

APPLICATIONS FOR DETERMINATION

DEVELOPMENT CONTROL COMMITTEE - 20 October 2010

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Committee Report

Committee Date : 20 October 2010

Printed: 7 October 2010

Case Officer **Mr Rhys Bradshaw**

EN/09/00936/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
17 June 2009	19 June 2009	14 August 2009	Lower Nene	Ashton

Applicant **OHL Ltd**

Agent **David Jackson**

Location **Potting Sheds Ashton Wold Ashton Northamptonshire**

Proposal **Creation of five new two bedroom residential dwellings for holiday units to compliment Phase 1 Approved under 07/01174/FUL**

At its meeting on 10.03.2010 the Development Control Committee resolved to overturn the Officer recommendation and approve the application in light of additional information received regarding need and viability. Before the decision was issued, the building was grade II listed by English Heritage. The application is brought back before the Committee for determination as the impact on the character of the listed building had not been considered at this time. This application is now accompanied by an application for listed building consent, which is also reported to the Committee on this agenda.

1 Introduction

1.1 The Officers' report to committee of 10/03/2010 is appended to this report as Appendix A. The first report is also appended (B) for Member's information.

2. Consultations and Representations as a result of the listing

2.1 ENC Senior Conservation Officer: The walled garden and associated structures have recently been added to the statutorily list at grade II, in recognition of their importance as part of the wider Edwardian model estate, inter alia. The proposal to add additional structures to the kitchen wall would mask large sections of the wall and in doing so reducing its visual dominance, both internally and externally. This would go against the historic form of the structures. The works proposed are therefore considered at odds with policy HE9 of PPS5 which states that there should be a presumption in favour of the conservation of designated heritage assets. Accordingly, I object to the application.

3. Impact on the character of the listed buildings

3.1 The proposed holiday let units would infill the established gaps between the existing potting sheds. Officers previously expressed concerns that the introduction of additional units would have a detrimental impact on the rural character of the Ashton Wold Estate and, as a recommendation to Members, this still stands. The subsequent listing strengthens this view but the focus is now on the potting shed structures themselves. The Council's Senior Conservation Officer has expressed his concerns regarding the impact on the historic form of the structures as well as the fact that large sections of the kitchen wall would be masked. For this reason, an additional reason for refusal is recommended.

4 Recommendation

4.1 That planning permission should be REFUSED for the following reasons:

1.The proposed development, by reason of the increased density of buildings on site and the introduction of a linear form, will have a detrimental impact on the rural character of the Ashton Wold Estate. The proposal is therefore contrary to Policy 13(h) of the North Northamptonshire Core Spatial Strategy, Policy 2 of the East Midlands Regional Plan and Policy EC7 of PPS4.

2.The proposed development would have a detrimental impact on the historic character of the kitchen garden wall and the potting sheds by altering the historic form of the complex of structures and masking the garden wall and therefore reducing its visual dominance. The proposal is therefore contrary to policy HE9 of PPS5 which states that there should be a presumption in favour of the conservation of designated heritage assets.

APPENDIX A : report to Planning Committee – 10/03/2010

This application is brought back before the Planning Committee for determination after Members resolved to defer determination to allow the applicant to submit additional information in relation to the need and viability of the proposed new build holiday let units.

1 Introduction

1.1 The Officers' report to committee of 30/09/2009 is appended to this report.

2. Additional Information

2.1 The applicant has submitted information in an attempt to identify the need for the additional holiday let units at Ashton Wold and the financial viability of such accommodation.

2.2 The applicant's analysis of the need for additional accommodation concentrates specifically on the requirement for lets with fewer bedrooms. All five units proposed under this application have 2 bedrooms.

2.3 Two letters of support have been submitted, one from the Estate Office of OHL Ltd and the other from the operator of the Chequered Skipper public house in Ashton. The Estate Office confirms it has received requests for one and two bedroom holiday accommodation in the past whilst also confirming that the estate has no such accommodation at present. The operator of the Chequered Skipper is also of the opinion that there is a need for this type of accommodation to support their own wedding/tourism and meeting package. This letter of support states that there are nearly 30 functions booked so far this year.

2.4 A statement on the viability of the proposed holiday let units uses figures drawn from the existing operations on site, identifying yields of some 6-9%.

2.5 The applicant has also submitted their own assessment of holiday accommodation in the Oundle/Ashton area; including Warmington, Wigsthorpe and Nassington. This survey identified 24 properties in this area offering holiday let accommodation, 8 of these offering 2 bedrooms. Whilst this information goes some way to highlighting the apparent lack of accommodation comprising smaller bedroom numbers in the Oundle area, it is just a list of accommodation that does not indicate occupancy rates.

2.6 It must also be highlighted that this supporting information does not include details of how frequently the applicant has had to turn visitors away from the existing facilities at Ashton Wold because of the lack of smaller units. This level of evidence was accepted in support of a similar application approved in Nassington (EN/09/00936/FUL). For Member's information, the existing lets on site include the following:

The Stable Block
Newmarket Rooms – 2 bedroom unit
Gold Cup Rooms – 3 bedroom unit
St. Ledger – 4 bedroom unit

Wildflower barn
3 bedroom unit

Applestore
3 bedrooms

Tansor Grange Farm
3 x 3 bedroom units
1 x 4 bedroom unit

Potting Sheds Phase 1
2 x 5 bedroom units
1 x 2 bedroom unit
1 x 3 bedroom unit
1 x 4 bedroom unit

Stamfordhovels
4 bedroom unit

3. Assessment of additional information

3.1 For the reasons given in section 7.2 of the appended report, Officers recommended that the application be refused in the absence of adequate justification of need.

3.2 Whilst advocating the reuse of existing buildings, The Good Practice Guide on Planning for Tourism advises that “there will be some occasions where development for tourism is sought at a location where it will be difficult to meet the objective of access by sustainable modes of transport. The choice of location may have been determined by a functional need...Developers and planners may find that in such cases there will be limited opportunities to make the development accessible by sustainable modes of transport or to reduce the number or proportion of visits made by car. For small-scale schemes, the traffic generated is likely to be fairly limited and additional traffic movements are therefore unlikely to be a reason for refusal for otherwise suitable tourism developments. In all cases, planners will need to weigh up the other benefits of a tourism proposal against any disadvantages arising from its location.” Annex A of the same document reiterates the advice in PPS7 that local planning authorities should support the provision of other forms of self-catering holiday accommodation in rural areas where this would accord with sustainable development objectives.

3.3 Since this application was last considered by the Development Control Committee, the Department for Communities and Local Government has published PPS4: Planning for Sustainable Economic Growth, which offers further guidance in respect of applications for economic development. Policy EC7 advises that local planning authorities should support the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Policy EC10 states that local planning authorities should adopt a positive and constructive approach towards applications for economic development and that planning applications that secure sustainable economic growth should be treated favourably. Policy EC12.1 (b) advises that local planning authorities should support small scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, recognising that it may be an acceptable location for development even though it may not be readily accessible by public transport.

- 3.4 East Northamptonshire Council has produced a Draft Tourism Strategy 2010-15 for consultation in December 2009, which identifies that "the district is also short of quality overnight accommodation, with only 33 accredited accommodation providers". This document also highlights that the opportunities to significantly increase provision are limited.
- 3.5 Taking into account new policy guidance, the location of the site in close proximity to other holiday let facilities and the longer term benefits for the local economy generated by additional tourism accommodation, on balance, the submitted evidence of need is considered sufficient enough to overcome a reason for refusal based on the principle of the development of new buildings in the open countryside.
4. Impact on the character of the Ashton Wold estate.
- 4.1 Notwithstanding the conclusions drawn above regarding the evidence of need and the principle of the proposed development, the assessment made in section 7.3 of the appended report is still relevant. No further information has been submitted to demonstrate that the proposed new-build holiday let units will have an acceptable impact on the rural character of the Ashton Wold Estate. Policy EC7 of PPS4 strengthens this view by advising that local planning authorities should support sustainable rural tourism that benefits rural businesses, communities and visitors and which utilise and enrich rather than harm the character of the countryside, its towns, villages, buildings and other features. In this regard, it is considered inappropriate to grant planning permission for a form of development that would result in a suburbanisation of the estate and harm its intrinsic quality and character, which is the very reason why tourists will be attracted to the site. As such, this reason for refusal remains.
- 5 Recommendation
- 5.1 That planning permission should be REFUSED for the following reason:

1.The proposed development, by reason of the increased density of buildings on site and the introduction of a linear form, will have a detrimental impact on the rural character of the Ashton Wold Estate. The proposal is therefore contrary to Policy 13(h) of the North Northamptonshire Core Spatial Strategy, Policy 2 of the East Midlands Regional Plan and Policy EC7 of PPS4.

APPENDIX B : report to Planning Committee – 03/12/2008

This application is reported to the Development Control Committee because the proposed development exceeds the threshold in the scheme of delegation of 1 new dwelling in the open countryside.

- 1 Summary of Recommendation
- 1.1 The application be REFUSED
- 2 The Proposal
- 2.1 The application proposes the erection of 5 purpose built holiday let units. The units are designed to compliment an existing range of potting sheds, which are to be converted into five holiday let units under application reference EN/07/01174/FUL
- 2.2 The proposed units will have two bedrooms and will be sited to infill gaps in the existing range of sheds.
- 2.3 The application also proposes 10 parking spaces in addition to 10 provided under the previous application.

- 3 The Site and Surroundings
 - 3.1 The application site forms part of the Ashton estate and is situated in the open countryside some 2 miles away from the nearest public highway. The site is reached via an access road leading from Ashton village and there is a further access from the Polebrook Road.
 - 3.2 Within the estate are a group of dwellings and former farm buildings which have been converted to general residential use and lie in a group close to the main Ashton Wold Manor House. Some of these buildings originally formed staff accommodation for people employed at the main house.
 - 3.3 There is a small communal parking area adjacent to the access road, this can accommodate approx 10 parked cars.
 - 3.4 A stable block has recently been converted to provide holiday let accommodation. The accommodation for estate tenants.
 - 3.5 The site includes a walled garden with a number of greenhouses and a swimming pool. The buildings and garden are generally in a poor condition and in semi derelict state and the garden overgrown. The area is generally well wooded and lies to the west of Ashton Wold House.
- 4 Policy Considerations
 - 4.1 Planning Policy Guidance Notes/Statements
 - PPS1 – Delivering Sustainable Development
 - PPS3 – Housing
 - PPS7 – Sustainable Development in Rural Areas
 - PPS9 - Nature conservation
 - 4.2 Regional Spatial Strategy 8: East Midlands Regional Plan
 - Policy 2 Promoting Better Design
 - Policy 24 Regional Priorities for Rural Diversification
 - Policy 27 Regional Priorities for the Historic Environment
 - Policy 42 Regional Priorities for Tourism
 - 4.3 North Northamptonshire Core Spatial Strategy
 - Policy 13 – General Sustainable Development Principles
 - 4.4 East Northamptonshire District Local Plan
 - There are no saved policies relevant to this proposal.
 - 4.5 Rural North Oundle and Thrapston Plan Submission Document
 - Policy 1 – Settlement Roles
 - (Please note that this document has not been adopted by members)
 - 4.6 Supplementary Planning Guidance-
 - Good Practice Guide on Planning for Tourism
- 5 Relevant Planning History
 - 5.1 EN/07/01174/FUL – Conversion of former potting sheds and walled garden into five holiday let units. APPROVED
- 6 Consultations and Representations
 - 6.1 Neighbours – 3 letters of support have been received from residents of Ashton Wold.
 - 6.2 Parish Council: No objection.
 - 6.3 Warmington Parish Council: No objection
 - 6.4 NCC Rights of Way: No objection

- 6.5 Natural England: No objection
- 6.6 Wildlife Trust: Comments – Application is close to designated wildlife site therefore care needs to be taken during construction operations and the subsequent use in order to protect the site and its wildlife from possible impacts.
- 6.7 ENC Conservation Officer - While I have no objection to this proposal, I did want to clarify the position of the landscaping element. The scheme for the re design of the walled garden was agreed as part of the last application (07/01174). Will this still stand if a new planning permission is determined as it will need to be amended to facilitate the changes in the site layout.
- 6.8 Northants Badger Group – No comments
- 6.9 NCC Highways – No objection subject to conditions to ensure the reconstruction of the vehicular access.
- 7 Evaluation
- 7.1 The following issues are relevant to the determination of this application:
- 7.2 Principle of development:
- 7.2.1 PPS7 promotes more sustainable patterns of development in the countryside. PPS7 and policies in the Regional Plan generally support the development of tourism accommodation in the open countryside.
- 7.2.2 PPS7 advises however that wherever possible, tourist and visitor facilities should be housed in existing or replacement buildings, particularly where they are located outside existing settlements. The Good Practice Guide on Planning for Tourism also advocates this approach. Facilities requiring new buildings in the countryside may be justified where the required facilities are needed in conjunction with a particular countryside attraction or to allow appropriate facilities needed to enhance visitors' enjoyment, and/or improve the financial viability, of a particular countryside feature or attraction, providing they will not detract from the attractiveness or importance of the feature, or the surrounding countryside.
- 7.2.3 Whilst some of the recent applications at Ashton Wold, including the most recent proposal linked to the potting shed complex, involved the conversion of existing buildings, the application considered here is purely for new buildings. No evidence of need had been submitted in support of the application and the proposed units will not be linked to a particular countryside attraction.
- 7.3 Design and Layout
- 7.3.1 The design of the units themselves reflects the character and appearance of existing former porting sheds by following the simple lean-to form, utilising the high garden wall as the spine. The southern side of the wall facing the private gardens would be highly glazed to reflect the character of greenhouses within the walled garden, whilst the northern side would take on the appearance of brick built outbuildings with simple fenestration details and wooden entrance doors.
- 7.3.2 Notwithstanding this, it is considered that the intensification of the number of units from 5 to 10 and the proposed linear layout would have a detrimental impact on the character of the Ashton Wold estate. The infilling of the gaps between the existing sheds (to be converted) with new build units would create a more urban character in what is essentially a countryside setting by increasing the density of the built form and arranging buildings in a more formal layout. The resultant length of the range of holiday lets will extend to 122 metres. Surrounding buildings, which consist of former workers dwellings, outbuildings and converted holiday lets are collectively at a low density. This lower density manifests itself in a less formal arrangement of the buildings on site.

7.4 Neighbouring amenity:

7.4.1 The Gardener's Cottage and two other former workers dwellings are situated to the west and southwest of the walled garden and potting shed buildings. Given the single storey height of the proposed units and their orientation away from the existing dwellings, the impact on the occupiers of these buildings is considered minimal.

7.5 Parking

7.5.1 The existing access road is of sufficient width to allow the additional traffic associated with the proposed use. The access road is currently in need of repair as it is deeply potholed in part. This slows down the speed of traffic passing along its length. Whilst the Highway Authority has requested a condition to secure alterations to the access road, its repair is a management matter for the estate and it is not considered necessary to require the improvement or upgrading of the access road to serve the addition units proposed in this application. There is ample space for vehicles to pass and for on site turning and parking in connection with the proposed use. On site turning is provided and pedestrian visibility splays at the access of 2m by 2m are provided.

8 Other issues

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

8.2 Impact on trees – The Council's Arboricultural Officer has raised questions regarding the landscaping scheme. If this scheme were considered acceptable, the same landscaping condition as application reference EN/07/01174/FUL could be attached.

8.3 Access for the Disabled - No disabled issues are considered relevant to the determination of this application

9 Recommendation

9.1 That planning permission should be REFUSED for the following reasons:

Conditions/Reasons -

1. The proposed development, by reason of the increased density of buildings on site and the introduction of a linear form, will have a detrimental impact on the rural character of the Ashton Wold Estate. The proposal is therefore contrary to Policy 13(h) of the North Northamptonshire Core Spatial Strategy, and Policy 2 of the East Midlands Regional Plan.
2. In the absence of an adequate justification of need, the proposed development is considered contrary to PPS7 on the basis that the proposed tourist accommodation comprises new buildings in the open countryside.

Informatives

1. The drawings to which this decision relates are as follows: Drawing No.s 1, 2, 499/02/01, 499/02/02, 499/02/03, 499/02/04, 499/02/05, 499/02/06, 499/02/07, 499/02/08.
Received by the Local Planning Authority on 17th June 2009

Committee Report

Committee Date : 20 October 2010

Printed: 7 October 2010

Case Officer **Mr Rhys Bradshaw**

EN/10/00788/LBC

Date received	Date valid	Overall Expiry	Ward	Parish
27 April 2010	4 May 2010	29 June 2010	Lower Nene	Ashton

Applicant **Ashton Holiday Homes**

Agent **David Jackson**

Location **Potting Sheds Ashton Wold Ashton Northamptonshire**

Proposal **Refurbishment of former potting sheds and walled garden to incorporate five no. holiday units, tennis court and all other associated site works**

This application is reported to the Development Control Committee because previous applications on this site have also been reported to the Committee. The proposed works are tantamount to the creation of additional dwellings, which exceeds the threshold in the scheme of delegation of 1 new dwelling in the open countryside.

1 Summary of Recommendation

1.1 The application be GRANTED subject to conditions.

2 The Proposal

2.1 The application proposes works required to convert the former potting sheds into five no. holiday let units and a tennis court.

2.2 Planning permission for the conversion has already been granted in 2007 (EN/07/01174/FUL) however; the buildings have since been grade II listed and therefore the works require listed building consent.

3 The Site and Surroundings

3.1 The application site forms part of the Ashton estate and is situated in the open countryside. The site is reached via an access road leading from Ashton village and there is a further access from the Polebrook Road.

3.2 Within the estate are a group of dwellings and former farm buildings which have been converted to general residential use and lie in a group close to the main Ashton Wold Manor House. Some of these buildings originally formed staff accommodation for people employed at the main house.

3.3 There is a small communal parking area adjacent to the access road, this can accommodate approx 10 parked cars.

3.4 A stable block has recently been converted to provide holiday let accommodation. The former staff houses have been refurbished and are used as general residential accommodation for estate tenants.

- 3.5 The site includes a walled garden with a number of greenhouses and a swimming pool. The buildings and garden are generally in a poor condition and in semi derelict state and the garden overgrown. The area is generally well wooded and lies to the west of Ashton Wold House.

4 Policy Considerations

- 4.1 Planning Policy Guidance Notes/Statements
PPS1- Sustainable Development
PPS5 – Planning and the Historic Environment
- 4.3 North Northamptonshire Core Spatial Strategy
Policy 13 – General Sustainable Development Principles

5 Relevant Planning History

- 5.1 EN/07/01174/FUL – Conversion of former potting sheds and walled garden into five holiday let units. APPROVED
- 5.2 EN/09/0936/FUL – Creation of 5 two bedroom dwellings for holiday units to compliment phase 1. PENDING
- 5.3 EN/10/01060/LBC – Creation of 5 two bedroom dwellings for holiday units to compliment phase 1. PENDING

6 Consultations and Representations

- 6.1 Neighbours – no comments received
- 6.2 Parish Council: no comments received
- 6.3 ENC Senior Conservation Officer: I can confirm that the amended plans received on 23 August 2010 overcome my initial concerns relating to the intensification of the internal works. I therefore wish to withdraw my objection to the scheme.
- 6.4 English Heritage: This application should be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.

7 Evaluation

- 7.1 The main consideration in the determination of application is the impact on the character of the grade II listed building.
- 7.2 Effect on the special architectural or historical interest of the listed building.
- 7.2.1 The majority of the proposed alterations are internal. These mainly involve the insertion of partition walls to create new rooms within the building and the installation of staircases to access the first floor and communal basement areas.
- 7.2.2 The Council's Senior Conservation Officer initially expressed some concern regarding the intensification of some of these alterations, commenting that the interior was noted on the list description as being intact and therefore an important element of the listed structures. Having received amended drawings, Officers are now satisfied that the impact on the character of the listed building would be acceptable. These alterations include forming openings in existing walls rather than removing them completely. Where openings are to be blocked up, they will be recessed so that they are still visible rather than entirely hidden as originally proposed.
- 7.2.3 It is proposed to block up some of the external doors to help create a logical internal layout. Whilst these openings will no longer be visible internally, externally the original doors will be retained in situ.

7.2.4 The major alteration to the outside of the building will be the reinstatement of the greenhouse roof which, although shown on the existing drawings, was in fact removed some time ago. This replacement would generally be on a like for like basis, although double glazed units are proposed here together with a profiled aluminium roof above some of the holiday units. It is considered that this change in material would have an acceptable impact on the character and integrity of the listed building.

8 Other issues

8.1 Highways – These issues are considered under EN/07/01174/FUL

8.2 Crime and Disorder - These issues are considered under EN/07/01174/FUL

8.3 Access for Disabled – These issues are considered under EN/07/01174/FUL

8.4 Protected Species – These issues are considered under EN/07/01174/FUL

Conclusion

In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS5, East Northamptonshire Local Plan and North Northamptonshire Core Spatial Strategy 2008 policy 13. Having regard to these, the representations received and any other material planning reasons, the main issue was identified as the impact on the listed building. The application has been recommended for approval as:

- The development would have an acceptable impact on the character of the listed building, taking into account treatment of blocked up openings and the formation of new openings in existing walls rather than removing them completely

Recommendation

It is recommended that the application be GRANTED subject to the following conditions.

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 development the subject of this planning permission shall be carried out using external materials matching those of the existing building, a sample of which shall have been submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall thereafter be constructed in accordance with these approved details.

Reason: To ensure the protection of the integrity of the listed building.

3. Prior to the commencement of the work, sections at a scale of 1:20 of new windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II Listed Building and its setting.

4. Prior to the commencement of the work, sections at a scale of 1:20 of the glazed roof hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of preserving the historic character, fabric and appearance of

the Grade II Listed Building and its setting.

5. No works shall take place until the implementation of a programme of building recording has been carried out in accordance with a written scheme of investigation submitted to and approved by the Local Planning Authority.

Reason: To ensure the protection of the integrity of the listed building.

Informatives

1. The drawings to which this decision relates are as follows :499/01, 499/02, 499/03, 499/04, 499/06, 499/07 499/09 received by the Local Planning Authority on 26/04/10 and 499/16 received by the Local Planning Authority on 23/08/10
2. In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS5, East Northamptonshire Local Plan and North Northamptonshire Core Spatial Strategy 2008 policy 13. Having regard to these, the representations received and any other material planning reasons, the main issue was identified as the impact on the listed building. The application has been approved as:
 - The development would have an acceptable impact on the character of the listed building, taking into account treatment of blocked up openings and the formation of new openings in existing walls rather than removing them completely

Committee Report

Committee Date : 20 October 2010

Printed: 7 October 2010

Case Officer **Mr Rhys Bradshaw**

EN/10/01060/LBC

Date received	Date valid	Overall Expiry	Ward	Parish
8 June 2010	17 August 2010	12 October 2010	Lower Nene	Ashton

Applicant **OHL Ltd**

Agent **David Jackson**

Location **Walled Kitchen Garden Ashton Wold Ashton Northamptonshire**

Proposal **Addition of five, two bedroom residential dwellings for holiday let purposes, abutting existing perimeter garden wall of existing walled kitchen garden on both sides. Works to wall include: steel fixings onto existing wall for new walls of new units to abut existing perimeter garden wall; steel fixings onto existing perimeter garden wall for new roof structures of new roof units abutting existing perimeter garden wall; build new wall up from existing perimeter garden wall; form openings in existing perimeter garden wall on the inside of the new units.**

1 Summary of Recommendation

1.1 The application be REFUSED

2 The Proposal

2.1 The application proposes the erection of 5 purpose built holiday let units. The units are designed to compliment an existing range of potting sheds, which are to be converted into five holiday let units under application reference EN/07/01174/FUL.

3 The Site and Surroundings

3.1 The application site forms part of the Ashton estate and is situated in the open countryside some 2 miles away from the nearest public highway. The site is reached via an access road leading from Ashton village and there is a further access from the Polebrook Road.

3.2 Within the estate are a group of dwellings and former farm buildings which have been converted to general residential use and lie in a group close to the main Ashton Wold Manor House. Some of these buildings originally formed staff accommodation for people employed at the main house.

3.3 The site includes a walled garden with a number of greenhouses and a swimming pool. The buildings and garden are generally in a poor condition and in semi derelict state and the garden overgrown. The area is generally well wooded and lies to the west of Ashton Wold House.

4 Policy Considerations

- 4.1 Planning Policy Guidance Notes/Statements
PPS5 – Planning and the Historic Environment
- 4.2 North Northamptonshire Core Spatial Strategy
Policy 13 – General Sustainable Development Principles

5 Relevant Planning History

- 5.1 EN/07/01174/FUL – Conversion of former potting sheds and walled garden into five holiday let units. APPROVED
- 5.2 EN/09/0936/FUL – Creation of 5 two bedroom dwellings for holiday units to compliment phase 1. PENDING
- 5.3 EN/10/00788/LBC – Conversion of former potting sheds and walled garden into five holiday let units. PENDING

6 Consultations and Representations

- 6.1 Neighbours – no comments received
- 6.2 Parish Council: No objections
- 6.3 ENC Senior Conservation Officer: The walled garden and associated structures have recently been added to the statutorily list at grade II, in recognition of their importance as part of the wider Edwardian model estate, inter alia. The proposal to add additional structures to the kitchen wall would mask large sections of the wall and in doing so reducing its visual dominance, both internally and externally. This would go against the historic form of the structures. The works proposed are therefore considered at odds with policy HE9 of PPS5 which states that there should be a presumption in favour of the conservation of designated heritage assets. Accordingly, I object to the application.
- 6.4 English Heritage: Do not wish to comment in detail but offer the following general information –
The proposal to further increase the amount of holiday letting seeks to further a principle already established by recent planning permission (ref EN/09/00936/FUL). However whilst the principle is acceptable in terms of finding a new lease of life for this group of listed structures this should not be at the expense of their special architectural and historic character. The initial proposal presented a balance in this respect allowing the main structure of the kitchen wall to remain dominant and contain all structures within and around it. This application noticeably weakens this important visual aspect, allowing the new residential development to gain undue prominence. Consequently the proposal will have a noticeable negative impact on the listed asset whilst setting a poor precedent in the rural setting of the Ashton Estate. Considering Policy HE9.2 within PPS5 it is recommended that this proposal be seen as causing substantial harm to the significance of the listed asset and we would advise that a correspondingly robust justification is secured before the proposal is found to be acceptable.

Recommendation – We urge you to address the above issues and recommend that this application should be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.
- 6.5 NCC Archaeology – No objection

7 Evaluation

7.1 The sole issue relevant to the determination of this application is the impact on the character of the listed buildings:

7.2 Impact on the character of the listed buildings

7.2.1 The proposed holiday let units would infill the established gaps between the existing potting sheds. Both English Heritage and the Council's Senior Conservation Officer have expressed concerns regarding the impact on the historic form of the structures as well as the fact that large sections of the kitchen wall would be masked. The form and dominance of the existing wall are important features of the listing of these structures. There is no doubt that additional units in the potting shed complex would not only mask the detail and dominance of the wall but also alter the historic form of the development. In accordance with policy HE9.2 of PPS5, the application should be refused.

8 Other issues

8.1 Highways – These issues are considered under EN/09/00936/FUL

8.2 Crime and Disorder - These issues are considered under EN/09/00936/FUL

8.3 Access for Disabled – These issues are considered under EN/09/00936/FUL

9 Recommendation

9.1 That planning permission should be REFUSED for the following reason:

Conditions/Reasons -

1. The proposed development would have a detrimental impact on the historic character of the kitchen garden wall and the potting sheds by altering the historic form of the complex of structures and masking the garden wall and therefore reducing its visual dominance. The proposal is therefore contrary to policy HE9 of PPS5 which states that there should be a presumption in favour of the conservation of designated heritage assets.

Informatives

1. The drawings to which this decision relates are as follows: Drawing no's
499/02/01
499/02/02
499/02/03
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Received by the Local Planning authority on 8 June 2010, 5 August 2010 and 17 August 2010.

Committee Delegated Report

Printed: 8 October 2010

Case Officer **Amie Baxter**

EN/10/01208/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
1 July 2010	9 July 2010	8 October 2010	Thrapston Lakes	Thrapston

Applicant **Saica Pack UK - Mr E Nogueroles**

Agent **Merebrook Consulting - Dr L Horsley**

Location **Plot 5 Haldens Parkway Thrapston Northamptonshire NN14 4QS**

Proposal **Erection of three external canopies adjoining existing general industry building and relocation of HGV parking bays**

This application is brought before the Development Control Committee in accordance with the scheme of delegation and as the Committee has had interest in the site previously.

1 Summary of Recommendation

1.1 The application be GRANTED subject to conditions.

2. The Proposal

- 2.1 The application seeks planning permission for the erection of external canopies: the largest of which would be attached to the north west elevation of the existing building and another smaller canopy would be positioned along the north east elevation.
- 2.2 The canopies are required to protect workers in inclement weather conditions and to allow for more efficient use of the existing internal space, currently used as unloading areas. SAICA is working towards AIB (American Institute of Bakers) accreditation which is awarded to packing plants where a high standard of hygiene is achieved. One of the requirements of the AIB accreditation is that the cardboard products should be manufactured in a separate area to where they are loaded onto the HGV and that loading bay doors serving the unit should be kept shut as much as possible. This is in order to prevent contaminants and vermin from entering the main production area. Therefore, SAICA is in need of a separate area, where the load can be picked and stored ready to be loaded onto the HGV. The loading bay doors can then be closed before the loading process takes place.
- 2.3 The proposed development would result in the need to relocate and reduce the number of existing HGV parking spaces within the application site from 20 HGV parking bays to 11.
- 2.4 The warehouse unit would comprise 59% of the total site area and the remaining 41% would comprise parking areas, roads and landscaping. The building would increase in size from 23557 sqm to 25,377 sqm, should the proposed canopies be approved.
- 2.5 The current use of the unit would remain the same and the level of production and number of staff would not increase from that permitted as part of a recently approved application for an extension (ref: EN/09/00826/FUL)

3. The Site and Surroundings

- 3.1 The site consists of an existing cardboard and packaging manufacturing plant occupied by SAICA, with associated storage and office space. Raw materials are transported to the site which are then made into corrugated cardboard, before being made into boxes to be transported elsewhere for use. A large proportion of the end users of the boxes are within the food industry.
- 3.2 The existing unit is constructed from blue steel sheet cladding under a grey sheet steel roof.
- 3.3 There are two points of access into the site to provide separate access for the staff parking area and the HGV service yard, both of which sit along the western boundary of the application site.
- 3.4 The site is located within an existing industrial area and is therefore surrounded on three sides by similar commercial and industrial units and open land sits to the North. Levels on the site remain fairly consistent with the exception of the existing landscape banking in the south western corner of the site.
- 3.5 The application site sits close to the A605, and has easy access to the A14 which runs close to the south of the site.

4 Policy Considerations

- 4.1 National Planning Policy Guidance
PPS1– Sustainable Development
PPS4- Planning for Sustainable Economic Growth.
PPS9- Biodiversity
PPG13- Transport
PPG24- Noise.
- 4.2 Regional Plan (RSS8)
On 6th July 2010, the Secretary of State for Communities and Local Government announced the revocation of Regional Strategies with immediate effect. Regional Strategies have been revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004.
- 4.3 North Northamptonshire Core Spatial Strategy 2008
Policy 8- Delivering Economic Prosperity
Policy 9-Distribution and Location of Development.
Policy 11- Distribution of Jobs.
Policy 13- General Sustainable Development Principles.
Policy 14- Energy Efficiency and Sustainable Development.
- 4.4 Rural North, Oundle and Thrapston Plan Inspectors Modifications, 8 July 2009
The Rural North Oundle and Thrapston Plan went through an examination process in 2008 and 2009. Following this examination on 8 July 2009 the Inspector found the document sound. However, as yet the Council has not adopted the Plan as a Development Plan Document as such the Council is still treating the document as emerging policy.
- 4.5 Other relevant Supplementary Planning Documents
Supplementary Planning Document: Sustainable Design.
Supplementary Planning Guidance: Parking March 2003.

5 Relevant Planning History

- 5.1 EN/09/00826/FUL Extension to an existing box manufacturing warehouse unit, associated buildings, increased car and lorry park and associated roads. Approved on 30/09/09.
- 5.2 EN/10/00057/FUL Extension to an existing general industry building, re-location of car parking bays and relocation of motorcycling and cycle shed. Approved on 22.03.2010.

6 Consultations and Representations.

- 6.1 Neighbours: No comments received.
- 6.2 Thrapston Town Council: No objection.
- 6.3 Highways Authority: The first response is summarised as follows:
- 6.3.1 "It is noted from the applicants Transport Statement that the dispatch operation is being undertaken by a sub-contractor (item 3.3.1) However, it appears that the Heavy Goods Vehicles associated with the companies delivery requirements are utilising the adopted Highway to facilitate the reduced on-site parking availability associated with this designated class of use. The Local Planning Authority should therefore satisfy themselves regarding parking and servicing the site in the long term, should an alternative business provider gain use of the site in the future and that this proposed development will meet the requirements of your "Standards for Parking" within the Supplementary Guidelines (March 2003)."
- 6.3.2 The applicant then submitted a revised version of their Transport Statement in an attempt to resolve the issues raised by the Highways Officer. The amended statement was submitted to the Highways Authority for consideration and the second response from the Highways Officer is summarised as follows:
"With reference to the revised Transport Statement, dated 1st September 2010 and with particular note to the clarification of the day to day operational details. It would appear from the submitted details that the proposed development will not create any additional traffic movements, associated with the current site use. However the Highways Authority has concerns that the construction traffic associated with the building works will prevent the present transport company from parking within the curtilage of the site, during the intense operations. With this in mind the Highway Authority would request conditions be imposed to ensure that adequate off-street parking is provided at all times, for all vehicles attracted to the site thereto. The LPA should satisfy themselves that adequate parking facilities, turning manoeuvrability within the curtilage of the site, to enable all vehicles to enter and leave in a forward direction will be provided within the scope of the current Parking, "Supplementary Planning Guidance" (March 2003) document."
- 6.3.3 In summary, the Highways Authority now has no objection subject to conditions to minimise mud and debris on the highway.
- 6.4 ENC Environmental Services: No objection. The proposed development would not prevent the erection of an acoustic fence which was a requirement of a condition for previous planning permission EN/09/00826/FUL. The applicant has submitted a plan showing how the required acoustic fencing could be relocated as part of this application. Environmental Services are satisfied with the revised positioning of the acoustic fencing and have therefore withdrawn their objection.
- 6.5 Central Networks (Electricity): No objection to proposal.
- 6.6 Environment Agency: No comments to make.

- 6.7 Highways Agency: No comments to make.
- 6.8 Natural England: No objection to the proposal in relation to species especially protected by law, subject to a condition to ensure that the clearance of vegetation takes place outside bird breeding season.
- 6.9 The Wildlife Trust: No outstanding points in respect of this particular matter.
- 6.10 Thrapston Police: No comment or objection.
- 6.11 Transco: No comments received.

7 Evaluation

7.1 The main considerations in the determination of this proposal are the principle of development; design and visual impact; impact on neighbouring properties; Parking and Impact on the Highway and other matters.

7.2 Principle of Development

7.2.1 SAICA has obtained planning permission for various extensions and alterations to the original building over the past 2 years which has led to an incremental increase in the size of the building and a boost to production output. SAICA have invested over £1,000,000 in a new corrugating machine which produces to a level which the previous planning permission accounted for and no further extensions or additions are planned. The applicant has agreed that the site is currently operating at full capacity and, should the application be approved, the site would have reached its upper limit in terms of additional buildings, structures and extensions.

7.2.2 The applicant has explained that the proposed canopies are required in order to protect their product whilst being loaded during periods of inclement weather and also to improve and increase the useable space within the existing building. In addition to this, there is a need to alter the existing method of loading and unloading currently undertaken.

The existing method involves HGV's reversing into the building to be loaded inside, within the main production area. However, in order to qualify for AIB accreditation, which is one of SAICA's aspirations, loading and unloading must take place in an area which is separated from the production area to prevent contamination (as much of the cardboard made is used to package food and other consumables). The proposed canopies would allow for loads to be compiled in a segregated area before being loaded straight onto an HGV under shelter. The loading bay doors would be closed to prevent contamination whilst loading takes place.

7.2.3 AIB accreditation, and hence the proposed canopies, would benefit SAICA in terms of being able to provide a higher standard of service, being one of few packaging plants to achieve such accreditation, and encourage a wider client base. This would result in a more prosperous business, providing more secure jobs for local people.

7.2.4 PPS4 notes that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development and planning applications that secure sustainable economic growth should be treated favourably. The existing SAICA site presents a business which provides a large number of local skilled jobs in a sustainable location, close to the town of Thrapston, the A605 and the A14. Therefore the principle of development should be supported.

7.3 Highway matters

Historic problems of parking on access road.

7.3.1 Whilst no objection has been received from Thrapston Town Council regarding the current application, over the last year Titchmarsh Parish Council has made repeated complaints to East Northamptonshire Council and Northamptonshire County Council

regarding the parking of HGV's and trailer units on the access road which leads to the application site. This has become troublesome over the last 6 months with HGV's being parked along the entire length of the access road, reducing it to one lane and making it difficult for vehicles pulling into and out of other units within Halden's Parkway

7.3.2 SAICA have responded by noting that although SAICA has contributed to this parking problem, all HGV's parked along the access road are not necessarily associated with the SAICA site. More importantly, they note that their contribution to HGV's parking along the access road has been temporary and stress that their HGV's are only having to park on the access road as there is not enough room within the application site whilst the previously permitted extensions are being constructed. Once the construction phase is complete, construction vehicles and other temporary buildings associated with the construction process will be removed from site, freeing up parking space for HGV's to park in the designated parking bays within the application site once again.

7.3.3 SAICA are confident that the proposed level of parking is more than sufficient for their current operations, which are not proposed to expand any further. SAICA have explained the reasons why they now require less parking than they used to as follows. SAICA once operated with a different haulage company where all HGV's used by SAICA would be based at the application site, going about their deliveries during the day and returning to the site at the end of their shift. The site effectively operated as a base for the haulage company used. To accommodate peaks and troughs in demand for deliveries, in the past there were often more HGV's within the site than were needed, resulting in a need for a higher number of HGV parking bays.

7.3.4 SAICA now uses an alternative method, employing an external haulage company (Jack Richard's Haulage, based in Fakenham, Norfolk) who deploy HGV's to the site as required each day for despatch. SAICA does all it can to ensure that HGV's remain at the application site for no more than 2 hours, otherwise a charge is incurred. The new style of operation means that SAICA would only call an HGV to the site when it is required and thus, extra parking bays to hold unused HGV's are not necessary. Also, HGV's do not need to make an unnecessary trip back to the SAICA site unless they are scheduled for another delivery.

Parking Provision.

7.3.5 The proposed development would result in the loss of 9 HGV parking bays, taking the remaining total to 11 HGV parking bays and 6 loading bays. SAICA note that the operations within the site are mainly for the manufacture of cardboard and boxes (at a rate which is limited by the production capacity of the machinery currently in use) The site is not used for warehousing which can often require a higher number of loading bays and HGV parking spaces. The site cannot physically produce more than its current level and this level has been closely monitored by SAICA who are confident that the proposed parking provision is adequate.

7.3.6 The Parking SPG sets out minimum parking standards for HGV parking on commercial and industrial sites. The SPG document has not been adopted by this Council but has been adopted by Northamptonshire County Council and therefore holds some weight in determining planning applications. However, the guidance is not perfectly clear and is open to interpretation. Our initial calculations showed a need for 32 HGV parking spaces but this has been challenged by NCC who advise that their interpretation would require only 6.

7.3.7 As the current SAICA building operates with 6 loading bays, the SPG would require the provision of one parking bay for each of the existing loading bays. Therefore, the proposed 11 HGV parking spaces would be well above the 6 required by the SPG.

Manoeuvring Space

7.3.8 The applicant has provided a full swept path analysis to show the workability of HGV parking spaces (as shown on plan ref: SK100) which demonstrates that they are all fully accessible and that vehicles would not conflict with the proposed canopies.

7.3.9 Given SAICA's proven need, and as the proposed parking provision is well above that required by the SPG, it would be difficult to resist the proposed development in terms of parking.

7.3.10 A condition is recommended which requires the applicant to demonstrate that all construction vehicles and HGV's associated with the business can be parked off-road within the application site or an alternative site nearby. The parking scheme is to be submitted to an approved in writing by the Local Planning Authority, prior to the commencement of development.. This is in order to prevent the need to park on the access road.

Future of the site

7.3.11 Concerns have been noted over the future use of the building should SAICA no longer wish to occupy the site and it is important to note that any planning permission granted would relate to the land and not the occupiers of the land.

7.3.12 The concerning factor is that although SAICA advise that they only require 11 HGV parking bays and 6 loading bays, another user in the future may require more than that. Given the existing scale of the building, it is arguable that any future user would be seeking in excess of the 11 HGV bays to function properly and would therefore be discouraged from using the SAICA building, potentially leaving it redundant.

7.3.13 This is a matter for consideration which remains open. However, SAICA advise that they have made a multimillion pound investment into the Thrapston site, closing down some other sites around the country to concentrate production in Thrapston (and a few other remaining sites). SAICA clearly intends to remain in Thrapston for the foreseeable future with no plans to close or relocate.

7.4 Socio-Economic Impact.

7.4.1 As the proposed development would not result in the increase in the number of staff currently employed by SAICA, there is to be no change to the socio-economic benefit of the unit in this sense. However, the canopies could improve the internal logistics of the existing unit and therefore, improve the efficiency of the operations which would have a positive impact on the popularity and standards of the business, helping it to thrive and provide secure jobs in the future.

7.5 Design, Visual Impact and loss of existing landscaping.

7.5.1 The application proposes a large canopy along the north west elevation which would have a height of 6.7 metres and would protrude from the building for a distance of 7.5 metres. A smaller canopy is proposed for the north east elevation which would be of the same height but with a depth of 12 metres. Both canopies are considered to be of a scale which is appropriate for the existing building, in visual terms.

7.5.2 The proposed canopy which would be positioned along the north east elevation of the existing unit would not be obtrusive, given that it would be viewed with the backdrop of the existing factory and as the closest public viewpoint, the A605, is over 230 metres away and sits significantly lower than the application site which obscures views.

7.5.3 The proposed canopy along the North West elevation would not be visible from the A605 as it would be obscured by an existing unit to the north west of the application site. However, the canopy would be visible when approaching the site along the access road into Halden's Parkway. Although visible, the canopy would be constructed of appropriate matching materials and would again, be viewed in conjunction with the existing unit, where canopies of this type are often a common feature.

7.5.4 The proposal to relocate the existing HGV parking area would result in the loss of an area of low level natural boundary screening and shrubbery along the northern corner of the application site. Given the distance between the application site and the nearest public view point and as the boundary screening is at a low level, it is unlikely that the loss of the trees and shrubs would result in the site becoming overly prominent when viewing from the north.

7.6 Neighbouring amenity

7.6.1 The proposed development would not result in any significant changes to the production process or technology used within the site and the productivity of the plant would remain similar. Therefore, it is unlikely that the level of noise emitted from the site would increase. Noise from traffic visiting the site is unlikely to alter.

7.6.2 The Council's Environmental Health Officer has been consulted on the proposed development and, as the applicant has demonstrated that the acoustic fencing (as required by condition of EN:08/00826/FUL) can be relocated to a suitable alternative position, then no objection is raised in terms of noise. Given the significant distance between the application site and the nearest residential dwelling, no overshadowing or overbearing impact would occur. Overlooking is not an issue.

8 Other issues

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

8.2 Access for Disabled – The application does not raise any significant issues.

9.0 Conclusion

9.1 This most recent application presents a finely balanced case in terms of the benefits from the improvement to the existing operations at the site against the possible impact on the parking provision within the site and the possibility of overspill onto the access road.

9.2 However, with the benefit to the local economy being demonstrated and with the support for growth given in a previous application, this application is one which, on balance, should be supported.

9.3 In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS4, PPS9, PPS 13, PPS13, North Northamptonshire Core Spatial Strategy 2008 policies 8, 9, 11, 13 and 14, Rural North, Oundle and Thrapston Plan, Parking SPG and Sustainable Design SPG. 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 amenities, the design and visual impact, Impact on wildlife and highway matters. The application has been recommended for approval as:

- The principle of the development is acceptable and is consistent with the development plan.
- The proposal would support the growth and success of an existing business, encouraging local employment.
- The proposal is unlikely to have an unacceptable impact on the local highway.
- The development would not harm the visual amenity or character of the area.
- The proposal would not have a significant impact on the amenities of neighbouring occupiers

Recommendation

It is recommended that the application be GRANTED subject to conditions.

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 the commencement of development all external materials shall have been submitted to and approved in writing by the Local Planning Authority. This includes details of external doors and loading bay shutters.
Reason: To ensure a satisfactory external appearance
3. Adequate precaution shall be taken during the construction period to prevent the deposit of mud and other similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
Reason: In the interests of traffic safety and convenience
4. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved by the Local Planning Authority.
Reason: To ensure that breeding birds are not adversely affected.
5. Acoustic fencing shall be erected along western boundary of the site. The fencing shall be a minimum of 2 metres in height and its design shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The positioning of the fencing shall be in accordance with that shown on plan ref: 309/002 submitted don 07/09/10. The fencing shall thereafter be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of residential amenity and to ensure maximum noise reduction.
6. If between the commencement of development and six months of the canopies having been completed (the date of which shall be confirmed in writing by the occupier to the local planning authority) it is brought to the attention of the Local Planning Authority that TV or radio interference to adjacent residential properties has occurred as a result of the erection of the canopies, details of measures to mitigate against such TV or radio interference shall be submitted to the Council. These details shall be submitted by the applicant within 28 days of being advised by the Council that such problems are occurring, and subsequently approved in writing by the Local Planning Authority. The details of mitigation measures submitted shall be commensurate with the level of TV or radio interference occurring and shall be implemented within a reasonable time period as directed by the Local Planning Authority.
Reason: In the interests of protecting local amenity and to alleviate any adverse electromagnetic interference.
7. All construction works which cause any noise that is audible at the boundary of the site, or at any such other place as may be agreed by the Council, shall be carried out only between the hours of 07.30 am and 17.30 Monday to Friday, 08:00 and 13:00 Saturdays and at no time on Sundays or Bank Holidays.
Reason: In the interests of neighbouring amenity.

8. The development shall take place in accordance with the measures detailed in the Biodiversity Statement submitted with this application, unless otherwise agreed in writing.

Reason: To protect and enhance ecological interests within the site in accordance with PPS9 and policy 13 of North Northamptonshire Core Spatial Strategy.

9. The applicant shall submit a scheme which demonstrates that all construction vehicles and HGV's associated with the general business use of the site, can be accommodated off road, within the site or within a site nearby. The parking scheme shall be submitted to and approved by the Local Planning Authority (LPA), prior to the commencement of development and adhered to in perpetuity, unless agreed in writing by the LPA.

Reason: To ensure appropriate management of vehicles associated with the site and to prevent the need to park on the access road to the site.

10. The works hereby permitted shall be carried out strictly in accordance with the approved plans (14862-PA3-001-A, 14862-PA3-002-A, 14862-PA3-003-A, 14862-PA3-004-A, 14826-PA3-005-A, 14826-PA3-006-A, 14862-PA3-007-A, 14826-PA3-007-A, 14826-PA3-008-A, 14826-PA3-009-A, 14826-400-REVV, SK100, 'Meeting with Planners' document, Amended travel statement and 309/002 (plus all other documents submitted initially with application.) Received by the Local Planning Authority on 01/07/10, 07/09/10, 06/10/10,) unless otherwise agreed in writing by the local planning authority.

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

Informatives

1. In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS4, PPS9, PPS 13, PPS13, North Northamptonshire Core Spatial Strategy 2008 policies 8, 9, 11, 13 and 14, Rural North, Oundle and Thrapston Plan, Parking SPG and Sustainable Design SPG. 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 amenities, the design and visual impact, Impact on wildlife and highway matters. The application has been recommended for approval as:

- The principle of the development is acceptable and is consistent with the development plan.
- The proposal would support the growth and success of an existing business, encouraging local employment.
- The proposal is unlikely to have an unacceptable impact on the local highway.
- The development would not harm the visual amenity or character of the area.
- The proposal would not have a significant impact on the amenities of neighbouring occupiers

Committee Report

Committee Date : 20 October 2010

Printed: 8 October 2010

Case Officer **Mrs Diane Hall**

EN/10/01271/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
12 July 2010	12 July 2010	6 September 2010	Kings Forest	Blatherwycke

Applicant **Mr Peter Osborn**

Agent **Rockingham Design - Mr Neil Hansford**

Location **5 Main Street Blatherwycke Northamptonshire PE8 6YW**

Proposal **Extension to existing bungalow to provide additional bedrooms in the roof space, single storey extension to the front elevation and two storey extension to the rear elevation.**

This amended application is brought before Development Control Committee following a previous refusal as a result of an objection by Blatherwycke Parish Council to the current scheme.

1 Summary of Recommendation

1.1 That permission be GRANTED subject to conditions.

2. The Proposal

2.1 The proposal is for the raising of the roof of the existing bungalow by 1.35 metres from 4.75 metres to 6.08 metres, with the addition of rooflights to the front and rear; the addition of small projections to the front and rear and also changes to the materials of the bungalow from brick and concrete tile to render, re-constituted stone and eternit slate.

3.. Site and Surroundings

3.1.1 The site contains an L shaped bungalow built in the early 1970's, which had a garage extension in the mid 1970's . It stands in an elevated position off the main road leading to Kings Cliffe.

3.1.2 Blatherwycke is a village made up of a single street with traditional cottages, some listed, and a small number of modern stone dwellings. It is mostly linear in form rising up from Blatherwycke Lakes and Estate at the bottom of the hill , up to the site, which contains the only bungalow in the village.

4 Policy Considerations

4.1 National Planning Policy Guidance
PPS1– Sustainable Development

4.2 North Northamptonshire Core Spatial Strategy
Policy 13 General Sustainable development principles

- 4.3 Rural North Oundle and Thrapston Plan (Inspector Modifications July 2009)
The Rural North Oundle and Thrapston Plan went through an examination process in 2008 and 2009. Following this examination on 8 July 2009 the Inspector found the document sound. However, as yet the Council has not adopted the Plan as a Development Plan Document as such the Council is still treating the document as emerging policy.
- 4.4 Supplementary Planning Guidance
Residential Extensions and Alterations Design Guide, Oct 1998.

5. Relevant Planning History

- 5.1 EN 10/00076/FUL- Extension to existing bungalow. Refused for the following reason:

“The proposed development by virtue of its design, height, proposed materials and massing is considered unacceptable. The proposed alterations and extensions would therefore result in an unduly prominent dwelling detrimental to the character and appearance of the locality. The proposal is therefore contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 2 of the East Midlands Regional Plan”.

6 Consultations and Representations

- 6.1 Neighbours: No comments received.

- 6.2 Blatherwycke Parish Council: Object for the following reasons:-

- No other dwelling in the village has a 40 degree roof pitch.
- Adequate space at ground floor level to extend.
- Render to external walls due to its colour, stone at corners and the shape of the roof which is not the same as the rest of the village
- Privacy issues of Mr and Mrs George at the Old Rectory.
- The need for 5 bedrooms as the occupiers are retired

- 6.3 NCC Rights of Way:- Advise that ‘they had no comments to make with regards to the above planning application as it does not affect a Public Right of Way at this time. There are no Public Rights of Way recorded on the definitive map (2005) within the application boundary at this time, however this response is without prejudice to any Right of Way which may exist across the site but whose presence is not recorded on the County Council’s definitive Map and Statement’.

- 6.4 A site notice was posted

7 Evaluation

- 7.1.1 The starting point for the consideration of this application is the previous refusal and the main considerations are the impact of the alterations on the character of the building and street scene, impact on adjacent neighbours and impact on the Public Right of Way.

- 7.2. Visual impact on the character of the building and street scene

- 7.2.1 As set out in paragraph 5.1 the previous application was refused due to concerns about the impact on the character and appearance of the locality. The most significant amendments to the previous scheme are as follows:

- Reduction to the raising of the roof height by 0.6 metres.
- Removal of dormer windows and replacement with rooflights
- Use of render and stone instead of timber boarding

7.2.2 The existing bungalow, whilst its design is at odds with the character of Blatherwycke, is partly screened by existing vegetation and does not therefore appear too incongruous. It is however situated at a high point within the village which is why previously there were concerns because the height of the roof was being raised. This revised proposal however reduces the amount that the roof is being raised by 0.6 metres and the roof would only be 1.35 metres higher than the existing bungalow. This would ensure that the property would not become too visually dominant within the street scene.

7.2.3 The removal of the front dormer window and the reduction in the number of rooflights to the front elevation reduces the bulk and simplifies the design of the proposal and makes it appear almost as if it was formerly an agricultural building which has been converted to a dwelling. This is an improvement on the 1970's design.

7.2.4 The Parish Council express concern about the roof pitch. However traditional roofs do have steep pitches and therefore this would be acceptable. The main roof includes a parapet. This is also a traditional feature and would therefore not look out of place and would help to give some character to the property.

7.2.5 The existing bungalow is constructed from buff brickwork with a tiled roof. The proposal is to replace this with render and reconstituted stone. The submitted drawings show stone used to the new front entrance with render to the remainder of the property with stone detailing. The Parish Council point out that stone just on the corner of walls is not traditional and whilst this may be the case as the property is set back within the site this would not look too incongruous subject to the correct choice of render colour which can be controlled by the imposition of a suitably worded condition.

7.2.6 The Parish Council also comment that there is adequate space to extend to the side of the dwelling. Whilst this is the case, as members are aware, it is the proposal before them that they need to consider.

7.3 Impact on neighbours

7.3.1 Adjacent neighbours who may be affected by this proposal are 6 Main Street and Glebe Farm House. The Parish Council also mention the Old Rectory.

7.3.2 Number 6 Main Street is set forwards and 10 metres away from the existing bungalow and is screened by mature shrubs, trees and a close boarded fence. No additional windows have been proposed in the side elevation closest to this neighbour and therefore the proposal would not result in any overlooking. Neither would the proposal be overbearing, due to the distances involved and the minimal increase in height.

7.3.4 The other neighbouring property is Glebe Farmhouse. This is diagonally opposite the driveway, leading up to the application site. It is more than 36 metres away, which is sufficient to ensure that the proposal would not result in any undue overlooking or have an overbearing impact.

7.3.5 The Parish Council suggest that the proposal could effect the privacy of the occupiers of the Old Rectory. The occupiers of this dwelling have not objected to this current application and as it is some 300 metres to the south, there would be no overlooking as a result of the proposal.

7.4 Impact on public footpath

7.4.1 The County Council have confirmed that the proposal does not affect any right of way.

8 Other Issues

- 8.1 Parking - The property would retain adequate off road car parking along the front driveway.
- 8.2 Crime and Disorder - this application does not raise any significant issues.
- 8.3 Access for Disabled - this building would not be subject to any public access and therefore does not raise any significant issues
- 8.4 Number of bedrooms – the size of the house required by retired people is not a material planning consideration.

Conclusion

In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1 of the National Planning Policy Guidance, Policy 13 of the North Northamptonshire Core Spatial Strategy 2008 and Supplementary Planning Guidance Residential Extensions and Alterations Design Guide, Oct 2008. Having regard to these, the representations received and any reasons, the main issues were identified as the, impact on neighbouring amenity, the design and visual impact on the character of the building and street scene and impact on a Public Right of Way. The application has been recommended for approval as:

1. The siting and design of the proposal would be acceptable and the development would not harm the visual amenity or the character of the area.
2. The proposal would not have a significant impact on the amenities of neighbouring occupiers.
- 3 The proposal would not have any impact on a Right of Way.

Recommendation

It is recommended that the application be GRANTED subject to the following conditions:

Conditions/Reasons -

1. Before any work is commenced on the development hereby permitted, details of the external treatment of the proposed building(s) 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. This shall include the colour of the render.
Reason: To achieve a satisfactory elevational appearance for the development.
2. 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.

Informatives

1. In approving this application, the relevant planning guidance and policies were identified as PPS1 of the National Planning policy Guidance, Policy 13 of the North Northamptonshire Core Spatial Strategy 2008, The Three Towns Plan Preferred Options and Supplementary Planning Guidance Residential Extensions and Alterations Design Guide, Oct 1998. Having regard to these, the representations received and any reasons, the main issues were identified as the, impact on neighbouring amenity, the design and visual impact. The application has been approved as:
 1. The siting and design of the proposal is acceptable and the development will not harm the visual amenity or the character of the area.

2. The proposal will not have a significant impact on the amenities of neighbours
- 3 The proposal will not have any significant impact on any Rights of Way.

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

Drawings Nos

L-01

L-02 Rev C

L-03 Rev B

Received by the Local Planning Authority on 12.07.2010

Committee Delegated Report

Printed: 8 October 2010

Case Officer **Carolyn Tait**

EN/10/01386/RWL

Date received	Date valid	Overall Expiry	Ward	Parish
28 July 2010	28 July 2010	27 October 2010	Rushden Hayden	Rushden

Applicant **Bedford Developments Limited**

Agent **G4 Design**

Location Warehouse Rear Of 34 High Street Rushden Northamptonshire

Proposal **Replacement of extant planning permission 05/01382/FUL Proposed demolition of existing building and erection of new building to include lower ground floor car park, ground floor retail A2 A3, B1(A) use, first floor as three flats, second floor as three flats, with associated works and alterations to highway access dated 7/09/2005**

This application is brought before Development Control Committee as the previous application EN/05/01382/FUL was also brought before the Members.

1 Summary of Recommendation

1.1 That permission be GRANTED subject to conditions.

2. The Proposal

2.1 The application proposes to replace planning permission number EN/05/01382/FUL, which expired on the 7th September 2010.

2.2 The application is for the demolition of an existing building and its replacement with a newly built three storey building of modern design.

2.3 The proposal would include a new retail unit to the ground floor with its customer entrance and shops facing Rectory Road; Six, two-bedroom flats set on the upper floors above this; basement car parking accessed from Coffee Tavern Lane; and alterations to the highway access.

3 The Site and Surroundings

3.1 The application site currently accommodates a simple modern building which has previously been in various commercial uses. The building is in a reasonable state of repair but its design and appearance contributes little to the Rectory Road street scene.

3.2 Car parking to the existing building is provided in the form of an informal layby accessed directly off Rectory Road; a similar parking arrangement for customers of the proposed retail unit would be retained in the proposed scheme, although in a slightly more formal layout.

3.3 Rectory Road forms a key section of the town centre's one-way ring road and currently has a single traffic flow heading in a southerly direction past the application site. Rectory Road is characterised by the 'backs' of buildings on this side of the road which results in an unsatisfactory street scene of limited inherent visual merit. On the opposite

side of Rectory Road is a sheltered housing complex which is to a large extent concealed in the street scene by an existing boundary wall and mature planting beyond that.

- 3.4 Coffee Tavern Lane is also a one-way street and rises markedly past the application site.
- 3.5 Coffee Tavern Lane is characterised by the 'sides' of existing buildings and therefore only has limited active frontages. On the opposite corner of Coffee Tavern Lane and Rectory Road permission was granted under reference EN/08/00934/FUL for 7 one-bedroom apartments. This is the most reason permission that was granted. However, a number of other applications have also been submitted on this site including an application that was recently dismissed at appeal for 9 apartments (EN/00364/FUL) and one that was recently refused and is in the appeal process (EN/10/01184/FUL).
- 3.6 The application site lies wholly within Rushden's Town Centre Boundary as identified in the Local Plan and the Three Towns Plan Preferred Options document and is therefore considered to be in a town centre location.
- 3.7 The application site is adjacent to a conservation area and there is a listed building located on the opposite side of the road at The Rectory.

4 Policy Considerations

- 4.1 National Planning Policy Guidance
 - PPS1– Sustainable Development
 - PPS3 – Housing
 - PPS4 – Planning for Sustainable Economic Growth
 - PPS5 – Planning for the Historic Environment
 - PPG13 – Transport
 - PPG24 – Planning and Noise
- 4.2 North Northamptonshire Core Spatial Strategy
 - Policy 1 – Strengthening the Network of Settlements
 - Policy 9 – Distribution and Location of Development
 - Policy 10 – Distribution of Housing
 - Policy 12 – Distribution of Retail Development
 - Policy 13 – General Sustainable Development Principles
 - Policy 14 – Energy Efficiency and Sustainable Construction
- 4.3 Supplementary Planning Guidance
 - Planning Out Crime Adopted February 2004
 - Parking Adopted March 2003
- 4.4 Other Documents
 - Three Towns Plan, Preferred Options, September 2006

5 Relevant Planning History

- 5.1 EN/04/02542/FUL Demolition of existing building and erection of new building to include lower ground floor car park, ground floor retail A2, A3, B1 (A) use, first floor 4 two bedroom flats, second floor 4 two bedroom flats, with associated works and alterations to highway access. REFUSED.
- 5.2 EN/05/00216/FUL To retain existing A1 use and extend to include D1 use (Retrospective). APPROVED.

- 5.3 EN/05/01382/FUL Proposed demolition of existing building and erection of new building to include lower ground floor car park, ground floor retail A2, A3, B1(A) use, first floor as three flats, second floor as three flats, with associated works and alterations to highway access. PERMITTED.

6 Consultations and Representations

- 6.1 Neighbours: No comments received.
- 6.2 Rushden Town Council: No objection but members would like the guidance from the Prince's Foundation report to be considered.
- 6.3 Environmental Protection Officer: There is a possibility that contamination may be present. No conditions were added on the 2005 permission despite the Officer being aware of concerns about contamination. However, the agent was aware of these concerns and agreed to have conditions imposed. Whilst it is appreciated that this is a renewal of an extant permission, consideration must be given to placing additional conditions on the renewal to investigate and remediate contamination as necessary. Therefore, providing conditions are placed on the planning permission to investigate and remediate contamination, the Environmental Protection Officer has no objection to planning permission being granted.
In addition no conditions were placed on the original permission to control demolition of the building. However, it is felt that in the interests of preventing potential nuisance from noise, dust etc that consideration should be given to asking for a schedule of demolition works be agreed with the Local Planning Authority prior to works starting at the site.
- 6.4 Local Highway Authority: No objection in principle subject to conditions being imposed.
- 6.5 Design Officer: Of the view that it would be preferable for the proposed building to be sited to align with existing (and approved) buildings on Rectory Road. This would better reflect the established (albeit fragmented) building line, and create greater definition and enclosure of this street, which is currently dominated by fast moving one way traffic.
- 6.6 Senior Economic Development Officer: No comments received.
- 6.7 Commercial Health: No comments received.
- 6.8 Planning Policy: No comments received.
- 6.9 Senior Conservation Officer: No comments received.
- 6.10 Waste Manager: No comments received.
- 6.11 Northamptonshire Fire and Rescue Service: No comments received.
- 6.12 Rushden and Higham Ferrers Chamber of Trade: No comments received.
- 6.13 Site Notice posted: 9 August 2010.

7 Evaluation

- 7.1 The main considerations in the determination of this proposal are the principle of development, its visual impact, the impact on neighbouring amenities, the impact on highway safety, contamination, noise and air quality.
- 7.2 Principle of development
- 7.2.1 The principle of developing the site for a mixed use development has already been

established by the previous permission 05/01382/FUL. However, there have been some changes to planning policy since this previous approval was granted. These are outlined below.

7.2.2 In terms of the proposal's acceptability for residential development, it is considered that the proposal accords with national planning guidance contained within PPS3 which seeks to achieve new housing developments in the urban areas such as Rushden and to ensure the best use of previously developed land.

7.2.3 PPS4 supports planning applications for economic development. The proposal would be accessible by a means of travel including walking, cycling, public transport (albeit limited) and the car and would secure a high quality and inclusive design which would take into account the opportunities available for improving the character and quality of the area. Therefore it is considered that the proposal would comply with the guidance set out in this policy.

7.2.4 Policy 1 of the North Northamptonshire Core Spatial Strategy states that the smaller town of Rushden should provide a secondary focal point for development within the urban core. It goes on to state that the emphasis should be on the regeneration of the town centres through the use of mixed use developments. The proposed development would comply with this policy as it is a mixed use development that would help with the regeneration of the town centre.

7.2.5 Policy 9 of the North Northamptonshire Strategy states that priority will be given to the reuse of suitable previously developed land in urban areas. As the application site is previously developed land, the proposal will comply with this policy.

7.2.6 Overall, the mixed use of the scheme is supported as the combined land use should bring new life into towns.

7.3 Visual impact

7.3.1 This is a prominent corner site with a relatively large footprint and is visually prominent. The street scene along this side of Rectory Road is of generally poor quality and every planning application for redevelopment in this location must be seen as an opportunity to significantly raise the standard of built form and urban design in order that over time the cumulative effect would be to raise the quality of Rectory Road and to turn the current 'backs' into 'fronts'.

7.3.2 The surrounding area consists of predominantly Victorian architecture which goes towards contributing to the interesting town centre roofscape by means of chimney stacks and decorated facades. Any proposal in this setting should enhance what already exists of architectural interest in the vicinity rather than echoing more modern development nearby which is of lesser visual quality.

7.3.3 The proposed scheme is considered to be of appropriate visual appearance. The massing of the building has been broken down by use of projecting dormer features (to give a vertical emphasis) which juxtaposes appropriately against the horizontal emphasis of the ground floor shop front and coursed render.

7.3.4 The glazing bar detail and window hierarchy to the main Rectory Road elevation is considered appropriate, as is the applicant's suggested materials palette. Even in this urban area location a modest area has been allowed for shrub planting which would (subject to species) complement the mature planting on the opposite side of Rectory Road.

7.3.5 The building's secondary elevation onto Coffee Tavern Lane has an appropriate traditional appearance. The projecting upper floor bay window feature adds to the 'active' nature of this elevation, as would the siting of the main entrance to the flats on this side of the building.

7.3.6 The other side and the rear elevation of the building, whilst of less prominence, are also considered to be appropriately detailed.

7.3.7 The Council's Design Officer has commented to suggest that the proposed scheme would create a setback greater than other buildings along Rectory Road, including the Job Centre and a number of retail units to the north. In addition there is an existing planning permission for the development of flats on the opposite side of Coffee Tavern Lane (EN/08/00934/FUL), which, if implemented, would also have less setback from the street scene. The site is adjacent to a conservation area, however, it is to the rear of the proposed development and as such the siting would not result in a detrimental impact to the character and appearance of the conservation area. In addition if the proposed development were to be sited closer to the road, it would create more of an enclosed feeling in the street scene, due to the height of the proposed building. As such, it is considered that these changes would not be necessary to enhance the visual appearance of the street scene or the conservation area. The set back of the proposed building will help mitigate against issues of air quality. This is outlined in more detail at 7.8 of this report.

7.3.8 The proposed development would not result in any visual harm to the character or setting of the adjacent listed building at The Rectory as it is enclosed from the street scene by a large stone wall and mature vegetation. In addition The Rectory is set back approximately 50 metres from the highway.

7.4 Neighbouring amenity

7.4.1 There are existing flats above selected shops in the vicinity, which at the closest point are approximately 12 metres away from the proposed building. It would appear that the flats above residential units on High Street face High street and therefore the back of them would face the proposed building, creating a back to front relationship. Whilst some new overlooking would occur, the distance between the existing residential flats along High Street and the proposed development would ensure that no undue harm is caused to occupiers of any of these buildings, by way of overlooking.

7.4.2 This relationship between high density dwellings in a town centre location is not unusual and therefore a distance of at least 12 metres, in some cases more, is sufficient so as not to cause any undue harm to the occupiers of any nearby residential accommodation.

7.4.3 The site to the south of the application site has extant planning permission for 7 flats, although work has not commenced to date. Nonetheless the current proposed development for a mixed use development would not adversely affect the amenities of future occupiers of this site, or indeed vice versa.

7.5 Impact on Highway Safety

7.5.1 It is considered that the location of the basement car parking constitutes an efficient use of land and that overall the level of car parking proposed to serve the mix of uses on this site is acceptable in the context of the site's physical circumstances and local/national planning policies. It is noted that the application proposes 7 spaces to serve the six proposed flats, as well as a number of secure cycle parking spaces. In addition there are three spaces proposed to the front of the site which would serve the ground floor unit.

7.5.2 The site is located within the town centre of Rushden and as such there are a number of free public car parks which are available to people wishing to use the proposed

ground floor retail, A2, A3, B1 use. Therefore, the proposed ground floor use is not considered to result in any parking issues or highway related concerns.

7.5.3 The Local Highway Authority has no objection to the proposal subject to conditions being imposed to any permission granted. These include kerbing and hard surfacing details to the front, construction and surfacing details of the vehicular access to the public highway, details of vision splays and details of the location of temporary contractor car parking.

7.6 Contamination

7.6.1 The site has been the subject of previous planning applications and has been used for a number of industrial uses including a boot and shoe factory, joinery works and more recently for refrigerating and ice manufacture. There is therefore a possibility that contamination may be present from this historic use that may affect the development.

7.6.2 Whilst a condition was not imposed on the previous permission, and although this is for a renewal of planning permission, consideration should be given to placing conditions on the renewal to investigate and remediate contamination as necessary. Therefore a condition is recommended to ensure that the investigation and remediation of contamination of the site is carried out prior to the commencement of development.

7.7 Noise

7.7.1 Comments have been received from the Environmental Protection Officer to recommend a condition for a schedule of demolition works to be agreed in writing by the Local Planning Authority in order to prevent dust and noise nuisance.

7.7.2 The design of the current scheme incorporates various measures to minimise any noise impact, for example the use of fixed double glazed windows for the Rectory Road elevation and the location of flats to the first floor and second floor.

7.8 Air quality

7.8.1 Given the extant planning permission on this site at the time of submitting this application, it is not considered necessary or reasonable to require an air quality assessment.

7.8.2 In addition no comments have been received from the Council's Environmental Protection team.

7.8.3 Informal advice from Environmental Protection is that problems resulting from air quality are less likely to be an issue on this site than the site to the south on the opposite corner of Coffee Tavern Lane. The proposed building would be located further away from the junction where air quality is at its poorest because of idling traffic waiting for a change to the traffic lights. In addition the proposed building has no ground floor residential units and is set back from the road. There is also open space opposite the site. This means that there is less of a tunnelling effect.

7.9 Sustainability

7.9.1 Policy 13 of the North Northamptonshire Core Spatial Strategy addresses general sustainable development principles and states that development should meet the needs of residents and businesses without compromising the ability of future generations to enjoy the quality of life that the present generation aspires to. This is a policy that has been adopted since the previous approval and the proposal is in accordance with the criteria set out within it.

7.9.2 Policy 14 of the North Northamptonshire Core Spatial Strategy emphasises the need for development to meet the highest viable standards of resource and energy efficiency. This is a policy that has been adopted since the previous application was determined. A condition is recommended to ensure that the development is carried out

in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

8 Other issues

- 8.1 Crime and Disorder: the proposal is not considered to pose any significant adverse crime and disorder implications, subject to the basement car parking area being fitted with automatic gates to prevent casual unauthorised access. Bin stores to the flats and the commercial premises should both be secured by lockable doors to minimise the risk of arson. Therefore conditions are recommended to ensure that the above details can be provided.
- 8.2 Access for Disabled: this can adequately be controlled through the usual Building Regulations requirements. It is noted that a disabled parking bay is proposed in the car park, as well as a lift to all flats. One of the flats would be suitable for occupation by a disabled occupant.

Conclusion

In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS4, PPS5, PPG13, and PPG24 the North Northamptonshire Core Spatial Strategy 2008 policies 1, 9, 10, 12, 13 and 14, Planning Out Crime SPG, Parking SPG and the Three Towns Plan, Preferred Options document. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of development, the visual impact, the impact on neighbouring amenity and the impact on highway safety. The application has been recommended for approval as:

1. The principle of developing the site for a mixed use building is considered acceptable and complies with all relevant planning policy.
2. The siting and design of the building is acceptable and the development would not harm the visual amenity or character of the area.
3. The proposal would not have a significant impact on the amenities of neighbouring occupiers.
4. The proposal would not result in a detrimental impact to highway safety.

Recommendation

That the application be GRANTED subject to the following conditions:

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. Before any work is commenced on the development hereby permitted, details of the proposed facing materials for the building to include roof materials, facing brick, stone details to window cills, and render colouration 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.
Reason: To achieve a satisfactory elevational appearance for the development.
3. 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.

Reason: To safeguard public health and to prevent the potential for flooding on the site and elsewhere.

4. Before the development hereby permitted is commenced, details of the construction and surfacing of the vehicular access to the public highway, parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the local planning authority. These facilities shall then be provided in accordance with the approved details before the first occupation of the development.

Reason: In the interest of highway safety and visual amenity.

5. Notwithstanding the submitted details, prior to the commencement of development details of vision splays to Coffee Tavern Lane and Rectory Road shall be submitted to and approved in writing by the local planning authority. The vision splays shall be implemented as approved prior to the first occupation of any part of the development hereby approved and shall be retained thereafter.

Reason: In the interests of highway safety.

6. No development shall take place until a comprehensive landscaping scheme for the site has been 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 first 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 and to take account of Section 197 of the Town and Country Planning Act 1990.

7. Prior to the commencement of development details of the location of temporary contractor car parking during construction works shall be submitted to and approved in writing by the local planning authority. For the duration of the construction works the temporary car parking area shall be available for contractors' use in accordance with the approved details.

Reason: In order to avoid undue congestion and on-road car parking during construction works.

8. Finished floor levels to the building hereby approved shall be completed in strict accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: In order to ensure a satisfactory visual standard of completed development.

9. Notwithstanding the submitted details, prior to the commencement of development details of the design and colouration of the electric shutter to the basement car park entrance shall be submitted to and approved in writing by the local planning authority. The shutter shall be installed in accordance with the approved details prior to the first occupation of any of the flats hereby approved and shall be retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of crime prevention and the visual appearance of the completed building.

10. Notwithstanding the submitted details, prior to the commencement of development details of lockable doors to the bin store to both the commercial unit and the flats shall be submitted to and approved in writing by the local planning authority. The bin stores and lockable doors shall be installed in accordance with the approved details prior to the first occupation of any of the flats hereby approved or the commercial unit (as appropriate) and shall be retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of crime prevention and the visual appearance of the

completed building.

11. Prior to the commencement of development hereby permitted, the kerbing and hard surfacing to the frontage of the development within the highway shall be completed in accordance with the approved details and in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any details as may be agreed shall thereafter be completed prior to the occupation of the first unit intended to be accessed from this private driveway. The development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter.

Reason: In the interests of highway safety.

12. No development shall be carried out until a method statement detailing a scheme and strategy for the examination of the site for possible contamination, together with proposals for dealing with any found, has been submitted to and approved in writing by the Local Planning Authority. Any remediation measures recommended to deal with contamination shall be carried out in accordance with the approved strategy.

Reason: In order to ensure a satisfactory standard of development.

13. Prior to the commencement of development a method statement for the demolition of the existing building shall be submitted to and approved in writing by the Local Planning Authority. The demolition shall be carried out in accordance with the approved details.

Reason: To protect the amenities of nearby occupants from noise and dust.

14. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the Local Planning Authority on 14 July 2005, drawing numbers: 406/S03, 406/S02, 406/S05, 406/S06, 406/P12, 406/P13, 406/P14, 406/P11, 406/S04, 406/P15, 406/P10, 406/L01 and 406/S01 and the approved plans received by the Local Planning Authority on 21 July 2010, drawing numbers: 406/P18, 406/P16 and proposed south elevation unless otherwise agreed in writing by the local planning authority.

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

15. Prior to the commencement of development details of automatic gates to the underground car parking area, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance the approved details.

Reason: To achieve a satisfactory elevational appearance for the development.

16. The waste storage and collection areas hereby approved shall be fitted with lockable doors.

Reason: In the interest of the safety of occupiers of the development.

17. Notwithstanding the submitted details and before commencement of development hereby permitted, a sustainability strategy shall be submitted to and be agreed in writing by the Local Planning Authority to demonstrate that the development would meet requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy 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. In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS4, PPS5, PPG13, PPG24 the North Northamptonshire Core Spatial Strategy 2008 policies 1, 9, 10, 12, 13 and 14, Planning Out Crime SPG, Parking SPG and the Three Towns Plan, Preferred Options document. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of development, the visual impact, the impact on neighbouring amenity and the impact on highway safety. The application has been approved as:

1. The principle of developing the site for a mixed use building is considered acceptable and complies with all relevant planning policy.
2. The siting and design of the building is acceptable and the development would not harm the visual amenity or character of the area.
3. The proposal would not have a significant impact on the amenities of neighbouring occupiers.
4. The proposal would not result in a detrimental impact to highway safety.

2. No works within the existing public highway and bridleway 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 appropriate Agreement, within the Highways Act 1980. Full engineering, drainage, street lighting and constructional details may 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.

Committee Report

Committee Date : 20 October 2010

Printed: 8 October 2010

Case Officer **Susan Scott**

EN/10/00221/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
8 February 2010	28 April 2010	23 June 2010	Higham Ferrers	Lancaster

Newton Bromswold

Applicant **D And J Agricultural - Mr D Chambers**

Location Twelve Oaks Rushden Road Newton Bromswold Northamptonshire NN10 0SP

Proposal **Temporary permission for a mobile home**

The application has been brought to Committee at the request of a Ward Member due to concerns raised by Newton Bromswold Parish Meeting.

1 Summary of Recommendation

1.1 That permission be GRANTED.

2. The Proposal

2.1 The application proposes a temporary mobile home for a period of three years.

2.2 The mobile home has been located at the west of the site for over four years. The purpose of this application is to regularise the situation and allow for temporary residential use. The applicant clearly states that after the temporary permission, should it be granted, he will apply to erect a permanent dwelling.

2.3 The proposal is to continue to develop the existing site at Twelve Oaks for the breeding and rearing of pedigree Texel sheep and pedigree Longhorn cattle. A future proposal is to open a farm shop as an outlet for the beef and lamb produced at the site. It has been advised

2.4 The applicant advises that both he and his wife will utilise their skills and experience in the business to raise profitability levels.

3 The Site and Surroundings

3.1 The existing site comprises of a number of solidly constructed agricultural buildings. There is a mixture of traditional brick and steel buildings which house the livestock, feed and machinery. The site has been developed over a period of five years and includes a gated access to Rushden Road and an established interior roadway.

3.2 The existing brick built agricultural buildings were erected as permitted development under prior notification application EN/05/00786/PNA. The applicant was advised by the local planning authority that planning permission to erect the buildings was not required despite the development exceeding the 465 square metres allowed under permitted development rights. These buildings have been substantially completed for approximately four years.

3.3 The land at Twelve Oaks measured 16 hectares. The applicant also owns land at a separate site and in total, has ownership of 36.4 hectares. He also rents land with a total area of 53.6 hectares. This includes 20.2 hectares on a six year Farm Business Tenancy. Therefore the holding totals 90 hectares.

3.4 The site currently houses sixty pedigree Longhorn cows, three Longhorn stock bulls, ten replacement heifers and two hundred pedigree Texel sheep.

3.5 The existing mobile home lies to the west of the site. Used to provide basic facilities it has been occupied during parts of the year using permitted development rights granted under Schedule 2, Part 5, Class A of the Town and Country (General Permitted Development) Order 1995. This allows for the siting of a caravan on agricultural land for accommodation during a particular season of the year by a person or persons employed in farming operations on the land. However, this permitted development right requires that all caravans should be removed as soon as reasonably practicable. This matter is addressed at 5.4.3.

3.6 Directly opposite on Rushden Road lies Manor Farm. The site is surrounded by open countryside and lies outside any existing settlement.

4 Policy Considerations

- 4.1 National Planning Policy Guidance
 - PPS1– Sustainable Development
 - PPS4 – Planning for Sustainable Economic Growth
 - PPS7 – Development in Rural Areas
- 4.2 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
- 4.3 Three Towns Preferred Options (Submission Document)

5 Relevant Planning History

- 5.1 EN/05/00786/PNA – Received 26/04/2005
 - Prior notification application for 6 agricultural buildings for livestock.
 - Prior approval not required – 24/05/2005
- 5.2 EN/06/01142/PNA – Received 24/05/2006
 - Prior notification application for a Dutch barn
 - Prior approval not required – 01/08/2006
- 5.3 EN/09/00287/QRY – Received 20/02/2009
 - Pre-application advice regarding the erection of a single dwelling
 - Answered – 07/04/2009
- 5.4 In addition there have been four enforcement investigations following complaints regarding development at this site:
 - 5.4.1 EN/05/00031/PPD – EN/05/00786/PNA was submitted following contact by an enforcement officer. Case closed.
 - 5.4.2 EN/05/00202/PPC – Development found to be in accordance with plans submitted for EN/05/00786/PNA. Case closed

5.4.3 EN/07/00066/PPU – Change of use as regards residential use. This investigation looked at whether it was reasonably practicable to remove the mobile home from the site when it was not required. The applicant was advised to gain pre-application advice. This advice has led to the submission of the current application.

5.4.4 EN/07/00257/PPD – Complainant advised that the new building was being erected under permitted development rights which had been checked under EN/06/01142/PNA.

6 Consultations and Representations

6.1 Newton Bromswold Parish Meeting: The Parish Meeting has concerns which are summarised as follows:

- The mobile home has been on site since April 2006.
- Continuous residency since April 2006 not 1 April 2010 as stated.
- Building business being run from the site.
- Concerns regarding the “extremely intrusive nature” of the enterprise on so small a site. The small acreage at the site would result in prohibitive costs and therefore is not sustainable as per PPS7.
- Concerns regarding animal slurry and possible contamination of a stream to the northern boundary.
- Odour issues due to intensive mixed stock farming.
- DEFRA regulations would lead to significant costs for the business.
- Inadequate highway access; this would also apply to traffic for any proposed farm shop.

6.2 Neighbours:

6.2.1 Manor Farm: Concerns regarding access for large vehicles and obstruction of Rushden Road. Does not see how the site can accommodate the numbers of animals the applicant is proposing and where any effluent will go. Acknowledges that these matters may not “be considered” in this application.

6.2.2 Middle Lodge Farm: Concerns regarding highway safety.

6.3 Site Notice posted: no representations.

7 Evaluation

7.1 The main consideration in the determination of this proposal are the principle of the development, the mobile home, visual amenity and any other material planning considerations.

7.2 Principle of the development

7.2.1 Planning policy, both at the national and local level, recognises the importance of encouraging development that would help support the rural economy. In order to protect the open countryside proposals should normally be located within existing settlements or sites associated with existing farmsteads.

7.2.2 The Three Towns plan recognises that the strict control of new buildings in the open countryside is a key principle of Government planning policy. Newton Bromswold is classed as a Restraint Village where conservation and restraint over development are priorities. The scope for development within a Restraint Village is limited to certain circumstances, including meeting the needs of agriculture and development in support of rural diversification.

7.2.3 Whilst the principle of farm diversification is generally supported by national and local planning policy, these policies (PPS1, PPS7 and Policy 1) also seek to ensure that these proposals help to support the existing farming enterprises and take place within suitable locations to avoid detriment to the open countryside.

7.2.4 The application site falls in the middle of the open countryside outside of any existing settlement. There are a number of buildings already at the site laid out in a manner which indicates an established farmstead. The proposed site of the mobile home would be close enough to the existing agricultural buildings so as not to appear isolated.

7.3 The mobile home

7.3.1 In terms of the mobile home, different policies and considerations, apply. Whilst policies in the Core Spatial Strategy (Policies 1, 9, 10) and the Three Towns Plan aim to restrict residential development within the open countryside, PPS7 allows for residential dwellings within the open countryside provided they are required for the efficient management of local agriculture and Annex A of PPS7 outlines a range of tests to be considered.

7.3.2 PPS7 (paragraph 12 of Annex A) states that if a dwelling is essential to support a new farming activity, it should normally for the first three years be provided by a caravan or other form of temporary accommodation and should satisfy the criteria laid in terms of providing (i) clear evidence of a firm intention and ability to develop the enterprise, (ii) demonstrate the functional need, (iii) that clear evidence is provided to demonstrate that the proposed enterprise has been planned on a sound financial basis, (iv) that the functional need cannot be fulfilled by another existing dwelling on the unit or in the area and (v) fulfilling other normal planning requirements i.e. siting and access.

7.3.3 The Council has commissioned an agricultural consultant to consider whether the proposal satisfies the various tests set in PPS7 and the consultant has come to the conclusion that the various tests have been satisfied.

7.3.4 Intention and ability to develop the enterprise: In terms of clear evidence of the firm's intention and ability to develop the enterprise:

The site was purchased in 2005 as a Greenfield site in arable cultivation. Significant sums have been spent erecting and constructing the farm buildings and establishing the pedigree herds. The animals are of a high standard and frequently win prizes at breed society sales. Having visited the site the consultant has no doubt as to the attention to details both of livestock and buildings and the ability of the applicant to develop the enterprise further. The application therefore satisfies this test.

7.3.5 Functional need

The applicant has stated that security is an important issue at the site due to the value of the stock held there. Paragraph 6 of Appendix A to PPS7 notes that protection of stock may be a contributory factor, but not a determining consideration on its own.

Depending on the scale of operation, livestock farms need a competent farmworker to be readily available for the health and safety of animals should an emergency occur. The Texel sheep lamb from January until March. Their lambs tend to be large framed leading to increased birthing problems. The Longhorn cattle calve from January until June. Although known for easy calving their value alone, along with the value of the Texel sheep, would warrant a presence in close proximity during both lambing and calving seasons.

The proposed increase in stock and the introduction of pigs to the site (pigs give birth twice yearly) would increase the need to be at the site all year. Problems with security at the site, and the inability to insure against theft are a contributory factor. The consultant accepts that a key worker should be readily available at most times of the year and that the labour requirement once the unit is fully developed will be at least one full-time worker. Therefore the application satisfies the functional need test.

7.3.6 Financial test:

Although the applicant has not produced a budget, the previous five years' accounts demonstrate the progression of the business and its future capabilities. If the recent pattern of profitability were to continue the business should be financially viable within three years time. The consultant does stress that should this not be the case, the

renewal of any temporary permission granted would be against policy advice. On the basis of information supplied by the applicants the financial test is satisfied.

7.3.7 Other suitable accommodation:

The consultant's report states that there are no suitable dwellings available to rent or purchase within 1 mile of the site. Therefore the application satisfies this test.

7.3.8: Siting and Access

The existing mobile home, measuring 12.6 metres by 3.8 metres, is situated in close proximity to the newly erected farm buildings with access via an existing interior roadway. The application therefore satisfies this final test.

7.3.9 Overall, the proposal satisfies the various tests set in PPS7.

7.4 Visual impact

7.4.1 The mobile home is set well back from Rushden Road and is smaller in height than the existing agricultural buildings. It is considered that the visual impact of the mobile home would be minimal.

8 Other issues

8.1 Crime and Disorder – The agricultural consultant has referred to the problems with high value stock and has noted that the applicant has already installed gates for extra security.

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

8.3 Mobile Home - The mobile home has been located at the site for four years due to the applicant believing that he had permitted development rights as described at 3.5. This application seeks to regularise the situation.

8.4 Continuous residence - The alleged continuous residence since April 2006 has been the subject of an enforcement investigation and this application has been submitted to regularise the situation.

8.5 Business use – The applicant and his wife both come from farming families. Although the applicant is a builder by trade and still advertises as such, during the past five years he has dedicated his time to developing his farming enterprise and has undertaken all the building works himself. On no occasion has there been any evidence of a building business being run at Twelve Oaks. However, this is not a material consideration in this application.

8.6 Contamination and odour – These are not a material consideration in this application.

8.7 Highway access – This has been the subject of a previous enforcement investigation and there are no highway safety concerns.

9 Conclusion

In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS4, PPS7, the North Northamptonshire Core Spatial Strategy 2008 policies 1, 9, 10 and 13 and the Three Towns Plan (Preferred Options). Having regard to these, the representations received and any other material planning reason, the main issues were identified as the principle of development, the satisfaction of criteria contained in PPS7 and the visual impact. The application has been recommended for approval as:

1. The principle of development is acceptable.
2. The proposal satisfies the criteria required by PPS7

3. The proposal would not have a significant visual impact.

Recommendation

That the application be GRANTED subject to the following conditions:

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 occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working or last working in the locality in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) or forestry, or widows of such a person and to any resident dependents.
Reason: In order to ensure that the dwelling remains available for occupation by agricultural workers.
3. This permission shall be limited to a period of time expiring on and at the expiration of that period the use shall have been discontinued and the site restored to its former condition.
Reason: To enable the impact of the development to be re-assessed at the expiry of this period.
4. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, these being the site map and photographs numbers 13, 14, 15, 16 and 17 received on 8 March 2010 unless otherwise agreed in writing by the local planning authority.
Reason: In order to clarify the terms of this planning permission and to ensure that the development is carried out as permitted.

Informatives

1. In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS4, PPS7, the North Northamptonshire Core Spatial Strategy 2008 policies 1, 9, 10 and 13 and the Three Towns Plan (Preferred Options). Having regard to these, the representations received and any other material planning reason, the main issues were identified as the principle of development, the satisfaction of criteria contained in PPS7 and the visual impact.

The application has been recommended for approval as:

1. The principle of development is acceptable.
2. The proposal satisfies the criteria required by PPS7
3. The proposal would not have a significant visual impact.