# APPLICATIONS FOR DETERMINATION

## PLANNING MANAGEMENT COMMITTEE - 14\textsuperscript{th} August 2019

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Case Officer Gordon Smith

Date received 12 March 2019
Date valid 14 March 2019
Overall Expiry 28 August 2019
Ward Stanwick
Parish Hargrave

Applicant Prestige Design And Build
Agent Phillips Planning Services Ltd
Location Land Adjacent Rectory View, Church Road, Hargrave, NN9 6BQ
Proposal Erection of two dwellings

The application is brought before the Planning Management Committee because it has been referred by the Ward member (Councillor Howell).

1 Summary of Recommendation

1.1 GRANT planning permission subject to conditions.

2 The Proposal

2.1 This is a site of 0.37 ha that is presently undeveloped. Two houses are proposed (revised from three previously). As a guide, this is a density of 6 houses per hectare. Plot 4 is 286m² in size and Plot 5 320m².

2.2 The proposed dwellings will be constructed from the same materials as the present two under construction on the front of the site. This includes walls constructed from Olde Farndale multi bright red textured stock bricks, and roofs constructed from Alban Sussex Blend.

2.3 The houses are labelled Plots 4 and 5 to follow the numbering of two houses under construction at the front (not part of this application but sharing a common access). There is no 'plot 3' as that was removed by revision during the application evaluation. The land so released here is shown as a shared landscaped area.

2.4 The development was originally conceived following pre-application advice.

3 The Site and Surroundings

3.1 This is a residential area in the middle of the village and there are dwellings to the north and south, and on the opposite side of Church Road to the west. It is an infill plot.

3.2 There are several mature trees on the site, which are primarily situated towards the rear boundary. The site is accessed from Church Road with visibility in both directions.

3.3 The site was previously occupied by a dwelling until it was demolished around 1993. It is now laid to grass and is currently used as additional amenity space associated with a dwelling known as Rectory View on the adjacent site to the south.
4 Policy Considerations

4.1 National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings
Policy 11 - The Network of Urban and Rural Areas
Policy 28 - Housing Requirements
Policy 29 - Distribution of New Homes
Policy 30 - Housing Mix and Tenure

4.3 Neighbourhood Plan
None.

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)

5 Relevant Planning History

5.1 00/00621/OUT Two dwellinghouses and access road approved 16.8.01
Adjacent site: 18/01293/FUL Erection of two detached dwellings Approved July 2018

6 Consultations and Representations

6.1 Neighbours (23 addresses) were notified on 05.04.2019, and again on 11.06.19 of the revised proposal (as 3 houses originally proposed were reduced to 2).

A site notice was placed on 23.04.19. and a newspaper notice was placed in the Nene Valley news on 20.04.19.

6.2 All comments are summarised.

Neighbours, 11 objectors in total, 4 of which repeated objection on a second consultation. The main points were as follows.
- Inadequate consultation: By both developer and the LPA.
- Disproportionate size. This small village would be overwhelmed by developments of a similar nature.
- Harm to character. Hargrave historically follows a linear development along all its roads. The development is not consistent with this character.
- Environmental impact. The proposed site has always been open and undeveloped, adding essential space to the green landscape setting of the village,
wildlife value, a benefit that would be lost if this proposed development takes place. Assertions made that the developer has mismanaged the wildlife resources.

- **Loss of garden land.** Contrary to national policy.
- **Village traffic and site access.** The village is already dangerously overloaded with domestic and industrial traffic from Raunds and beyond.
- **Access width.** A wider entrance is needed.
- **Density of housing, type and siting.** The housing density is far too great. The density and size of the proposed homes is far in excess of anything in Hargrave.
- **Overbearing presence near a common boundary.** The proposed dwellings seriously overshadow and compromise the privacy and amenity of the adjacent bungalow 'Xanadu' by their proximity to a common boundary and therefore the development does not satisfy policy.
- **Appearance.** The site rises quite sharply from Church Road and the density of the development would present a cluttered look, contrasting abruptly with the spaced and open aspect of most of the village.
- **Overlooking.**
- **Village design statement.** The Parish Council has consistently recommended that no more such housing should be built - only limited roadside infill.
- **The village sewage system.** Already grossly overloaded. Insufficient sewerage and dangerous access onto the village street.
- **Surface water.** Water runs down Church Road and at the point of this development the drains often flood. The application states that run off will be dealt with on site but the driveways will have runoff that will make its way down the slope and add to the problem when there is rain. Rainwater drainage (on and off site) should be upgraded.
- **Trees.** There is a line of trees (G1 on plan) running alongside the footpath. These provide an environmental barrier at the back of my property and the trees are extensively used by all sorts of wildlife.
- **Archaeology.** There has been no archaeological assessment.

Also:

- Waste tipping allegation.
- Allegation of subterfuge in the manner of seeking permission (starting with 2 previously approved and now the 3 revised to 2).
- Inaccurate site plan.
- Previous enforcement history. Reference made to previous enforcement complaints about site clearance (June 2018).

6.3 **Hargrave Parish Council**

**Comments received 25.04.2019.** Objects:

- National policy (NPPF para. 70) states that garden developments should be resisted. The district has an adequate housing land supply without permitting garden developments.
- The Joint Core Strategy 2016 states the preferred development option is for minimal development in rural areas. The Draft Local Plan states that the rural housing requirement has been met and that development should be focussed on locally identified need. This application does not demonstrate a locally identified need.
- The density and layout of the site is inappropriate for the site and for Hargrave. Previous planning consents were limited to one or two properties with frontage onto the road and this has been achieved under 18/01293/FUL. The overall proposal is disproportionate to the size of Hargrave and the site and is out of character for the village.
• The bell mouth of the proposed access road onto Church Road will create a danger to road users and pedestrians. The planning documents provide for 12 parking spaces which represents significant traffic movements onto the narrowest part of Church Road.
• Will lead to a loss of residential amenity for the existing adjacent dwellings of Church Road and the two dwelling presently under construction. This is contrary to Joint Core Strategy 2016 policy 11.
• Hargrave cannot be regarded as a sustainable settlement as it is without services and without public transport. It is described in the emerging Draft Local Plan as a small village.
• The archaeology report submitted as part of the application does not assess the area put forward for development.
• If approved, a condition should be imposed for the effective management of surface water in the interests of the new and existing properties of Church Road, as existing properties are affected by surface water flooding in certain weather conditions.

Re-consultation 11.6.19
Repeated objection 02.07.19.

6.4 Northamptonshire County Council - Archaeological advisor

Comments received 17.04.2019:
"The application area is to the rear of Rectory View; the site immediately to the north of Rectory View was evaluated in 2001 and found to be clear of archaeological remains, but the current site was not evaluated at that time. The evaluated site had been previously developed, so the lack of archaeological remains is understandable. The current site is shown as open ground on historic maps since the 1880s and therefore has a higher potential for archaeological survival. The adjacent site to the south, now occupied by a dwelling, was the subject of archaeological monitoring during development in 1987 and sherds of Saxon pottery were found, indicating that there is a strong probability of occupation or related activity in the vicinity. There is therefore the potential for remains of archaeological significance to survive on the site. ... a condition for a programme of work is recommended.

The proposed development will have a detrimental impact on any archaeological remains present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected."

Recommends a condition for an archaeological programme of work.

6.5 Northamptonshire County Council - Local Highway Authority

Comments received 16.04.2019 and 21.06.2019: No objection to revised scheme.

• The access surfacing should be of a hard bound material for a minimum distance back from the highway of 5.0 with a maximum gradient of 1:15;
• Surface water from a private drive must not discharge onto the highway an ACO drainage system with soakaways within the curtilage of the private property will be required and subsequently detailed on the scaled drawing;
• A swept path analysis is required for emergency vehicles the largest being a fire tender (case officer note: this has been provided).

Comments also made about waste storage and fire access.
Note: highways objection originally received to 3 house scheme, as it would have resulted in 6 houses from a private drive with different highway standards.

6.6 **East Northamptonshire Council - Environmental Protection Officer**

No reply.

6.7 **East Northamptonshire Council – Waste**

Comments received 06.04.19. No objection.

Adequate space for storage of waste containers.

6.8 **East Northamptonshire Council - Tree and Landscape Officer**

Comments received 11.4.19: No objection.

7 **Evaluation**

**Principle of Development**

7.1 The NPPF promotes a presumption in favour of windfall and infill development within the boundaries of existing settlements.

7.2 Policy 1 of the JCS seeks to secure sustainable development and Policy 11 of the JCS identifies the hierarchy of preferred locations. In the context of Policy 11 of the JCS, small scale infill development will be permitted on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity, or exceed the capacity of local facilities and services.

7.3 With the above in mind, the two dwellings that are proposed are not considered to put a significant strain on local facilities as Hargrave is a large village with the capacity to absorb additional small-scale development as now presented.

7.4 There is development in depth to both sides of the site. To the north, Elm Close projects back from the main road frontage. To the south the property marked as Xanadu sits in tandem behind development fronting Church Road, along with the properties Quawra, The Ridings, and Sca Fell, which sit back behind the frontages between Hargrave Hall and the site in question.

7.5 The site sits within the visual envelope of the village and is distinct from the open countryside beyond. It is not designated open space, nor locally important or having any influence with the character and appearance of the street. The site is not within a Conservation Area, nor forms any setting of a listed building or other designated or non-designated heritage assets.

7.6 Objectors raised the matter of garden development being contrary to national policy. This policy puts a break on *inappropriate* garden development where it causes harm. In this instance, this is appropriate development that does not cause harm. The policy is positively met.
Design, Layout and Impact on Character and Appearance

7.7 In terms of location, it is noted that the site is located behind land on the street frontage, including a site approved for two dwellings (18/01293/FUL, now under construction). There are concerns from local objectors about the backland nature of the development. However, it is noted that the site is bounded to one side by the dwelling know as Xanadu and to the other side by properties in Elm Close. The site does not extend further into the countryside. Accordingly, it is within the settlement boundary of Hargrave and suitable for residential development in principle providing other policy requirements can be satisfied.

7.8 National guidance contained within the NPPF attaches great importance to the design of the built environment. Policy 8 of the JCS requires new development to comply with several principles including being of a high standard of design and not having an adverse impact on its surroundings, highway safety and neighbouring amenity. In addition, Policy 3 seeks to protect landscape character and Policy 4 of the JCS seeks to protect ecological interests. Furthermore, Policy 30 of the JCS identifies various requirements including space standards and housing mix and tenure.

7.9 The proposal involves building two large detached houses. There are a variety of dwelling designs in this part of the village. The broad designs are considered acceptable in this context.

7.10 However, part of criterion a)i of Policy 30 of the JCS states the mix of houses within a development should reflect the need to accommodate smaller households with an emphasis on the provision of small and medium sized dwellings (1 to 3 bedrooms). A proposal such as this, which is for 2 large houses, conflicts with this. A case can therefore be made for more, smaller houses, but such a requirement may cause conflict with increased vehicle movements and a higher density ‘urban’ design than the present low density option.

Residential Amenity

7.11 To the north side, the dwellings in Elm Close are a sufficient distance away (in excess of 40m to the rear elevations). As such, there is only a very low visual impact. There is no privacy loss. To the front (west), there is also sufficient distance (75m+) from the proposed dwellings to those under construction on the site frontage. There are no significant issues of overlooking or loss of light. To the rear (east), the properties will overlook the open countryside. Any views in this direction are therefore not considered to be a source of concern, nor is there any adverse countryside impact given the enclosed nature of this infill site.

7.12 The dwellings are also considered not to impact on each other significantly in terms of loss of light or overlooking.

7.13 The closest dwelling that the proposal will potentially have an impact on in amenity terms is the property known as Xanadu which is located to the south. The layout has been designed to only have a small ensuite bathroom window at first floor level of Plot 4, on the closest gable wall facing in this direction (at 18m distance). This is a considerable distance and, by reason of restricted size, unlikely to result in privacy loss. However, it would be appropriate to require all first floor side windows to be obscure glazed.

7.14 The owner at Xanadu has enjoyed an open aspect over this land forming part of the basis for their objection, yet there is no right to a view. The development does not result in privacy loss, is not obtrusive, and is consistent with the area’s mixed and spacious character. The design is in all other respects acceptable. There is no material planning
objection that can be sustained.

**Highway Safety and Parking**

7.15 In highway terms, it is noted that the development will be accessed via a drive that is shared with the two new dwellings proposed for the site frontage and the adjacent property known as Rectory View. The previous scheme - with three houses (it is now 2) - would have exceeded the Local Highway Authority's position that the road would have to be adopted. Consequently, the scheme was revised down to two units. The scheme is now consistent with the County's policy that no more than 5 houses are accessed from a private drive (the present two houses plus the two under construction and the existing house at Rectory View).

**Ecology and Trees**

7.16 A Preliminary Ecological Appraisal was undertaken by consultants in June 2018. This covered the whole site including the part at the front with approval for two dwellings, and the part at the rear which is the subject of this application. The survey showed that the site comprises semi-improved neutral grassland, hedgerow, trees, hardstanding and vegetation and rubble piles. A survey of a pond 75m from the site found a likely absence of great crested newts. It is not considered that great crested newts will be affected by the development.

7.17 Three trees along the northern boundary of the site are considered suitable for roosting bats. These trees are to be retained. It is proposed that at least two bat boxes should be provided in the design of the dwellings.

7.18 The survey found that hedgehogs may commute and forage on the site, so it is proposed to provide access holes in new fences to enable this to continue. Mitigation measures are also proposed during the construction phase.

7.19 The proposed development would result in a minimal impact when mitigation measures are incorporated, and it has the potential to result in a slight gain in biodiversity if bat and bird boxes are included.

7.20 No trees will need to be removed to facilitate the proposed development, and no trees are likely to suffer any adverse impact as a result of the construction works. Key trees are shown on the layout plan 19-05C. A construction exclusion zone will be established.

**Conclusion**

7.21 In the context of Policy 11 of the JCS, small scale infill development will be permitted on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity. The site sits within the visual envelope of the village and is distinct from the open countryside beyond. It is within the settlement boundary of Hargrave and suitable for residential development.

7.22 The new houses are a considerable distance from present houses; there is no harm arising from any privacy loss, nor other visual harm from proximity to existing houses.

7.23 Highways constraints are satisfied, and a condition will require all surface water from this site to be managed on site (not on the public highway).

7.24 Ecology and tree conditions will ensure that appropriate protective measures are carried out.
8 Other Matters

8.1 Revisions to the scheme. The scheme was revised to omit Plot 3, now shown as a landscaped area. This was to avoid conflict with the County Council’s policy of requiring the road to be built to adoptable standards (considerably more costly given the inclusion of streetlights, service margins, and possibly footpaths). The possibility of a future application being made for a house at Plot 3 may be dealt with at the time, if such an application is ever submitted. A decision on the present application does not constrain the Council’s discretion were a future application to be made on that Plot.

8.2 Village Design Statement. This was referred to by one objector. It is understood to be an older document that has been overtaken by the policies quoted in the relevant section above. There is not yet a Neighbourhood Plan.

8.3 Landownership. There has been objector reference to ‘inaccurate’ site boundaries due to the age and nature of the landscaping around the periphery. This is a private matter between the parties but the developer states they have verified boundary alignments.

8.4 Local surface water management. Localised highway flooding is the subject of ongoing local complaint to the Local Highway Authority, and is a pre-existing problem. The current development will manage its own surface water (Condition 9 applies) without need to dispose onto the highway.

8.5 Equality Act 2010. It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).

9 Recommendation

9.1 GRANT subject to conditions.

10 Conditions

1

Time limit. 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

Approved plans and details. The development shall be carried out strictly in accordance with the following approved plans and submitted details:

i. 19-01 Site location plan

ii. 19.05.C revised site plan for two houses

iii. 19.03.A Plot 4

iv. 19.04.B plot 5

v. 19.06 garages

vi. Materials:

a. Walls: Wieneberger Olde Farndale Multi bright red textured stock bricks with handmade type surface creases, and cream, grey and ochre multi shades.

b. Roof: Wieneberger Alban Sussex blend.

c. Windows: ‘Residence collection’ timber flush design in heritage cream and stone villa half bath window cills (email dated 31.07.19).

d. Doors: “Solidor” composite in the Oak colour (email dated 31.07.19).
3 **Building floor levels.** Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development and adjoining sites shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and retained in accordance with the approved details.

**Reason:** To ensure that the precise height of the development can be considered in relation to adjoining dwellings in the interests of visual impact and amenity.

4 **Archaeology.** No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted by the applicant and approved in writing by the local planning authority. The approved scheme shall be followed for the duration of the development.

**Reason:** To ensure that features of archaeological interest are properly examined and recorded.

5 **Control of Mud on the Highway.** Prior to the commencement of the development, details of measures to ensure that mud and other such loose material do not migrate onto the highway shall be submitted to and shall be approved in writing by the local planning authority. Such measures as may be approved shall thereafter be implemented and maintained for the duration of the construction period.

**Reason:** In the interests of highway safety and convenience.

6 **Tree protection.** No development shall commence until measures for the protection of trees to be retained have been installed in accordance with the submitted Tree protection strategy Section 6 (dated November 2018). The measures shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

**Reason:** To protect the trees which are to be retained on the site in the interest of the visual amenities of the area.

7 **Ecology.** Prior to the commencement of development, the site should be kept clear of piles of dead vegetation that will create a dry, safe shelter for hedgehogs. Any arisings from vegetation clearance should be removed by hand and replaced if a hibernating hedgehog is found underneath them. Further, the measures contained in the ecology enhancement strategy (section 3.6 of the Ecology report dated June 2018) shall be carried out concurrently with the development and thereafter maintained.

**Reason:** To comply with the requirements of policy to secure ecological enhancement.

Note: In the interest of biodiversity, care is advised on the northern boundary to secure retention of vegetation where possible. This is to secure a softer boundary with retained planting.

8 **Boundary screening.** Prior to above ground construction, details of the location, height, design and materials of all screen walls and fences 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 development hereby permitted. 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 and neighbours are afforded an acceptable measure of privacy.

9 Drainage. Prior to the commencement of any above ground works, details of a positive means of drainage to ensure that surface water from the site does not discharge onto the highway shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be retained and maintained.

Reason: In the interests of proper surface water management.

10 Landscaping. Prior to the commencement of any above ground works, a landscaping scheme for the common areas of the site and front gardens (excluding rear garden areas) shall be submitted to and approved by the local planning authority. This landscaping scheme shall be implemented strictly in accordance with the approved details in the first planting season following the occupation 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.

Note: it is accepted that new occupiers will carry out their own gardening so the condition is aimed at securing an initial starting level of landscape work.

11 Access. Prior to the first occupation, the access, parking, turning areas and waste storage area (for waste collection day) shall be laid out as detailed on drawing 19.05.C and they shall thereafter be permanently retained and maintained in this condition.

Reason: To avoid obstruction of the common access, and in the interests of internal access safety. Also, to ensure the waste storage area is retained.

12 Access construction. Prior to first occupation, the means of vehicular access shall be of a minimum width of 4.5m for the first 10.0m from the highway boundary, with a maximum gradient of 1:15. That area shall be paved with a hard bound surface for the first 5m from the highway boundary; such surfacing shall thereafter be retained.

Reason: In the interests of highway safety.

13 Gates set back. Any gates installed to the vehicular access shall be set at least 5m back from the public highway.

Reason: In the interests of Highway safety.

14 Obscure glazing. Any first floor or roof windows on the south-west elevation of Plot 4 and north west elevation of Plot 5 (both as shown on the plans and as may be subsequently fitted) shall be fitted with obscured
glazing to a minimum level of obscurity conforming to Pilkington Glass level 3 or equivalent. The windows shall be permanently retained in that condition thereafter.

**Reason:** To safeguard privacy currently enjoyed by the occupants of adjoining dwellings to the north and south of the development.

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

a. the erection of extensions including conservatories, garages, or car ports;

b. alterations to the roof of the house.

**Reason:** To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area in which it is set.

11 Informatives

1 In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38. There has been ongoing dialogue with the applicant and their agent to resolve issues and to reach a positive recommendation on the application.
This application is brought before the Planning Management Committee because the Town Council has requested a condition that Officers do not consider to be reasonable. The requested condition is for a temporary permission, however, the proposal is for a structure that will remain on site until the end of its lifespan. Officers consider it to be unreasonable to put a time limit on the presence of the office building being on site. In accordance with the scheme of delegation, an application is to be taken to Planning Management Committee where an Officer recommendation is to approve contrary to the recommendation of the Town or Parish Council.

1  Summary of Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2  The Proposal

2.1 The application proposes to install a three storey modular office block to the south of the premises’ car park.

2.2 The application includes the reinstatement of parking spaces to the northern area of car parking, to compensate for the proposed loss of spaces.

3  The Site and Surroundings

3.1 The site lies within Nene Valley Business Park to the east of Oundle and to the west of the A605 trunk road. The application site is occupied by Fairline Boats.

3.2 The site falls within an existing business park which is a protected employment area.

3.3 The site is located in Flood Zone 2.

4  Policy Considerations

National Planning Practice Guidance
4.2 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in favour of Sustainable Development
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 11 - Spatial Strategy
Policy 22 - Delivering Economic Prosperity
Policy 23 - Distribution of New Jobs

4.3 Other Documents
Northamptonshire County Council – Local Highway Authority Standing Advice and Parking Standards (2016)
Rural North Oundle and Thrapston Plan 2011
Flood Risk Standing Advice
Emerging Oundle Neighbourhood Plan

5 Relevant Planning History

5.1 18/00984/FUL - Infill area of three large unused roller shutter doors to include the change of use of internal storage space to provide a staff rest area - Permitted 24.07.2018

5.2 17/01024/FUL - New storage warehouse - Permitted 19.07.2017

5.3 08/01485/FUL - Extension to boat production unit - Permitted 23.10.08

5.4 08/00992/FUL - 151 square metre portal frame building for the use of boat component manufacturing - Permitted 29.09.08

5.5 07/00264/FUL - Phase 3 Boat production building including covered test tank and car parking, revised scheme to EN/05/01052/FUL - Permitted 30.03.07

5.6 07/00230/FUL - New portal frame building for use as an assembly area - Permitted 10.04.07

5.7 05/01052/FUL - Proposed phase 3 erection of production building including covered test tank and car parking - Permitted 20.07.05

5.8 02/00868/FUL - Weatherproof the sides of a covered area - Permitted 05.11.02

6 Consultations and Representations

6.1 Neighbours: No comments received.

6.2 Oundle Town Council: No objection - comments received - summarised as:

First response: No objection subject to appropriate conditions being imposed as follows:
1. All parking spaces taken up by the temporary building to be replaced elsewhere on the business park.
2. A sufficient number of parking spaces for the staff working in the temporary building to be provided on the business park.
3. The temporary building to be removed by an appropriate specified date and the site returned to the same state as it was prior to the erection of that building.
4. The materials to be used and the construction of the building to be compatible with other structures on the business park.
Second response: No objection subject to appropriate conditions being imposed to cover points 1 - 3 in our earlier response. Also the Town Council would also like it noted that many Fairline employees already park in the public long stay carpark which is unacceptable. It is therefore imperative Fairline create enough parking for all employees on site.

Officer note: The application is for a permanent structure, although the buildings will have a limited lifespan.

6.3 Northamptonshire County Council – Local Highway Authority (LHA): Comments received:

First response: The applicant is requested to carry out an onsite parking survey to establish the number of available spaces and to reference the required spaces in accordance with the Northamptonshire County Council Parking Standards document dated September 2016.

Second response: Providing the additional 27 parking spaces can be achieved replacing the 22 spaces lost as a result of the proposed building, the LHA would offer no further observations. I would suggest a suitably worded condition is included to ensure as a result of the proposals there is not a net loss of staff parking.

Following these comments, the applicant has submitted a parking beat survey to identify how many vacant spaces are available within the site throughout the day. The LHA has been re-consulted, but at the time of writing this report no further comments have been received. Any further comments will be reported on the update sheet.

6.4 East Northamptonshire Council - Environmental Protection Officer: No comments to make.

6.5 Northamptonshire County Council - Archaeology: No comments to make.

6.6 Northamptonshire County Council - Lead Local Flood Authority: No comments.

6.7 Environment Agency: No objections.

6.8 Natural England: No comments to make - refer to standing advice.

6.9 Northants Badger Group: No comments to make.

7 Evaluation

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

Principle of Development

7.2 This proposal is to install a modular office building to accommodate offices and meeting rooms for existing staff which would be used in connection with the existing use of the site. It would also allow for further recruitment. The development would support the current employment use on the site and as such the principle of the development is considered acceptable.

7.3 The resultant three storey pre-fabricated portable units would be stacked to provide 864m2 of floor space on a footprint of 288m2. It is proposed that the building would be provided in three stages (identified on drawing 0306):
1. Year one - 3 no ground floor units would be installed;
2. Year two - the remaining 3 no. ground floor units and first floor units would be installed;
3. Year three - the second floor units would be installed.

7.4 The Town Council has requested that any planning permission has a condition attached to it to ensure that the buildings are removed by an appropriate specified time and that the land is restored to its former state. There is no justification provided for why a temporary condition should be attached to this permission. Whilst the structures are temporary in their nature, they have a limited life span and will at some point in the future have to be removed or replaced when they are no longer fit for purpose. There is no policy requirement or planning reason why the Local Planning Authority should put a timeframe on this e.g. because of visual impact or harm to open countryside. Therefore this request is unjustified in this instance. However, it would be reasonable to add a condition to specify that when the buildings are removed from site that the land is restored to its former state. It should also be noted that the applicant has not requested a temporary permission and that the third modular block will not be added until year three.

**Visual Impact**

7.5 The Town Council expressed a concern that the materials used should be compatible with the rest of the site. Officers are of the opinion that the cream-coloured coated steel sheeting modular units, with metal-framed windows and timber doors would be of a commercial appearance and would complement the existing buildings on site. This design would be appropriate for this setting and the building would not have an unacceptable visual impact on the site. The building would be located to the southeast of the main building on the site and would be screened from the A605 by a high level mature boundary treeline. To face onto the yard between the building and the current car park, the proposal would not be highly visible to the fast moving traffic on the A605 or from the public domain. In addition, the design of the building would be in keeping with the commercial nature of the site.

7.6 In summary, the proposed modular building would not have an unacceptable impact on the character and appearance of the existing commercial premises or the adjacent area.

**Impact on Residential Amenity**

7.7 The site is contained within an established business park and there are no residential properties immediately adjacent to the site. Other business users are located to the north and south east of the site and the A605 is to the east with open countryside and the river beyond. Given the siting of the building, this proposal would not have a detrimental impact on surrounding land uses. The Council’s Environmental Protection Team has been consulted and has not raised any objections to the proposal.

**Impact on Highway Safety / Parking**

7.8 The proposal would result in a loss of parking by building on the existing car park (approximately 24 spaces). The proposed plans show that a maximum number of 278 spaces would be available on the site to accommodate parking for the existing use and the proposed use [note – figures taken from latest submitted plans].

7.9 A parking beat survey submitted with the application demonstrates that the car park is not at capacity at present. The survey shows that there are between 44 and 79 vacant spaces on site throughout the working week, on average. A B1 use, such as the
proposal generates a requirement for 1 space per 30 square metres and 10% should be
disabled provision. Therefore 29 spaces would be required for the proposed use. Three
spaces would therefore need to be widened to allow for disabled users of the car park.
The parking beat survey demonstrates that there is sufficient space within the existing
car park to accommodate a possible increase in visitors to the site, should the building
ever be fully occupied. A condition could be added to any permission granted to request
a revised parking layout to identify the three disabled bays to ensure that they are
provided.

7.10 The Local Highway Authority has not yet commented on the parking survey that has
been provided, but previously raised no objection to the parking levels, despite the
concerns raised by the Town Council about parking provision.

7.11 There would be no change to the vehicular access to the site.

8 Other issues

8.1 Impact on flooding: The temporary building is located in flood zone 2. The Environment
Agency has not objected to the proposal after reviewing the Flood Risk Assessment.
The proposed development is classified as less vulnerable development and in
accordance with the flood risk standing advice this is a compatible use in flood zone 2.

8.2 Access: The building would have level access from the yard to the western elevation -
which would be served by stairs and a lift to provide access to all floors. A fire exit would
be added to the eastern elevation to provide an escape route from the first and second
floors.

8.3 Town Council's concerns: Parking issues have been addressed in paragraphs 7.8 –
7.10. The applicant has responded with regard to their staff parking in the public car
park. It is understood that as this car park is to the east side of the site and due to the
direction they travel to work this not only saves fuel, it saves pollution, reduces the traffic
through the centre of Oundle, reduces traffic at the Nene Bridge and on the A605. The
Applicant is unable to dictate where their employees park and this is a public car park.
There is sufficient space within the site to accommodate all staff so the issue is not
caused by a lack of parking.

9 Conclusion

9.1 Overall, the proposal is considered to be acceptable and would have no significant
adverse visual impact, no impact on the amenities of neighbouring properties or on
highway safety and would not impact on flooding. The proposal would support an
existing employment site. Therefore a refusal of planning permission would not be
justified.

10 Recommendation

10.1 It is recommended that planning permission be GRANTED subject to conditions.

11 Conditions/Reasons -

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

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act (as
amended).
2. The development hereby permitted shall be carried out strictly in accordance with the approved plans and drawings: 0301A Site layout plan, 0302A Front elevations, 0304A Side elevations looking north, received by the Local Planning Authority on 03.12.2018 and 0303 Rear elevations, 0305 Side elevations looking south, 0306 Construction phasing received by the Local Planning Authority on 16.11.2018.
   **Reason:** In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

3. The development the subject of this planning permission shall be carried out using material details as listed in the application form dated 16.11.2018.
   **Reason:** To achieve a satisfactory elevational appearance for the development.

4. Prior to the first use of the building hereby permitted, the proposed parking provision, as stated in this application and shown on drawing number 190716-1A to compensate for the loss of spaces within the footprint of the building, shall have been completed and brought into use. The car park shall also make provision for three disabled parking bays. The parking spaces shall thereafter be maintained and retained for parking purposes.
   **Reason:** For the interest of highway safety.

5. Upon the removal of the approved office buildings from the site, the land shall be restored to its former state and made good.
   **Reason:** In the interests of visual amenity and to ensure that the site is left in a tidy state once the buildings are removed.

12 **Informatives**

1. In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.
18/02351/FUL - 103 High Street, Rushden
Case Officer  Joe Davies

Date received  05 December 2018  Date valid  08 January 2019  Overall Expiry  05 March 2019  Ward  Rushden Hayden  Parish  Rushden

Applicant  Mr D Morris – Tompkins Robinson Surveyors on behalf of East Northamptonshire Council

Location  103 High Street, Rushden, NN10 0NZ

Proposal  Demolition of existing building

This application has been brought before the Planning Management Committee as the site is owned by East Northamptonshire Council.

1  Summary of Recommendation

1.1  That planning permission be GRANTED subject to conditions.

2  The Site and Surroundings

2.1  The site lies within Rushden town centre and comprises a single 2 storey building believed to date from the early 20th century. The building comprises a vacant retail unit at ground floor level. The first floor level appears to have been used for both storage and as a residential unit historically. However, it has been vacant for a significant period of time.

2.2  The site lies within the Rushden Conservation Area. To the south of the existing building is a parking area with an estate agent to the south of this. To the north of the site is a public house. To the east of the site is High Street and to the west is open space, with an Iceland supermarket on the opposite side of this.

3  The Proposal

3.1  Planning permission is sought for the demolition of the existing building, with the site left as public open space following the demolition. The exact details of the reinstatement of the site as open space are to be agreed at a later date (condition 2 is recommended to secure this).

4  Policy Considerations

4.1  National Policy and Guidance
National Planning Practice Guidance (NPPG)

4.2  North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 8 - North Northamptonshire Place Shaping Principles
Policy 22 - Delivering Economic Prosperity
4.3 Rushden Neighbourhood Plan (Made Version, June 2018)
Policy EN1 - Design in Development
Policy CL2 - Provision of new open space and amenity space
Policy R2 - Shopping Frontages

4.4 Other Documents
Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)

5 Relevant Planning History

5.1 - 56/0085/RUS – Conversion of store room to flat – PERMITTED (14.05.1956)
- 72/0590/RUS – Extension – PERMITTED (01.03.1973)

6 Consultations and Representations

6.1 Neighbours
No comments received.

6.2 Rushden Town Council

Comments received 21.02.19: No objections.

6.3 East Northamptonshire Council - Senior Conservation Officer

Comments received 13.03.19: The application building is located within the Rushden Conservation Area, but it was not identified as a building which positively contributes to the character and appearance of the area during the review carried out in 2007. I therefore have no objections in principle to its demolition. Notwithstanding this, I do not consider that we have enough information to determine this application as things currently stand, as it is not clear what is going to happen to the site following the building's removal. At the very least I would expect to see a proposed site plan.

Further informal discussions clarified that the Conservation Officer was happy for the details of how the site will be left to be conditioned.

6.4 East Northamptonshire Council Environmental Protection

Comments received 30.01.19: Environmental Protection has been consulted on this planning application to demolish the existing, redundant building at this address. There are no obvious environmental issues with this, but we would ask that conditions are placed on the permission to safeguard the amenity of the area during the demolition works. The following should suit.

Hours of work
No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.

Reason: To ensure the protection of the local amenity throughout construction works
Dust mitigation
During demolition the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.
Reason: To ensure the protection of the local amenity throughout construction works

Aggregate processing
No demolition products (concrete, bricks, soil, etc) shall be processed (crushed or sorted) on-site, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the protection of the local amenity throughout construction works

No burning
There shall be no burning of any material during demolition or site preparation works.
Reason: To minimise the threat of pollution and disturbance to local amenity.

6.5 Natural England

Comments received 14.02.19: Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice.
6.6 Northamptonshire County Council – Local Highway Authority

Comments received 29.01.19: Thank you for sending us the application plans on the above proposal as the Local Highway Authority (LHA) and I would like to make the following observations:

The LHA would require a Construction Management Plan to contain information relating to the following:

- Parking of contractors vehicles during the demolition;
- The apparatus involved in the works and where this will be located and stored;
- Methods to minimise dust;
- Wheel washing facilities where applicable.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

Design, Reinstatement and Impact on the Conservation Area

7.2 The existing building was not identified as a building that positively contributes to the Conservation Area during a review carried out in 2007. The retail unit which has largely been vacant in recent years, has a large roller shutter door at ground floor level which detracts from the appearance of the Conservation Area and the building is also in poor condition aesthetically. The removal of this building from the street scene, provided that the site is left in a suitable condition following demolition, would therefore be beneficial to the street scene, which is the main shopping area in Rushden and would enhance the Conservation Area.

7.3 The impact of the demolition of the building on design, visual amenity and the Conservation Area is therefore considered to be acceptable, subject to a condition requiring details of how the site is to be reinstated following demolition to be submitted to and agreed in writing with the Local Planning Authority.

Highway Safety and Parking

7.4 The proposed demolition would not result in a reduction in parking provision on High Street and would not create any additional floor space. There would therefore be no long term impact on highway safety as a result of the proposed demolition. A Construction Management Plan will however be conditioned to ensure that there would be no significant adverse impact to traffic on High Street whilst the proposed works are being undertaken.

Residential Amenity

7.5 The proposed demolition would have no impact on any nearby properties as there is no new structure proposed in place of the existing building. However in line with the comments from the Council’s Environmental Protection Team, hours of work, dust mitigation, no burning and no processing of aggregate at the site shall be conditioned to ensure that there are no adverse impacts on neighbours whilst the proposed works
are being undertaken.

**Town Centre Vitality and Viability**

7.6 Although the proposed development would result in the loss of a retail unit, the unit appears to have been vacant since around 2011 and is in a poor state of repair. As a result its loss would not result in harm to the vitality and viability of the area. The fact that the site would provide open amenity space would actually enhance the vitality and viability and in this instance this loss is therefore considered to be acceptable.

8 **Recommendation**

8.1 That planning permission be GRANTED subject to the following conditions:

9 **Conditions**

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
   **Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2 Prior to the commencement of the proposed development, full details of the reinstatement of the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out in accordance with the approved details.  
   **Reason:** To ensure that the appearance of the site following the proposed works does not result in harm to the street scene or the Rushden Conservation Area.

3 The development hereby permitted shall be carried out in accordance with the following approved plans:  
   Site Location Plan.  
   **Reason:** To define the terms of the planning permission.

4 Prior to the commencement of the development hereby permitted, a Construction Management Plan including the following information:  
   - Parking of contractors vehicles during the demolition;  
   - The apparatus involved in the works and where this will be located and stored;  
   - Methods to minimise dust;  
   - Wheel washing facilities where applicable.  
   Shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out in accordance with the approved Construction Management Plan.  
   **Reason:** To ensure that the proposed development has no adverse impact on highway safety.

5 No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.  
   **Reason:** To ensure the protection of the local amenity throughout construction works.
6 During demolition the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

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

7 No demolition products (concrete, bricks, soil, etc.) shall be processed (crushed or sorted) on-site, unless otherwise agreed in writing with the Local Planning Authority.

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

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

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

10 **Informatives**

1 In reaching this decision this Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.

2 As pre-commencement conditions have been included as part of this permission, these have been agreed in writing with the applicant.

3 The details regarding the reinstatement of the site should include a proposed Site Plan, as well as details of any proposed landscaping, security measures and/or fencing to be erected.
## Index of Applications for Consideration

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**Update**

*Additional objections* (x3) were received from previous objectors, on publication of the report. New objection issues, or issues that were not fully covered by officers’ summary, include the following:

- **a.** Policy presumes against village-edge development – the Rural North, Oundle and Thrapston Plan is quoted.
- **b.** The Village Design Statement (VDS) has been ignored; this presumes against backland development.
- **c.** The Ecology report is out of date and only applies to the adjacent site fronting Church Road. Protected species including Great Crested Newt might be adversely affected.
- **d.** The report is incorrect in referring to a demolished previous house on the site.
- **e.** Two bungalows would be better suited to local needs.
- **f.** It will obstruct a previously open vista.
- **g.** No provision for social housing.
- **h.** No infrastructure improvement offered by developer.

*A letter of support* states:

- **i.** It fits in well.
- **j.** Access is wider than many, and
- **k.** it will not make a noticeable difference to traffic flow.

**Officer response:**

- **a.** The policy reference above is not correct; the objector has quoted the wrong policy as the quoted plan only applies elsewhere in the district. The relevant policy is in the Joint Core Strategy that allows infill development in the villages.
- **b.** The VDS is dated 2002. It was last reviewed by officers in our policy team in 2007. It is dated, not
been made public, nor has it been the subject of consultation. Consequently it cannot be given weight in decision making.

c. Ecology information was updated to June 2018. The report is essentially a risk assessment and it is agreed the risk of ecology harm is low. The report was focused on the adjacent site at the front but was updated to June 2018. This is sufficient particularly given the low risk identified. Condition 7 (ecology) is about good site management and offers protection for hedgehogs.

d. It is agreed the site was not the location of a demolished house. The error is of little consequence as it does not affect officers’ conclusions that the site is an acceptable infill site.

e. The housing has to be judged on its design and impact. Smaller units would be welcomed as they are more likely to meet unmet demands, but such an option would inevitably need to be accompanied by higher number of houses.

f. – k. – these are all addressed in general terms in the report.

No change to the recommendation is advanced.

**18/02226/FUL**

**Fairline, Nene Valley Business Park, Oundle, Northamptonshire**

**Update**

The submitted plans may have caused some confusion as a number of alternative layouts have been shown. The applicant has confirmed that:

- The site, as existing, has 260 car parking spaces;
- Once the proposal is constructed, the site could accommodate 278 spaces, despite building on part of the existing car park;
- There is an increase of 18 spaces.

Comments received from the Local Highway Authority following the receipt of revised plans showing an alternative parking layout as well as a parking beat survey:

“Thank you for sending us the application plans on the above proposal as the Local Highway Authority (LHA) and I would like to confirm the following observations:

I can confirm that based on the parking survey provided and the supporting proposed site plan the LHA has no further observations relating to this application other than to recommend suitably worded condition to secure the proposed parking layout.”
Condition 2 is amended as follows:

The development hereby permitted shall be carried out strictly in accordance with the approved plans and drawings: 190716-1A Site plan car parking revised proposal received on 18 July 2019, 0302A Front elevations, 0304A Side elevations looking north received on 3 December 2018, and 0303 Rear elevations, 0305 Side elevations looking south and 0306 Construction phasing received on 16 November 2018.

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