substantiate a refusal on grounds of massing, height, scale and position etc. on this development.
- 7.3.10 In terms of the impact on the character and appearance of the area; the surrounding buildings are of different character, style and age. This includes the more traditional stone barns/cottages located north/west of the site and the pre/early 1900s style houses and terraces to the south of the site. Given that the properties in the surrounding area are very mixed, it is considered that the dwellings proposed in this application would not harm the character and appearance of the area.
- 7.3.11 The landscaping proposed at the front of the site and within the site would help to ensure that the development would be well assimilated into the street scene and the surrounding area. Full details of landscaping, including on-site trees, furthermore, would be discussed in the following sections of this report.
- 7.3.12 Overall, subject to the conditions on materials and landscaping recommended in this report, it is considered that no significant visual harm would result from this proposal.

#### 7.4 Neighbour Amenity

- 7.4.1 The site, at present, is sufficiently screened away from the surrounding neighbouring properties by a mixture of screening measuring at least 1.8 - 2.0 metre in height. In the submitted landscaping proposals, most of this existing boundary screening would be retained. This includes the 4.0 metre high Leylandii hedge to the northeast boundary to the properties along Freeman's Lane and the 2.3 metre high Hornbeam hedge and 1.5 metre fencing along the southern boundary to the properties at Holmsley and West View. In particular, the 1.5 metre high fencing on the southern boundary is located on

ground level some 2.5 metres higher than the finish floor level of the site and provides screening of some 4.0 metres in height to the southern boundary.

- 7.4.2 In order to preserve the amenities of the future occupiers of the dwellings and existing occupiers of the surrounding properties, a new Hornbeam hedge has been proposed to the southern boundary of the site and various new planting has also been proposed to the northern boundary to The Hollies. Providing the proposed boundary screening details are implemented and retained, this would help to ensure that a satisfactory level of screening would be provided to the surrounding properties. Therefore, a condition to require the boundary screening details shown on drawing numbers: 663-5 Revision 1 and 663-6 Revision 1 be implemented and retained, is recommended.
- 7.4.3 The submitted slab level details show that the levels would be lowered approximately 1.0 metre across the site, in order to ensure that the two dwellings are visually compatible with the street scene and the surrounding residential properties. Both the submitted street scene drawing (drawing number: 663-4 Revision 1) and cross sectional drawing of House 1 (drawing number: 663-5 Revision 1) show that House 1 could be accommodated without an undue overbearing effect on the immediately adjacent properties, The Hollies; Holmsley, West View and the other properties to the south of the site.
- 7.4.4 Apart from the reduced levels, the impact of House 1 on the properties to the south of the site is further reduced due to Holmsley and the other properties are located on higher ground level (of some 2.5 metres). House 1, in particular, would have no overbearing or overshadowing impact on Holmsley. This neighbouring property is located on ground level some 2.6 metres higher than House 1, and have no windows in the northern side of the property to be affected.
- 7.4.5 In terms of the impact on No.1 West View; House 1 measures 7.5 metres in height to the ridge, 5.0 metres in height to the eaves and the building would be located some 11 metres (at the closest point) away from the front of No.1 West View. Given the height of the proposed dwelling, the distance with the neighbouring property and the difference in levels (of approximately 2.8 metres), no undue overbearing or overshadowing impact is considered to result. Approximately 4.7 metres of House 1 would protrude beyond the existing ground level of the neighbouring property and about 1.5 metre of this would be screened by the closed boarded fencing along the boundary, leaving some 3.2 metres of the new dwelling visible from No.1 West View.
- 7.4.6 In terms of overlooking impact on No.1 Westfields; the ground floor windows proposed in House 1 would be sufficiently screened due to the difference in levels and boundary screening mentioned above (paragraphs 7.4.5 and 7.4.1). Whilst the existing trees located between the two sites would be removed, no windows have been proposed at the first floor level on the southern gable ends. The first floor window in the extension link is to a stairway and this would be recessed some 13 metres away from the front windows of No.1 Westfields. Subject to a condition to require that no additional window openings be proposed in the southern elevation of the House 1 and that the first floor stairway window be obscured glazed, no significant overlooking impact is considered to result from the proposal.

- 7.4.7 In terms of the impact of House 2 on Ford Farm to the north, the existing building of Ford Farm is located on much lower level than House 2. However, the two-storey part of House 2 would be positioned approximately 18 metres away from the rear windows of Ford Farm. Given this distance and the way which the proposed dwelling is located at an angle away from the neighbouring property, no undue overbearing or overshadowing impact is considered to result. In terms of overlooking, the northern ground floor windows would be sufficiently screened by the 4.0 metre high boundary hedge; which has been identified for retention. Whilst five narrow vertical windows (each measuring some 1200mm x 500mm) are proposed at the first floor level in the northern side elevation, providing the three windows located closest to the neighbouring property are conditioned to be obscured glazed (one secondary bedroom window and two en-suite windows), no undue overlooking impact is considered to result on the main property or the rear garden area of Ford Farm. Therefore, such conditions are recommended.
- 7.4.8 All other properties along Freeman's Lane and Chapel Lane lie more than 20 metres away from House 2 and therefore are far enough away to not be adversely affected.
- 7.4.9 Whilst The Hollies is located on lower level ground and has a number of side and rear window openings facing the application site, the landscape proposals proposed along the north boundary opposite Plot 1 would help to provide sufficient screening to The Hollies and prevent a loss of privacy between the existing property and the proposed dwellings. However, a condition is recommended to require that no additional windows be created in the northern side gables of the House 1. This is to prevent windows being created in the northern side of House 2 in the future, which could have an overlooking effect on the main property of The Hollies and its garden area.
- 7.4.10 House 1 and House 2 would be separated from each other by 28 metres. This distance is sufficient to prevent undue overlooking and overshadowing between the two new properties.
- 7.4.11 Concerns have been raised by residents about noise, in particular noise associated with traffic/vehicles entering and leaving the site. The amount of noise that is likely to result from this development is considered to be minimal and would not be much more than the present use of the site. The existing vehicular access is located next to The Hollies and between two to three vehicles currently use this access. The proposal is likely to generate about four to eight vehicles and the impact of noise from this number of vehicles using the access is considered insufficient to justify a refusal of planning permission.
- 7.4.12 Concerns have been raised by residents about a loss of view and 'an open aspect' for the surrounding properties. Whilst impact on outlook(overbearing) and light levels are material planning considerations, the protection of views of the landscape from individual properties is not a material planning consideration. The impact on outlook and light levels on the surrounding properties are, furthermore, already discussed above.
- 7.4.13 Overall, the impact on neighbouring amenities is considered insufficient to warrant the refusal of planning permission on this application.

## 7.5 Highway Impact

- 7.5.1 The principle of the access and the layout details are the same as that approved in EN/09/00167/REM. The drawings submitted in this application (drawing number 663-1 Revision A) shows proposals of the existing access being reconstructed in accordance with the Local Highway Authority's (NCC) requirements. This includes an access measuring 4.5 metres in width for the first 10 metres back from the highway boundary and pedestrian visibility splays of 2.0m x 2.0m be provided on both sides of the access. The submitted drawing, furthermore, confirms that at least the first 5.0 metres of the driveway will be constructed using hard bound surface material (in this case, tarmac).
- 7.5.2 In addition to the above, NCC would usually recommend conditions to require that means of drainage be provided to prevent the unregulated discharge of surface water onto the highway; that a maximum gradient from the highway boundary be achieved and that any gates be set 5.0 metres back from the highway boundary. Such conditions are recommended to ensure that the proposed access meets the NCC's requirements.
- 7.5.3 In terms of parking, at least two parking spaces would be available to serve each dwelling. This includes one integral parking space within the property and two external parking spaces located in front of the garage for each property. Six parking spaces would be available in total and this proposed level of parking is considered to be adequate given the scale and residential nature of the development. In addition, both properties would have satisfactory turning areas to allow vehicles to leave in a forward gear.
- 7.5.4 In terms of parking for the main property, The Hollies currently benefits from at least two off-road parking spaces on the site, which are accessed from Peg's Lane. Should the development be allowed, alternative off-road parking facilities would be required for the existing property. Planning permission was recently granted for an access to the northern side of The Hollies, off High Street, under reference EN/09/01001/FUL; but this permission had not been implemented. In order to ensure that the proposal would not result in the loss of off-road parking for the original dwelling, it is recommended that it be conditioned that a scheme securing off-road parking for The Hollies be submitted before any works commences on this application.
- 7.5.5 Overall, subject to the above conditions, it is considered there would be no significant highway issues from this proposal.

## 7.6 Impact on Wildlife

- 7.6.1 The proposal involves demolition of the existing double garage and small stone cottage located towards the front of the site. The submitted protected species report did not find any bats or owls to be present within the garage or the cottage and concluded that these buildings were not suitable roosting places for bats/owls.
- 7.6.2 Overall, this proposal does not propose harm to existing wildlife, and furthermore, Natural England has not objected to the proposal.

## 7.7 Impact on Trees

- 7.7.1 The application is accompanied by a tree survey, associated tree constraints plan, and tree protection details. The Tree Officer notes that there is a large Monkey Puzzle tree within the rear garden of The Hollies which is very close to the proposed driveway. Because of the potential damage of the driveway to this tree, the Officer has recommended conditions to require that no dig construction be used for the driveway and that an Arboricultural Method Statement be submitted.

7.7.2 Whilst the Tree Officer notes that the Beech tree at the entrance to the site is to be removed, the Officer is pleased to see the proposal of a similar tree being replanted near the front of the site.

7.7.3 Subject to the recommended conditions, this would ensure that a satisfactory level of on-site trees would be retained and be incorporated within the development (i.e. as part of boundary screening and landscaping), and this is considered to be of benefit to the visual amenity of the area.

## **8 Other Issues**

8.1 Flooding/Drainage – Whilst the concerns of local residents to flood/drainage have been noted, the application site is not a site identified with significant flood risk according to the Environment Agency Maps and does not lie within Flood Zone 2 or 3. As in any other development, it is the developer's responsibility to ensure adequate drainage and sewerage systems are put into place. However, in the interest of residential amenity and to safeguard public health, a condition to require the submission of drainage details to the Local Planning Authority before commencement of development is recommended. This matter, furthermore, could be regulated through other environmental legislation.

8.2 Sustainable Construction – The JPU Advisor comments that whilst the scheme does not clearly show where waste and recycling storage is to be stored, the commitment to achieving Code Level 1 of the Code for Sustainable Homes would address the requirement of Policy 14 of the North Northamptonshire Core Spatial Strategy, and as such, has recommended a condition to require that the dwellings be constructed to Code Level 1.

8.3 Storage for Waste and Recycling - The waste and recycling storage areas have not been shown in the submitted details. In order to ensure that satisfactory storage/recycling facilities are made available for the development; that would not result in an obstruction to the on-site parking/turning areas and harm to local amenity; a condition to require the submission of waste/recycling storage details before commencement of development is recommended.

8.4 Amenity Space - Adequate private amenity space would be provided to serve the future occupiers of the dwellings.

8.5 Withdrawal of Permitted Development Rights – In the interest of regulating the amount of development on the site, the character and appearance of the dwellings and safeguarding neighbouring amenity, a condition is suggested on this application to withdraw the Permitted Development Rights from the dwellings.

8.6 Crime and Disorder - This application does not raise any significant issues.

8.7 Access for Disabled - This building would not be subject to any public access and therefore does not raise any significant issues.

## **9 Recommendation**

9.1 That the application be GRANTED subject to the following conditions:

## 10 Conditions/Reasons -

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to commencement of the development hereby permitted, full details and samples of the external facing and roofing materials of the buildings shall be submitted to and be approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure a satisfactory elevation for the development.
3. Notwithstanding the submitted details, and before commencement of the development hereby approved, full details of the works proposed to the front boundary wall to Peg's Lane shall be submitted to and be approved in writing by the Local Planning Authority. This shall include details of the design, construction details and full details and samples of materials to be used in the development. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure a satisfactory elevation for the development and in the interest of the character and appearance of the area.
4. The boundary screening details shown on drawing numbers: 663-5 Revision 1 and 663-6 Revision 1 shall be provided prior to the first occupation of the dwellings hereby permitted and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.
5. A scheme securing the provision of off-road parking for the principle dwelling (The Hollies) shall be submitted to and be agreed in writing by the Local Planning Authority and this scheme shall be implemented in accordance with the details so approved prior to any work commencing on this planning permission and be thereafter retained.  
Reason: In the interest of highway safety and residential amenity.
6. In accordance with the details shown on drawing number: 663-1 Revision 1, the vehicular access hereby permitted shall be laid to a width of 4.5 metres for the first 10.0 metres back from the highway boundary and pedestrian visibility splays of 2.0m x 2.0m shall be provided on both sides of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.  
Reason: In the interest of highway safety.
7. The vehicular access shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the highway boundary. Prior to the first occupation of the development hereby permitted this area shall be paved with a hard bound surface for a minimum of 5.0 metres back from the highway boundary and be thereafter retained.  
Reason: In the interest of highway safety.
8. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification), any gates or other form of barrier provided at the access point shall be positioned 5.0 metres back from the highway boundary and shall be hung to open inwards only.

Reason: In the interest of highway safety.

9. Notwithstanding the submitted details and prior to commencement of the development hereby permitted, an Arboricultural Method Statement shall be submitted to and be approved in writing by the Local Planning Authority. This statement shall be in accordance with BS5837: 2005 and the development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on site.

10. Notwithstanding the submitted details and prior to commencement of the development hereby permitted, details of no dig method construction for the driveway portion that runs south of the Monkey Puzzle located in the neighbouring garden of the Hollies to the north of the site, shall be submitted to and be approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on the neighbouring site.

11. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

12. Before any work is commenced on the development the subject of this permission, details of the provision of foul water and surface water drainage installations to serve the development shall have been submitted to and be approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details before the development is brought into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard public health, in the interest of residential amenity and in the interest of highway safety.

13. Prior to the occupation of the dwelling hereby permitted, a copy of the Final Certificate (or any replacement for this) shall be provided to the Local Planning Authority to demonstrate that the units have been constructed to achieve a minimum under the Code for Sustainable Home of Code Level 1, the relevant BREEM and Code for Sustainable Home Level, and any replacement standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

14. Prior to the first occupation of House 1, the first floor stairway window in the south elevation of House 1 shall be provided with obscure glazing in such a manner that would eliminate any overlooking of the adjacent premises, and this obscure glazing shall be retained permanently.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

15. Prior to the first occupation of House 2, the first floor bedroom window (Bedroom 1), and two first floor en-suite windows located on the north side elevation shall be provided with obscure glazing in such a manner that would eliminate any overlooking of the adjacent premises, and this obscure glazing shall be retained permanently.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to

safeguard the amenity of the area.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows, other than that shown on the plans hereby approved, shall be inserted at the first floor level in the south facing elevation of House 1 hereby permitted.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows, other than that shown on the plans hereby approved, shall be inserted in the north facing elevation of House 1 hereby permitted.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

18. Prior to commencement of development hereby permitted, a refuse and recycling collection strategy to include details of the location and design of an external bin store for the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.

Reason: To ensure a satisfactory standard of development and form of refuse collection.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), there shall be no development within Classes A, B, C, D, E, F or G of Part 1 of Schedule 2 to that Order without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of adjacent occupiers and to ensure a satisfactory elevational appearance for the development.

20. The development shall be carried out strictly in accordance with the amended details received by the Local Planning Authority on 20th November 2009, drawing numbers: 663-1 Revision 1, 663-2 Revision 1, 663-3 Revision 1, 663-4 Revision 1, 663-5 Revision 1, 663-6 Revision 1.

Reason: To ensure a satisfactory form of development and to clarify the terms of this consent.

## **Informatives**

1. The drawings to which this decision relates are as follows:

Plans received by the Local Planning Authority on 20th November 2009, drawing numbers: 663-1 Revision 1, 663-2 Revision 1, 663-3 Revision 1, 663-4 Revision 1, 663-5 Revision 1, 663-6 Revision 1; and site location plan scale 1:1250 received 4th September 2009.

Information received by the Local Planning Authority on 4th September 2009: Sustainability Appraisal and Energy Efficiency Statement, Housing Statement, Design and Access Statement; Protected Species Report, and Tree Survey.

2. In recommending approval to this application, the relevant planning guidance and policies were identified as: PPS1, PPS3, PPS9, PPG13; Policies 1, 2, 3, 11, 39, 45, 48 of the East Midland Regional Plan 2009; Policies 1, 9, 10, 13, 14 of the North Northamptonshire Core Spatial Strategy 2008; Policies 1, 2, 8 of the Rural North, Oundle and Thrapston Plan (Emerging Policy); Supplementary Planning Guidance: Parking SPG 2003, SPG Planning Out Crime in Northamptonshire 2004; Design SPD 2009; and Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008;

## Raunds Preferred Options.

Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of development; visual impact; impact on neighbouring amenities; highway impact; impact on wildlife; impact on trees; drainage/flooding; sustainable construction; waste and recycling storage; crime and disorder; and access for the disabled.

The application has been approved as:

1. The principle of the development is acceptable and is consistent with the development plan and guidance contained in national and regional planning policies.
2. The proposal would have no significant impacts on visual amenity or the character and appearance of the area.
3. The proposal would not have a significant impact on the amenities of neighbouring occupiers or the amenity of the area.
4. The proposal would not have an unacceptable impact on the local highway.
5. The proposal would have no significant impact on wildlife.
6. The proposal would not result in an unacceptable loss or harm to trees.
7. The proposal would not have a significant impact on drainage/flooding.
8. The proposal meets the sustainable construction and energy efficiency standards.
9. Waste and recycling storage can be reasonably provided for the dwellings.
10. The proposal would have no significant crime and disorder issues.
11. The proposal would have no significant disabled access issues.

A full report is available on the Council's website [www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)

# Committee Report

Committee Date : 17 February 2010

Printed: 3 February 2010

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Case Officer **Stephanie Penney**

**EN/09/01795/FUL**

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>9 November 2009</b>	<b>3 December 2009</b>	<b>4 March 2010</b>	<b>Irthlingborough</b>	<b>John Pyel Irthlingborough</b>

Applicant **Mulberry Partnerships Ltd**

Agent **RDC Ltd - Mr A Stevenson**

Location Land Between 58 - 68 Wellingborough Road Irthlingborough  
Northamptonshire

Proposal **Erection of forty nine dwellings with associated roads, infrastructure  
and public open space**

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## 1 Summary of Recommendation

1.1 That subject to the prior completion a Section 106 Agreement and the imposition of planning conditions that the application be APPROVED.

## 2. The Proposal

2.1 This is a full application to build 49 dwellings. The scheme includes a mix of dwellings, comprising of 67% affordable. The scheme includes a balancing pond within an area of informal open space. The scheme also includes the provision of a Local Area for Play. The site area is 29 dwellings per hectare.

2.2 The following reports / information accompany the applications:

- Planning Statement
- Design and Access Statement
- Housing Statement
- Archaeological Desk Based Assessment
- Arboricultural Appraisal
- Energy Statement
- Ecological Assessment
- Geotechnical and Geo Environmental Report
- Flood Risk Assessment
- Transport Statement
- Utilities Report
- Waste Management Strategy
- Indicative Travel Plan Strategy
- Noise Assessment
- Landscape Masterplan
- Proposed Heads of Terms for S106 Agreement

2.3 The application is not EIA development and does not require an Environmental Statement. A Screening Opinion to reflect this has been issued.

### **3 The Site and Surroundings**

- 3.1 The site is located to the south west of Irthlingborough. The site is redundant and is now overgrown with scrub and woodland. A existing pylon is to the front of the site. The levels fall across the site from around 77.5AOD in the north to low points near the centre of the site and also in the south east at around 69.5 AOD. The land to the north of the site was subject to ironstone extraction by underground mining in the first half of the twentieth century with the mined rock being transported to the former steelworks that existed approximately 500m to the south east via an underground railway tunnel running under the south western part of the site.
- 3.2 Existing housing is to the south west, south and south east of the site. Whitworths is to the north east of the site.

### **4 Policy Considerations**

- 4.1 Planning Policy Guidance  
PPS1 – Delivering Sustainable Development (incorporating new statement on climate change)  
PPS3 – Housing  
PPS9 – Biodiversity and Geological Conservation  
PPG13 – Transport  
PPG16 – Archaeology and Planning  
PPG17 – Planning for Open Space, Sport and Recreation  
PPS23 – Planning and Pollution  
PPG24 – Planning and Noise  
PPS25 – Development and Flood Risk
- 4.2 East Midlands Regional Plan
- Policy 1 – Regional Core Objectives  
Policy 2 – Promoting Better Design  
Policy 3 – Distribution of New Development  
Policy 13b – Housing Provision (Northamptonshire)  
Policy 14 – Regional Priorities for Affordable Housing  
Policy 17 – Regional Priorities for Managing the Release of Land for Housing  
Policy 26 – Protecting and Enhancing the Region's Natural and Cultural Heritage  
Policy 28 – Regional Priorities for Environmental and Green Infrastructure  
Policy 29 – Priorities for Enhancing the Region's Biodiversity  
Policy 32 – A Regional Approach to Water Resources and Water Quality  
Policy 35 – A Regional Approach to Managing Flood Risk  
Policy 36 – Regional Priorities for Air Quality  
Policy 39 – Regional Priorities for Energy Reduction and Efficiency  
Policy 40 – Regional Priorities for Low Carbon Energy Generation  
Policy 41 – Regional Priorities for Culture, Sport and Recreation  
Policy 43 – Regional Transport Objectives  
Policy 45 – Regional Approach to Traffic Growth Reduction  
Policy 46 – A Regional Approach to Behavioural Change  
Policy 48 – Regional Car Parking Standards  
Policy 49 – A Regional Approach to Improving Public Transport Accessibility  
Policy 53- Regional Trunk Road Priorities  
Policy 54 – Regional Major Highway Priorities  
Policy MKSM SRS Northamptonshire 1  
Policy MKSM SRS Northamptonshire 2
- 4.3 MKSM Sub-Regional Strategy  
Strategic Policy 3- Sustainable Communities

- 4.4 North Northamptonshire Core Spatial Strategy
  - Policy 1 – Strengthening the network of settlements
  - Policy 6 – Infrastructure Delivery and Developer Contributions
  - Policy 7 – Delivering Housing
  - Policy 9 – Distribution and Location of Development
  - Policy 10 – Distribution of Housing
  - Policy 13- General Sustainable Development Principles
  - Policy 14 – Energy Efficiency and Sustainable Construction
  - Policy 15 – Sustainable Housing Provision

#### 4.5 Northamptonshire County Structure Plan

- 4.5.1 None relevant although the applicant did enter into pre-application discussions regarding this proposal.

- 4.6 East Northamptonshire District Local Plan
  - GEN3 - Infrastructure, services and amenities
  - H4 - Housing types and sizes
  - RL3 – Open space for new development
  - RL4 – Play areas for new development

#### 4.7 Other Relevant Policies

##### Three Towns Plan (Preferred Options)

The application site is highlighted as a preferred option as it is recognised that current fly tipping on the site could lead to significant contamination and poses an environmental and health risk in the area. The preferred approach is for the area to be developed with around 30 residential units to improve the environmental aspect of this land. Development should incorporate an area of open space with links to the wider countryside. It is preferred to see this site come forward early in the Plan period to ensure that current fly tipping and contamination on this land is stopped.

ENC SPD – Developer Contributions

NCC SPG – Crime and Disorder

NCC SPG – Parking

North Northamptonshire Sustainable Design SPD

## 5 Relevant Planning History

- 5.1 None relevant

## 6 Consultations and Representations

### 6.1 Irthlingborough Town Council - Raise an objection for the following reasons:

- Irthlingborough has a higher than acceptable crime and disorder rate, The large amount of social housing recently developed at Victoria Street already giving police problems.
- Lack of school, nursery, doctor, dentist places.
- Lack of bus services. No obvious location for a bus stop on the estate. Main access exits onto an already small, heavily used road, outside the town's weight limit which could endanger children.
- The affordable housing ratio is unacceptably high and the proportion should be lowered, bearing in mind the Irthlingborough quota which is already the highest in the District.
- Housing density appears to be high.
- High voltage wires pass over the estate which is known to have health hazards for young children.
- The dry balancing pond could be dangerous to children.  
No description to say the bin store is secure from fire and appears to be vulnerable.

- 6.2 NCC Local Highway Authority - Requested amendments to address the following:
- All dwellings are 500mm from the rear of the highway boundary to allow service plant and private drainage
  - Provide a 33m forward visibility splay
  - Cross section details of the pond are required noting that the pond must not be within 5m of the highway boundary.
  - All shared vehicle access points shall be a minimum width of 4.5m for the first 10m.
  - All private driveways to be hard paved for the first 5m,
  - All driveways to be at 90 degrees to the estate street to a consistent, vehicle access serving the residential units.
  - Maximum gradients in the positive or negative direction (1 in 15) from the highway boundary and also throughout the estate street. Minimum gradients on 1 in 100 in the positive or negative direction shall also be maintained throughout the estate street.
  - Offsite kerbing and surfacing works throughout the frontage will be necessary to access the site and aid pedestrian movement.
  - On-street parking will need to be addressed to ensure this is not in the visibility splay.

The inclusion of a Travel Plan to implement 20% Modal Shift on the highway network is welcomed

- 6.3 Northamptonshire Bat Group – No objections. Agree with the findings in the ecology report.
- 6.4 Ramblers Association – We welcome the proposed layout that will allow a possible pedestrian access through to the Whitworths site.
- 6.5 Borough of Wellingborough – No objections
- 6.6 North Northants Badger Group – No objections
- 6.7 NCC County Archaeology Advisor – No objections
- 6.8 Crime Prevention Design Officer – No objection to the layout, but recommend changes to improve natural surveillance. No objection to amended scheme, request conditions relating to boundary treatments; landscaping and lighting.
- 6.9 ENC Environmental Protection Officer – Air Quality  
No undue air quality concerns are raised. The applicant needs to be aware that if they intend to carry out any stone crushing and screening activities that the operator must hold a Pollution Prevention and Control Act 1999 permit.

Contamination

No objection subject to conditions.

Noise

Awaiting noise monitoring information.

- 6.10 Anglian Water – No objections
- 6.11 ENC Waste Manager – No objections
- 6.12 Health and Safety Executive – Not yet received
- 6.13 Environment Agency – No objection subject to the imposition of conditions relating to flood risk, ground water and contaminated land. In addition it is recommended that the occupation of the proposed development is phased in accordance with the delivery of water infrastructure capacity

- 6.14 National Grid UK Transmission – Not yet received
- 6.15 ENC Conservation Officer (Trees) – No objection, but recommend that conditions are attached to address the followings: full Tree Protection Plan and Arboricultural Method Statement.
- 6.16 ENC Design Officer - No objection given the acknowledged constraints of the site.
- 6.17 NCC Planning Policy - Considerable growth in the town will create a pressure on the present library, Contribution will be £8701.  
Comprises of:  
2 x 1-bed units = £232  
31 x 2-bed units = £4805  
16 x 3-bed units = £3664
- New development schemes also require a contribution towards local fire and rescue infrastructure costs. The contribution is £86 per dwelling. In addition the development would also require 1 fire hydrant.
- 6.18 NCC Education - A contribution towards additional primary, secondary and sixth form places is required. All 3 schools that serve the town are close to capacity and further accommodation will be required to accommodate growth. Total contribution is £78,859
- 6.19 Northamptonshire Fire and Rescue Services – Not yet received
- 6.20 NCC Access Development Officer – Not yet received
- 6.21 Natural England – No objections subject to conditions
- 6.22 Wildlife Trust – No objections subject to conditions
- 6.23 ENC Housing Strategy Manager - Housing Strategy have been involved in detailed pre application discussions about this application and it has evolved to a scheme that we are able to support as it provides a mix of accommodation that meets the needs of both the affordable and private housing market. We are happy with the scheme layout and design of the individual units. To take this scheme forward discussions need to take place with Metropolitan Housing to confirm the management arrangements.
- 6.24 Neighbours - 5 letters of objection / comment were received. These comments, concerns and objections are summarised below:
- There is a right of way adjacent to no. 68 Wellingborough Road. Is this effected?
  - Overlooking
  - Access directly onto the Wellingborough Road would create additional vehicular movement where there is already a mini-roundabout. Access should be via the existing housing estate.
  - Additional traffic on the Wellingborough Road will be dangerous and hazardous.
  - There is a right of way providing access to the rear which doesn't appear to have incorporated.
  - Elevated levels will increase overlooking.
  - Access is dangerous at the top of the hill.
  - Too many housing association units on the site.
  - Where will the children go to school?

## 7 Evaluation

The following issues are relevant to the determination of this application: principle of development; means of access and highway matters; the layout and design of the proposed development; housing mix and tenure; effect on residential amenity; ecological issues; relationship with right of way; contamination; drainage and flooding; noise; mines; impact from the pylon; ownership issues; crime and disorder; trees; sustainable design and section 106 contributions / provisions.

### 7.1 Principle of development

7.1.1 MKSM Northamptonshire Policy 1 The Spatial Framework, in the East Midlands Regional Plan, identifies that beyond the main urban centres ( such as Corby, Wellingborough and Kettering) development should be focused in smaller towns, such as Rushden, Higham Ferrers and Irthlingborough and the smaller service centres of Oundle, Raunds and Thrapston.

7.1.2 The Three Towns Preferred Options suggests that to provide capacity for regeneration in Irthlingborough there is a need for a large amount of residential growth. It has identified this site for housing as highlighted in 4.7 of this report.

7.1.3 The site has long been considered as a potential development site. It suffers from significant ongoing environmental problems such as fly tipping and has long been considered as an appropriate development site, being located within the existing urban area and classified as a Category 2 site in the Strategic Housing Land Availability Assessment (SHLAA), February 2009. The site is also considered to be “deliverable” (PPS3, paragraph 54), so has been included within the 5-year housing land supply calculations for the 2009 Annual Monitoring Report.

7.1.4 The site is not a current allocation in the adopted Development Plan and as such could be considered contrary to planning policy. However for the reasons above, the principle of development is considered acceptable. It is not however considered that this proposal is a departure application as it does not meet the criteria. Therefore formal notification to the Secretary of State is not required. For information the general headline criteria for notification is if the development is:

- in the Green Belt
- of a large retail, office or leisure use outside a town centre
- in, or affecting the setting of, a World Heritage Site
- leading to the loss of a playing field
- in a flood risk area

### 7.2 Means of Access and Highway Matters

7.2.1 A Transport Assessment (TA) has been submitted with the application and discussions have been held with the Highway Authority regarding this. The Highway Authority have raised no objections regarding this.

7.2.2 Wellingborough Road is a single carriageway road with footpaths both sides, it has a 30mph speed limit. There are traffic calming measures (speed cushions) on the westerly approach just before the Ebbw Vale Road junction. The site is 2km north of the A45/A6 Chowns Mill roundabout. A pedestrian crossing is approximately 100m to the east of the site on Wellingborough Road and there are 3 bus stops within 400m of the site.

7.2.3 Vehicular access is proposed off Wellingborough Road and vehicular visibility splays can be achieved either side of the access measuring 2.4m x 43m. It has also been agreed with the Highway Authority and the applicant that white lines will be implemented either side of the access to prevent vehicles parking in the visibility splays. However this will form part of the Section 38 Agreement.

7.2.4 The trip generation calculated for this development equates to 24 departures and 7 arrivals to the site in the morning peak period (8am – 9am) and in the evening peak period (5pm – 6pm) 10 vehicles would be leaving the site and 21 arriving. In terms of vehicles per minute during the peak hours it is estimated that no more than 0.5 and 0.52 vehicle movements will be taking place in the morning and evening peaks respectively.

7.2.5 The TA does also assess the impact of traffic on the Chowms Mill Roundabout. The study does take into account the other developments in Irthlingborough, those which are in the planning system and those coming forward. The figures show that the greatest percentage increases occur with the addition of the background traffic and that the flows attribute to the development proposals are under 1%. The analysis demonstrates that although there will be an impact associated with the development in the area, the specific impact as a result of this proposal is negligible. It was therefore considered, in the submitted TA, that nil detriment as a result of the development proposals on the strategic road network is demonstrable. The Highways Agency have been consulted and their formal response is awaited.

### 7.3 Travel Plan

7.3.1 The Plan seeks to highlight travel alternatives to the car for those who wish to use them. The types of proposals being considered as part of the plan are:

- Awareness and marketing campaigns aimed at encouraging the use of non-car modes to access the site through residents' welcome packs.
- Make available cycle and pedestrian facilities to access the site by a suitable footpath network.
- Provision of a free bicycle per dwelling.
- Encourage the use of the existing bus service to residents through the provision of timetables and poster campaigns.

7.3.2 The Plan has highlighted that the appointment of a Travel Co-ordinator will be required and their role will be implement, monitor and modify the Travel Plan.

7.3.3 The target for the Plan will be to reduce the number of single occupancy vehicular journeys to work by 20% i.e. by achieving 4 two-way trips per peak in an alternative mode of transport.

### 7.4 The Layout and Design of the Proposed Development.

7.4.1 The application site has numerous constraints to development. The presence of the pylon in-particular is likely to affect the appearance and perceptions of any development on the site; on the whole. The applicant has given substantial consideration to the opportunities and constraints of the site, and responded appropriately to them. This is reflected in the informal Building for Life Assessment I attach to these comments, in which the proposal scores 12/20.

7.4.2 Whilst a score of 12/20 does not meet the aspirational target of a minimum 14/20 set out in the North Northamptonshire Sustainable Design SPD, it does perform well in general terms. Whilst some amendments have been requested from the Design Officer in relation to a reduced reliance on standard house types and greater creation of public spaces, it is considered that the submitted layout is acceptable given the constraints of the site. It should also be noted that the design and layout was agreed informally by officers at the pre-application stage.

7.4.3 The design of some of the houses types have been amended to address the comments received from the Crime Prevention Design Officer. These amendments include additional windows to increase natural surveillance.

7.4.4 The scheme has been designed to link to the development to the north and west and open space has been provided within the development to create green links and softer edges within the development.

## 7.5 Housing Mix

7.5.1 Saved policy H4 in the Local Plan requires that development incorporates a mix of dwelling types and styles. The following mix of units is included within the development:

### Market Housing

8 x 2 bed

8 x 3 bed

These are predominately houses apart from 4 x 2-bed bungalows.

### Affordable Housing

2 X 1 bed

8 x 2 bed elderly

15 x 2 bed

8 x 3 bed

These are predominantly houses apart from with 2 x 2-bed maisonettes, 2 x 1-bed maisonettes, 1 x 2-bed coach house and 8 x 2-bed bungalows.

7.5.2 Concerns have been expressed regarding the number of affordable housing units by the Town Council.

However comments from the Housing Strategy Manager confirm that: "...the SHMA (2007) identified that the need for affordable housing in Irthlingborough is for smaller dwellings. During the last twelve months there have been 3 schemes of 1 and 2 bedroom of social rented flats completed in Irthlingborough which has helped to address some of the need in the town for smaller units of accommodation for singles and couples.. The proposed scheme provides 33 units of social rented units with a high proportion of smaller houses and bungalows which will help to satisfy the need for smaller sized family accommodation.

The SHMA indicates that the demand for market housing in Irthlingborough is for medium to larger family sized dwellings. This scheme provides a good mixture of market homes and will help to provide a balanced community. The recently completed schemes in Irthlingborough have been popular and it is anticipated that this development will be even more popular as the scheme is well positioned being close to both the town and open countryside."

7.5.3 Further clarification has been sought with regard to the management of the affordable units and the following advice was given: "All of the affordable properties will be allocated through Choice Based Lettings. To be eligible to bid for a property people will need to be on our Housing Register. Once accepted onto the Housing Register applicants are banded according to need with priority being given to those in the highest need. The scheme is to be developed by Metropolitan Housing and we will be working closely with the Association to discuss management arrangements and to ensure that the allocation of properties will create a balanced community which will be of benefit to Irthlingborough.

It is particularly pleasing that this scheme provides pre-dominantly family accommodation as all of the recent affordable housing developments in Irthlingborough have been flats. So we hope that this development will be provide local families with good quality accommodation. We know from the level of interest at Farrar Court, St Peter's Way that there are many elderly people looking to move and the open market and rented bungalows will be much sought after.

Currently there are five Housing Associations managing a total of 666 affordable homes in Irthlingborough. Affordable homes represent 18% of the total properties in Irthlingborough, a small percentage of the remaining properties will be privately rented so the dominant form of tenure ( over 75% ) is owner occupation. The national average for affordable homes in urban areas is 23% so although Irthlingborough has had a number of affordable housing schemes completed in the last twelve months the provision is significantly lower than in other areas.”

7.5.4 In terms of the number of affordable housing units in East Northamptonshire, the figure is 4990 (as at April 2009). The stock in Irthlingborough, adding in the recent completions at Crispin Court and Farrar Court, will be 709 at the end of the current financial year which represents 14% of the total East Northamptonshire figure. The percentage for Rushden is 37%.

## 7.6 Effect on Residential Amenity

7.6.1 There are residential properties to the south east on Wellingborough Road and to the south west at Presland Way. In addition there is a resolution to grant planning permission subject to the competition of a Section 106 Agreement for 258 dwellings at Whitworths to the north east of this site.

### 7.6.2 Relationship with existing dwellings on Wellingborough Road.

Bungalows are proposed to the rear of 68 – 82 Wellingborough Road and these existing dwellings have 30m back gardens. 36 – 58 have a distance of approximately 35m from the application site boundary. A Terrace of 3 dwellings is proposed adjacent to no. 58, however the proposed dwelling adjacent to the boundary will not protrude beyond the rear line of the existing dwelling, as such there will be no issues regarding overlooking or overshadowing.

### 7.6.3 Relationship with existing dwellings on Presland Way.

Bungalows are proposed adjacent to Presland Way. However the proposed bungalows are sited a minimum of 22m from the site boundary. As such there will be no issues regarding overlooking or overshadowing.

### 7.6.4 Relationship with proposed dwellings at the Whiworths site.

The proposed dwellings at the Whitworths site have their rear elevation facing the application site. The garden areas provided are approximately 7m in depth. The dwellings proposed as part of this application are side facing the rear boundary of the site as such there are no overlooking or overbearing issues as they are set back from this boundary. Dwellings to the north east on the adjacent site are sited a minimum of 10m from the boundary and the dwellings proposed as part of this application are a minimum of 7m back from the boundary. As such there will be no issues regarding overlooking or overshadowing.

## 7.7 Ecological Issues

7.7.1 The applicant has submitted an ecological assessment which incorporated a desktop study, habitat survey and faunal survey. In addition specific surveys were undertaken for bats, badgers, reptiles and invertebrates at the site. The following conclusions are drawn.

### 7.7.2 Habitats

The site is dominated by over-mature scrub which comprises a limited number of common species. No habitats or botanical species of any merit were recorded as part of the surveys.

### 7.7.3 Bats

No evidence of roosting bats were recorded within the site. The disturbed ground which has recently been cleared of vegetation does not therefore present the site as an important foraging / commuting ground for bats.

### 7.7.4 Reptiles

No groups of protected species / habitats were recorded.

#### 7.7.5 Birds

Common birds were recorded and it is likely that they will use the site for nesting, as such any clearance of nesting habitat should be undertaken outside of the bird nesting season.

#### 7.7.6 Invertebrates

The areas of exposed sand within the embankments, located within the centre of the site, offer a potential for this species group. Phase II survey work was therefore undertaken to investigate this potential. Following the survey work it was considered that the embankments are not likely to be of high interest and the Phase II survey work also confirmed that the remainder of the site is of low interest for invertebrates. However, the removal of the embankments represents a loss of habitat for aculeates and as such it is recommended that the loss be mitigated through the inclusion of replacement features of value to invertebrates in the proposals.

#### 7.7.7 Amphibians

No evidence for this species were recorded within the site. No water bodies were recorded as such there are no breeding opportunities for this group, which included the Great Crested Newt. The closest pond is located 200m south west of the site but is separated by existing residential development and the Wellingborough Road. As such it is considered that the pond is well removed with barriers reducing the probability that they would use the application site.

#### 7.7.8 Mitigation works / recommendations

The survey has therefore suggested that trees are protected with suitable fencing and any new planting is of the native species. Habitats on site are managed according to ecological principles. Increased roosting opportunities be provided for Pipistrelles at the site in the form of bat boxes and / or access tiles. Bird boxes are included to provide further nesting opportunities. Log piles and sand posts are provided for the benefit of Invertebrates. These recommendations and mitigation works have been agreed by both Natural England and The Wildlife Trust.

### 7.8 Rights of Way

7.8.1 There are no rights of way within the site. However the scheme has been designed to link through to the Whitworths site and to Presland Way via footpaths. This will improve accessibility and sustainable modes of transport. It will also improve the quality of the development and the living environment by promoting informal recreation.

### 7.9 Contamination

7.9.1 There is no history of industrial activity on the site, however it has been the subject of historic quarrying and as such is very undulating with some areas being backfilled.

The initial site assessment as reported in the Rolton report of October 2009 indicates that significant levels of contamination are unlikely to be present. However, it has been agreed with the Environmental Team and the applicant that to refine the risk assessments and decide what remedial measures are necessary the following work would be carried out:-

- A series of near surface soil samples would taken across the site.
- The final gas monitoring results would be provided when completed.
- During/after site clearance the former quarry to the north of TP8 would be investigated.
- The drawing with formation levels showing areas of cut and fill will be provided.
- A strategy will be devised for the inspection of the areas of cut and fill to ensure any unsuitable fill material is identified and treated appropriately.

7.9.2 It is therefore recommended that conditions are placed on the planning permission to investigate and remediate contamination.

## 7.10 Drainage and Flooding

7.10.1 A Flood Risk Assessment accompanied the application. The site is within Flood Zone 1 and there are no land drainage courses on the site in the form of ditches or streams. The Environment Agency has advised that The proposed development will only be acceptable if it is carried out in accordance with the Flood Risk Assessment submitted with this application, secured by way of a planning condition:

### Water Infrastructure Capacity

#### 7.10.2

The Environment Agency is actively promoting water infrastructure services planning to secure delivery of sustainable development. National and regional planning policy (notably RSS8, PPS12, PPS23 and PPS3) requires a strategic approach to development and water infrastructure planning, in partnership with key delivery bodies (including the Environment Agency, local councils, and Anglian Water). This is particularly important in the case of the boroughs of Kettering, Wellingborough and parts of East Northamptonshire as they all depend upon Broadholme Sewage Treatment Works (STW), which treats the sewage from both boroughs and parts of East Northamptonshire.

#### 7.10.3

The North Northamptonshire Outline Water Cycle Strategy Technical Report, published in January 2007, concluded that Broadholme Sewage Treatment Works (STW) had sufficient hydraulic headroom to accommodate around 5,000 additional dwellings within its catchment. However, 9,290 as then uncompleted dwellings in the catchment already have planning permission or allocations with in existing Local Plans, outstripping this hydraulic headroom. Therefore, the hydraulic headroom capacity of Broadholme Sewage Treatment Works is forecast to be reached even if no more planning permissions were granted. The Outline Water Cycle Strategy further identifies trunk sewer capacity and related flooding issues with the trunk sewer that conveys sewerage to the Broadholme Sewage Treatment Works.

#### 7.10.4

To address the issues identified, Anglian Water carried out a Wastewater Capacity Study of the Broadholme STW catchment which was reported as 'Interim Findings' in September 2007. The report proposes several strategic measures as a solution to the strategic sewerage infrastructure capacity constraints identified in the earlier Water Cycle Strategy Technical Report in order to accommodate the rate of development identified in the submitted North Northamptonshire Core Spatial Strategy. The interim findings propose potential solutions to the strategic sewerage and sewage treatment infrastructure, recognising that these solutions will be phased over time. The submitted waste water strategy therefore needs considering in respect of Anglian Water's new position in the waste water capacity study.

#### 7.10.5

For the proposed site which would also contribute sewer 'pinchpoints', Anglian Water advise that the occupation of the proposed development is phased in accordance with the delivery of water infrastructure capacity. It has been advised that the phasing plan follows a proposed scheme for the provision of new and upgraded infrastructure indicated within the 'Interim Findings' report, or as may otherwise be agreed by the Local Planning Authority in consultation with the water company and the Environment Agency, if any other environmentally acceptable solution is proposed. In order to satisfy this an adequate scheme would need to be submitted demonstrating that there is (or will be prior to occupation) sufficient infrastructure capacity existing for the connection, conveyance, treatment and disposal of the quantity and quality of water within the proposed phasing of development.

## Groundwater and Contaminated Land

### 7.10.6

This site lies on a geological succession which includes Principal and Secondary Aquifers as defined in the Environment Agency's Policy and Practice for the Protection of Groundwater. There are no superficial deposits at this site to protect these aquifers.

### 7.10.7

The site investigations (Geotechnical and Geo-Environmental Report for Mulberry Homes, ref 09-0082, prepared by Rolton Group Ltd), have found made ground across the site, and proposes to remove any fly-tipped materials (including asbestos) and also domestic waste around trial pit 6 prior to development. Clean soil will then be imported for garden areas. The Environment Agency require that this excavation be extended to completely remove the made ground around the location of proposed soakaways. This can be secured by way of a planning condition.

## Pollution prevention

### 7.10.8

The Environment Agency has also advised that soakaways for the disposal of clean uncontaminated surface water are acceptable. However, no soakaways shall be constructed in contaminated land. All surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used.

### 7.10.9

The Environment Agency has also advised that prior to being discharged into any watercourses, surface water sewer or soakaway system, all surface water drainage from parking areas, roads and hardstandings shall be passed through trapped gullies to BS 5911:1982, with an overall capacity compatible with the site being drained. Ongoing inspections and maintenance shall be carried out as per the manufacturer's instructions.

## 7.11 Noise

7.11.1 A Noise Assessment was submitted with the application given the proximity of the existing Whitworths factory to the north east of the site and the potential noise disturbance issue to future occupiers should the Whitworths development not proceed.

### 7.11.2

As a result of the data gathered a 2.5m acoustic timber fence is proposed adjacent to the site. At the time of writing this report Environmental Health had not yet been able to carry out their own noise monitoring to assess the suitability of the proposed mitigation. This will therefore be reported on the update sheet for members.

## 7.12 Mines

7.12.1 It has been drawn to officers' attention that there are mines at the site and within proximity to the site. This has been acknowledged and indeed investigated within the reports submitted with the application. The land to the north of the site was subject to ironstone extraction by underground mining in the first half of the twentieth century with the mined rock being transported to the former steelworks that existed approximately 500m to the south east via an underground railway tunnel running under the south western part of the site. The Agent has advised that with regard to the mine tunnel (ADIT) across the western area of the site, the dwellings are set in accordance with the required foundation design, Health and Safety and associated structural requirements that form part of the comprehensive technical approval process, prior to construction.

#### 7.12.2

In addition It is not proposed to undertake any form of development over the location of the mine entry tunnel.

#### 7.13 Impact from the Pylon

##### 7.13.1

Concerns have been raised regarding the health and safety aspects of the existing pylon remaining on site. Information has been supplied from the Agent, from Central Networks, advising that they do not object in principle to development taking place next to overhead lines and towers providing that statutory safety clearances are maintained. As a general guide Central Networks would advise that a 20m horizontal distance be maintained either side of the overhead lines (or 15m either side of the outermost conductor) and a horizontal distance of 15m be maintained from the nearest tower leg. The agent has entered into pre-application discussions and the submitted scheme and the stand-off distances proposed respect fully the CN Guidance.

#### 7.14 Ownership Issues

##### 7.14.1

Two separate ownership issues have been raised by third parties. The first relates to a right of way adjacent to no. 68 Wellingborough Road. The Agent has confirmed that the proposals do not effect this and whilst the site area does incorporate the right of way, the scheme retains it. The resident is satisfied therefore that the right of way will not be effected.

##### 7.14.2

The second issue relates to some farmland benefiting from a right of way through to Wellingborough Road. The Agent has advised that there is no issue legally but in any case this does not effect the development.

#### 7.15 Crime and Disorder

##### 7.15.1

The layout has been amended to take on board comments received from the Crime Prevention Design Advisor. Whilst no objections have now been raised regarding the amended layout, conditions are still requested in relation to: fully detailed boundary treatment; landscaping and the submission of a lighting scheme for all non adopted areas.

#### 7.16 Trees

##### 7.16.1

An Arboricultural Appraisal was submitted with the application and accordingly our Conservation Officer (Trees) has raised no objection to the development. The following comments are made:

Arboricultural considerations:

##### 7.16.2

I note that the applicants have submitted a Tree Survey and Tree Constraints Plan. It would appear from the information submitted and visiting the site, that the majority of the larger trees are semi mature and mature Ash, all of which appear to be self set.

##### 7.16.3

Those which are proposed to be removed were noted to be in a poor condition and as such would not be suitable for retention. The trees which are of a better quality appear to have been incorporated into the scheme.

#### 7.16.4

I would suggest that we now need to look at the details of how the site should actually be constructed around the arboricultural constraints. I would advise that we should look to secure a full Tree Protection Plan and Arboricultural Method Statement by way of planning conditions.

Landscape considerations:

#### 7.16.5

Given the site constraints, I would suggest that the draft landscape master plan does highlight the key areas where new planting could be implemented. However, I would suggest that further work to reach a comprehensive scheme really needs to be undertaken.

#### 7.16.6

In particular I think more could be made of the site frontage and looped open space to the north of the site. In addition the area surrounding the dry balancing pond could also be developed into an attractive feature.

#### 7.16.7

I would suggest that further landscape details are secured by way of a condition.

### 7.17 Sustainable Design

#### 7.17.1

Policy 14 in the North Northamptonshire Core Spatial Strategy requires that proposals of this size should demonstrate:

- i. the development incorporates techniques of sustainable construction and energy efficiency
- ii. there is provision for waste reduction/recycling
- iii. there is provision for water efficiency and water recycling
- iv. 10% of the demand for energy will be met on site and renewably/from a decentralised renewable or low-carbon energy supply

#### 7.17.2

An Energy Statement has been submitted with the application. The proposed energy efficient measures will reduce the total energy demands of the development by 10.9% by the installation of solar thermal panels on all the dwellings. In addition the solar panels will generate 12% of the proposed development's total energy demand.

#### 7.17.3

The development has also been designed to achieve Level 3 of the Code for Sustainable Homes.

### 7.18 Developer Contributions

#### 7.18.1

The development is of a size which generates a need for social and community infrastructure. The following contributions / provisions have therefore been agreed:

#### Education

#### 7.18.2

The developer has accepted the need for the full amount of education contribution (£78 858) required by Northamptonshire County Council.

## Affordable Housing

### 7.18.3

The amount, housing type and tenure has been agreed with the Housing Strategy Manager. 67% provision has therefore been agreed.

## Public Open Space

### 7.18.4

The developer proposes 0.35ha of on site open space. The layout also includes the provision of a Local Area for Play (LAP). This is in line with the Council's SPD in respect of developer contributions.

### 7.18.5

A maintenance figure has also been agreed for the informal open space and LAP which equates to a total amount of £16 608.30.

## Greenway

### 7.18.6

The developer has agreed to a sum of £524 per unit, resulting in a total of £25 676.

## Libraries

### 7.18.7

The developer has agreed to a total sum of £8701 required and agreed by Northamptonshire County Council.

## Fire Infrastructure

### 7.18.8

The developer has agreed to a total sum of £4214 required and agreed by Northamptonshire County Council.

## 8 Conclusion

8.1 In recommending approval of this application, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS9, PPG13, PPG16, PPG17, PPS23, PPG24, PPS25, Policies 1, 2, 3, 13b, 14, 17, 26, 28, 29, 32, 35, 36, 39, 40, 41, 43, 45, 46, 48, 49, 53, 54, Policy MKSM SRS Northamptonshire 1 and 2 of the East Midlands Regional Plan, MKSM Sub-Regional Strategy Strategic Policy 3, North Northamptonshire Core Spatial Strategy 2008 policies 1, 6, 7, 9, 10, 13, 14 and 15, policies GEN3, H4, RL3, RL4 of the East Northamptonshire District Local Plan. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of the development, the impact on neighbouring amenity, the design and visual impact, the highway implications and the impact on trees and vegetation. The application has been recommended for approval as:

- The principle of the development is acceptable.
- The proposal would not have an unacceptable impact on the local or strategic highway network.
- The siting and layout of the development is acceptable and the would not harm the visual amenity or character of the area.
- The development provides for an acceptable level of affordable housing and mix.
- The development would not have an adverse impact on ecology and biodiversity.
- The development will not have an adverse effect on flood risk and sewage capacity subject to the imposition of conditions.
- The development would not be exposed to significant levels of contamination.

- The proposal would not harm or result in the loss of any trees worthy of retention.
- The proposal would not have a significant impact on the amenities of neighbouring occupiers
- The layout takes designs out crime and disorder.
- The development provides adequate social and community infrastructure in accordance with the Council's adopted SPD in respect of developer contributions.
- The development incorporates techniques of sustainable construction and energy efficiency

## 9 Recommendation

- 9.1 It is therefore recommended that, subject to the prior completion of a Section 106 Agreement and the imposition of planning conditions that the application be APPROVED.

## 10 Conditions/Reasons -

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004
2. Notwithstanding the submitted information prior to the commencement of development details of existing levels of the site in relation to adjoining land levels and proposed levels including finished floor levels shall be submitted to and agreed with the Local Planning Authority in writing. Development shall be carried out in accordance with these approved details.  
Reason. In the interest of amenity, as the site is to be re-graded and the submitted information suggests that the proposed level contours are indicative.
3. Prior to the commencement of development details of all external materials shall be submitted to and approved by the Local Planning Authority in writing. In addition, sample panels of brickwork shall be constructed on site prior to the commencement of development. Development shall be carried out in accordance with the approved details.  
Reason: In the interest of amenity
4. Prior to the commencement of the development hereby permitted, details of the location, height, design and materials of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s). Such approved details shall be erected and retained in perpetuity thereafter.  
Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy.
5. No development shall take place until a comprehensive landscaping scheme for the site has been submitted to and approved by the local planning authority. The scheme shall include an implementation schedule.  
The scheme shall also include the use of native, local provenance species in particular those which provide autumn/winter food sources for birds and habitats for invertebrates. In addition replacement habitats for invertebrates should be integrated into the landscaping scheme, including partially buried log piles (utilising suitable resulting timber from site clearance works) and sand posts. In addition a landscaping management plan including provision for the maintenance of habitats in a favourable condition for biodiversity should be submitted and approved by the authority prior to commencement of the development.

Any trees or plants which within a period of five years of planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a reasonable standard of development and visual amenity for the area and to take account of Section 197 of the Town and Country Planning Act 1990.

6. Prior to the commencement of development a scheme for lighting the private parking areas, footpaths and areas of public open space shall be submitted to and approved by the Local Planning Authority in writing and development shall be carried out in accordance with these approved details.

Reason: In the interest of amenity and crime prevention.

7. At least 10% of the demand for energy shall be met on site and renewably/from a decentralised renewable or low-carbon energy supply ( as described in the glossary of Planning Policy Statement :Planning and Climate Change ( December 2007). Prior to the commencement of development details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Policies 13 and 14 of the North Northamptonshire Core Spatial Strategy and the Sustainable Construction and Design SPD.

8. Notwithstanding the submitted details, a Tree Constraints Plan, Tree Protection Plan and a Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All details hereby required shall be in accordance with BS5837: 2005 and the method statement shall include (but not be limited to) a specification for the construction of the footpath through the spinney to west of the site and detail proposed management works required to maintain the woodland structure. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site

9. All vegetation clearance at the site shall only take place outside the bird breeding season of between March to August inclusive.

Reason: To ensure adherence to legislation regarding protected species in line with the Wildlife and Countryside Act and to provide biodiversity mitigation and enhancements in line with the aims of Planning Policy Statement 9 Biodiversity and Geological Conservation.

10. During the first quarter of every year following the approval of the Travel Plan, a Travel Plan Monitoring Report shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of sustainable development and to ensure the continued workability of the site in relation to highway safety and parking provision.

11. Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority and provision of the fire hydrants shall be made in accordance with the scheme and timetable.

Reason: To ensure a satisfactory form of development.

12. Further to section 5.5.9 of the ecological appraisal, and in line with paragraph 14 of Planning Policy Statement (PPS) no. 9, artificial nesting and roosting opportunities for bat species including Pipistrelle sp., and bird species; swift A.apus, starling S.vulgaris and house sparrow P. domesticus should be integrated into the construction plans. Such details shall be submitted to and agreed in writing with the Local Planning Authority. The details shall thereafter be installed as agreed.  
Reason: To protect ecological interests.
13. No building works which comprise the erection of a building required to be served by water services shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented prior to the occupation of any buildings within the relevant phase(s) of the development.  
Reason: To prevent flooding, pollution and detriment to public amenity and biodiversity through provision of suitable water infrastructure, irrespective of the provisions of Sections 94, 98 and 106 of the Water Industry Act 1991.
14. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment undertaken by Woods Hardwick Infrastructure (ref – CSB/KM/E/16365/B4).  
Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
15. Prior to the commencement of development, all made ground in soakaway locations, detailed in Appendix 7 and 8 of the Flood Risk Assessment undertaken by Woods Hardwick Infrastructure (ref – CSB/KM/E/16365/B4), shall be removed and replaced by uncontaminated soil.  
Reason: To prevent pollution of controlled waters.
16. Piling using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.  
Reason: To protect controlled water quality.
17. Prior to the commencement of development details of the proposed traffic calming measures within the site shall be submitted to and approved in writing with the Local Planning Authority. The approved scheme shall thereafter be implemented prior to first occupation of the dwellings hereby approved.  
Reason: In the interests of highway safety.
18. Prior to the commencement of development cross sectional details required of the balancing pond shall be submitted to and agreed in writing with the local planning authority.  
Reason: To ensure that no water is retained within 5.0m of the adopted highway.
19. Notwithstanding the submitted details, prior to the commencement of development the following access details shall be submitted to and approved in writing by the local planning authority:-
1. hard surface materials to form the estate street
  2. means of drainage throughout the estate street and measures to prevent the unregulated discharge of surface water onto the adopted highway throughout the estate street.
  3. maximum gradient from the highway boundary 1 in 15 in the positive or negative direction.
  4. provision of vehicle visibility splays at the junction with the public highway and forward visibility splays within the estate street.

5. Pedestrian splays of at least 2.4m x 2.4m (2m x 2m where there is turning space within the site) shall be provided on each side of the vehicular access. These measurements are taken along and to the rear of the highway boundary within the curtilage of the site. The areas of land forward of these splays shall be reduced to and maintained at a height not exceeding 0.6m above carriageway level.
6. Traffic Calming measures to enable imposed control to a maximum speed of 20mph.
7. Street lighting throughout the estate street.

The subsequent submitted details shall illustrate a carriageway which is to the local highway authority's adoptable standard. The hard surfacing shall be completed in accordance with the approved details in accordance with a timetable to be agreed in writing by the local planning authority prior to the commencement of development. Development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter.

Reason: In the interests of highway safety.

20. No development shall commence until a scheme of kerbing and surfacing works throughout the frontage of the site and additional measures to control vehicle visibility within Wellingborough Road to aid pedestrian and vehicle movement ry has been submitted to and approved in writing by the local planning authority. No development shall commence until a timetable for the completion of offsite improvement works has been submitted to and approved in writing by the local planning authority. The approved access road shall not be used to provide means of access to new residents until such time as the works have been completed in accordance with the approved details and timetable.

Reason: In order to ensure that offsite pedestrian improvements are completed in the interests of highway and pedestrian safety and convenience to users of the public highway.

21. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing: A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed

22. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

23. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

24. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

25. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

## Informatives

1. In approving of this application, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS9, PPG13, PPG16, PPG17, PPS23, PPG24, PPS25, Policies 1, 2, 3, 13b, 14, 17, 26, 28, 29, 32, 35, 36, 39, 40, 41, 43, 45, 46, 48, 49, 53, 54, Policy MKSM SRS Northamptonshire 1 and 2 of the East Midlands Regional Plan, MKSM Sub-Regional Strategy Strategic Policy 3, North Northamptonshire Core Spatial Strategy 2008 policies 1, 6, 7, 9, 10, 13, 14 and 15, policies GEN3, H4, RL3, RL4 of the East Northamptonshire District Local Plan. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of the development, the impact on neighbouring amenity, the design and visual impact, the highway implications and the impact on trees and vegetation. The application has been recommended for approval as:

The principle of the development is acceptable.

The proposal would not have an unacceptable impact on the local or strategic highway network.

The siting and layout of the development is acceptable and the would not harm the visual amenity or character of the area.

The development provides for an acceptable level of affordable housing and mix.

The development would not have an adverse impact on ecology and biodiversity.

The development will not have an adverse effect on flood risk and sewage capacity subject to the imposition of conditions.

The development would not be exposed to significant levels of contamination.

The proposal would not harm or result in the loss of any trees worthy of retention.

- The proposal would not have a significant impact on the amenities of neighbouring occupiers
- The layout takes designs out crime and disorder.
- The development provides adequate social and community infrastructure in accordance with the Council's adopted SPD in respect of developer contributions.
- The development incorporates techniques of sustainable construction and energy efficiency

2. The drawings to which this decision relates are as follows:

Drawing Nos	
Location Plan	RDC794-100
Layout	RDC794-110B
Streetscenes	RDC794-120
AH Floor Plans	RDC794_130
AH Elevations	RDC794_131
AH Mid Floor Plans	RDC794_132
AH Mid Elevations	RDC794_133
BU2 Floor Plans	RDC794_134A

BU2 Elevations	RDC794_135A
CH3 Floor Plans	RDC794_136
CH3 Elevations	RDC794_137
CMAIS Ground Floor Plans	RDC794_138
CMAIS First Floor Plans	RDC794_139
CMAIS Elevations	RDC794_140
2BC Floor Plans	RDC794_141
2BC Elevations	RDC794_142

2BT Floor Plans	RDC794_143
2BT Elevations	RDC794_144
3BT Floor Plans	RDC794_145
3BT Elevations	RDC794_146
PBU2 Floor Plans	RDC794_147
PBU2 Elevations	RDC794_148
P2B2 Floor Plans	RDC794_149
P2B2 Elevations	RDC794_150
P3BC Ground Floor Plans	RDC794_151
P3BC First Floor Plans	RDC794_152
P3BC Elevations	RDC794_153
P3BD Floor plans	RDC794_154
P3BD Elevations	RDC794_155
P3BT Floor plans	RDC794_156
P3BT Elevations	RDC794_157
P3BE Floor plans	RDC794_158
P3BE Elevations	RDC794_159
PCH Ground Floor Plan	RDC794_160
PCH2 First Floor Plan	RDC794_161
PCH2 Elevations	RDC794_162
Single Garage	RDC794_163
Garage Block Detail	RDC794_164
Entrance Gates	RDC794_165
Bin Store	RDC794_166
Cycle Store	RDC794_167
3BE Floor Plans	RDC794-168
3BE Elevations	RDC794-169

Received by the Local Planning Authority on 09.11.09 / 01.12.09

3. Your attention is drawn to the contents of the attached letter from the Environment Agency.
4. Your attention is drawn to the contents of the attached letter from Anglian Water.
5. No works within the existing public highway may commence without the express written permission of the Highway Authority. This planning permission does not give or infer such permission. The Highway Authority, will only give consent to commence works subject to the completion of an Agreement, under an appropriate agreement within the Highways Act 1980. Full engineering, drainage, street lighting and constructional details will be required to process such an agreement. Any details submitted will be subject to a technical and safety audit that may result in changes to the details of the street and junction etc required to discharge the relevant condition above.  
The attention is drawn to the implementation of the Traffic Management Act 2004, where a three month notice period to allocate road space (for works within the highway) is formally given prior to the commencement of works.
6. The applicant's attention is drawn to the document entitled: "Contaminated Land -- A guide for developers and their advisors". This can be obtained from East Northamptonshire Council's web site or directly from Environmental Protection.

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Date received	Date valid	Overall Expiry	Ward	Parish
<b>16 Nov 2009</b>	<b>23 Nov 2009</b>	<b>18 Jan 2010</b>	<b>Fineshade</b>	<b>Easton-on-the-Hill</b>

Applicant **Mr B Bonney**Agent **Jonathon Hartley Architectural**

Location 52 Stamford Road Easton On The Hill Stamford Northamptonshire PE9 3PA

Proposal **Proposed barn conversion to form dwelling**

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**The application has been brought to Committee at the request of a Ward Member because of the previous history of the site and because the application is deemed to be of a controversial nature.**

### **1 Summary of Recommendation**

1.1 That permission be GRANTED subject to conditions.

### **2. The Proposal**

2.1 The application proposes to convert the existing barn into a two bedroomed dwelling, and to construct an associated vehicular access off The Nook.

### **3 The Site and Surroundings**

3.1 The application site lies within the rear garden curtilage of No.52 Stamford Road.

3.2 No.52 Stamford Road is a large two-storey dwelling appearing to be of historic character. The planning history details, however, indicate that this dwelling may have been granted in the 1970s. This dwelling benefits from a vehicular access off Stamford Road (the A43).

3.3 The site at present is overgrown by trees, shrubs and other vegetation. The building to be converted in this application is an outbuilding constructed from stone with a pantiled roof and is situated towards the north western corner of the site. This building and a stone wall measuring some 1.7 metres in height form the boundary to The Nook.

3.4 There is a strip of land with trees planted to the north of the site which separate the site from The Nook. This strip of land appears to be a ransom strip/highway verge.

3.5 The site is primarily surrounded by residential development. Residential properties along Stamford Road are of mixed character and age. The properties along The Nook are uniform in appearance; the 1960s concrete tiled hipped roofs-with a side chimney and are properties appearing to be built as part of the same residential development, from the same period.

## **4 Policy Considerations**

- 4.1 National Planning Policy Guidance:
  - PPS1– Sustainable Development
  - PPS3 – Housing
  - PPS9 – Biodiversity and Geological Conservation
  - PPG13 – Transport
- 4.2 Regional Spatial Strategy 8: East Midlands Regional Plan, March 2009
  - Policy 1 – Regional Core Objectives
  - Policy 2 – Promoting Better Design
  - Policy 3 – Distribution of New Development
  - Policy 39 – Regional Priorities for Energy Reduction and Efficiency
  - Policy 45 – Regional Approach to Traffic Growth Reduction
  - Policy 48 – Regional Car Parking Standards
- 4.3 North Northamptonshire Core Spatial Strategy, June 2008:
  - Policy 1 – Strengthening the Network of Settlements
  - Policy 7 – Delivering Housing
  - Policy 9 – Distribution & Location of Development
  - Policy 10 – Distribution of Housing
  - Policy 13 – General Sustainable Development Principles
  - Policy 14 – Energy Efficiency and Sustainable Construction
- 4.4 Rural North, Oundle and Thrapston Plan (emerging document):
  - Policy 1 – Settlement Roles
  - Policy 2 – Windfall Development in Settlements
  - Policy 8 – Residential Parking Standards
- 4.5 Supplementary Planning Guidance:
  - Parking SPG, March 2003
  - Planning Out Crime in Northamptonshire, Feb 2004
- 4.6 Supplementary Planning Document:
  - Design SPD, March 2009
- 4.7 Other Documents:
  - Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008

## **5 Relevant Planning History**

- 5.1 An application was previously submitted for the construction of a two-storey detached dwelling with detached garage on the site under reference EN/08/01124/FUL and was refused on 01.10.2008. This application was refused by the Council because of (1) scale, design, layout, materials and limited amount of amenity space and (2) because of harm to the residential amenities of No.8 The Nook in terms of overbearing.
- 5.2 This application was then taken to an appeal and was dismissed at appeal on 21.04.2009. At the appeal, the inspector commented that the Nook had a spacious and more rural character than other parts of the village and considered the proposal to be cramped, overdevelopment of the site and would be out of character with the other more spacious parts of The Nook. The Inspector also considered that the proposal would overshadow No.8 The Nook and would be harmful to the residential amenities of the occupiers in this property.
- 5.3 In addition the Inspector made the following comments:
  - A tree report was submitted, but the Inspector considered the recommendations to be impractical as the dwelling and garage would sit within the Tree Protection Areas and the proposal could lead to a loss of trees which are of value to the street scene. The Inspector was furthermore concerned that the tightly drawn boundaries of the site would leave little room for replacement planting if the trees were to be lost. In addition, the Inspector considered that the development would overshadow No.8 The Nook.

- The Inspector considered The Nook to be a quite cul de sac and that the laying out and use of a new access as proposed would not prejudice the safety of highway users.
- The Inspector noted that no protected species report was submitted with the application and commented that the existing barn and on site trees could potentially provide shelter for protected species.

## **6 Consultations and Representations**

6.1 Neighbours: Five letters received from 50 Stamford Road (no objection with comments), No.2 The Nook (objection), No.3 The Nook (objection), No.4 The Nook (objection), No.8 The Nook (objection) and the reasons for objections/comments are summarised below:

- Harm to the character and appearance of The Nook “the highway verge form a focal point at the end of the street, giving The Nook a more rural character”
- The proposal would result in a loss of character to the cul de sac and the proposed driveway appears unsuitable in this position
- The proposal would lead to demolition of the stone wall
- Lack of garden space (in particular, due to parking)
- Cramped form of development/overdevelopment
- The proposal would result in an un-neighbourly form of development
- The vehicular entrance would be too close to No.3 and would impact on the privacy and residential amenities of the occupiers of Nos.3 and 8 The Nook
- Noise
- The proposal would compromise the access and visitor parking for No.3 The Nook
- The new access should be made through the existing entrance off Stamford Road
- Traffic and congestion
- Highway safety
- Capacity for emergency vehicles
- Access for service and delivery vehicles would be restricted
- The proposal would lead to a loss of trees which are considered of value to the landscape
- Lack of replacement planting and building in root protection areas
- The plans does not clearly show how the site would be laid out or which trees would be removed and more details should be submitted
- Harm to protected species/wildlife habitats
- Impact on drainage
- There would be further sewerage off The Nook
- Plans do not given specific dimensions, i.e. there are no dimensions of the finished height of the barns, width of the entrance access and how much of the wall would remain
- Concerns about the stability of the remaining barn and stone wall
- Disturbance to the central wall of the barn/undermining existing foundations
- The proposal would be impractical, in terms of conversion of the building
- Would the proposal provide adequate headroom?
- The structural survey is vague on how suitable the existing foundations of the two barns are for this building work to be carried out
- Any structural changes should be subject to a new planning application

6.2 Easton on the Hill Parish Council: no objection. The Parish Council have no objections to the principle of the barn conversion into a dwelling house, but have the following comments:

- The plans lack detail, particularly regarding the final height
- The access to The Nook would be dangerous and intrusive to No.3 The Nook
- The risk to the trees planted by the Parish Council on the verge is still considerable
- The end stone wall of the barn must be restored and retained.

- 6.3 Natural England: no objections, subject to conditions (see recommendations below).
- 6.4 Local Highway Authority: no comments received on this application.
- 6.5 Conservation Officer (Trees): no objections, subject to conditions (see recommendations below).
- 6.6 Site Notice posted: no other representations.

## **7 Evaluation**

7.1 The following issues are relevant to the determination of this application:

### 7.2 Principle of Development

7.2.1 Planning policy such as PPS3 seeks to make the best use of land in areas which are well served by existing local facilities and transport services. The site is located within the built up area of Easton on the Hill within the settlement limits defined in the Rural North Plan, and as such meets this criteria. In addition, with the surrounding uses being primarily residential development, the principle of residential development on this site is considered acceptable subject to fulfilling criteria of design, scale, and other material planning considerations.

### 7.3 Visual Impact

7.3.1 There would be no significant visual impact from the proposed barn conversion, as no alterations have been proposed on the side facing The Nook. The main visual impact from this proposal is the proposed access, as in order to accommodate the proposed access this would involve breaking through a section of the existing front boundary wall which is built of stone.

7.3.2 According to the submitted drawings (which are drawn to scale), the proposed access measures 3.0 metres in width. This in effect means that 3.0 metre of the stone wall would be demolished in order to accommodate the proposed access. Given that most of the front boundary wall and the main barn (which is also constructed from stone) would be retained in the development, it is considered that the creation of a 3.0 metre opening would not result in detriment to the street scene or would have a significant impact on the character and appearance of the surrounding area.

7.3.3 In terms of the design of the development; the proposed conversion would make use of the existing openings on the barn and no significant alterations are proposed on the east and northern elevations which are mostly publicly visible in the street scene. Only two rooflights are proposed in the east elevation. The materials proposed for any external alterations required to the barn would be the same materials found on the existing building (pantiles for the roof and stone for the walls). In addition, timber has been proposed for the windows and doors. Overall, it is considered that the proposal would retain the traditional/rural character and appearance of the existing barn and there would be no significant visual harm from the proposed development.

7.3.4 Whilst the previous application was refused on grounds of design, being overly cramped, manifested in a limited amount of amenity space and the Inspector had previously commented on the open character and appearance of The Nook, Members are reminded that each application has to be considered on its own merits. In this application, the proposal would retain the existing traditional barn, and without a large two-storey house and detached garage being proposed (as that proposed in EN/08/01124/FUL), the layout is considered to be less cramped and the size of the garden area would be no less than those of other surrounding properties in The Nook.

In addition, given the minimal extent of alterations affecting to main street scene to the Nook, it is considered that the proposal would not have a significant effect on the character and appearance of the area.

7.3.5 Overall, it is considered that it would be difficult to justify a refusal of planning permission on grounds of visual impact or impact on the character and appearance of the area on this application.

7.3.6 Conditions are recommended to require (1) that full details of the vehicular access alterations be submitted before commencement of development, including retention of the remaining sections of the front boundary wall and (2) that permitted development rights be removed from the building. These conditions would help to ensure that no significant harm would result on the street scene, that the character and appearance of the barn would be preserved and that the barn would not be unacceptably altered in the future.

7.3.7 In addition, a condition is recommended to require the external roofing and facing materials to match those on the existing building and that timber be used for the construction of the doors and windows in accordance with the submitted details. This is to ensure a satisfactory elevational appearance for the development and to ensure that the development does not harm the traditional character and appearance of the barn.

#### 7.4 Neighbouring Amenity

7.4.1 The proposal would have no more overshadowing/overbearing impact on No.8 The Nook than the existing barn. No alterations are proposed to the height of the barn, the roof or main building other than that shown on the submitted plans, and hence, it is considered that there would be no adverse impact on the neighbouring property.

7.4.2 No windows are proposed in the northern elevation of the barn facing No.8 The Nook or the western elevation facing the garden of No.54 Stamford Road and hence there will be no overlooking issues on No.8 The Nook or No.54 Stamford Road. However, in order to preserve the amenities of the occupiers in these properties, a condition is recommended to require that no windows be created in the north and west elevation of the barn in the future.

7.4.3 The two rooflights proposed in the eastern roof slope proposes no significant overlooking issues on No.3 The Nook to the east, as these would be located over 20 metres away from the front windows of the neighbouring property.

7.4.4 In addition, comments were received from neighbours about the impact of the proposed access on the residential amenities of the occupiers of No.3 The Nook. It is noted that No.3 The Nook, currently park on the verge, where the new access is being proposed. However, it is understood that this area of land is under the ownership of the Local Highway Authority and the entitled use of this area of land is a civil matter and not a planning issue. No.3 The Nook have an access on the northern side of the front boundary and the access proposed in this application would not directly obstruct or adversely interfere with the access located in front of the neighbour's property. In addition, given the limited number of vehicles that a two bedroom residential use likely to generate, the impact on neighbouring amenities because of the number of vehicular movements and noise associated with the access is considered insufficient to justify a refusal of planning permission. Other highway issues are considered in the following section (see section 7.5 below).

7.4.5 In terms of the impact on the main property of No.52 Stamford Road, the barn is located some 20 metres away from the rear of No.52 Stamford Road. This distance is sufficient to prevent any significant overlooking, overshadowing or overbearing impact on the main property.

- 7.4.6 All other neighbouring properties would be sufficiently removed to not be adversely affected.
- 7.4.7 Overall, there would be no issues of overlooking, overshadowing or overbearing impact from this proposal and the impact on neighbouring amenities is considered insufficient to justify the refusal of planning permission on this application.
- 7.5 Highway Impact
- 7.5.1 Whilst the Local Highway Authority (NCC) has not commented on this application, the NCC did not object to the previous application (EN/08/01124/FUL), where a vehicular access was proposed in exactly the same position.
- 7.5.2 The width of the proposed vehicular access measures 3.0 metres and it would appear that adequate visibility splays can be achieved on both sides of the access. Providing it be conditioned that pedestrian visibility splays of 2.0 metres x 2.0 metres be provided on both sides of the access; that the first 5.0 metres of the vehicular access be paved with hard bound surface materials and that any gates be constructed 5.0 metres away from the highway, it is considered that there would be no significant highway impact from this proposal.
- 7.5.3 The maximum parking standard applied by Parking SPG is 1.5 spaces per residential unit and Policy 8 of the Rural North Plan requires the provision of at least two off-road parking spaces per residential unit. The way which the site is laid out on the submitted block plan would indicate that at least two off-road parking spaces could be provided on site. Overall, it is considered that there would be adequate off-road parking provision for the development.
- 7.5.4 Although the parking and highway safety concerns raised by the surrounding occupants have been noted, the submitted access details would satisfy the highway requirements adopted by the NCC and the NCC has not objected to the proposed access. In addition, the proposed access would not obstruct or unacceptably interfere with the existing access in front of No.3 The Nook. Given the fact that the cumulative impact of two vehicular accesses at this end of cul de sac location are unlikely to be significant; it is considered that there are unlikely to be significant highway safety issues from this development and the application would be difficult to refuse on grounds of highway safety.
- 7.5.5 The Planning Inspector, furthermore, has previously accepted The Nook to be a quite cul de sac and that the layout and use of a new access as proposed would not prejudice the safety of highway users.
- 7.5.6 Given the scale and nature of the development, it is considered that there are unlikely to be significant parking or congestion issues. There would be no more access issues for emergency and delivery vehicles than other properties in the area and the width of the access and parking/turning area within the site would allow sufficient access.
- 7.5.7 Neighbouring occupants have requested alternative access arrangements and that a shared access be created off the Stamford Road.
- 7.5.8 The agent makes the following comments in respect of a shared access off the Stamford Road: "a shared access from the A43 would not only be dangerous as we cannot achieve the site lines it would result in traffic passing the existing dwelling causing an unnecessary nuisance".

7.5.9 On this matter, the Local Highway Authority has commented that a shared access off the A43 Stamford Road is likely to have other highway implications in terms of intensifying an access on a main trunk road. Where the existing access is substandard, the Local Highway Authority advises that significant alterations would be required to meet the requirements for a shared access and it would be preferred if another shared access is not created off the A43.”

7.5.10 Notwithstanding the above comments, the Council can only consider the access arrangements submitted in this application. On the basis of the proposed access is acceptable for the reasons given under paragraphs 7.5.2, 7.5.4 and 7.5.5 above, it is considered that the access would be difficult to refuse.

## 7.6 Impact on Bats/Wildlife

7.6.1 The application is accompanied by a bat survey, where investigative works were carried out in July 2009. This survey concluded that the barn has negligible bat roost potential and demolition of this building would have negligible impact on local protected species.

7.6.2 Natural England has considered the submitted report and has confirmed that they have no objections to the proposed conversion works, providing (1) any work takes place during the period when bats are not likely to be present (September to March); (2) that ridge tiles be removed individually by hand and the open roof space be left overnight to allow any roosting bats to disperse during darkness hours (in line with section 6.1 of the Bat Survey); (3) should any bat(s) be found during any part of the demolition works, then operations should cease immediately and the applicant's ecological consultant and Natural England be informed; and (4) that bat boxes/tubes be incorporated into or be provided externally on the new structure and that any externally lighting provided after development should not be sited within the vicinity of newly erected roosting locations to allow dark areas for bats.

7.6.3 In addition, Natural England recommends an informative to advise the applicant that should planning permission be granted this does not absolve him from complying with the relevant law and licence procedure relating to the protection of protected species.

7.6.4 Subject to conditions to require that no works be carried out during the September and March and that details of wildlife mitigation strategy which satisfies the recommendations of Natural England be submitted before commencement of development, it is considered that this would ensure that satisfactory provision would be made.

## 7.7 Impact on Trees

7.7.1 The existing mature trees on site are not protected by a Tree Preservation Order (TPO), and therefore, it would be difficult for the Council to insist on their retention. The Council's Tree Officer has considered the amenity value of these trees and has come to the opinion that they do not offer sufficient amenity value to offer protection by serving a TPO. The Tree Officer comments: "The site (which was noted to be relatively modest in size) does contain a high level of tree cover of varying quality. Having reviewed the submitted details, I can confirm that I have no objection to the development subject to conditions."

- 7.7.2 Whilst the application is accompanied by a brief tree report (titled 'Tree Survey'), a Tree Constraints Plan which identifies those trees proposed to be felled, and a plan which identifies those trees proposed to be retained within the development has not been submitted. However, it is possible for the Council to request for these details by condition, together with a full landscaping plan, before commencement of development. This would help to ensure that the development would be well assimilated in with the surrounding area and prevent harm to local visual amenity.
- 7.7.3 In addition, the Tree Officer has suggested other conditions to ensure that the development can be carried out whilst taking into account the on-site trees. The Tree Officer notes that some existing trees (identified as T13, T9 and T12 in the initial tree report) are located particularly close to the proposed access and driveway. It has been outlined that no dig surfacing techniques would be used in the area of the access to prevent excessive ground compaction and subsequent root damage. In order to ensure that the vehicular access and driveway could be constructed without harming the remaining trees, conditions are suggested to require details of this no-dig construction method and details of the surfacing of the vehicular access and driveway be submitted before commencement of development. A condition is also suggested to require the access, driveway and parking areas be constructed before all other works commence on site. The reason for this is to provide a hard surface for the developer/builder(s) to work on.
- 7.7.4 Finally, in order to ensure that materials are appropriately stored on site and to ensure that the development can be carried out without resulting in harm to the remaining trees, a condition requiring the submission of an Arboricultural Method Statement before commencement of development is recommended.
- 7.7.5 Overall, it is considered that it would be difficult to justify a refusal of planning permission based on loss of the existing on-site trees and the suggested conditions (conditions 11 to 17 appended to this report) would ensure that the development can be implemented without resulting in adverse harm to local visual amenity or harm to the character and appearance of the area.

## **8 Other issues**

- 8.1 Drainage – This matter can be dealt with by condition, in the interest of prevent flooding on site and public health, and a suitable condition is appended to this report.
- 8.2 Amenity Space - Adequate private amenity space would remain within the surrounding curtilage to serve the future occupiers of the barn and the existing occupiers of No.52 Stamford Road.
- 8.3 Level of Information – Neighbours have commented that the submitted information does not show details of dimensions, in particular the finish height of the barn. The submitted drawings are drawn to scale and hence the dimensions have been provided. The height of the existing barn is shown to measure 4.9 metres to the ridge, and 2.3 metres in height to the eaves on the west side of the building and 1.5 metres in height to the eaves on the eastern side of the building.
- 8.4 Practicalities of the Conversion – The applicant submitted a structural report in support of the application (dated November 2009). In summary, this report found the external walls of the building suitable for the proposed dwelling and that the proposed internal works can be carried after the building is strengthened. The head height of the first floor of the building would be no more than 1.9 metres. Whilst it is recognised that the resultant first floor accommodation would be very restricted due to the limited head height of the building and roof space due to the 'double pile' roof shape, these reasons are considered insufficient to justify the refusal of planning permission.

- 8.5 Crime and Disorder - this application does not raise any significant issues.
- 8.6 Access for Disabled - this building would not be subject to any public access and therefore does not raise any significant issues.

## **9 Recommendation**

- 9.1 That the application be GRANTED subject to the following conditions:

### **10 Conditions/Reasons -**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The external facing and roofing materials to be used in the development shall match exactly those on the existing building (pantile for the roof and lime stone for the walls), unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To achieve a satisfactory elevational appearance for the development and in the interest of preserving the character and appearance of the existing barn.
3. In accordance with the submitted details, the window and doors shall be in timber, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To achieve a satisfactory elevational appearance for the development and in the interest of preserving the character and appearance of the existing barn.
4. Before commencement of the development hereby permitted, details of the provision of screening to all boundaries of the site shall be submitted to and be approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the building is first occupied and shall thereafter be retained in perpetuity.  
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.
5. Before commencement of the development hereby permitted, a elevational drawing to show details of the northern boundary of the site and shall include full details of the vehicular access and front boundary wall alterations, shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interest of the character and appearance of the area and local visual amenity.
6. Pedestrian visibility splays of 2.0metre x 2.0metre shall be provided on both sides of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.  
Reason: In the interest of highway safety.
7. The vehicular access shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the highway boundary. Prior to the first occupation of the development hereby permitted, this area shall be paved with a hard bound surface for a minimum of 5.0 metres back from the highway boundary and be thereafter retained.  
Reason: In the interest of highway safety.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification), any gates or other form of barrier provided at the access point shall be positioned 5.0 metres back from the highway boundary and shall be hung to open inwards only.)

Reason: In the interest of highway safety.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), there shall be no development within Classes A, B, C, D, E, F or G of Part 1 of Schedule 2 to that Order without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of adjacent occupiers and to ensure a satisfactory elevational appearance for the development.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows or other form of opening, other than that shown on the plans hereby approved, shall be inserted in the north, east and west facing elevation of the dwelling hereby permitted.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

11. No development shall take place until there has been submitted to and be approved in writing by the Local Planning Authority a comprehensive scheme of landscaping for the site, which shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

12. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

13. Notwithstanding the submitted details, a full Tree Survey and Tree Constraints Plan for the onsite trees shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development and shall be in accordance with BS5837:2005. The Tree Survey and Tree Constraints Plan shall be of a scale of no less than 1:500 and shall show the position, species, canopy spread and height of all existing trees within the site, indicating those to be retained and those proposed for felling. The development shall thereafter be carried out in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To facilitate proper consideration of the provision made for trees on the site in accordance with Section 197 of the Town and Country Planning Act 1990 and in the interest of visual amenity.

14. Notwithstanding the submitted details, a Tree Protection Plan for the onsite trees shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development and shall be in accordance with BS5837:2005. The development shall thereafter be carried out in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on site and in the interest of visual amenity.

15. Before commencement of the development hereby permitted, details of the surfacing of the vehicular access, parking facilities and all other hard-surfaced areas within the site shall have been submitted to and be approved by the Local Planning Authority. The vehicular access and the parking facilities shall be laid out in accordance with the approved details prior to all other works commencing on site and the remaining hard-surfaced areas shall be provided in accordance with the approved details before the first occupation of the development. All hard surfaced areas shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interest of the protection of on-site trees and visual amenity.
16. In accordance with the submitted application details, full details of the no dig construction method for the vehicular access and driveway portion shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development. The development shall thereafter be carried out in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure that vehicle movements in and out of the site do not cause excessive soil compaction and root damage and to ensure the protection of trees on site.
17. Notwithstanding the submitted details and prior to commencement of the development hereby permitted, an Arboricultural Method Statement shall be submitted to and be approved in writing by the Local Planning Authority. This statement shall be in accordance with BS5837: 2005 and the development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure the protection of trees on site.
18. Before any work is commenced on the development the subject of this permission, details of the provision of foul water and surface water drainage installations to serve the development proposed shall have been submitted to and approved by the Local Planning Authority, and the development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To safeguard public health and to prevent the potential for flooding on the site and elsewhere.
19. Before commencement of the development hereby permitted, a scheme detailing protection and enhancement measures for wildlife in accordance with Natural England's recommendations (letter dated 07.12.2009), shall be submitted to and be approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To minimise the impact of the proposed development on local wildlife.
20. Works and operations that involve modifications or alterations to the building(s), removal or other works to vegetation, shall be undertaken between September to March inclusive, and no works shall be carried outside of these months (March to September inclusive), unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To minimise the impact of the development on local wildlife and to ensure the development accords with PPS9.
21. Notwithstanding the submitted details and before commencement of development hereby permitted, a sustainable strategy satisfying the requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy shall be submitted to and be agreed in writing by the Local Planning Authority and the development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

## Informatives

1. The drawings to which this decision relates are as follows:

Plans received by the Local Planning Authority on 18th November 2009, drawing numbers: BON/09/0355-2, BON/09/0355-1; and amended site location plan scale 1:1250, received 7th January 2010.

Information received by the Local Planning Authority: Tree Report and Bat Survey received 23rd November 2009; Structural Report, Sustainability Appraisal and Energy Statement, and Design and Access Statement received 16h November 2009.

2. In approving this application, the relevant planning guidance and policies were identified as: PPS1, PPS3, PPS9, PPG13 ; Policies 1, ,2, 3, 39, 45, 48 of the East Midland Regional Plan 2009; Policies 1, 7, 9, 10, 13, 14 of the North Northamptonshire Core Spatial Strategy 2008; Policies 1, 2, 8 of the Rural North, Oundle and Thrapston Plan (Emerging Policy); Supplementary Planning Guidance: Parking SPG 2003, SPG Planning Out Crime in Northamptonshire 2004; Design SPD 2009; and Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008.

Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of development; visual impact; impact on neighbouring amenities; highway impact; impact on bats/wildlife; impact on trees; drainage; crime and disorder; and access for the disabled.

The application has been approved as:

1. The principle of the development is acceptable and is consistent with the development plan and guidance contained in national and regional planning policies.
2. The proposal would have no significant impacts on visual amenity or the character and appearance of the area.
3. The proposal would not have a significant impact on the amenities of neighbouring occupiers or the amenity of the area.
4. The proposal would not have an unacceptable impact on the local highway.
5. The proposal would have no significant impact on bats/wildlife.
6. The proposal would not lead to an unacceptable loss or harm to trees.
7. The proposal is unlikely to have significant drainage issues.
8. The proposal would have no significant crime and disorder issues.
9. The proposal would have no significant disabled access issues.

A full report is available on the Council's website [www.east-northamptonshire.gov.uk](http://www.east-northamptonshire.gov.uk)

3. The applicant should be informed that this planning permission does not absolve them from complying with the relevant law in relation to the protection of protected species, including obtaining and complying with the terms and conditions of any licences required.