

APPLICATIONS FOR DETERMINATION

DEVELOPMENT CONTROL COMMITTEE - 2 March 2011

INDEX OF APPLICATIONS FOR CONSIDERATION

Application	Location	Recom.	Page
EN/09/01626/OUT	Land North Of Raunds Fronting Brick Kiln Road North Street Brooks Road And Midland Road, Raunds	See Report	2
EN/09/01850/FUL	The Green Dragon, 1 Hall Hill, Brigstock	Grant	49
EN/10/00617/FUL	71 - 75 High Street, Thrapston	Grant	67
EN/10/00618/LBC	71 - 75 High Street, Thrapston	Grant	80
EN/10/01267/CAC	71 - 75 High Street, Thrapston	Grant	88
EN/10/01950/CND	South Reach, High Street, Denford	Grant	92
EN/10/01969/FUL	47 Holmes Avenue, Raunds	Grant	96
EN/10/02165/FUL	1 Arundel Court, Rushden	Grant	105
EN/10/02223/FUL	Land Off Dovecote Close, Yarwell	Grant	111
EN/11/00093/LBC	15 West Street, Oundle	Refuse	121

Committee Report

Committee Date : 2 March 2011

Printed: 16 February 2011

Case Officer **Trevor Watson**

EN/09/01626/OUT

Date received	Date valid	Overall Expiry	Ward	Parish
12 October 2009	21 October 2009	20 January 2010	Raunds Saxon	Raunds

Applicant **Barwood Land And Estates Ltd**

Agent **Savills (L And P) Ltd - Mr R Serra**

Location Land North Of Raunds Fronting Brick Kiln Road North Street Brooks Road And Midland Road Raunds Northamptonshire

Proposal **Outline application: Proposed Sustainable urban addition to Raunds comprising residential (Use Class C3); residential care facilities (Use Class C2); business (Use Class B1); storage and distribution (Use Class B8); new vehicular and pedestrian access and associated road infrastructure, public open space, landscaping (including flood alleviation measures), and conversion of existing buildings to provide residential (Use Class C3) and/or community facilities (Use Class D1) (All matters reserved except for access)**

This application is brought back to Committee in the light of the further progress made in relation to the completion of the Raunds Masterplanning exercise, and the implications this has on the remaining reason for refusal.

Background

1.1 Members will recall that a report relating to the planning appeal at Northdale End was considered by the Development Control Committee at its meeting on the 19 January 2011. At this time the committee resolved to withdraw two of the three reasons for refusal. This decision was taken following the consideration of the legal advice received at that time.

2. The Raunds Master Plan

2.1 The remaining reason for refusal on which the appeal remains to be fought relates to the prematurity of the application pending the finalisation of the Raunds Masterplan and states:

The application is premature pending the outcome of the Raunds Masterplanning exercise which will provide an opportunity for local residents and stakeholders to identify infrastructure and community needs for Raunds in accordance with the Government's localism agenda.

2.2 Since the Northdale End application was refused by the Council on 18 August 2010, (copy of the original report attached as appendix 1 for information) significant progress has been made on the Masterplan. A report was considered by the Planning Policy Committee on 24 January 2011 to consider proposed changes following public consultation. The Committee resolved to agree the proposed changes and to delegate approval of the final Masterplan to a working group of Raunds councillors and Planning Policy councillors. That meeting is due to take place on 23 February, and it is anticipated that the final plan will be produced immediately thereafter.

Following on from the Planning Policy committee's decision, further advice has now been received from the Council's advocate. His advice is that Members now need to further consider the issues relating to reason number 1 in light of the current status of the Raunds Masterplan . That advice has been provided to Members under separate cover.

2.3 The Masterplan has now clarified a number of factors pertinent to the remaining reason for refusal:

- a) A decision on the Northdale End proposal can no longer be said to be "premature" as the outcome of the Masterplanning exercise is known;
- b) The Masterplan indicates the broad directions for growth for Raunds including land to the north of the town so does not preclude development of the Northdale End site (albeit that the application proposal is for a larger scale than that set out)
- c) It takes account of the views of residents and stakeholders in line with the localism agenda; and
- d) Infrastructure and community needs in respect of the Northdale End proposal have been agreed, following viability testing and agreement to increase the affordable housing contribution to 25%. Reasons 2 and 3 were withdrawn in recognition that the application met all other infrastructure requirements in line with the Developer Contributions SPD.

2.4 Members now need to consider the following issue. Whether, and if so how, the application can still be regarded as premature given that the outcome of the Raunds Masterplanning exercise is known. This is a question that is very likely to be raised by the Planning Inspector at the forthcoming public inquiry. Failure to set out the Council's current position will almost inevitably lead to an award of costs on the basis of unreasonable behaviour.

2.5 Alternatively Members may now conclude that the prematurity argument cannot be supported in view of progress on the Masterplan and resolve to present no evidence at the forthcoming appeal.

3. Recommendation:

3.1 It is recommended that Members either:

A) Confirm their intention to continue to defend the appeal on the basis that to approve the Northdale End proposal is still premature, despite the completion of the Masterplanning exercise, with the reasons for this decision being clearly set out; or alternatively,

B) Confirm that in the light of the outcome of the Masterplanning exercise, that reason number 1 should now also be withdrawn, and that no evidence be presented to the forthcoming public inquiry.

APPENDIX 1

The application is brought forward for determination by Development Control Committee because it is a major proposal.

1.0 Summary of Recommendation

1.1 Approval is recommended subject to the applicant entering into a S106 legal agreement for the provision of infrastructure identified in this report, and subject to conditions set out at the end of this report.

2.0

The Proposal

2.1 This is an outline application for 310 dwellings, a 68 bed care home and 19 close care

apartments, 1,859m² of flexible, small scale office / light industrial starter units, up to 140m² of community facilities. Apart from the access, which has been put forward for consideration; all other matters are reserved.

2.2 The application is based on an illustrative Master Plan which relates to a wider area immediately adjacent to the application site and which corresponds to the area identified in the Raunds Area Plan (Options Document) (RAPO) as the location for a Sustainable Urban Extension to Raunds. However, the application is submitted as a “stand alone development “with a mix of residential and none residential uses.

2.3 The site is proposed to be accessed off Brick Kiln Road, North Street, Midland Road and Brooks Road. The site area is 16.2 hectares and as set out within the Planning Statement, the scheme includes approximately 6 hectares of open space, much of which is concentrated around the existing Harpers Brook / Hog Dyke where flood risk mitigation is proposed.

2.4 The application has an employment component comprising 20,000sq ft (1,859 square metres) of small scale office and starter units which will serve small expanding businesses. This will provide approximately 100 new jobs. In addition, the care home and close care apartments will generate an additional 100 jobs.

2.5 The average density proposed is stated within the application documents as being 30 dwellings per hectare based on dwelling heights ranging from one to three storeys maximum. The development would include a minimum of 20% affordable housing, which is discussed in more detail in section 7.13 below. The indicative housing mix as set out in the Planning Statement is as follows:

HouseType	Dwelling Mix %	Number
1 bedroom apartment	2	6
2 bedroom apartment	8	25
2 bedroom terrace house	25	77
3 bedroom terrace house	25	77
3 bedroom semi-detached / detached house	20	62
4 bedroom detached house	15	47
5 bedroom + detached house	5	16
Total	100	310

2.6 The following plans, reports and information accompany the application:

- Site Location Plan
- Illustrative Design Framework Plan
- Concept Framework Plan
- Walking and Pedestrian Routes Plan
- Affordable Housing Statement
- Agricultural Assessment
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Desk Based Assessment
- Archaeological Trial Trenching Results
- Design and Access Statement
- Draft s106 Heads of Terms
- Ecological Assessment
- Flood Risk Assessment and Surface Water Drainage Strategy
- Health Impact Assessment
- Landscape and Visual Appraisal
- Noise Assessment
- Phase 1 Ground Contamination Desk Study
- Planning Statement

- Social Infrastructure Strategy
- Survey of Northdale Farm Buildings
- Sustainable Design and Energy Statement
- Transport Assessment
- Transport Model Review (Addendum to Transport Assessment)
- Framework Travel Plan
- Utility and Foul Drainage Strategy

2.7. Re-consultations were undertaken on 01.03.10 and 02.03.10 following the receipt of additional information in respect of transport including the Transport Model Review and Framework Travel Plan.

2.8. The application is not EIA development and does not require an Environmental Statement. A screening opinion was issued in August 2009.

3.0 The Site and the Surroundings

3.1 The site is located to the north / north east of Raunds, with existing residential development to the south / south west and open countryside to the north, west and east of the site. A small industrial estate (Enterprise Road) exists to the immediate south of the site, accessed off Brick Kiln Road. Some ribbon development is present along Brooks Road which runs through the centre of the site (and presently within open countryside). Approximately 0.75 km to the west of the western edge of the site is Raunds Football Club, together with the BP garage and McDonald's restaurant. New Barn Farm complex abuts the north western corner of the site. Northdale Farm buildings lie within the centre of the application site, just to the north of the Brooks Road / Midland Road junction, slightly to the west of Brooks Road which forks off to the northeast. The centre of the site to the town centre (Market Square) is approximately 0.7 km.

3.2 The site area is 16.2 hectares and is currently used as agricultural land, mostly in arable production. A number of public rights of way currently existing through the site; UG1, UG2 and UG8.

4.0 Policy Considerations

4.1 National Planning Policy

- PPS1 – Delivering Sustainable Development (incorporating new statement on climate change)
- PPS3 – Housing
- PPS4 – Economic Growth
- PPS5 – Planning and Historic Environment
- PPS7- Rural Areas
- PPS9 – Biodiversity and Geological Conservation
- PPS10 – Waste Management
- PPG13 – Transport
- PPG17 – Planning for Open Space, Sport and Recreation
- PPS22 – Renewable Energy
- PPS23 – Planning and Pollution
- PPG24 – Planning and Noise
- PPS25 – Development and Flood Risk

4.2 North Northamptonshire Core Spatial Strategy

- Policy 1 – Strengthening the network of settlements
- Policy 6 – Infrastructure Delivery and Developer Contributions
- Policy 7 – Delivering Housing
- Policy 8 – Delivering Economic Prosperity
- Policy 9 – Distribution and Location of Development
- Policy 10 – Distribution of Housing

Policy13 – General Sustainable Development Principles
Policy 14 – Energy Efficiency and Sustainable Construction
Policy 15 – Sustainable Housing Provision
Policy 16 – Sustainable Urban Extensions

4.3 Northamptonshire County Structure Plan
No relevant saved policies.

4.4 East Northamptonshire District Local Plan
GEN3 - Infrastructure, Services and Amenities
H4 - Housing Types and Sizes
RL3 – Open space for New Development
RL4 – Play areas for New Development

4.5 Other Relevant Policies / Documents
Raunds Area Plan (Preferred Options)
ENC SPD – Developer Contributions
NCC SPG – Crime and Disorder
NCC SPG – Parking
North Northamptonshire Sustainable Design SPD
North Northamptonshire Annual Monitoring Report, December 2009
Safer Places – the Planning System and Crime Prevention 2004
Northamptonshire Environmental Character Assessment Map
Northamptonshire Current Character Areas Strategy and Guidelines document

5.0 Relevant Planning History

5.1 There is no planning history on the site which is directly relevant to the determination of this application.

6.0 Consultations and Representations

6.1 Policy Team - The proposal is in keeping with North Northamptonshire Core Spatial Strategy which requires a sustainable urban extension at Raunds.

6.2 ENC Housing Strategy: No objection subject to s106 agreement.

6.3 ENC Design Officer: No objection to the proposal as there are many positive design features, with clear rationale. However, there are several areas which require clarification / further detail prior to determination, which should demonstrate that the desired minimum Building for Life Score of 14/20 would be realistic.

6.4 Landscape Officer: Comments summarised as follows:

- Note that the applicants have submitted a tree survey of those within this phase of the development. This covers all of the trees and spinney's found in and around the site, including trees proposed for removal.
- Arboricultural information shown in plan form; Tree Constraints Plan; Tree Protection Plan; Arboricultural Method Statement needs to be submitted with any detailed applications.
- The approach to the future landscape structure of the site, demonstrated within the submitted documents appears to be sound and shows a good developing design for the green infrastructure.
- The distribution and layout of the core open spaces appears to be acceptable at this stage, but would need to be detailed and show different character areas.

6.5 ENC Environmental Protection (Air Quality): No further comments to make in respect of the Capita Symonds Air Quality Assessment for the Northdale End, Raunds, development. It appears that all areas of concern are covered; no objection to the planning application in

respect of air quality. It should be noted however that if at any time a stone crusher is bought onto the site the Council must be informed due to the statutory requirements of the Environmental Permitting Regulations 2007.

6.6 ENC Environmental Protection (Contamination): No objection subject to conditions.

6.7 ENC Environmental Protection (Noise & Dust): No objection in principle with regards to noise; however, some concerns regarding the indicative layout. There must be a clear separation between the B1/B8 use and the residential properties at the site, including defined access/exit points for delivery vehicles. A final layout would need to be agreed that considers noise impacts upon the proposed residential premises from the proposed commercial activity.

6.8 ENC Waste Manager: No comments to offer at the outline stage of the application. However, as 10% of the properties would be flats, point out that a communal refuse and recycling storage / collection point (bin compound) is preferable and should be located as near as possible to the public highway and main building. A guidance document on waste and recycling facilities is attached in order that the developer is aware of the current waste and recycling system and other design requirements with respect to waste and recycling storage and collection.

6.9 NCC Archaeology: - The presence of archaeology should not preclude development as long as suitable mitigation is undertaken. Additional information provided has demonstrated that the archaeological resource can be dealt with by condition.

6.10 NCC (Developer Contributions Project Manager): request contributions towards education, fire and rescue resources and fire hydrants, and library services. Request that a Waste Audit be undertaken at the site, taking into consideration the possibility of a new recycling centre being constructed. The appropriate measures should feed off the results of the audit. As a result of these going forward as a condition, NCC is satisfied that the site would be sufficiently served in terms of waste disposal.

6.11 NCC Fire and Rescue: request contribution per household towards local fire and rescue infrastructure costs. Development would require up to seven fire hydrants which should be designed into the development and secured by way of condition. These matters are considered in more details at section 7.13. Informative comments regarding the design of the scheme included.

6.12 NCC Highways: No objection in principle to this proposal subject to conditions and a S106 agreement.

6.13 Anglian Water Services: No objection subject to conditions. Informative statements also included.

6.14 Chelveston-cum Caldecott Parish Council: No objection to the design and form of the proposed sustainable urban extension to the north of Raunds. Comments summarised as follows:

- Appears to be a well thought out and presented outline application, with a mix of houses, offices, light industry and a care home. This Council notes the provision of community buildings, green spaces (including allotments) and flood attenuation schemes, as well as the proposed extending the X46 bus service and the provision of walking routes into the High Street so as to reduce car journeys.
- The proposed s106 funding for existing High Street shop owners to carry out upgrade works to their shop fronts to cater for the potential new customers and the improvements to the road network to access the A45 roundabout is also seen as responsible and positive contributions.
- This Council notes the application is in line with the Raunds Area Plan (Preferred Options) which proposed future development should be to the north and east of the town.

6.15 Environment Agency: No objection subject to a condition to require the details of a scheme for mains foul water drainage on and off site to be approved prior to the commencement of development and installed prior to occupation of any of the dwellings; and subject to a s106 agreement relating to SUDS maintenance. Confirm that there are no other reasonably available sites within a lower flood risk zone.

6.16 Eon (Central Networks): No objection but includes informative comments regarding the presence of a network within the site.

6.17 Highways Agency: - All matters have now been satisfactorily resolved and the Agency has lifted its holding objection. The developer is required to mitigate the impact of the development on Raunds A45 roundabout and deliver a Travel Plan via a S106 agreement. The mitigation shown is on land within the public highway, has been subject to a safety audit and is acceptable. A Grampian style condition and informative note is suggested.

-

6.18 Hargrave Parish Council: Comments and concerns summarised as follows:

- Traffic: All streets in the new development should aim to encourage the flow of traffic to exit onto Brick Kiln Road and on to the A45 for distribution and onward travel. Signage should also make sure that vehicles use this route. Our concern is that vehicles will use Hargrave as a way to access the B465 and the A1?? and our roads are really not suitable for any significant quantity of through traffic. In addition, during the construction phase, all associated vehicles should be prohibited from using the road through Hargrave.
- Community Facilities: Consideration should be given to the capacity of local schools and doctors' practices to ensure that they can handle the increased population. If not, new facilities should form part of the development.
- Storage and Distribution Units: There should not be allowed until all the empty units in the local area are occupied.
- Housing: Homes of differing sizes and types should be included to ensure a varied population of old and young, families and single people, and household incomes.
- Raunds Envelope: Any new envelope around Raunds should follow tightly the current and newly developed area to ensure new building does not encroach further onto the surrounding countryside.

6.19 Northants Bat Group: No objections.

6.20 North Northants Badger Group: No objection.

6.21 North Northants Joint Planning Unit (NNJPU): Comments summarised as follows (but are discussed in more detail in the relevant policy and design sections below):

- In view of the clear policy direction the Joint Planning Unit welcomes in principle the proposal at Northdale End, which provides a mix of facilities and infrastructure to support the role of Raunds as a Rural Service Centre. The Employment provision within the scheme will also support a balance between jobs and homes within Raunds, consistent with Policies 8 and 11 of the CSS.
- It is noted that the proposal is for Phase 1 of a comprehensive Sustainable Urban Extension, with potential to grow considerably in the period post 2021. Further guidance on the scale of development at Raunds in this period will be provided through the review of the Core Strategy and cannot be pre-judged at this stage. It is also noted that the application is in outline, with all matters except access reserved for future determination; however the indicative development layout and supporting details do appear to demonstrate overall that the scheme can provide a balance of uses consistent with the requirements of Policy 16 of the CSS.
- Concerns regarding the amount and detail of information in the design and Access Statement; there are inconsistencies in the information provided, or information is lacking, to justify approaches taken.
- Recommend that further information regarding the timing of delivery to accompany the phasing be sought in order to ensure ongoing compliance with policy and meeting the required Code for Sustainable Homes (CSH) levels. Recommend condition(s) relating to the

delivery of CSH and BREEAM standards, and a requirement for reserved matters to be accompanied by a Sustainability Report.

- With regards to renewable energy targets, recommend that conditions relating to development of a low and zero carbon strategy are applied to ensure that the proposal complies with policy both now and in the future.

6.22 Northamptonshire Wildlife Trust: No objection subject to the production of an Ecological Management Plan.

6.23 Natural England: No objection subject to the production of an Ecological Management Plan.

6.24 NCC Rights of Way – No objections in principle. Suggest condition relating to the diversion of footpaths which cross the site.

6.25 Northamptonshire Primary Care Trust: Has concerns about the impact of the proposal on the local health economy. Revenue and capital contribution is required of £163,680. There are some inaccuracies in the Health Impact Assessment in relation to the number of GPs at existing surgeries in Marshalls Road and at The Cottons. Marshalls Road surgery is not capable of further expansion in terms of increasing the list size or the structure of the building.

6.26 Northamptonshire Crime Prevention Officer: Comment summarised as follows:

- No reference made to the Northamptonshire SPG 'Planning out Crime' which gives guidance to applicants on incorporating crime prevention measures into developments. Manual for Streets should also be taken into account.
- There is a need to consider the impact of the new high density and commercial development on existing lower density development in the area to ensure it does not have negative impact with regards to community safety, crime and anti-social behaviour. Encourage joint work between the Police and the Council's Community Safety team to ensure that existing settlements are not adversely affected.
- Layout, lighting and full boundary treatment detailed drawings should be supplied and approved by the LPA in consultation with the Police Crime Prevention Design Advisor and in line with the recommendations of the SPG 'Planning out Crime'.
- Pedestrian routes should run alongside vehicle routes and cycle routes and not be segregated. The guidance in 'Safer Places' should be followed.
- Recommend that the development is built to obtain the 'Secured by Design' award.
- Boundaries of designated open space areas including NEAPS and LEAPS should have clearly defined features to prevent unauthorised motor vehicle access. Serious consideration should be given to the design of landscaping in order not to hinder natural surveillance across playing areas.
- No objection to 40% affordable housing. Welcome the strategy to build all dwellings to comply with the Lifetimes Homes and Secure by Design standards, which should also be a minimum for private dwellings. The small clusters of affordable housing (10-12 units max) are essential and would help to ensure integration and community cohesion.
- Excessive permeability should be avoided – the balance needs to be struck between useful routes around the development and the provision of numerous paths duplicating each other and providing 'escape routes'.
- Do not seek developer contributions directly for the Police on this development, but encourage the use of contributions to ensure that facilities are provided in Raunds that provide places for all parts of the community to partake in.
- The creation of community facilities is particularly welcomed. We would want to consider whether there are opportunities for creating a 'drop-in' facility for the Safer Community Team to ensure our drive for visible neighbourhood policing can be delivered.
- Welcome the contribution towards a shop front improvement initiative. Request that Crime Prevention Design advisors are involved on the detailed design for the shop fronts to ensure that the opportunity is taken to design out crime and the fear of crime.
- Need to ensure highways authority adopts new roads on the development at the

earliest opportunity to ensure a quality response to incidents.

6.27 Ramblers Association: Note that Public Footpaths UG1, UG2 and UG8 are within the development and will be retained. We would wish for this aspect to be carried forward in any future reserved matters applications.

6.28 Raunds Town Council: Objection as:

- The development would extend past Brooks Road from the original preferred options of RTC;
- The junction of North Street and High Street is not covered?? appropriately;
- Concerns over the ability to absorb the number of cars coming into and through the town centre;
- The transportation aspiration is naïve and too extreme to understand;
- Lack of parking;
- Lack of existing school places available.

6.29 Ringstead Parish Council: The development site is within Ringstead parish but the application is driven by a requirement for development in Raunds. The adopted local plan states that there should be minimal development within the current planning boundary of Ringstead. This proposal is on open land outside of this and is therefore a contradiction to this policy.

6.30 Sport England: Comments summarised as follows:

- The facilities proposed include the provision of play areas and public open space on site. The development should also seek to address any deficiencies in existing sports facilities for the town of Raunds.
- Consideration should be given to other needs generated for the full range of other outdoor sport and active recreation facilities, such as Multi Use Games Areas and a synthetic pitch. Also greens and youth recreation facilities in addition to the proposals for cycling and walking.
- Consideration should be given to the requirements for indoor facilities and an associated contribution.

6.31 Stanwick Parish Council: No objection in principle. However, the local infrastructure does not support a development of this scale. Therefore the full plans should include corresponding development for all aspects of infrastructure to address this issue.

6.32 Cllrs Tony Boto, Lisa Costello (Raunds Saxon Ward), Albert Campbell and Glenvil Greenwood Smith (Raunds Windmill Ward): Objections, comments as follows:

- We believe that the Raunds Area Plan Preferred Options published in January 2007 places an unrealistic concentration of housing allocation in one area of the town. An East Northamptonshire Council Working Party received presentations from three potential housing developers in various areas of the town. However, the work of the Working Party was suspended in October 2008 as activity was concentrated on the RNOT (Rural North Oundle and Thrapston) Plan. As a result, the Working Party, of which we are all members, was not unable to consider the merits of any of the proposed developments nor was it able to consider representations made from the consultation exercise following publication of the Raunds Area Plan Preferred Options. It was similarly unable to discuss its views with, or obtain input from, stakeholders in order to produce recommendations on this or any other developer proposal.
- We are, however, specifically opposed to the above development as it includes the area of land in Midland Road between Brooks Road and the junction of Midland Road / Butts Road. This area of land was excluded from development by Raunds Town Council when it made recommendations to East Northamptonshire Council. This view was shared by the ENC Working Party who considered development at the lower end of Brick Kiln Road but not that in Midland Road.
- The Raunds Area Plan (Preferred Options) is out of date and needs to be completely re-thought. This should bring on board newer development in the town which may have a

direct bearing on future housing allocations. In particular this comment relates to potential windfall sites such as the land to be vacated by RPC Containers. This site and extension to other existing sites (e.g. a further extension to the Saddlers development towards Darsdale Farm) were originally identified by Raunds Town Council but ignored on the map published in the Raunds Area Plan. In view of the fact that the Raunds Area Plan needs to be re-thought we see no place for its inclusion in any developer proposals.

- Notwithstanding the above we are very concerned that important infrastructure issues which would relate to development at Northdale End include a serious problem in terms of vehicular access to the town centre. Access would be via High Street which is a narrow congested and dangerous road and incapable of accepting any serious increase in traffic flow. Further difficulties would also be anticipated at and near the junction at North Street, High Street and Midland Road as traffic from a substantial proportion of the proposed Northdale End development would be using the junction in order to access the A45.

6.33 Bletsoes on behalf of the Raunds Town Football Club: supports the current application. A deal was being negotiated between the Club and the developer involving additional land being made available to the Football Club to facilitate the expansion of facilities including the provision of new pitches. This was to be linked to amount of development at agreed trigger points and was intended to be secured through a S106 agreement. However, due to the changes in the economy affecting the property market, this has not been finalised. The Raunds Town Football Club wish to see their position safeguarded in the determination of the application.

6.34 CGMS on behalf of Warth Developments

Consider that the development should have been subject to EIA Regs as an urban development project within Schedule 2. This is clearly the first phase of a larger Sustainable Urban Extension as referred to in Appendix 4 of the Planning Supporting Statement
Do not consider it is appropriate to encourage HGV movements on Brick Kiln Lane in a residential area.

Object to B8 use which should be located at Warth Park.

The application is premature and would prejudice the Four Towns Plan, which would review the allocations of specific land uses at Raunds.

6.35 Landmark Planning on behalf of North Road Residents Association

Object on the following grounds:

- The site is Greenfield and unallocated for development.
- Results in an adverse effect on the character and quality of the area and should be refused irrespective of the shortfall in housing land supply.
- The site is not in a sustainable location for large scale housing, has poor access to employment opportunities and will lead to out-commuting
- Not well served by public transport. Extending the X46 bus service will not bring about a significant modal shift away from the private car.
- The amount of community services provided as part of the development is limited and would not reduce journeys by car to a significant degree as these are linked to retail, employment and school trips.
- Will stretch existing services in Raunds
- Other brownfield sites are available which offer a more sustainable alternative. (eg RPC Containers)
- The proposal should be able to provide a good mix of housing subject to conditions and a S106 agreement.
- Highway safety and capacity and flood risk issues need careful consideration,
- The application is premature pending the preparation of the Raunds Area Plan and should be refused

6.36 SSR on behalf of Taylor Wimpey (promoters of the Darsdale Farm Site)

Object on the following grounds:

- The site is not consistent with the site identified in RAP as the preferred option

Only proposes 310 of the 880 dwellings,

- No weight can be attached to RAP as it has been abandoned in favour of a Four Towns Plan. In view of the shortage of housing in Raunds, and in view of the time lag in the preparation of the Four Towns Plan, both the Northdale End and Darsdale Farm applications should be dealt with in the same way and should be accorded equal status in planning policy terms as together they provide 770 dwellings which is a significant portion of the 880 requirement identified for Raunds.
- Inadequate traffic impact assessment. No consideration of A45 corridor study and a contribution to the wider strategic network. No assessment for Chowns Mill, Stanwick and A14 junctions.
- Inadequate travel demand strategy and unlikely to achieve the required 20% modal shift. There is little about car sharing initiatives.
- Flooding and drainage- not based on 1 in 200 year plus climate change design standard,
- The scope of the modelling does not include Brick Kiln Ditch and Butts Road tributary,
- Modelling inadequate for flood alleviation scheme in respect of a potential breach of the impounding structure. Has a two-dimensional hydraulic model been used
- Further technical assessment is required.

6.37 A petition including 305 signatures has been submitted entitled Petition Against Large Scale Development of Raunds Planning Application 09/01626/OUT.

6.38 Neighbours: 346 letters have been received at the time of writing the report, including 2 letters in support of the application; their comments, concerns and objections are summarised as follows:

Principle of Development / Policy Context

- The development is substantially in line with the emerging Raunds Preferred Options.
- The plan as submitted does not comply with the preferred options as presented to us - the developers have suggested this for cost reasons rather than to meet the requirements of the town.
- Consultations in relation to the 'Four Towns Plan' have yet to start and it would be unwise to pre-empt that important initiative by allowing this particular development to go ahead.

Crime and Disorder

- Security would be a major concern for residents near the site. There will be a large number of people working on the construction and moving into the area.
- Crime would be a problem.
- Nothing locally for the young to do, drug problems has increased potentially leading to the increase in Crime.
- Security to existing businesses would be adversely affected. Also proximity of new housing could restrict operation of businesses due to potential for noise complaints.

Loss of Countryside / Agricultural Land

- Loss of countryside
- Loss of agricultural land and impact on food shortages.
- Such a large development on a Greenfield site can only further reduce the few opportunities to walk in an unspoilt and peaceful open country area.
- Loss of views from properties along Midland Road.
- Loss of valuable amenity for horse riders, dog walkers, ramblers, cyclists and the old and young who want to enjoy the countryside Raunds currently has to offer.
- Inappropriate form of development within the Green Belt.

Employment

- There are no job opportunities within Raunds so the new residents will all be travelling to other locations putting pressure on the local roads.
- Warehouses have already been constructed and are empty, RPC containers is available and shops stand empty. We do not need any more.

- Mixing residential and employment uses will mean conflicts in the future.
- The employment levels generated by the development would not be high and people from the new development would work outside of the town using private transport not buses.
- Current employment in the town is inadequate.
- Warth Park yet to be fully occupied, where more jobs would be available.

Noise & Pollution

- The proposed cutting of the corner at the North Street / Brick Kiln Road to make it less sharp would bring the road closer to the houses in Furnells Close and would make extra road noise for the occupants (along with the vehicles stopping and pulling away at the junction).
- Additional traffic using Midland Road would cause noise and pollution.
- Additional HGVs would cause night time and early morning noise pollution to surrounding area.

Dust and Other Environmental Impacts

- Major disruption during construction including dust and mud on the roads.
- New properties opposite Midland Road would cause more noise and light.
- Concerns regarding no environmental assessments have been carried out.

Traffic

- The traffic generated will have easy access to major arterial roads including the A45 and A14.
- Concerns that intended junction at North Street / Brick Kiln Road is already a dangerous bend and there would be more accidents.
- Pedestrians walking from the new site would find crossing North Street to go to High Street difficult as there is a limited view. If they walk down Rotton Row there is not much walkable path.
- The planned increase for Heavy Goods Vehicles (HGVs) having access to / from the proposed Midland Road entrance / exit would increase hazards for pedestrians using the pavement free length of Midland Road.
- Access to Brooks Road is already narrow and any increase in traffic would exacerbate the existing situation –the edges of Brooks Road are already damaged with ruts and broken footpaths and is used as a rat run by local delivery drivers.
- General concerns about pedestrian safety due to additional traffic.
- Road safety is already an issue through the town.
- The road from Keyston and Hargrave which turns into Midland Road is extremely busy and that means more through traffic into and out of Raunds.
- Butts Road is used as a cut through to the schools and town centre; development would increase traffic on this road and with buses and school run traffic the road is not wide enough.
- Congestion around schools is already atrocious.
- Access on to the A45 would not be possible for the additional traffic without major changes to the existing roads.
- The site access proposals do not accord with acceptable standards and could lead to safety hazards.
- Single track sections of the A45 that lead out of Raunds in both directions are already dangerous, and incompatible with the dual carriageway.
- Junction of Raunds with A45 can barely cope with volumes of traffic at the moment.
- The original proposals showed a perimeter road around the development; this has not been incorporated into the current scheme.
- Residents use cars, not buses, cycling or walking. This will not change.

Parking / Town Centre

- Already large problems with parking in the town, even during a normal weekday.
- Illegal parking is at an extreme level- double yellow lines but nothing is being done about it.
- The application does not appear to resolve the lack of parking and vehicular access through the centre of Raunds.
- Even with the revamped Market Square parking is difficult now and would become

more difficult with the additional traffic.

Other Matters

- If the care home is needed surely there are more suitable sites?
- Local amenities are already inadequate.
- Extra pressure would be put on services such as fire brigades, doctors, policing, dentists, drainage and water supplies.
- High volume of housing would affect the value of houses in Raunds.
- Concerns that development would lead to much more development on this side of Raunds, without this first development the rest cannot take place. Disturbed by technique employed by planners and developers of trying to get large building projects introduced by drip feeding local communities with smaller ones.
- Raunds roads are already in a terrible state, which need re-surfacing and the road to Chelveston is full of potholes making it extremely dangerous. This won't be improved with an increase in traffic.
- Police do not seem to be addressing problems, parking on double yellow lines, speeding youths in cars and gatherings on the square. Are there any plans for a stronger police presence in the town in line with any expansion?
- Loss of historic sites/archaeology,
- Plans do not show the group of 7 houses at High Street Midland Rd and North Street junction where the roundabout is proposed. This will create problems for existing residents accessing their homes.

Community Facilities

- There is already trouble with the number of young adults hanging around the town centre as there is nothing for them to do
- Doctors, chemists and schools do not have sufficient capacity.
- There are inadequate social facilities within the town such as a swimming pool, cinema and restaurants.
- Inadequate facilities for the young population.
- The schools in Raunds are already under-subscribed, so to build another school would not be appropriate
- Large competition for schooling at Manor School, and St Peter's and Park Infants- large congestion around the schools and side streets.
- Very few shops present in town, the proposed development is only encouraging people to shop outside of town and not integrating the new people into society.
- 40% affordable housing is too high; this would create a ghetto of housing association properties for the unemployed.

Ecology & Biodiversity

- The destruction of hedgerows, mature trees and young woodland would directly impact on local wildlife.
- Habitats would be destroyed including those of gold-crested newts, barn and tawny owls and woodpeckers.
- An increase in the number of birds to the area has been noticed, particularly the Red Kite which would be disrupted by future development.

Infrastructure

- The infrastructure within Raunds town centre cannot cope with additional housing.
- The new residents would need to carry out the majority of their shopping elsewhere as the town does not have the facilities needed.

Landscaping

- The Pine trees on the bend are beautiful and should not be destroyed.
- Who would manage the public green space once the developer departs?

Residential Amenity

- The privacy of properties along Midland Road would be affected as new properties have views into the existing houses.
- The development would cause overlooking, loss of privacy and be visually overbearing to nearby residents.
- Insufficient parking would adversely affect amenity of surrounding properties through roadside parking.
- Use of Northdale barns for community uses may lead to noise disturbance to nearby residents.

Rights of Way

- Significant footpaths and rights of way across the fields are well defined and used; any development would destroy this access.

Visual Impact / Urban Design

- The green in North Street seems to disappear on the proposal losing trees and green space.
- Much of the development already within the town has not been done tastefully.
- Layout and siting is inappropriate and unsympathetic to the character of the local environment.
- Development east of Brooks Road would involve surrounding low density traditional housing with new high density housing - not in keeping with the area.

Sustainability

- It provides a sustainable community unlike other proposals surrounding Raunds, including a community centre, old people's home, sheltered housing and industrial units.
- People living in the new development would have to travel further to the town centre, doctors or dentists as there is no provision for services on the site.
- More Co2 emissions from the increase in traffic.

Utilities

- Concerns that more houses would have a detrimental impact on water, gas and electricity supplies to existing properties.

Drainage and Sewerage

- Drainage would need to be extensive as the current drainage from the existing basin area can struggle now with high levels of water run-off. Housing development could increase run-off and the risk of flooding around the existing residential area.
- Concerns that the proposed development would add considerable strain to the already stretched drainage systems taking water away from North Raunds.
- Concerns about the potential impact on the water table.

Flood Risk

- One of the key issues of the emerging Raunds Area Plan is the risk of flooding in the town. This development tackles that issue.
- The development would increase the risk of flooding in Raunds.
- Concerns that the scheme would not address flood risk.
- Concerns regarding who will be responsible for managing the effectiveness of the flood management proposed within the application after the developer have delivered it. The current drainage system is not kept clear – the reason for the latest flooding in the Square.
- Concerns that existing development close to the entrance of the Spinney Culvert would result in an increased risk of flooding.
- Northdale Farm End development would be built upon the floodplain.
- Culvert in Raunds is already weakened, further housing would only add to its deterioration and/or collapse.

Other Matters

- The new development would reduce local property values.

- At present a very strong sense of community, which will be lost if such a massive growth goes ahead.
- Darsdale Farm Action Group has written in support of the proposal.
- One other of letter of support has been received.

7.0 Evaluation

7.1 The following issues are relevant to the determination of this application: principle of development; impact on highway network, means of access to the site and related highway matters; loss of agricultural land; landscape and visual impact, the layout and design of the proposed development; water resources (including flooding and drainage); ecological issues; archaeology and cultural heritage; noise, dust, contamination and air quality; effect on residential amenity; waste management; sustainable design and construction; the level of contributions required towards social and community infrastructure (s106); any other material planning considerations.

7.2 Principle of Development

7.2.1 As part of the Government's intention to promote localism, Regional Strategies have now 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. Guidance has been issued which covers the period between revocation of Regional Strategies and legislation to abolish them altogether.

7.2.2 In determining planning applications, Government guidance issued 6 July 2010 is clear that local planning authorities must continue to have regard to the development plan. This will now consist only of: adopted DPDs; Saved policies; and any old style plans that have not lapsed. In this case, the relevant documents comprise the North Northamptonshire Core Spatial Strategy, saved policies in the Local Plan and other material considerations, including national policy. A five year supply of land for housing should also be available. In practical terms the abolition of the 2009 East Midlands Regional Plan does not significantly affect the decision making process in respect of major developments within East Northamptonshire, given that there is already an adopted Core Strategy in place, which forms the principal adopted DPD for the District.

7.2.3 Policies 1 and 10 of the North Northamptonshire Core Spatial Strategy (NCSS) seek to direct development to the urban core and Policy 7 specifies the need to maintain a deliverable five year supply of sites. Policy 10 (Table 5) sets a target for the completion of 1100 additional dwellings in Raunds by 2021. Policy 9 sets out the overall spatial/ locational strategy for new development across North Northamptonshire and allows for the identification of sustainable urban extensions (SUEs) in Rural Service Centres including Raunds. The Core Strategy does not set out a land allocation for the SUE. Overall it is concluded that the current adopted policies support the principle of at least one SUE at Raunds.

7.2.4 The emerging Four Towns Plan is a material planning consideration in the determination of the application, albeit having marginal and limited weight. The former Raunds Area Plan Preferred Options document identified a site to the north of the town as an urban extension, following a process of evidence gathering during 2006. The application site forms a smaller part of the site identified as the preferred location for the urban ext to Raunds within that document.

7.2.5 The Raunds north east urban extension, as proposed by the RAPO (paragraphs 5.5-5.17) was selected following an assessment process undertaken during autumn 2006. Key reference documents are:

- Urban Extensions Study – Raunds (December 2006);

- Raunds Area Plan Preferred Options Sustainability Appraisal Report (January 2007) – paragraph 6.14.4 and
- Strategy Committee Minutes 20 November 2006 and 22 January 2007 (including Local Development Framework Working Party Minutes 9 November 2006 and 7 December 2006 respectively).

7.2.6 The Urban Extensions Study (UES) recommended that three main preferred directions of growth should be considered for Raunds: “Overall development in sectors one [Raunds south], two [Raunds east] and three [Raunds north] would have the least impact on the environment around the town, and capacity in these areas is good.” (Urban Extensions Study, section 5.0).

7.2.7 A planning application for the site to the south of the town, on a site known as Darsdale Farm, has been submitted and is pending determination. The site to the west off Meadow Lane for 135 dwellings was refused planning permission and dismissed on appeal due to noise and environmental concerns. At the present time, this site is not considered to be deliverable, unless these noise and environmental issues can be suitably addressed. The Meadow Lane appeal Inspector stated (appeal decision APP/G2815/A/09/2108495, 18 January 2010) that the Council had failed, in his view, to demonstrate a 5 year supply of deliverable sites for housing.

7.2.8 The UES found that expansion of the town to the south has advantages in terms of accessibility to existing facilities in the town centre. By contrast, it was concluded that expansion of Raunds to the north and east would have less impact on landscape issues such as coalescence and archaeological remains (“cultural heritage”).

7.2.9 Prior to publication of the RAPO, District and Parish Members extensively discussed potential directions of growth, concluding that the preferred approach was for “growth to the north and east of the town”. Members concluded that an urban extension to the north east of Raunds was preferable, given existing concerns about the impact of development upon Wellington Road and its junction with Chelveston Road (paragraphs 5.2-5.5, LDF Working Party, 2 November 2006; reported to Strategy Committee, 20 November 2006).

7.2.10 The Sustainability Assessment of Sites for Development Plan Documents (Roger Tym & Partners), a more recent site by site assessment of potential development sites around Raunds, was completed in May 2007. Like the UES, this proved similarly inconclusive; the majority of sites being found to have significant constraints although mitigation should be possible.

7.2.11 A further consideration is the recent Rural North Oundle and Thrapston Plan Examination. The Inspector’s Note (31 October 2008) states that: “The technical and sustainability work to support the choice of the preferred options has been found wanting” (paragraph 4). The evidence base for the site selection process for the District was not accepted by the Inspector and the Council therefore carried out further work. This subsequent more detailed methodology was presented to and accepted by the Inspector. Given that similar evidence has been prepared to support the proposed Raunds north east site allocation, it is unlikely that the existing evidence base alone would be judged sufficient to fully justify the selection of the land to the north of Raunds as the preferred site.

7.3. Sustainable Urban Extension.

7.3.1 One of the issues in considering the Northdale End proposal is whether, as a stand alone proposal, this could be identified as a sustainable urban extension. Recent guidance has emerged from the Town and Country Planning Association (TCPA) on this subject. The guidance includes best practice examples of SUEs and makes reference to Upton in Northampton as an example of a SUE, a development of 1382 dwellings of high quality design incorporating SUDS with biodiversity benefits. The development of a Design Code, which established design standards, was one of the factors which enabled the high quality

design of the Upton extension.

The size of the Upton extension is much smaller than the critical mass of 5,000 – 10,000 dwellings which has been previously indicated as appropriate to establish a sustainable community. The reasoning behind this assumed quantum of housing is that a community that cannot provide for its children through to adulthood is not truly sustainable and hence a secondary school would need to be provided. A settlement of 4,000 – 5,000 homes is needed to support a secondary school. The Raunds proposal represents a much smaller urban extension but could form part of a larger adjacent site or a group of sites in and around the town. Given the size of Raunds compared with other towns within North Northamptonshire, such as Kettering, Corby and Wellingborough which are more capable of supporting one large SUE without creating an imbalance, this may not be the case for a smaller settlement such as Raunds. It may be more appropriate to apportion the growth in Raunds to two or more smaller urban extensions around the town provided that the total quantum of development which comprises the growth for Raunds incorporates the principles of a sustainable community with each site contributing towards the infrastructure needs arising from it. This may be regarded as a more appropriate way forward as an alternative to a single larger SUE in the north as proposed in the RAPO. The idea of one or more smaller SUEs in Rural Service Centres is not a new one; the supporting text in the MKSM Sub Regional Strategy referred to “one or more urban extensions at each town”. The Core Spatial Strategy provides that growth around Raunds might be delivered in a single, large SUE or a series of smaller SUEs. It will be for the development planning process to confirm whether the wider SUE being promoted by the applicant is the right approach, but that is a future consideration for the Council and not relevant to the determination of this application.

7.3.2 Local Members in Raunds are opposed to the identification of the larger site to the north of Raunds as the preferred urban extension site as it places an unrealistic concentration at one area of the town. At the time, further discussion through the Raunds Area Working Party on the merits of the three proposals put forward for the growth of Raunds was not taken forward to a conclusion due to a focus of activity on the RNOT Plan. Local Members are of the view that the RAP is out of date and needs to be reviewed. Raunds Members are opposed to the Northdale End application as it includes the area of land in Midland Road between Brooks Road and the junction of Midland Road / Butts Road. In particular, they believe that infrastructure issues would result and development of the application site would lead to vehicular access problems into the town centre.

7.3.3 The potential for a number of sites around Raunds was explored as part of the work leading to the RAP Preferred Options, in terms of assessing the sustainability credentials of each site, little difference emerged between them. However, at that time, the land to the north had the support of some parts of the local community, including the Town Council, as the preferred urban extension. The number of objections received in response to the present proposal suggests that local opinion may now have changed- although it can equally be said that a high level of objection has also been raised to the proposed development to the south of Raunds. The Coalition Government is committed to a localism agenda linked to development proposals being sustainable. Further guidance is anticipated later in the year.

7.3.4 In considering how effectively the Northdale End proposal satisfies the objective of providing a sustainable urban extension, it is clear that the proposal goes beyond being purely a housing site. In addition to 310 new homes of which 20% are to be provided as affordable housing, the application also provides for the ageing population with the inclusion of a care home and close care apartments. This would allow for elderly residents of the town to choose to remain in the town with varying degrees of independence whilst remaining close to family. These uses meet the demands arising from local demographics. Consistent with most areas of the UK, Raunds has an ageing population and these facilities will ensure that both current and future demand (for example that which would be generated through wider SUEs) can be met.

7.3.5 Other non residential uses such as employment are also provided based upon an assessment of the current patterns of employment in Raunds and the comparatively high level of home-based businesses in the town. These small units would provide for the expansion needs of small businesses moving from home working to the first office/flexible workspace. Additional opportunities for employment in Raunds both arising from the proposed business units and the care home and close care units would help address the existing high levels of out commuting from the town and provide a further 200 to 250 full time equivalent jobs. The proposal will also create approximately 50 jobs during the construction phase. The developer has agreed to offer all jobs arising from the development to local residents of Raunds in the first instance; this will include a number of training opportunities. A mechanism for securing the jobs arising from the scheme as a benefit for the local labour force is to be incorporated into the S106 agreement. This approach accords with Policy 8 of the Core Spatial Strategy, which seeks to increase jobs in the District to provide a good balance between jobs and homes.

7.4 Strategic Housing Land Availability Assessment (SHLAA) February 2009

7.4.1 Appendix 3 of the SHLAA describes the site assessment criteria for individual sites, assessing the suitability, availability and achievability of each site. The overall findings of the survey indicate a Category 2 designation for Raunds north (intermediate priority), while Darsdale Farm and Land south of Meadow Lane were classified as Category 3, i.e. low priority.

7.4.2 Through the SHLAA assessment process, this provides a demonstration that the Raunds north proposals (including Northdale End) have achieved a higher scoring than Darsdale Farm and Land south of Meadow Lane.

7.4.3 Notwithstanding the recent revocation of the East Midlands Regional Plan, the evidence base for the housing numbers in Raunds still exists through the adopted North Northamptonshire Core Spatial Strategy and the need for additional housing in the town remains if future generations are to continue to live and work in the town. In considering the Northdale End proposal either against the emerging RAP or against an approach which provides the identified quantum of growth for the town across several smaller sites, there is no policy basis on which to refuse the current application, as it forms part of one or more sustainable extensions to Raunds and, as such, is in accordance with the North Northamptonshire Core Spatial Strategy.

7.4.4 The Joint Planning Unit also supports the application in principle as it follows the adopted policy in the North Northamptonshire Core Spatial Strategy to provide a Sustainable Urban Extension in Raunds. Furthermore, the site follows the Preferred Options for Raunds which are now likely to be taken forward via a "Four Towns Plan". Nonetheless, the evidence base which underpins the RAP Preferred Options, and (more recently) the SHLAA, are relevant and identified land to the north of Raunds as a SUE.

7.4.5 The Northdale End application needs to be assessed against a large number of design, transport, climate change and related infrastructure policies. In planning policy terms, CSS policy 9 (supported by paragraph 4.31) specifies that there will be a sustainable urban extension at Raunds, though the location is not specified.

7.4.6 The Council's stated position, as set out in the RAPO, remains that the preferred site allocations are to the north east of the town. The application site broadly accords with Land off Brooks Road (RAPO, paragraphs 5.5-5.10). The evidence base (e.g. Sustainability Appraisal) is also a critical consideration in assessing the principle of development on this site.

7.4.7 It is concluded that the proposal forms a mixed use urban extension and provided that the applicant has satisfactorily demonstrated that the scheme fulfils the criteria for an SUE, as set out in CSS Policy 16, the Council could not justify the refusal of the application in principle, on planning policy grounds.

7.5 Means of Access, Impact on Highway Network and Related Highway Matters

7.5.1 The application is supported by a Transport Assessment. The strategy proposed is to target a 20% modal shift based on a number of measures including the extension of the X46 bus service into the site and the improvement of the bus service. This will allow all residents to be within a 10 minute bus ride time of Raunds town centre and 40 minutes from Rushden and Wellingborough. The proposed improvements to the service will benefit existing and new residents.

7.5.2 The TA and illustrative Master plan site will be served by a network of footpaths, cycle ways roads, streets, lanes and mews and courts that integrate with the town and countryside. Parking is proposed at an average ratio of 1.5 spaces per residential unit in parking courts and on street.

7.5.3 Access to the site is proposed from five junctions: at the western end of Brick Kiln Road, opposite Furnells Close; at the eastern end of Brick Kiln Road / North Street; at a signalised crossing on Brooks Road; and at two points on Midland Road, 50m and 160m west of Butts Road respectively. The Midland Road junction and the crossing over Brooks Road would be designed to support access for the extension of the X46 bus service.

7.5.4 The Brooks Road crossroad and the Brick Kiln Road / North Street junction is proposed to be enhanced and altered in favour of pedestrians and cyclists and so that vehicle speeds are reduced.

7.5.5 The Transport Assessment (TA) has been supplemented by an addendum to the TA (though this addendum was then later superseded by a further addendum entitled 'Transport Model Review' (TMR)) which has been followed by a significant amount of correspondence and discussion between the applicant and the Highways Agency and Local Highways Authority.

7.5.6 The TA states that the impact of traffic growth to 2021 and development trips has been assessed for 4 key junctions: namely, A45/B663 London Road roundabout; Brick Kiln Road / London Road / Warth Park Way Roundabout; High Street / Midland Road / North Street junction; Midland Road / Brooks Road junction. The assessment concluded that there is sufficient capacity within the aforementioned junctions and that taking full account of Northdale End the junctions would operate effectively and mitigation measures are unnecessary; although it was noted that the A45 eastern approach at the London Road / A45 roundabout would experience some congestion without trips generated by Northdale End in the PM peak period, but the efficiency and capacity of this arm could be improved through minor improvement works within the existing highway land.

7.5.7 The Highways Agency (HA) initially responded to the application with a Holding Direction as insufficient information had been provided in respect of the A45 trunk road. Moreover, following a review of the application and supporting documents they found there were some areas to be addressed before the Agency could provide a formal response; particularly in relation to any junction / highway capacity impacts and the necessary work to establish the mitigation required, and to ensure their requirements for the Travel Plan were met.

7.5.8 The Local Highways Authority (LHA) also initially objected to the application on the basis that the applicant had failed to give adequate information within the TA and TAA to determine their full view and the proposals at that time were unacceptable for highway safety reasons. Specifically, the LHA's concerns related to the modelling methodology used for the trip generation, distribution and assignment; the adequacy of the Framework Travel Plan and its ability to achieve the required modal shift; and the lack of detail regarding the Access and Movement Strategy (particularly in relation to pedestrian and cycling facilities).

7.5.9 Following detailed discussions with the highways authorities, further sensitivity testing and assessment work detailed in the TMR and subsequent Technical Notes was undertaken to assess the impacts of the development alongside the full strategic allocation for Raunds set out in the Core Strategy and additional development at Darsdale Farm. These studies conclude that the key effect on the network would be at the Raunds A45 roundabout as concluded in the original TA. However, following detailed negotiations with the highway authorities a scheme for improving the junction and mitigating the impacts of the development has been agreed. This improvement is to be secured under S278 of the Highways Act and controlled by conditions and forms part of a package of transport mitigation measures including contributions to public transport, improvements to footways and cycle ways and the implementation of travel plans.

7.6. Travel Plan, Public Transport and Cycle Network

7.6.1. The application is supported by a Framework Travel Plan (FTP) which has been revised following initial objections from the LHA and HA. Despite the initial revision some concerns remained in respect of several issues including how the 20% target for the reduction of single occupancy vehicle trips had been calculated; that the FTP should set out minimum requirements for the content and form of individual Travel Plans; that there was insufficient consideration of the employment aspects of the development; that monitoring arrangements and surveys methods should be set out in the FTP; and that penalties / remedial payments in the event that targets for modal shift are not met, should be included in the FTP. In addition, the LHA's objection remained regarding the adequacy of the measures proposed to achieve modal shift, improvements to the bus service, and pedestrian and cycleway improvements.

7.6.2. The applicant updated the FTP in April 2010 and again in May 2010 to include the following:

- The application originally proposed the extension of the existing X46 bus route into the Northdale End site. However, detailed discussions have taken place with the LHA, which has indicated that the annual cost of providing this service would be in the region of £50,000 and the LHA therefore agreed with the developer to a contribution of £250,000 (based on five years) towards such public transport improvements. The s106 agreement can therefore be drafted on this basis; whilst the public transport improvements could include improvements to services in the wider area (such as to Rushden and Thrapston) the contribution would need to include a link into this scheme.
- Following discussions with the LHA, the FTP now includes a cycle route option linking Northdale End with the North Street junction to the new Toucan crossing being introduced near the cemetery on London Road. The cycle route would include shared cycle / footway space of 3 metres width where practicable (in a small number of places along the new route it is acknowledged that it may not be possible to install the cycleway at a width of 3 metres due to the amount of available highways land / 'land-grabbing' from some residents who have extended their gardens without permission from NCC).

7.6.3 Following the receipt of the aforementioned revisions to the FTP, the Highway Agency has now removed its objection. The mitigation strategy put forward by the applicant has been subject to a stage 1 safety audit and found to be acceptable. The mitigation strategy includes work within the highway boundary which will be carried out under a S278 agreement. The HA

is satisfied that there is sufficient highway land to achieve this and any other further improvement works should this become necessary. A Grampian style condition is suggested should the application be approved requiring the mitigation work to be complete before any part of the development is occupied.

7.6.4 Further the HA is satisfied with the content of the Framework Travel Plan (Revision F) which is to be secured through a S106 agreement. The exact wording is to be agreed with the HA and LHA and is to include penalties should the 20% modal shift not be achieved.

7.6.5 The LHA has now withdrawn its objection subject to conditions and a s106 agreement for a commuted sum towards public transport provision, and is satisfied that:

- In principle, the new vehicular access arrangements to the site are acceptable;
- The measures indicated within the FTP are acceptable;
- The cycleway and pedestrian off site accommodation works are acceptable (subject to full technical appraisal);
- The model flows and junction capacity assessments are acceptable;
- The remodelling works identified at the A45 / London Road / Ringstead Road roundabout to aid access and egress from the A45 trunk road network to the local high network in a safe manner, are sufficient to satisfy the LHA.

7.7 Impact on Agricultural Land

7.7.1.PPS7 acknowledges the importance of the rural economy and the environmental, economic and social value of the countryside. The quality of agricultural land is a material planning consideration and where significant loss of agricultural land is unavoidable, local planning authorities should seek to use land of poorer quality, except where this would be inconsistent with other sustainability considerations.

7.7.2 An Agricultural Assessment has been submitted in support of the application, which describes the agricultural land quality and soils at the site and considers the impacts of the development on farm holdings and agricultural interests. The site comprises 12.4 hectares of agricultural land, of which 9.9 hectares are classified as Sub grade 3a (amongst the best and most versatile) and 2.4 hectares is Grade 4 land (poor quality). The Assessment sets out that there are three separate land holdings within the site but most of the site is occupied by Northdale Farm.

7.7.3.The primary impact of the development upon agriculture would be the permanent loss of 9.9 hectares of good quality agricultural land; however, on balance, the loss of a limited area of agricultural land is not considered to outweigh the need for the development in order to meet regional and local growth targets, particularly as the site has been identified as a preferred allocation for development within the Raunds Area Preferred Options.

7.7.4.The Agricultural Assessment also concludes that the development could have the potential to directly impact soil quality if it were handled inappropriately during stripping / recovery. This could be dealt with as part of the Construction Environmental Management Plan. A condition is suggested to cover this issue.

7.7.5 With regards to the impact on local agricultural interests, the development would affect one principal farm holding and two smaller units. The principal unit would lose approximately 8.5 hectares of land; however, the development would allow the farm to restructure, purchase an additional 42 hectares of agricultural land in the vicinity and consider the replacement of its buildings which are unsuited to modern agricultural production. The Assessment therefore concludes that the development would have a major positive impact upon this holding. The two smaller units would lose relatively small areas (1.4 hectares and 2.5 hectares) which represent small proportions of their overall land holdings.

7.7.6 It is concluded that the loss of such a small area of agricultural land is not significant in the local, regional or national context and that it would not be appropriate to refuse planning permission on this basis.

7.8 Economic Factors

7.8.1 The application is supported by the Raunds Employment Land Review, a document prepared to form the background to a Master Plan for the SUE in the North east of Raunds. The document covers the employment land situation for Raunds up to 2021. The report was prepared by Atkins, the consultants who, on behalf of the Council prepared the district wide Employment Land Review in June 2006 which informed the Core Spatial Strategy and the RAPO.

7.8.2 The report sets out the context of Raunds in terms of its very limited number of employment opportunities; the number of jobs in the town is in decline since 2003 leading to serious levels of out commuting. In comparison to other rural service centres in the county, Raunds has the highest level of out-commuting and the lowest ratio of jobs to economically active adults in comparison to the whole of the County. The need to create jobs is therefore a key aspect in considering the sustainability credentials of any proposal for housing growth in Raunds.

7.8.3 The applicant has put forward the Northdale End site as a first phase of a larger SUE which has an employment component in the first and in subsequent phases, to seek to address the out commuting problem.

7.8.4 The Northdale End application, through the provision of small-scale flexible business units and the wide range of jobs that would be created by these and the care home will create over 200 new full time equivalent jobs and therefore make a significant contribution towards the Council's strategic objective of reducing the town's significant out-commuting problems. Around 50 temporary jobs would be created during the construction phase. The applicant has confirmed in principle to a planning obligations that will ensure that these employment opportunities are made available to local people in the first instance and that they are linked with appropriate training schemes, including the creation of apprenticeships.

7.9 Landscape and Visual Impact

7.9.1 East Midlands Regional Plan (EMRP) Policy 1 set out one of the Regional Core Objectives to protect and enhance the quality of the environment in urban and rural areas, to create safe and attractive places to live and work. Policy 31 stated that landscape character assessments should be prepared to underpin and inform criteria based policies in Local Development Frameworks, to ensure that development proposals respect intrinsic landscape character in rural and urban fringe areas.

7.9.2 Whilst the regional plan has recently been revoked, this approach is echoed in Objective 2 of the North Northamptonshire Core Spatial Strategy (NNCSS). Policies 5 (Green Infrastructure) and 13 (General Sustainable Development Principles) of the NNCSS are more specific and relate respectively to the protection and enhancement of the local landscape and historic assets; and the conservation and enhancement of the landscape character, historic landscape designated built environmental assets and their settings, and biodiversity of the environment making reference to the Environmental Character Assessment and Green Infrastructure Strategy.

7.9.3 The Northamptonshire Environmental Character and Green Infrastructure Suite has been developed in response to national and local planning guidance and identifies character assessments, strategy and guidelines for the County. The application site lies within Character Area 9a: Chelveston and Caldecott Claylands, the key characteristics of which include:

- expansive, flat or gently undulating landscape where plateau areas are divided by broad shallow valleys;
- wide views give the landscape an expansive and sometimes exposed character;
- open and intensively farmed arable landscape with large scale fields bounded by open ditches or sparse, closely trimmed hedges;
- limited woodland cover and hedgerow removal contributes to open character;
- often direct rural roads and track, frequently bordered by ditches, cross the landscape in a consistent orientation, giving it a distinctive grain;
- diversity of building materials including brick and limestone.

7.9.4 Whilst hedgerow and field trees are not generally a common characteristic, Landscape Character Assessment recognises them as important locally as they often represent the only strong vertical elements within the flat or gently undulating agricultural landscape. Whilst there are generally few recreational opportunities within this landscape, footpaths are relatively common. Despite the intense nature of farming across this landscape and the associated loss of hedgerow and woodland, the landscape is described as generally in good condition. However, the absence or perceived absence of features of nature conservation and historic interest make it relatively indistinctive with only limited visual appeal. With regards to Character Area 9a in particular, the Landscape Character Assessment recognises that in this lowland landscape church spires often provide important focal points and punctuation marks and sites the notable example at Raunds as well as Stanwick and Newton Bromswold.

7.9.5 The application is supported by a Landscape and Visual Appraisal (L&VA) which includes a review of the existing landscape character and how the area would be visually perceived as a result of its development. The Appraisal makes reference to the Current Landscape Character Assessment discussed above, but also refers to Northamptonshire's Historic Landscape Character Assessment (HLCA) which it states is valuable in providing an understanding of the development of the landscape. The study area for the L&VA is generally defined as the visual envelope; the area of land from which there would be a view of any part of the development. The Appraisal includes a description of the criteria for categorising landscape quality (i.e. exceptional, high, good, ordinary, poor, very poor, damaged landscape), landscape sensitivity (i.e. very high, high, medium, low, negligible) and visual sensitivity (i.e. high, medium, low)

7.9.6 For the purposes of the appraisal, the L&VA sub-divides the study area into seven local landscape character areas; namely: open plateau, shallow valley, urban influences, mixed uses, business park, suburban town edge and historic development axis. A plan showing the location of these character areas is provided within the L&VA, together with photographic viewpoints.

7.9.7 The site can be broadly divided into two sections; that to the west and that to the east of the Brook / Brooks Road.

7.9.8 The western side would be located within the landscape character area described by the applicant within the L&VA as 'urban influences'; defined by Brick Kiln Road to the south, Brooks Road to the east, local landform to the west and open fields to the north. The landform comprises a broad shallow fan shaped basin which drains towards Raunds Brook, it has a gently undulating topography with industrial activities at New Barn Farm and a mobile phone mast forming prominent skyline features. The Enterprise Industrial Estate (on the south side of Brick Kiln Road) is highlighted as another detracting feature within the existing landscape. This area has limited existing tree cover and the few trees present are therefore notable within the landscape. The Appraisal concludes that the Farmed Claylands' characteristics are less strongly developed in this area, and the quality of the landscape is categorised as Ordinary, whilst the sensitivity to change is defined as being Low.

7.9.9 The eastern side of the site would be located within the landscape character area described within the L&VA as 'shallow valley'; bounded by Midland Road to the south and west and in a slightly elevated position. General characteristics of the Farmed Claylands are evident in this area with large arable fields delineated by low-medium trimmed hedgerows. However, the Appraisal describes the area as being less open and exposed than that which it defines as the 'open plateau character area' due to the presence of the Raunds plantation (located to the west of Station Road approximately 500 metres north of the junction with Midland Road) and the perimeter shelterbelt planting of Raunds Grange (along the southeast side of Station Road and continuing from there around the southeast corner along the northern side of Midland Road). This parcel of land slopes gently from northwest to southeast towards the town. The appraisal concludes that the quality of the landscape in this area is also Ordinary, but that its sensitivity to change is Medium.

7.9.10 The L&VA includes reference to the visual receptors, which are defined as being primary and secondary. The primary receptors are identified as: properties on Midland Road and at the northern end of Burystead Rise; some properties at the southern end of Brooks Road and those in North Street; pedestrian and vehicle users of these roads; New Barn Farm Industrial Units; Northdale Farm; and users of the footpaths which cross the site. The secondary receptors are identified as: properties on Brick Kiln Road and where Orwell Close adjoins; properties at the northern section of Brooks Road and on Station Road; and users of public footpaths that adjoin the site. Unfortunately however, the L&VA does not specifically state / categorise the visual sensitivity (in accordance with the criteria mentioned above and set out in the L&VA) of each of the receptors. The existing visual envelope of the site however is defined as being "In general...to the north of the existing Raunds town settlement and is contained within 1 km to 1.5 km of the Site" (L&VA, October 2009, pg. 21)

7.9.11 The L&VA discusses the likely visual impacts during construction; however, these would be temporary in nature and the primary visual impact would result from the permanent change to the landscape arising from the creation of additional built form.

7.9.12 With regards to the potential landscape and visual impacts and effects of the development the Appraisal includes the following conclusions / assertions that:

- the effects would be contained within the wider countryside by the Site's topographical setting;
- the integrated approach to landscape design would create a new and improved edge to the extended built up area of the town;
- The proposals would create a strengthened and more resilient landscape structure, including the green wedge along Raunds Brook which would break up the scale and impact of the development;
- majority of proposed buildings would be two storey, which with careful design, including in relation to topography, would allow views towards church spire from the wider countryside to be retained;
- There would be a noticeable change to the nature of views from the properties in Brooks Road as well as for those along Midland Road and North Street, and for some in Burystead Rise. There would also be a slight change in views from a small number of properties along Brick Kiln Road;
- The smaller development area to the eastern side of the Brooks Road has been fragmented with small greens within the Illustrative Design Framework to soften the transition into the open countryside.

7.9.13 Appendix 1 of the L&VA includes a Light Environment – Technical Appraisal. It recognises that lighting would need to be present within the development and states that lighting within the scheme would be designed to comply with Institute of Lighting Engineers (ILE) Guidance Notes for E2 (low district brightness areas (e.g. rural or small village locations)) and will aspire to meet the category E1 (intrinsically dark areas (e.g. National Parks or AONBs)). The note is generally confined to a brief discussion of lighting within the

highway; however, it is recommended that a suitable lighting scheme (both in terms of visual impact, energy consumption and also ecological impact) be required by condition if planning permission were granted.

7.9.14 The proposed development would inevitably result in a substantial and permanent change to this area of the landscape to the north of Raunds. However, this must be balanced with the growth identified for Raunds as discussed above, subject to the proposals meeting the general sustainable development principles set out within Policy 13 of the NNCSS. The Urban Extensions Study 2006 comprised a strategic assessment of the broad sustainability criteria for development around the town of Raunds, to inform the area plan documents for the Raunds Area Plan. A buffer of 1km in width was drawn around the town and then subdivided into sectors as a way of assessing constraints and opportunities within broad directions of growth. The main landscape constraint was identified as being in sectors 3 (Raunds North) and 4 (Raunds North West) where the A45 crosses them and generally follows a prominent ridge line.

7.9.15 The application includes development within sector 3 (referred to above as the western side of the site), as well as sector 2 (Raunds East). However, the development proposed in this application which falls within sector 3 is fairly contained within a shallow basin to this end of the town and does not extend to, across, or beyond the prominent ridgeline to the west. Moreover, as noted above, the Urban Extensions Study concluded that the expansion of Raunds to the north and east (as with other sectors) would be subject to some landscape constraints, but these could be addressed through mitigation. Subject then to the appropriate design and layout of the development (which is discussed further in the subsequent section), it is considered that it would be inappropriate to refuse outline planning permission due to the landscape impact of the proposals.

7.10 Layout and Design

7.10.1 The application is outline with all matters reserved except means of access and full details of the layout of the development and design of the dwellings would be considered in the reserved matters. However, the Council must consider whether it has been sufficiently demonstrated that a development of the proposed scale and nature could be adequately accommodated on this site.

7.10.2 The application is accompanied by a Design and Access Statement (D&AS) and an Illustrative Design Framework Plan, together with a Concept Framework Plan and Walking and Pedestrian Routes Plan.

7.10.3 The D&AS states that the proposals for Northdale End have followed a simple five-step design process; namely: 1. Design Philosophy and Vision, 2. Appreciating the Context, 3. Creating Urban Structure, 4. Detailing the Place, 5. Delivery.

7.10.4 The Design Philosophy and Vision stated in the supporting D&AS sets out the guiding principles of the design, the sub-regional context for development at Raunds, the spatial policy framework and the applicant's vision:

"Our vision is to create a distinctive, connected and integrated and sustainable addition to Raunds – a natural extension of the town's historic linear spine. The High Street, centred on the valley of the Raunds Brook and contained within its shallow basin, with traditionally inspired character focussed on the cluster of Northdale Farm buildings and views to St Peter's spire, all set within a carefully considered landscape framework – Raunds' domain."

7.10.5 The second section of the D&AS includes an assessment of the evolution of the development of the town and other surrounding settlements (Stanwick, Ringstead, Irthlingborough, Woodford). It sets out how Raunds' historic pattern followed the confines of the valley and by the mid 18th Century represented an upturned 'Y' with Brook Street / High Street forming the stem and Thorpe Street and Grove Street the arms. This form remained

until the beginning of the 20th Century when inter-war development, followed by radical expansion in the 1950s and again in the 1970s and 1980s resulted in the erosion of the historic pattern beyond the confines of the valley. Today, the southern half of the town maintains some of the simple linear street pattern in contrast with the northern section.

7.10.6 The D&AS promotes Northdale End to the north of the town as the most appropriate location for development. It states that the considerations for identifying the most appropriate location for development at Raunds are topography, drainage and flooding and landscape setting and pattern. Reference is made to the local landscape character surrounding the town and the seven character areas set out within the Landscape and Visual Appraisal and their considered sensitivity to change. Northdale End is promoted by the developer as a natural extension of the town's historic axis along High Street and the Brook

7.10.7 Thirteen character areas for the new development are briefly set out within the section 'Detailing the Place' as follows:

1. Northdale Common (area of green space towards the northwest corner of the site): this area of green space would be overlooked by surrounding houses; its primary purpose would be for informal play and would include the orchards, allotments and community gardens.
2. North Street 'Hinge' and Care Home: identified as a critical junction and opportunity for a positive gateway. The existing landmark Corsican Pines would be retained, their setting enhanced and new Pines planted.
3. Northdale Green (large area of green space dividing the site alongside the Brook): Naturalistic in character, including grasslands, wetlands and woodland belts. Opportunities for bird hides, waterside boardwalks and nature trails. Would include a variety of habitats such as ponds, wetlands and water meadows.
4. New Barn Farm and Employment (northwest corner of site): The proposed office and light industrial starter units adjoin the southeast corner of existing industrial activities at New Barn Farm and would create a 'moderated boundary' to protect the residential amenity of new dwellings.
5. Northdale Court and Co-op Buildings: The D&AS states that these would be converted to residential use "...although there is the potential for community uses to also be accommodated and this will be explored further as part of the detailed design stage" (D&AS, October 2009, pg109).
6. Northern Residential Area: Very little information is given about this character area except for reference to the importance of two existing hedgerows which would provide a pleasant outlook for residents.
7. Northern Edge: This area includes the perimeter road around the northern side of the western section of the site. The D&AS states that this area would be carefully fragmented by the inclusion of residential greens through which the landscape beyond can be viewed. The street pattern would be structured around repaired hedgerows, field boundaries and footpaths to merge with the open countryside. This is identified as an ideal location for some of the proposed allotments and orchards.
8. Providence House Square: Acknowledged as a good quality building located at an important gateway. A new square would enhance the existing road entrance to Northdale Farm.
9. Midland Green (adjacent to the Midland Road entrance to the site): The leafy character of Midland Road would be reinforced through the incorporation of a residential green at the main access to this part of Northdale End. It would include street planting and a green verge.
10. Riverside Green (southeast corner of the site): This area would include a small pond and woodland area in order to form a 'gateway space' at the adjacent road junction and open up views towards the new housing. Together with the character areas of Midland Green and Providence House Square, the D&AS states that this would create a sequence of events along Midland Road to establish a legible gateway and arrival sequence to north Raunds when approached from the east.
11. Edge to Open Countryside (north of the eastern section of the site): This area would be fragmented with residential greens to allow landscape and open space to 'permeate' the new development area. It would allow for visual softening and the D&AS states that it would be a

good location for community orchards and allotments.

12. New Street Connections to Brooks Road (through the eastern section of the site): This would form a secondary street comprising alternating enclosed section with new building frontages and open sections through residential greens.

13. Eastern Town Gateway: An entry square or court would define this entrance to the site.

7.10.8. The Council's Design Officer does not object to the proposals and generally considers that the available information on the conceptual development of the master plan is clear and reasonably convincing, taking into account for example existing buildings and landscape which warrant retention, and key views into and out of the site. Most notably views toward St Peter's church spire have been well considered, and it appears that views toward the substantial oak tree beyond the site to the north would be afforded through the open space framework.

7.10.9. However, In order to take a consistent approach to considering design in major planning applications, the Design Officer informally assesses them against the Building for Life criteria. It is the aspiration of this Council that any new development should achieve a minimum score of 14/20 under Building for Life, as set out in the adopted North Northamptonshire Sustainable Design SPD.

7.10.10. Due to the fact that the application is for outline permission only, it is accepted that the scheme cannot be fully assessed against all of the Building for Life criteria, and as such the score achieved at outline stage (8.5 out of a possible 20) will be expected to increase at reserved matters stage with the provision of further detailed evidence. (Can we say what it scores now?)

7.10.11. The applicant has highlighted an intention to produce design codes in Section 5 of the submitted Design and Access Statement, this will allow for careful control over the form and grain of development. A condition is recommended to secure a Design Code against which all subsequent reserved matters applications can be assessed. The Design Officer has confirmed that this is a satisfactory approach.

7.10.12. With regard to 'Environment and Community', the development would deliver significant areas of public open space which could be used for recreation. These spaces also incorporate sustainable urban drainage systems which serve to reduce the environmental impact. The application commits to providing allotments, which is welcomed. The application indicates that these would be located within the 'Northdale Common', 'Northern Edge' and 'Edge to Open Countryside' character areas however the exact position of the allotments can be covered in the Design Code document and the Landscape Strategy plan required by a condition on any permission. It would also be expected that the Design Code would cover the treatment proposed for the conversion of the Northdale End farm building, the height parameters and layout of all buildings in relation to the topography of the site, the links with the various character areas and the need to ensure that building scale, height and form respect the rural edge of Raunds and that buildings are sited to relate positively to green spaces within the layout. The Design Code would also identify the parking arrangements to serve the development and the hierarchy of vehicular and pedestrian routes across the site and the appearance and materials to be used for buildings and hard surfaced areas.

7.10.13. The JPU has also expressed concern about the amount of detail in the DAS the role of which should be to address the gap between the outline and reserved matters applications to indicate what the design should be. It is clear that the site context and the integration of the landscape have informed the proposal but the design of the built form is less clear. The imposition of a condition to require a Design Code would overcome this concern. The JPU also recommends that conditions should be added to relate the development to accord with the principles of lifetime homes.

7.10.14. The Design Code approach would ensure that Northdale End is built out in a cohesive manner with a consistency of design throughout the whole site. The Design Code would set out parameters to inform the design of the reserved matters applications whilst still allowing for some flexibility in architectural style. This would provide some certainty that a piecemeal appearance would not result if developed out over a period of years. It is considered that the commitment to design quality is encouraging and such a tool would prove useful in setting out the wider design objectives for growth at Raunds irrespective of direction, in order to ensure quality and consistency, and to deliver the vision,

7.10.15. With regards to formal equipped play space, such as those set out within the Council's SPD for Developer Contributions, this has not been detailed within the application, however the applicant has stated that this will be provided either linked to a condition or as part of a S106 legal agreement. This is considered to be essential infrastructure and would need to form an integral part of the detailed design of the green infrastructure at Reserved Matters Stage to accord with Saved Policies RL3 and RL 4 of the Local Plan.

7.10.16 Sport England has made reference to the Open Space Sport and Recreation Study 2006 which advises that the District is relatively well provided for in terms of sport and recreation facilities. Whilst some small locational deficiencies have been identified, it is no longer possible to require a development proposal such as this to make good existing deficiencies. Since April 2010, Government policy has confirmed the status of Circular 05/05 which states that a planning obligation must satisfy a number of tests including that it be relevant to planning, directly related to the proposed development, necessary to make the proposed development acceptable in planning terms and fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects. Whilst case law over recent years has effectively allowed these tests to be flexibly applied such that contributions arising from one development may help to alleviate existing deficiencies, this approach is no longer appropriate since April 2010.

7.11 Water Resources

Flood Risk

7.11.1 The application lies primarily within Flood Zone 1 which is defined by PPS25 as having a low probability of flooding. However, part of the site surrounding the Brook lies within Flood Zones 2 and 3, which are defined by PPS25 as having medium and high probability of flooding respectively. PPS25 requires evidence to be submitted to demonstrate that flood risk has been taken into account. The application is accompanied by a FRA and Utility and Foul Drainage Strategy.

7.11.2 Given the site's location adjacent to Hog Dyke and the existing flood risk issues within the town, particular attention has been paid to flood alleviation within the proposals. The FRA states that:

"Northdale End offers the opportunity to reduce the existing flood risk by storing flood water upstream of the town. There is enough land in Northdale End to deliver controls over the flood waters of the Raunds Brook and to provide a sustainable drainage system which will, wholly in accordance with EA guidance, limit surface water run off to existing levels and thereby prevent the otherwise inevitable increase in runoff caused by climate change. Northdale End, located at the point of entry into the main Raunds drainage system is the only place where flood water storage can be provided at the scale that is required. The proposed sustainable, simple and natural design takes full account of the 1 in 100 year plus climate change floodplain and will comprise swales, water meadows, ponds, wetlands and importantly the retention of existing drainage ditches.

These 'at source' control measures will, in accordance with PPS 25 requirements, manage the runoff from Northdale End to existing 'greenfield' rates. Northdale End is therefore the only location, situated as it is upstream of Raunds Town centre, which can assist in

alleviating the flooding problems that exist within Raunds. The proposed Northdale End flood alleviation scheme involves naturally storing water below existing ground level, taking full account of the existing landform, in the proposed parkland adjacent to the Raunds Brook. By storing water in this simple and sustainable manner Northdale End will ensure that new and existing neighbouring properties are properly protected. Two areas either side of the new street accessed from Brooks Road act in tandem to significantly reduce peak river flows by approximately 20%. This has the effect of reducing river levels in Raunds and significantly reducing the volume of water that overtops the Brook. The simple and natural design means that most of the time these areas can be used as public open space - providing amenity and enhanced biodiversity, and does not require complicated structures or significant maintenance.

A similar series of swales, ponds, wetlands and water meadows have underpinned the design of Northdale End where it lies adjacent to Midland Road and to the south and east of Brooks Road. They are also located in areas of parkland and open space. These simple, natural and sustainable flood alleviation features, will also store water below ground level and will release it at existing "greenfield" rates into the Butts Road tributary of the Raunds Brook. This joins with the Raunds Brook in the centre of Town. These swales, ponds, wetlands and water meadows will help significantly to reduce the risk of flooding currently experienced by properties along both Midland Road and Butts Road and in the centre of Raunds.

There is also no existing flood warning service available to Raunds. As part of the Northdale End flood alleviation scheme Barwood therefore proposes to install a hydrometric gauge on the Raunds Brook at Midland Road that will ensure that when flows are approaching significant levels within the Brook this is identified swiftly and warning can be given to existing residents and property owners in the Town centre so that appropriate and timely action can be taken. Barwood recognise the importance of ensuring that the flood alleviation scheme for Northdale End is managed properly and effectively and therefore the parkland and open space in which the swales, water meadows, ponds and wetlands are situated will be managed to a high standard either by a private management company established by Barwood or if appropriate by a suitable utility company."

Extract from Northdale End FRA and Surface Water Drainage Strategy, Capita Symonds, October 2009

7.11.3 The Environment Agency (EA) has assessed the FRA and has advised that it has no objection to the proposed development subject to a Grampian-style condition securing a scheme for the provision of mains foul water drainage on and off site prior to the commencement of development and its implementation prior to occupation of any buildings and a s106 agreement to secure the long term maintenance of the flood alleviation scheme (upon which the development is reliant).

7.11.4 With regards to the first matter, Anglian Water stated within its consultation response (November 2009) that the foul sewerage system could not accommodate flows from this proposed development; however it stated that it had been working with the developer to identify a drainage strategy. It recommended the Grampian-style condition also required by the EA explained above, should planning permission be granted. It is understood that the applicant has agreed to the principle and the wording of the condition as set out by both of these Authorities.

7.11.5 For the condition to be satisfied, the EA has stated that an adequate scheme would need to be submitted demonstrating that there is (or would be prior to occupation) sufficient infrastructure capacity existing for the connection, conveyance, treatment and disposal of quantity and quality of water within the proposed phase of development. A review may be required depicting how the infrastructure operates within environmental limits and in light of forecast demand for these facilities. The EA has advised that the Council request further clarification and up to date confirmation from Anglian Water regarding the timing of capacity as any proposed development which exceeds the capacity previously accounted for in terms of infrastructure would place a far greater demand on sewage treatment and sewerage

network capacity. The EA recommends that the local planning authority is satisfied that the statutory water company can confirm the prospects for delivery of infrastructure that the development relies upon for environmental protection, at such time as the development commences. In line with the EA's recommendation. A condition relating to a phasing plan linked to infrastructure provision is suggested to safeguard the position.

7.11.6 With regards to the s106 agreement, the EA has very recently forwarded its required s106 clauses in respect of SUDs maintenance. This will be included in a S106 agreement, should the application be approved.

7.11.7 Anglian Water has confirmed that there is sufficient water resource capacity to supply this development. However, in line with national and regional government policy it would wish to see measures taken by the developer to ensure that buildings are constructed to high water efficiency standards.

7.11.8 With regards to the water supply network, Anglian Water has confirmed that the development could be supplied from the network system that at present has adequate capacity.

7.11.9 Anglian Water has confirmed that the development can be accommodated within the public surface water network system which at present has sufficient capacity. In addition, the foul drainage from this development would be treated at Raunds Sewage Treatment Works which at present has available capacity for these flows.

7.11.10 In addition to the matters discussed above, the EA also made reference to the site's partial location within Floodzones 2 and 3, and the need for a sequential approach to determine if the development can be on a site which has a lower risk of flooding. The EA has confirmed that they are satisfied with the findings of the Council's sequential test which concluded that there are no other reasonably available sites for the proposed development within a lower flood risk zone.

7.11.11 The EA has confirmed that the flood mitigation proposals included within the application would improve the existing flooding situation in the town as set out within the FRA.

7.12 Ecological Issues

7.12.1 The advice in PPS9 is that planning decisions should be based on up to date information about the environmental characteristics of the area and should aim to maintain, enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.

7.12.2 Policy 5 (Green Infrastructure) of the NNCSS builds on the above and states that a "net gain in green infrastructure will be sought through the protection and enhancement of assets and the creation of new multi functional areas of green space that promote recreation and tourism, public access, green education, biodiversity, water management...".

7.12.3 An Ecological Assessment dated October 2009 accompanies the planning application. A study of habitats and dominant plant and animal species, including the presence of protected species on the site has been undertaken between February 2008 and June 2009.

7.12.4 The Ecological surveys found no record of badgers, brown hares, water voles, otters or reptile species within the site although other small mammals such as foxes and rabbits were observed. No evidence of bat roosts were observed in any of the existing farm buildings and very little bat activity was recorded across the site as none of the trees were found to be suitable for supporting roosting bat species.

7.12.5 The nearest breeding pond for Great Crested Newts (GCNs) was recorded approximately 200 metres to the west of the site. The Assessment concludes that it is unlikely that the GCNs would use the habitats within the application site during their terrestrial phase. No notable or scarce species such as White Clawed Crayfish or Signal Crayfish were recorded within the site, however, the desk based survey identified the White Letter Hairstreak butterfly approximately 2.1 km north west of the site and noted that their sole food plant (Elm) is present within the site.

7.12.6 Various species of birds were recorded within the site, as detailed at 4.21 of the Ecological Assessment. Opportunities exist for bird nesting and foraging within the site; the retention of trees and hedgerows proposed in the application together with the formation of open spaces will continue to ensure that habitat is retained and improved to support a variety of bird species.

7.12.7 The site does not lie within or adjacent to any designated sites of nature conservation interest but is 2.1 km away from the Local Nature Reserve of Kinwell Lakes, which forms part of the Upper Nene Valley Gravel Pits SSSI. As noted in the Ecological Assessment, the majority of the SSSI is proposed for classification as a Special Protection Area under the EC Directive on the Conservation of Wild Birds and the Upper Nene Valley Gravel Pits are also proposed for designation as a Ramsar (Wetlands of International Importance) site under the Ramsar Convention.

7.12.8 The Ecological Assessment concludes that the proposal would not result in any significant impacts upon the integrity of the proposed SPA or Ramsar.

7.12.9 The Ecological Assessment states that the development would provide major ecological benefits through improved management, retention and strengthening of existing significant hedgerows, enhancement of the existing Brook through the site and the creation of new wetlands and green wedges. The Assessment makes a number of recommendations and concludes that of the existing habitats within the site:

- The large arable and semi-improved grassland fields are generally of little nature conservation interest.
- Greater value can be associated with the hedgerows, wooded belts, pond, streams / west ditches and trees and it recommends that where possible, these features be incorporated into the proposals and losses minimised.
- Field margins and areas of grassland could be retained and over-sown with native wild seed mix to increase floristic diversity and provide new habitats within the site, enhancing its ecological value.
- New planting should be based around native species of local provenance, or include non-native species which have a known value to wildlife.

7.12.10 In terms of protected species there would be no significant impacts subject to the safeguards and recommendations set out within the Ecological Assessment. It is considered that the scheme would achieve ecological gains over the existing situation and improve the existing biodiversity of the local area.

7.12.11 Natural England confirms that they support the Ecological Assessment and are satisfied that there would be no significant adverse effect on statutory or non-statutory designated sites as a result of the proposed development. The opportunities identified for wetland habitat enhancements and reference to the Biodiversity Action Plan (BAP) target habitats and species are also welcomed. They also support the recommendations in section 7.12 of the Ecological Assessment for all retained features and habitats to be safeguarded during construction and operational activities, so as to minimise damage to their ecological value.

7.12.12 Natural England supports the approach to green infrastructure proposed in the application. In particular, the multi-functional area of 'Northdale Green', incorporating hydrological management, education and biodiversity, the retention of the existing woodland, and the flood attenuation systems based on existing natural mechanisms around Raunds Brook along with the use of a Sustainable Urban Drainage system (SUDS). The inclusion of allotments and community orchards is also supported, as part of the overall 37% of the footprint of the development given over to greenspace.

7.12.13 Natural England has no objection to the proposals subject to the submission of an Ecological Management Plan (EMP) incorporating the full range of biodiversity enhancements and mitigation strategies highlighted in the Ecological Assessment of October 2009, and including a structure for the ongoing management regime. Particular attention should be paid to various matters as outlined within Natural England's consultation response, including appropriate lighting schemes, pre-work checks for Badger setts, artificial nesting opportunities for birds, vegetation clearance etc. to take place outside the bird nesting season (or first be assessed by an ecologist), retention and protection of as much existing woodland as possible, retention and management of hedgerows, grassland and field margins, and the design and management of water bodies. The EMP should also include the management of facilities including allotments, orchards and community gardens.

7.12.14 Natural England is satisfied that if all of the above aspects are implemented then the development would result in a net gain in biodiversity, and provide suitable green infrastructure benefits to the area in line with the relevant policies discussed above.

7.12.15 Northamptonshire Wildlife Trust noted that the Ecological Assessment had recorded the presence of plant species including Sheep's Fescue, Scarlet Pimpernel and Great Burnet which are fairly rare in the County. The Trust is keen for these species to be retained, protected and enhanced through the on-going sympathetic conservation management of the grassland. This should be achieved through the recommendations within the Ecological Assessment and an EMP.

7.12.16 Subject then to the requirement for a condition to secure an Ecological Management Plan there is no evidence, to suggest any overriding ecological constraints to the development. The proposal is therefore considered to accord with Policy 5 of the CSS as it provides for the enhancement of biodiversity and compensates adequately for the loss of any landscape features by the use of native planting within landscaped areas.

7.13 Archaeology and Cultural Heritage

7.13.1 Policy 13 of the Core Spatial Strategy seeks to raise design standards and protect assets to ensure that development is sustainable. Development proposals should take account of archaeological interests by ensuring that archaeological investigation to establish the need for mitigation or excavation strategy is carried out before planning permission is granted. Where applications are to be granted planning permission, appropriate conditions should be included covering recording of archaeological remains. This is consistent with advice contained in PPS5: Planning for the Historic Environment.

7.13.2 The application was accompanied by an Archaeological Desk Based Assessment which indicated that the site is adjacent to areas of known archaeological activity from a number of periods. NCC archaeology officers requested further information in the form of an archaeological field evaluation should be provided before the application is determined, in order to ascertain the existence and the state of preservation of any buried remains in order to assess the importance of the site.

7.13.3 Accordingly, the developers agreed a scheme of investigation with NCC archaeology officers including geophysical investigation and trial trenching has taken place. The work has identified that archaeological deposits are present within part of the site. However, the NCC

Archaeologist is satisfied that the extent of the remains will not prevent development of the site provided suitable mitigation is secured by a condition.

7.14 Community Safety

7.14.1 Community safety and the need to reduce the fear of crime by creating well planned spaces and sustainable communities is an important consideration in determining the layout and form of new development areas. Policy 13 of the North Northamptonshire Core Spatial Strategy seeks to ensure that proposals for development are designed to reduce the opportunities for vandalism, violence, anti-social behaviour. Further detail relating to the layout and design of the built environment can be found in Northamptonshire's Supplementary Planning Guidance "Planning Out Crime" which has been adopted county-wide. This supports the national guidance contained in "Safer Places".

7.14.2 A number of detailed comments have been made by the Police in relation to the proposal including the need to provide for children's play, safe pedestrian routes, convenient parking in relation to dwellings and to avoid excessive permeability across the site which could provide escape routes for those involved in crime. However, as the detail of the layout is not available at the outline planning stage, it would be necessary to ensure that, if the application is approved, that these matters are taken into account in the detailed design stage. A condition is suggested requiring a Design Code and Implementation Plan to be agreed setting out the design principles and objectives for the development. The Design Code which will set the design parameters for the development to ensure that key objectives are achieved across the whole scheme. Input from Northants Police will be sought at this stage as the Design Code is developed to ensure that the future development meets its community safety objectives. It is considered that the objectives of community safety can be adequately dealt with by condition.

7.14.3 Whilst no S106 contribution is sought, the Police welcome the creation of community facilities as part of the proposal. This may provide an opportunity for a Drop in Centre for use by the police to increase public confidence in neighbourhood policing in the area.

7.15 Air Quality, Dust, Contamination and Noise

Air Quality and Dust

7.15.1 An Air Quality Assessment has been submitted with the application which considers the construction and operational impacts of the completed development the dust generated by the construction of the development should not be significant and increased traffic associated with the development will have a very small impact on local air quality. ENC Environmental Protection Officers have no objections to the proposal on air quality grounds. A dust management strategy could be secured by condition to ensure that dust emissions are controlled during the construction phase. This would form part of a Construction Environmental Management Plan.

Contamination

7.15.2 A Phase 1 Ground Contamination Desk Study has been submitted in support of the application. This has identified some potential risk from localised contamination associated with the historic and current use; in particular in relation to an above ground fuel storage tank at Northdale Farm as well as potential areas of made ground in the developed areas of the also associated with the Farm. The Study recommends that a small scale targeted ground investigation be carried out and to also provide a representative coverage of the site. As stated by Environmental Protection colleagues, the type and location of explanatory holes should be agreed with the Local Planning Authority before the work is carried out; appropriate conditions could be attached to the planning permission if approved to require the investigation and remediation of any contamination.

Noise

7.15.3 The application is accompanied by a Noise Assessment. The methodology includes a noise survey to show both the baseline noise levels and the assumed noise levels once development is completed. Measurements are taken at three positions; at the north west corner of the site close to existing employment site and in the south west and south east of the site adjacent to Brick Kiln Lane and Midland Road where traffic noise levels would be expected to be highest.

7.15.4 The Noise Assessment concludes that the majority of the site falls within Noise Exposure Category (NEC) A as defined by PPG24. A small part of the site close to the road is within NEC B. Dwellings in sensitive locations layout should have an internal arrangement whereby habitable rooms are located away from noise sources and gardens should have 1.8m high fences to reduce the impacts of noise to an acceptable level.

7.15.5 Noise monitoring at the site has been carried out by Environmental Protection Officers who confirm that there is no objection to the application in respect of noise. However, some concern is noted relating to the indicative layout; specifically to the proximity of industrial uses to residential property and the need for a clear separation in the final layout, including a defined access point for delivery vehicles. This matter would be considered as part of the Reserved Matters when the detailed layout is assessed.

7.16 Residential Amenity

7.16.1 The submitted Illustrative Design Framework indicates that the development could be positioned on the site without resulting in undue harm upon the occupiers of the wider surrounding properties in terms of overlooking, overshadowing or overbearing impact. The closest residential development comprises a small number of dwellings along the north side of Midland Road and the eastern side of North Street, which would be separated from the development by the open space / flood alleviation works; the dwellings at Brooks Road; the houses at Furnells Close (to the south of Brick Kiln Road); and the houses along the southern side of Midland Road, which would face towards the eastern section of the site but are set somewhat back from the road (approximately 20 metres). Overall it is considered that the development could be accommodated with sufficient distance between in the new and existing dwellings and this matter would be considered at the reserved matters stage if outline planning permission were approved.

7.16.2 Issues of noise, air quality and dust are considered in the relevant sections above. Matters of crime and disorder, which have been raised by residents, are considered within the Layout and Design section above.

7.16.3 It is noted that a poultry farm exists along Brooks Road however this is disused. The Environmental Protection team has confirmed that this has not given rise to any complaints and is satisfied that this should not be a problem for the proposed new development.

7.16.4 Local residents have raised concerns about disturbance and during construction of the development. It is considered that any noise and odour resulting from this development is likely to be for a temporary period of time (during the construction phase) and would be insufficient to justify the refusal of planning permission in this instance. The condition recommended by Environmental Protection Officers discussed above, requiring a Construction Management Plan would help to minimise any undue noise and disturbance from this proposal and safeguard the residential amenities of the existing surrounding residents.

7.16.5 Overall, a significant impact upon residential amenity would not be likely to arise from this development and it is not considered appropriate to refuse planning permission on this basis.

7.17 Waste Management

7.17.1 The control of waste is a factor during the construction phase and also when development is completed. The arrangements for the reuse of materials and the disposal of waste during construction can be controlled satisfactorily through an agreed Construction Environmental Management Plan, which can be made subject to a planning condition.

7.17.2 Details of the arrangements for provision of adequate bin stores and recycling can be conditioned to ensure that this information is provided at the detailed stage and subsequently implemented to ensure sustainability and satisfy Policy 13 of the Core Strategy. In particular, for blocks of flats a single point of refuse collection should be provided in an appropriate location close to the building and accessible from the public highway.

7.18 Sustainable Design and Construction

7.18.1 Policy 14 of the North Northamptonshire Core Spatial Strategy. Requires that a target of at least 30% of the demand for energy should be met on site dependant upon the technical and economic viability. The Sustainable Design and Energy Statement (DS&ES) accompanying the application refers to exploration of solar powered and combined heat and power systems with the exact choice to be explored at the reserved matters stage. The achievement of this target could have implications on the overall design and this does not seem to have been covered in the DAS.

7.18.2 The DS&ES follow the application of the energy hierarchy with proposals to minimise energy demand, use energy more efficiently and the use of on site renewables. These measures coupled with achieving a minimum CSH level 3 would imply a 25% improvement. The Statement also proposes a 15% reduction in CO2 emissions; this goes some way to achieving the policy target of 30% of energy demand from renewables. It is recommended that a condition is imposed requiring the development of a low and zero carbon strategy.

7.18.3 Conditions are recommended which require the submission of a sustainability statement for all phases of development, a feasibility study for the achievement of low and zero carbon on the development and to require minimum CSH and BREEAM standards to be achieved in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

7.18.4 Anglian Water has confirmed that there is sufficient water resource capacity to supply this development. However, in line with national and regional government policy it would wish to see measures taken by the developer to ensure that buildings are constructed to high water efficiency standards.

7.19. Developer Contributions

7.19.1 The approach to developer contributions was clarified by the Government recently in April 2010. The Government's policy tests on the use of planning obligations set out in Circular 5/05 were put on a statutory basis for developments which are capable of being charged Community Infrastructure Levy (CIL) which was introduced on 6 April 2010. This effect of this change is that it is no longer possible to require a development proposal to make good existing infrastructure deficiencies. The tests which a planning obligation must satisfy include that it must be 1) relevant to planning, 2) directly related to the proposed development, 3) necessary to make the proposed development acceptable in planning terms, 4) fairly and reasonably related in scale and kind to the proposed development; and 5) reasonable in all other respects. Whilst case law over recent years has effectively allowed these tests to be flexibly applied such that contributions arising from one development may help to alleviate existing deficiencies, this approach is no longer appropriate.

7.19.2 The development is of a size which generates a need for social and community infrastructure to meet the needs arising from the development. Detailed discussions have

taken place with the applicant and it is recommended that the contributions / provisions set out in the following paragraphs be sought.

Job Creation

7.19.3 The development proposed has the potential to create 200- 250 FTE jobs for Raunds in the employment/business units, care home and close care facility. This assumption is based on the English Partnership (now HCA) standard worker/floorspace ratios. It is anticipated that higher job densities can be achieved from small scale office/light industrial units and the applicant has suggested a 130-150 jobs as an estimate from the proposed employment units. The starting point for the jobs linked to the care home and close care units is based on the level of jobs needed for a 4 or 5 star hotel of the same size. Given the high level of care likely associated with this use, 100 jobs is suggested by the applicant as a realistic figure. This gives a total estimate of 230 to 250 full time jobs.

7.19.4 The proposal will also create approximately 50 jobs during the construction phase. These jobs are to be targeted to existing and new residents of Raunds in the first instance. There is an opportunity to create a number of training opportunities; in particular apprenticeships linked to the value of the construction contract. The ratio is 1 apprenticeship per £1.5m build value. This is the figure which would be required across Northamptonshire as a result of new development proposed in the growth areas. A mechanism for securing the jobs arising from the scheme as a benefit for the local labour force is to be incorporated into the S106 agreement together with a clause to promote the sourcing of materials to the local supply chain.

Affordable Housing

7.19.5 Policy 15 of the CSS sets a target of 40% affordable housing to deliver sustainable communities. The Strategic Housing Market Assessment 2007 requires an even split between 2, 3, and 4 bed dwellings with a tenure split of 70% social rented and 30% intermediate housing. Data for Raunds indicates that medium to larger dwellings are required.

7.19.6 The application is supported by an Affordable Housing Statement which suggests that the final quantity, size and tenure mix should be determined at the reserved matter stage to allow for account to be taken of local need and the economic circumstances at that time. Such an approach, however, would not provide the Council with certainty that the final scheme would include any affordable housing.

7.19.7 Following extensive discussions, the applicant has agreed to provide a minimum of 20% affordable housing (62 units) on the site should the application be approved. This would be secured by a S106 agreement which would allow for a financial appraisal to be undertaken at the reserved matters stage. This would also determine the precise tenure split to be achieved as it is recognised that this could affect viability of the development. However, the Council's starting point would be a tenure split of 70% social rented and 30% shared equity; if this is found to be unachievable adjustments would be agreed accordingly at that time. Affordable units would be distributed evenly over the whole development and not concentrated in a single area. In terms of the phasing for delivery of the affordable units, these would be provided before 80% of the private housing in any individual phase is occupied.

7.19.8 The Council's Housing Strategy Manager has confirmed that this is an appropriate approach in the current economic circumstances.

Education

7.19.9 A development of 310 houses would add 72 to 90 primary aged pupils and 60 – 72 secondary and sixth form pupils. There is adequate existing capacity in Raunds for primary

places to serve the likely needs arising from the proposal,

7.19.10 The total expansion of Raunds (880 dwellings) will give rise to a need for 52 additional secondary school places. This will need developer contributions. As the Northdale End proposal is to provide 310 units, this amounts to 35.2% of the total new build for the town.

7.19.11 NCC has agreed to an approach whereby a review mechanism is included within the s106 which would deduct the pupil numbers generated from all other consented and implemented (commenced on site) schemes from the available capacity at the school during that academic year. If a surplus exists, no payment would be necessary; however, if a deficit exists, payment would be made using the NCC formula.

7.19.12 In order to provide some certainty for NCC that should a deficit be present a contribution would be made, and for the applicant in terms of what the maximum contribution would be, the parties have agreed projections for the potential baseline school capacity should all of the allocated growth for Raunds take place evenly from 2011 onwards. The projections indicate that there would be a deficit of 52 places in 2020; the proportional contribution towards these places from Northdale End would therefore be capped at 35.2% (i.e. allocated growth for Raunds in the NNCSS is 880; of which 310 units is 35.2%) and the cost of these places has been calculated as follows:

$52 \times 1/6 \times \text{£}19,629 = \text{£}170,118$ (cost of a sixth form place)
 $52 \times 5/6 \times \text{£}18,100 = \text{£}784,333$ (cost of basic secondary school place)
Total = $\text{£}954,451$
35.2% of $\text{£}954,451 = \text{£}335,967$

This would provide a cap of $\text{£}335,967$ for the share of the school contribution from the Northdale End portion of the new housing requirement for Raunds. This figure has been agreed by both parties as an equitable contribution towards the educational need.

Flood Risk

7.19.13 As discussed at 7.6 above, should planning permission be granted the s106 agreement would need to include appropriate clauses to ensure that the surface water drainage scheme is adopted and appropriately maintained.

Libraries

7.19.20 There is an existing library in Raunds. The developer has agreed to contribute a one off sum of $\text{£}20,000$ towards the provision of a Children's and Families area in the existing library. The County Council have agreed this is acceptable.

Bus Service Improvements and Travel Plan

7.19.21 A framework Travel Plan has been provided (revised version F dated May 2010) following discussions with the HA and LHA. The FTP includes a number of measures to reduce the amount of reliance on the private car and to support alternative forms of transport and reduce the need to travel. The measures proposed include

- the extension of the X46 bus service to give over 90% of the new housing access to a bus stop within 300m of their front door or place of work
- Funding a travel plan co-ordinator to promote sustainable travel to new residents and businesses
- Provision of a network of pedestrian and cycle networks through the site and linking to surrounding areas.

A contribution of $\text{£}250,000$ has been agreed towards the provision of bus service improvements.

7.19.22 The target mode shift is to reduce the single private car occupancy AM/PM peak hour Journey to Work trips by 20%. The on-site transport strategy is to increase the modal share of the other transport modes including walking, cycling, buses and car sharing. . It is proposed that the mode shift target of 20% away from single occupancy car use is intended to be achieved within a set period.

7.19.23 In the event that the target reduction is not met within the established timeframe, suitable interventions will be agreed upon with East Northamptonshire Council and Northamptonshire County Council. These are to be developed in further detail for the Residential and Workplace Travel Plans, although they could include extending the Travel Plan Co-ordinator funded period and upgrading legibility of the town's walking and cycle routes.

7.19.24 As a further incentive to achieve the target reduction a remedial payment mechanism is proposed. The exact wording is to be agreed with the HA and LHA and is to include penalties should the 20% modal shift not be achieved.

7.19.25 The HA is satisfied with the content of the Framework Travel Plan (Revision F) which is to be secured through a S106 agreement.

Town Centre Improvements

7.20.1 Discussions have taken place between the Council and the Homes and Communities Agency (HCA) concerning a community –led Master exercise for Raunds, This will take the form of a 5 day workshop attended by members of the community to formulate a holistic view of Raunds leading to a Master Plan for the town. The HCA have recently confirmed £50, 000 funding to facilitate this work. A “funding pot” can be set up with money used for improvements works identified through this process, with contributions being made from developments coming forward for the growth of Raunds.

7.20.2 The applicant has offered to contribute £20,000 towards a shop front improvement scheme. This will provide an incentive for the regeneration of retail premises which will enhance the attractiveness of Raunds town centre and stimulate trade.

Health Care

7.20.3 The Health Impact Assessment submitted with the application concludes that the proposal will not have any impact on the existing health care provision in Raunds as existing GP surgeries have capacity to take on the new population which will arise from the development. Further, the overall health impact of the proposal is positive as it makes provision for healthier lifestyles.

7.20.3 The Council's Developer Contributions SPD refers to the need for capital contributions from major development proposals to be made for GP surgeries where an increased population will result which cannot be accommodated within existing surgeries. This is based on an assumption that each dwelling will yield an average of 2.4 persons and 1800 patients per GP as the maximum recommended by the Dept of Health and the East Midlands Strategic Health Authority.

7.20.4 Before a contribution is sought, the capacity of existing surgeries locally needs to be established. There are currently two existing GP practices in Raunds; at “The Cottons” Meadow Lane and Marshall Road both of which exceed the 1800 list per GP standard. The PCT has referred to a need for both revenue and funding contributions to plug the funding gap created by the additional population arising from the proposal. This would cover acute and mental care service provision, including extra medical staff and enhanced physical space in health facilities to accommodate the additional activity. However, the Council's SPD does not cover any revenue contribution only capital contributions which would be used to upgrade

surgery buildings or build new ones. It is therefore considered to be inappropriate to seek any revenue contribution.

7.20.5 Turning to capital contributions; for a practice to be able to increase in size the building must be capable of expansion. The PCT has commented that the Marshalls Road surgery has one GP and a recent building survey has shown the building is 100% occupied not capable of further expansion in terms of building size or structure

7.20.6 Following discussions, the PCT has however suggested that improvements to Meadow Lane Surgery could be made to accommodate the new population arising from the growth of Raunds. The improvements include moving all administration functions from the ground floor to the first floor, converting ground floor meeting rooms into clinical spaces and extending current parking arrangements.

7.20.7 The applicant has offered a sum of £50,000 to be added to the S106 legal agreement towards the cost of the above improvement work. This figure is based on a sum of £19,000 offered by Bovis Homes in application for 135 dwellings at Meadow Lane, the principle of which was accepted at the appeal into the refusal of the application. Notwithstanding, the appeal was dismissed.

7.20.8 In respect of the proposed £50,000 contribution; the response of the PCT is still awaited and will be reported verbally to the Planning Committee.

Recreation and Open Space

7.20.9 The Council's SPD on Developer Contributions requires all developments which yield 15 or more dwellings to make a contribution towards open space, sport and recreation. The application includes a significant amount of structural green space however; there is a need for equipped children's play areas to serve the development. This should include areas for Local Play (LAPs) for young children up to 6 years of age, Local Equipped Play Areas (LEAPs) for the 4-8 year age group and Neighbourhood Equipped Play Area (NEAPs) for unsupervised play for 8 – 14 year old children. The SPD requires a minimum of 4.8m² per dwelling (equipped play space) and 12m² per dwelling for informal Children's play space. This would need to be agreed as part of the S106 agreement, and would need to cover the phasing and delivery linked to the occupation of the houses, the on going maintenance arrangements and the amount and type of equipment to be provided for each identified play area.

7.20.10 Comments have been raised by objectors about the lack of facilities in Raunds for older children and teenagers and the detrimental impact that this causes for the community in terms of policing. Provision is required to support the likely population of teenagers which could result from this proposal.

7.20.11 The developer has agreed to the principle of providing the appropriate level and type of equipped children's play areas together with arrangements for its future maintenance and a specification for the number and type of equipment in each play area in accordance with the Developer Contributions SPD. The details of this will be included within the S106 agreement.

7.20.12 Sport England has made reference to the Open Space Sport and Recreation Study 2006 which advises that the District is relatively well provided for in terms of sport and recreation facilities. Whilst some small locational deficiencies have been identified, and Sport England mention the need arising for indoor sports provision this is not covered within the Developer Contributions SPD, so it is not appropriate to require a contribution towards this at the present time or to make good any identified sport or recreation deficiencies.

Other Matters

7.20.12 Whilst Northamptonshire County Council's request for contributions towards the fire service are acknowledged, the Council's adopted SPD for Developer Contributions does not make provision for this and it is therefore not considered appropriate to insist upon in this instance. However, it is recommended that the developers be required to install fire hydrants within the development and that this be secured by condition.

8. Conclusion

8.1 The selection of Northdale End as a suitable site for the growth of Raunds is evidenced on an analysis of the landscape and topography, the historical development of the settlement and the continuation and provision of a large area of green space which links the development to the town and provides a solution to the inherent flooding problems which have been a feature of Raunds over recent years. The proposed development not only provides a solution for its own drainage and flood risk needs but will ensure that the potential for flooding in the town is reduced. The Sustainable Urban Drainage System (SUDs) is based around open spaces for existing and new residents to enjoy linked to a network of footpaths, cycle ways, landscaped areas and water features which will provide a habitat for wildlife, play space for children allotment areas and a green asset for the town as a whole.

8.2 The application also considers the needs of the ageing population in proposing a care home and close care facility and the working age population by providing an element of employment areas and an estimate 200 - 250 jobs. An additional 50 jobs will be provided during the construction phase of the development. The developer has agreed to offer jobs in the first instance to local people from the town and to facilitate apprenticeships for local people based on a ratio of one apprenticeship for every £1,500,000 of construction cost.

8.3 Further, the application makes a proportionate contribution to education, a £50,000 contribution towards the improvement of the local GP surgery, affordable housing at a minimum of 20% (possibly more subject to viability testing) and £20, 000 contribution towards environmental improvements to the retail area of Raunds. The public transport provision in the town is to be improved by a £250,000 contribution to the X46 bus service and a travel plan which seeks to encourage reduced reliance on car travel in favour of more sustainable travel. Highway improvements are proposed to the A45 roundabout to cope with additional use arising from the impact of the development which satisfies the Highway Agency and NCC as Local Highway Authority that the strategic network is capable of accommodating additional vehicular flow arising from the proposal.

8.5 Whilst the proposal has given rise to local opposition, it is considered that there is no technical or policy reason to support refusal of the application which will provide a portion of the identified housing growth for Raunds, in a sustainable way and in line with government policy. The proposal is a SUE to Raunds in accordance with the North Northamptonshire Core Spatial Strategy.

9. Recommendation

9.1 Approval is therefore recommended subject to the applicant entering into a S106 legal agreement for the provision of infrastructure identified in this report, and subject to the attached conditions

Conditions/Reasons -

1. Time Limits

1. Application for approval of all the reserved matters must be made to the Local Planning Authority before the expiration of five years from the date of this permission unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with the provisions of section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun not later than whichever is the later of the following dates:

i) five years from the date of this permission; and/or

ii) the expiration of two years from the date of approval of the last reserved matters to be approved.

Reason: To ensure that the development complies with the provisions of section 92 of the Town and Country Planning Act 1990.

3. Limitations

Unless otherwise agreed in writing, business starter units shall be provided in the following size range 45m² to a maximum size of 140m² as set out in the Planning Statement accompanying the application.

Reason: To ensure that the development is sustainable and addresses the identified need for business starter units in the immediate area to minimise the need for out commuting and in accordance with Policy 11 of the North Northamptonshire Core Spatial Strategy.

4. The development hereby permitted shall not be for any more than 310 residential units unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is consistent with the submitted supporting documentation and to ensure that adequate consideration can be given to any proposed increase in numbers on the site.

5. All works related to the operation of the employment units which may cause any noise that is audible at the boundary of the site or at any other place as may be agreed by the Local Planning Authority shall be carried out only between the hours of 08.00 to 17.30 Monday to Friday and 08.30 – 13.00 hours on Saturdays thereafter and at no time on Sundays or Bank Holidays.

Reason: To maintain the amenities of the area in accordance with PPG24 Noise.

6. Non-domestic buildings shall achieve a minimum of Building Research Establishment Environmental Assessment Level "very good" (or the equivalent standard which replaces the Building Research Establishment Environmental Assessment Method which is to be the assessment in force when the Commercial Unit or units concerned are registered for assessment purposes.)

Reason: To define the permission in the interests of achieving a sustainable development in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

7. To be approved before Reserved Matters

The proposed development shall follow a Design Code and Implementation Plan linked to infrastructure provision including 140m² of community floor space which follows the design objectives set out in the Illustrative Master Plan submitted with the application. The scope of the Design Code shall be first agreed with the Local Planning Authority prior to the Design Code and Implementation and Plan being submitted to and agreed in writing by the Local Planning Authority prior to the approval of any reserved matters application. The Design Code and Implementation Plan shall set out the design principles and

objectives for the development and the reserved matters applications shall be in accordance with the approved Design Code and Implementation and Plan.

Reason: To ensure a satisfactory form of development which is satisfactorily served by infrastructure in accordance with Policies 7 and 16 of the North Northamptonshire Core Spatial Strategy.

8. Prior to the approval of any of the reserved matter applications, a Landscape Strategy Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. The Plan shall include the positions of all areas of open space (including allotments) within the site together with details of the existing and proposed contours of the land. Further, the Plan shall identify character areas and provide details of the treatment proposed for each character area, including hard and soft landscaping, use of materials, street furniture, fencing and lighting. The reserved matters applications shall be designed and subsequently implemented strictly in accordance with the approved Landscape Strategy Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development which is satisfactorily served by green infrastructure in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

9. Prior to the approval of any reserved matters application, an Ecological Management Plan for enhancement and creation of biodiversity, including long-term design objectives, protection of existing species, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the local planning authority. The management plan shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure a net gain in green infrastructure and safeguard the protected species identified under the Wildlife and Countryside Act 1981 (as amended) and to ensure that any loss of existing habitat is successfully mitigated for in accordance with the advice contained within PPS9 Biodiversity and Geological Conservation and Policy 5 of the North Northamptonshire Core Spatial Strategy.

10. Pre Commencement Conditions

Development shall not commence until a phasing plan linked to infrastructure provision for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Development shall not take place other than in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate form of development which is satisfactorily served by infrastructure in accordance with Policies 7 and 16 of the North Northamptonshire Core Spatial Strategy.

11. Approval of the details of the appearance of the buildings, landscaping, layout and scale (hereinafter called "the reserved matters") for each phase of the development shall be obtained from the Local Planning Authority prior to the commencement of that phase of development and the development shall be carried out in accordance with the reserved matters as approved. The development shall be carried out in accordance with the parameters assessed in the approved Design Code pursuant to Condition 7 of this permission.

Reason: To comply with the provisions of section 92 of the Town and Country Planning Act 1990.

12. Details of all hard and soft landscaping works for each phase of development shall be carried out in accordance with the details that have first been agreed in writing by the Local Planning Authority, prior to the commencement of development within that phase. Within each phase, the works shall be carried out prior to the occupation of any dwelling or other building within that phase of the development or in accordance with the

programme agreed in writing with the local planning authority. If within a period of five years from the date of planting, any trees or plants or any replacement planting is removed, uprooted, destroyed or dies, replacement trees and plants of the same species and size as that originally planted shall be planted in the next planting season, in the same place, unless the local planning authority gives its written consent to any variation.

Reason: To ensure a satisfactory form of development which is satisfactorily served by green infrastructure in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

13. Reserved matters applications shall be accompanied by a Sustainability Report that demonstrates how environmental sustainability issues have been addressed during the design process and set out the way in which the credits under relevant BREEAM Rating, Code for Sustainable Homes Level and Low or Zero Carbon energy target will be achieved based on the actual design of the Commercial Units or Residential Units (as appropriate) in the particular Development Parcel/phase.

Reason: To ensure a satisfactory form of sustainable development in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

14. Details of parking, manoeuvring and the loading and unloading of vehicles in respect of each phase of development shall be submitted concurrently with the reserved matters applications and agreed in writing by the Local Planning Authority prior to the commencement of development within that phase and shall be in accordance with the Northamptonshire County Parking Standards. The approved scheme shall be implemented and the areas approved for parking, manoeuvring, loading and unloading of vehicles shall be made available for use before the building in each phase hereby permitted is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate turning space, parking space and loading and unloading space are available to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and Northamptonshire County Council's Parking Standards Supplementary Planning Guidance 2003.

15. Details of secure bicycle parking for each phase of development shall be submitted concurrently with the reserved matters applications and agreed in writing by the Local Planning Authority prior to the commencement of development within that phase. The approved facilities shall be made available for use before the development in each Development Parcel hereby permitted is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate cycle facilities are provided to serve the development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the Northamptonshire.

16. Details of boundary treatments for each phase of development shall be submitted concurrently with the reserved matters applications and agreed in writing by the Local Planning Authority prior to the commencement of development within that phase. The scheme shall show the type and height of the means of enclosure and the approved boundary treatment shall be provided before the building in each Development Parcel hereby permitted is occupied.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

17. Details of the finished floor levels for each phase of development shall be submitted concurrently with the reserved matters applications and agreed in writing by the Local Planning Authority prior to the commencement of development within that phase and shall include full details of finished floor levels for each building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing site levels. The development shall thereafter be carried out strictly in accordance with the approved level details.

Reason: To ensure that construction is carried out at suitable levels having regard to drainage, access and the appearance of the development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

18. Details of storage of refuse and materials for recycling for each phase of development shall be submitted concurrently with the reserved matters applications and agreed in writing by the Local Planning Authority prior to the commencement of development within that phase. The approved facilities shall be made available for use before the development in each Development Parcel hereby permitted is occupied and those areas shall not thereafter be used for any other purpose.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

19. Details of the access roads, footways, cycle ways and connections to the existing highway, footpath and cycle way network for each phase of development shall be agreed in writing by the Local Planning Authority prior to the commencement of development within that phase. The access roads, footways, cycle ways and all connections shall be designed to adoptable standards and laid out and constructed in accordance with the approved details prior to the occupation of any building in each development parcel.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

20. Prior to development commencing in relation to the restoration and conversion of Northdale Barns details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The conversion shall be constructed in accordance with the approved materials.

Reason: In order to ensure a satisfactory standard of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

21. The Reserved Matters shall take account of community safety objectives set out in "Safer Places" and shall be accompanied by a report which demonstrates the way in which the scheme has been developed to address community safety objectives and which shall be implemented concurrently with the development.

Reason: In the interests of community safety and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

22. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

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

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

assessed.

23. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

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

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

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

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

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

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

27. Prior to the commencement of development, a scheme for the provision and implementation of surface water drainage including swales and drainage ponds, incorporating pollution control and the principles of 'sustainable urban drainage systems' shall be submitted to and approved in writing by the Local Planning Authority and based on the scheme set out in the approved application documents. The submitted details shall include landscaping proposals. The scheme shall be constructed and completed in accordance with the approved plans and specification at such time(s) as may be specified in the approved scheme. No building shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of pollution to the water environment in accordance with the advice contained within PPS23 Planning and Pollution Control, PPS25 Development and Flood Risk and Policy 13 of the North Northamptonshire Core Spatial Strategy.

28. Prior to the commencement of development, a scheme including phasing for the provision of foul water drainage on and off site, incorporating pollution control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans and specification at such time(s) as may be specified in the approved scheme. No building shall be occupied until the works for foul water drainage have been constructed in accordance with the approved details.

Reason: To prevent the increased risk of pollution to the water environment in accordance with the advice contained within PPS23 Planning and Pollution Control and Policy 13 of the North Northamptonshire Core Spatial Strategy.

29. Prior to the commencement of works affecting an existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted to and approved by the Local Planning Authority.

Reason: To safeguard the amenity of users of public rights of way and in the interests

of securing a sustainable development in accordance with Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy.

30. Prior to the commencement of development a full arboricultural survey and report on all existing trees and hedgerows on the site shall be submitted to and approved in writing by the local planning authority. The survey and report shall include details of all the trees and hedgerows to be removed and those to be retained and the method of protection of the retained trees and hedgerows during the course of development. The tree and hedgerow retention and protection shall be implemented in accordance with the approved scheme.

Reason: To safeguard as many natural features of the site as is reasonable for the development proposed. In accordance with Policy 5 and 6 of the North Northamptonshire Core Spatial Strategy.

31. Prior to the commencement of development a "LZC Feasibility Study" shall be carried out by an independent energy specialist to establish the most appropriate LZC energy source for the development in order to achieve a target of at least 30% of the demand for energy. Details of the measures to be provided within each phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development within that phase and implemented concurrently with the development of each phase.

Reason: To ensure that the development is sustainable in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

32. Prior to the commencement of development a copy of the Interim Design Stage Assessment Certificate shall be provided to the Local Planning Authority to demonstrate that the relevant BREEAM and CSH levels will be achieved, unless otherwise agreed in writing by the Local Planning Authority. Prior to the occupation of any units a copy of the final certificate shall be provided to the Local Planning Authority to prove that the units have been constructed in accordance with the Sustainability Report and the development has achieved the relevant BREEAM and CSH levels.

Reason: To ensure that the development is sustainable in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

33. No development shall take place until there has been secured the implementation of a mitigation scheme, or a programme of archaeological work and publication in accordance with a written scheme of investigation, which has been submitted in respect of the area of archaeological significance and approved in writing by the Local Planning Authority and Northamptonshire County Council's Archaeological Officer.

Reason: To ensure that archaeological matters are adequately considered in each phase of the development in a manner that is pursuant to PPS5 Planning for the Historic Environment.

34. Prior to the commencement of development, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority and the development shall be undertaken in accordance with the approved scheme.

Reason: In the interests of fire safety and to accord with Policy 6 of the North Northamptonshire Core Spatial Strategy.

35. Prior to the commencement of each phase of development, temporary vehicle wheel cleansing facilities shall be provided on the site to the satisfaction of the Local Planning Authority. These facilities shall be used by all vehicles leaving the site during each phase of construction and shall be permanently maintained in working order throughout construction of each phase of development.

Reason: To ensure that construction works do not prejudice the conditions of safety and cleanliness along the neighbouring highway in accordance with PPS23 Planning and Pollution Control.

36. Before any works or development are commenced the developer shall prepare and agree in writing with the Local Planning Authority a Construction Environmental Management Plan (CEMP) which sets out site procedures to be adopted during the course of construction, including inter alia working hours, soil stockpiling and material crushing and sorting, control of dust and other emissions, construction noise and vibration from the development. The provisions of the CEMP shall reflect the mitigation measures proposed in the Noise Assessment so as to cause minimum disturbance in the surrounding area. Construction of development shall proceed in accordance with the CEMP.

Reason: To maintain the amenities of the area in accordance with PPS23 Planning and Pollution Control.

37. Details of the lighting scheme for all the parking courtyards for each phase of development shall be submitted to and approved by the Local Planning Authority prior to the commencement of that phase of development and shall be fully implemented prior to the first occupation of the units served by each parking court.

Reason: In the interests of safety and amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

38. No part of the development shall be occupied until the mitigation shown on drawing number CS-24675/T/111D, including any subsequent revisions resulting from the implementation of the recommendations of the Road Safety Audit, has been completed to the satisfaction of the Local Planning Authority after consultation with the Highways Agency.

Reason: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site in the interests of road safety.

39. Prior to the occupation of the dwellings hereby approved, the pedestrian and cycle linkages between the development and the surrounding area and within the application site shall be developed and operational.

Reason: To allow a reasonable prospect of achieving the objectives of the Residential Travel Plan.

Informatives

1. Plans:

Turley Associates Drawings:-

BARY1019_001 – Red line plan

BARY1019_00 – Illustrative Design Framework

BARY1019_003 – Concept Framework

BARY1019_004 – Indicative pedestrian and cycling routes

Capita Symonds Drawings:-

CS24675/T/077) REV B; - Brick Kiln Road access.

CS24675/T/079 Rev B) – Midland Road access

CS24675/T/077 REV B - Brooks Road access

CS24675/T/109 REV A - Cycle route (1 of 2)

CS24675/T/110 REV A - Cycle route (2 of 2)

CS24675/T/111D - Raunds roundabout improvements

CS037259/UT/001 Rev C – Existing Utilities (Sheet1 of 2)

CS037259/UT/002 Rev C – Existing Utilities (Sheet2 of 2)

CS037259/UT/003 Rev C – Indicative Utility Strategy

CS037259/FD/001 Rev C – Indicative Foul Drainage Strategy

Committee Report

Committee Date : 2 March 2011

Printed: 18 February 2011

Case Officer **Anna Lee**

EN/09/01850/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
19 November 2009	27 November 2009	22 January 2010	Lyveden	Brigstock

Applicant **Prospect Brigstock Ltd**

Agent **Paul Bancroft Architects**

Location **The Green Dragon 1 Hall Hill Brigstock Kettering Northamptonshire NN14 3EZ**

Proposal **Proposed new single storey maisonettes and conversion of outbuildings for the Green Dragon Public House**

The application has been brought back to Development Control Committee after Members deferred the application on 8 September 2011 to allow further discussions between the agent and the local highway authority (NCC) on the highway improvement works.

1 Update

1.1 The previous report to committee is appended to this report. The highway officer is satisfied that the proposed development would not generate more vehicle movements than the present use of the site. However, in an attempt to improve vehicular visibility and pedestrian movement at the front of the site with The Syke, the highway officer and agent explored the possibility of creating pedestrian improvement works on both sides of the access. Plans showing the proposal for new pavement areas on both sides of the access were initially received on 13 May 2010. However, it was later realised that the footway improvements proposed on the south side of the access would not be acceptable as this would reduce the width of the main road to less than 5.0 metres.

1.2 Amended plans were received on 21 January 2011 showing the new highway improvement proposals. Amended plans were also received on 25 October 2010 to include missing elevations of the proposed units (units 2 and 3) and minor corrections to the elevations. The parish council, local residents and the local highway authority were re-consulted on both set of these amended plans.

1.3 The proposed highway improvements now include reduction in the footpath area on the south side of the access and retention of the proposed footway on the north side of the access between The Syke and Stable Hill. These alterations would mean that the road width of The Syke would be not be unacceptably reduced and would enable the road width to be retained at 5.0 metres. The local highway authority is satisfied with the proposed highway improvement works and recommends that a condition be imposed to ensure that the improvement works are carried out in accordance with the submitted details.

2 Other matters

2.1 Reported traffic accidents - The NCC has confirmed that there have been three accidents reported in the locality. However two of these occurred approximately 500 metres away from the site, away from the centre of the village: (1) Stanion Road, "where the driver of an agricultural vehicle overtook a parked vehicle and collided with an on-coming car on 27.02.2009 at 19:00 hours", (2) along the A6116 Sudborough Road/Harley Way "where the

driver of a single vehicle skidded and lost control on 27.12.2009 at 08:40 hours". The other incident was at the junction of Church Street connecting south of Hall Hill, some 175 metres away from the site, "where a driver of a car pulled out in front of a motor cyclist at 20:40 hours".

2.2 Deliveries – An area would be provided within the centre of the site for the turning of delivery vehicles and this would allow room for delivery vehicles to turn into the site and leave in a forward gear. The applicant was requested to confirm the number of deliveries the Green Dragon receives per day/week and the agent gave the following response, "I spoke with the owner of the pub who informs me that as far as regular deliveries go the delivery van visits one day a week apart from Christmas and bank holidays when two visits a week would not be uncommon. The vehicle they use is a large transit type vehicle". Given the information on reported traffic accidents, frequency of deliveries and the type of delivery vehicle, the highway officer is of the opinion that there is insufficient information to demonstrate that the proposed development would worsen the existing parking and road safety conditions or would result in significant harm to highway safety.

2.3 Ownership of the access - The agent has confirmed that part of the driveway from The Syke is a shared access and is not owned by the applicant. The applicant has since filled in new ownership certificates and has provided copies of the notice served, demonstrating that the correct procedure has been followed. The ownership issue does not affect the evaluation of the planning application.

2.4 One additional letter of objection received from no.6 The Syke dated 6 February 2011– The occupants raise concerns about overlooking upon the patio area of their property, loss of privacy, loss of the existing car park for the Green Dragon and effect on local parking. The effect of the development on no.6 The Syke is discussed in paragraph 7.6.3 of the previous report to committee. The highway issues, including the loss of the existing car park and effect of the development on local parking and highway safety are discussed in section 7.7.

3 Recommendation

3.1 That the application be GRANTED in accordance with the attached report and 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 shall be carried out in accordance with the materials and surface treatments shown on drawing number: 962-03 revision G received by the local planning authority on 25 October 2010; and prior to the commencement of the development hereby permitted, full details and samples of the external materials to be used shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and appearance of the conservation area.

3. The rooflights shall be of a conservation type and full details of the rooflights, including material(s), sections and elevational drawings, shall be submitted to and be agreed in writing by the local planning authority before the commencement of development. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and appearance of the conservation area.

4. Prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the gardens of all units (units 1, 2 and 3) shall be submitted to and approved in writing by the local planning authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the building is occupied and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the local planning authority.

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

5. Before any work is commenced on the development hereby permitted, details showing the slab levels of unit 2 and unit 3 in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge and eaves height of no. 6 The Syke and neighbouring buildings within 10 metres of units 2 and 3) shall be submitted to and approved in writing by the local planning authority. The buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

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

Reason: To safeguard public health, neighbour amenity and in the interest of the amenity of future occupiers.

7. Before the development hereby permitted is commenced, details of the surfacing of the parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the local planning authority. The development shall thereafter be implemented in accordance with the approved details before the first occupation of the development, unless otherwise agreed in writing by the local planning authority.

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

8. Prior to the first occupation of the maisonettes hereby permitted, the parking facilities to serve the development shown on drawing number: 962-03 revision G (received by the local planning authority on 25 October 2010) and footway improvement works along The Syke and the corner between The Syke and Stable Hill shown on drawing number: 962/04 revision E (received by the Local Planning Authority on 11 January 2011) shall have been completed and brought into use and be thereafter retained.

Reason: In the interest of highway safety and the amenity of future occupiers.

9. The maisonettes hereby approved shall be used as short term let accommodation for guests and employees of The Green Dragon Public House and shall remain ancillary to the public house to which it is associated (The Green Dragon, No.1 Hall Hill), and for no separate or independent use.

Reason: In the interest of local amenity, highway safety and the character and appearance of the area.

10. Techniques of sustainable construction shall be used and provisions for water efficiency and water recycling shall be provided in accordance with the submitted Sustainability Appraisal and Energy Efficiency Statement (dated October 2009, received by the local planning authority on 19 November 2010), 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.

11. The cycle parking and bin storage areas shall be provided in accordance with the locations shown on drawing number: 962-03 revision G (received by the Local Planning Authority on 25 October 2010). Prior to the commencement of the development hereby permitted, full details of the cycle parking and bin storage facilities shall be submitted to and approved in writing by the local planning authority. Such details shall include security details. The cycle parking and bin storage facilities shall thereafter be provided in accordance with the approved details prior to the occupation of the first of the maisonettes hereby approved.

Reason : To ensure that cycle parking and bin storage is available in the interests of the amenity of the occupiers and in the interest of reducing crime and fear for crime.

12. The development hereby permitted shall be carried out strictly in accordance with the amended details received by the local planning authority on 25 October 2010, drawing numbers: 962-03 revision G and 962-01 revision C; and drawing number: 962-04 revision E received by the local planning authority on 21 January 2011.

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

APPENDIX 1: Report to Planning Committee, 07/01/2009

The application has been brought to Development Control Committee because the Parish Council has objected on grounds that the existing access would not support any further development, parking and overdevelopment.

1 Summary of Recommendation

1.1 That permission be GRANTED subject to conditions.

2. The Proposal

2.1 The application seeks planning permission to convert No.4 Stable Hill into a two bedroomed maisonette (identified on the submitted drawing as Unit 1) and to construct two single-storey maisonettes within the court yard of the public house (identified as Units 2 and 3).

2.2 The maisonettes would be used as ancillary accommodation to The Green Dragon Pub. It is intended that Unit 1 and Unit 3 would be used as short term let accommodation and Unit 2 (the closest unit to the pub) would be allocated to the public house manager or to staff.

2.3 Associated with the proposal, the three maisonettes which would each have one parking space on site and a new pedestrian footway is proposed at the front of the site to The Syke and on the corner between The Syke and Stable Hill.

3 The Site and Surroundings

3.1 The application site lies within the village centre and is in use as a court yard to the public house. Access into the site is provided off The Syke.

3.2 The building proposed to be converted into a two-storey maisonette (No.4 Stable Hill) is a located within a row of buildings along the northern boundary of the site and is presently in use as a storage area. This building is not listed, but is adjoined to a grade II property to the east (No.6 Stable Hill).

3.3 The Green Dragon Public House is grade II listed. There are two small outbuildings (appearing to be temporary structures) located on the site close to the public house. However, as these outbuildings/structures are not listed in their own right, listed building consent would not be required for their removal. Conservation Area Consent would not be

required for their demolition.

3.4 It is understood that the existing public house has four to five guest rooms which are in use as Bed & Breakfast (B&B) accommodation. The front of the pub faces onto the public square of Hall Hill and Market Cross.

3.5 With the exception of The Green Dragon Pub, the site is mainly surrounded by residential buildings. This includes the properties along Stable Hill to the north and No.6 The Syke located to the immediate south of the site.

4 Policy Considerations

4.1 National Planning Policy Guidance:

PPS1 – Sustainable Development
PPS4 – Planning for Sustainable Economic Development
PPS5 – Planning for the Historic Environment
PPS7 – Sustainable Development in Rural Areas
PPS9 – Biodiversity and Geological Conservation
PPG13 – Transport

4.2 Regional Spatial Strategy 8: East Midlands Regional Plan, March 2009

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, June 2008:

Policy 1 – Strengthening the Network of Settlements
Policy 8 – Delivering Economic Prosperity
Policy 9 – Distribution & Location of Development
Policy 10 – Distribution of Housing
Policy 13 – General Sustainable Development Principles
Policy 14 – Energy Efficiency and Sustainable Construction

4.4 Rural North, Oundle and Thrapston Plan (Emerging Policy):

Policy 1 – Settlement Roles
Policy 2 – Windfall Development in Settlements

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 Supplementary Planning Guidance:

Parking SPG, March 2003
Planning Out Crime in Northamptonshire, Feb 2004

4.6 Supplementary Planning Document:

Design SPD, March 2009

4.7 Other Documents:

Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008

5 Relevant Planning History

5.1 Applications were submitted in the past for alterations to the public house and these are listed below:

- EN/03/01510/LBC, 'Install windows and extractor fans and repairs to outbuildings',

Permitted, 22.01.2004.

- EN/04/00323/ADV and EN/04/00324/LBC, 'Erection of external fascia lettering, lantern, replacement pictorial panel, 2 x wall mounted eagles, with associated external lighting', Permitted, 14.04.2004.

- EN/96/00523/ADV and 96/00524/LBC, 'Illuminated advertisements', Permitted, 30.09.1996.

6 Consultations and Representations

6.1 Neighbours: 12 letters of objection received from the occupants at, No.3 Hall Hill (2 letters), No.6 Hall Hill, No.7 Hall Hill (3 representations), No.3 The Syke, No.5 The Syke, No.6 The Syke (2 letters), No.7 Lyveden Road (2 letters), Brigstock House Nos. 6 -8 Hall Hill, and the reasons for objection/comments are summarised below:

Character and appearance

- The development would not be in-keeping with the conservation area

Neighbour amenity

- Overlooking and loss of privacy to No. 7 Hall Hill and No.6 The Syke

Highway matters

- Highway safety: the existing access is narrow and there are no/very limited vision splays
- There would be insufficient parking for occupants and visitors of the maisonettes
- The existing car park for the public house (with about 9 to 12 spaces) would be lost and would lead to overflow of parking at Hall Hill and Market Cross, and would lead to parking congestion on the surrounding streets
- The triangular area of parking space in Hall Hill is often fully parked, "it can be difficult to negotiate the sharp bend into High Street or where the road splits either side of the war memorial and it is so tricky to park anywhere nearby"
- No room for delivery vehicles to deliver goods to the public house
- The surrounding roads are used by delivery vehicles, agricultural vehicles and emergency vehicles
- One letter received from the landlord of one of the surrounding properties to advise that she, nor her tenants, believe the yard has been used as a car park; and if used, this would only be on very limited occasion
- The proposed new footway would greatly reduce an area of road, "forming a bottleneck effect on this narrow point and blind spot (coming down the hill from Lyvedon Road turning left into The Syke. By relocating the white line at the junction, if you are driving down Stable Hill to turn right into the Syke this will make it very difficult to swing a vehicle into the correct lane of the Syke (especially long vehicles)
- The revised drawing shows a road way width which is incorrect; following the footway improvements, a road width of 3.8 metres would be left and not 5.0 metres shown on the drawing

Environmental matters

- Impact on bats
- Where would refuse and recyclable materials be stored
- The proposed garden areas would be too small

Other matters

- "This could set a precedent for Three Cocks Public House"

- Damage to neighbouring walls along the Syke (No.6 The Syke) and perimeter wall to No.7 Hall Hill
- The access is not in the ownership of the applicant

6.2 Brigstock Parish Council: The Parish Council object to the proposal for the following reasons:

- “Overdevelopment of infill”
- “Restrictive access – The existing access is already difficult and could not support further residential activity”
- Insufficient parking for the proposed units
- The development would be inappropriate for the area, “too small to support the development”
- “Parking for the public house and its staff and customers would be seriously eroded in an area where parking is already a big issue. In fact we cannot see any parking provision.”

6.3 Local Highway Authority (NCC): based on the amended drawings and additional information received, the Local Highway Authority has confirmed they have no objection, subject to conditions (see Section 7.7 below for full details and recommendations).

6.4 Senior Conservation Officer: “I do not consider the development proposed would harm the character or appearance of the conservation area or surrounding listed buildings, and as such, I do not wish to object to the development proposed”.

7 Evaluation

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

7.2 Principle of Development

7.2.1 The agent advises that the application has been submitted as the current public house industry is suffering in a recession and there is an urgent need for local or onsite publican/tenant accommodation, as a result of prohibitive house prices in the local area and limited rental properties. The agent comments: “it is important that affordable accommodation is available for this pub to survive and flourish whilst maintaining alternate B&B accommodation rental income”.

7.2.2 The existing public house lies inside the built confines of an existing rural settlement. PPS7 seeks to support rural communities and local services in villages by encouraging economic growth, diversification and employment. This approach is supported by PPS4, policies 8 and 13 of the North Northamptonshire Core Spatial Strategy. In addition, PPS5 encourages proposals that would add to the viability of listed buildings.

7.2.3 The proposal would bring an existing building located in the centre of the village (No.4 Stable Hill) into economic use and proposes the construction of two other maisonettes. The proposal, in effect, would support and add to the diversification of the existing business and help to support the local economy. These benefits would also contribute towards the viability of the main listed building. Therefore, the principle of the development is acceptable, and the proposal should be supported for these reasons.

7.3 Visual Impact/Impact on Street Scene

7.3.1 The main public view point from which the proposed development would be visible is from Stable Hill. Here, only the works proposed to the northern elevation of No.4 Stable Hill (Unit 1) would be visible. The two other proposed maisonettes (Units 2 and 3) would not be visible in the street scene or from the wider surrounding area.

7.3.2 All the window and door openings of Unit 1 would be formed on the side facing onto the court yard of the public house and there would be no openings on the side facing Stable Hill.

The alterations proposed on the north facing side of No.4 Stable Hill include, to raise the eaves by a few courses of limestone (by 300mm) and to reconstruct the roof re-using the existing pantiles. These works would be sympathetic to the character and appearance of the existing building and there would be no harm on the street scene.

7.3.3 The Parish Council is concerned about 'overdevelopment', i.e. that the development would be cramped. One of the proposed maisonettes would utilise the floor space of an existing building and the other two maisonettes would be single-storey buildings with relatively small footprints and would be tightly positioned against the southern boundary of the site. With this arrangement, and as a court yard area is proposed in the centre of the site to provide a parking and turning area for vehicles, a reasonable amount of space would be left between the proposed units and the buildings along Stable Hill. Therefore, the proposed development would not be cramped.

7.4 Impact on the Conservation Area

7.4.1 As previously mentioned, the proposed new maisonettes would be mostly concealed away from the public viewpoints, and as such, would not be visible from the wider conservation area.

7.4.2 Sympathetic materials are proposed for the construction of the two maisonettes and the southern elevation of Unit 1 (No.4 Stable Hill). These materials include a mixture of random course limestone and reclaimed brick for the walls of Unit 2, use of limestone for the walls of Units 1 and 3, and pantiles for the roof of all three buildings. The windows and doors would be in timber and conservation style rooflights are proposed in the south facing roofslope of Unit 1 and on the north facing roofslope of Unit 2. The proposed materials would be in-keeping with the materials found on the surrounding buildings, and as such, would help to preserve and enhance the character and appearance of the conservation area.

7.4.3 In the interest of preserving and enhancing the character and appearance of the conservation area, conditions requiring the submission of details and samples of external materials, rooflight details and hardsurfacing details, are recommended.

7.4.4 Overall, subjected to the recommended conditions, there would be no harm from this proposal on the character and appearance of the conservation area.

7.5 Impact on the Setting of Listed Buildings

7.5.1 Unit 2 is the maisonette closest to the main listed building of The Green Dragon. Given this building would be located approximately 10 metres away from the listed building, would replace an existing outbuilding on the site and be positioned at an angle away from the listed building, there would be no adverse effect on the setting of the main listed building.

7.5.2 The conversion works and external alterations proposed at No.4 Stable Hill would not have an adverse effect upon the adjoining listed building No.6 Stable Hill. The proposed materials and surface treatment would ensure that the development would be sympathetic to the adjoining listed building.

7.5.3 Overall, the Conservation Officer is satisfied with the relationship of the proposed development with the surrounding listed buildings and the suggested conditions on materials, rooflights and hardsurfacing details would offer protection to the character, setting and appearance of the surrounding listed buildings.

7.6 Neighbouring Amenity

7.6.1 A single-storey lean-to outbuilding currently sits on the boundary with the neighbouring property No.3 Hall Hill. As Unit 2 would be constructed in the position of this existing outbuilding and would be single-storey in height (with low eaves height of 2.2 metres and low ridge height of 3.9 metres), there would be no significant overbearing or overshadowing impact on the neighbouring property or its rear garden area.

7.6.2 The occupants at No.7 Hall Hill have concerns about overlooking on their patio terrace and rear garden area. Unit 3 would be sufficiently positioned away from the neighbouring property, and as such would not overbear or overshadow the neighbouring property. Unit 2 would be partly concealed away by the existing outbuildings located at the rear of Nos. 3 and 5 Hall Hill and the existing 1.8 metre high stone wall located along the southern boundary of the site. As no windows are proposed in the west and south facing sides of Units 2 and 3, no significant overlooking would occur on the neighbouring property or its rear garden area.

7.6.3 The occupants at No.6 The Syke have also raised concerns about overlooking over their garden area and a loss of privacy. There is currently 1.8 metre high fencing with a conifer hedge measuring some 3.5 metres high directly behind the building of the neighbouring property (for approximately the first 8.0 metres). In addition, a 1.8 metre high stone wall divides the site away from the neighbouring property. Given this existing screening and the fact that the maisonettes proposed on the side to the neighbouring boundary (Units 2 and 3) would both be single-storey buildings (with low eaves height of 2.2 metres and low ridge height of 3.9 metres), there would be no overbearing or overshadowing impact on the neighbouring property or its garden area.

7.6.4 In terms of overlooking, as no windows or rooflights are proposed in the southern elevations of the buildings, no undue overlooking would occur on the neighbouring property or its rear garden area.

7.6.5 Individual gardens are proposed for all three maisonettes, and those proposed for Units 2 and 3 would be located adjacent to the southern boundary of the site. A condition requiring the submission of boundary screening details for these garden areas would help to ensure that no significant overlooking would result on the rear garden of the neighbouring property No.6 The Syke and would also help to safeguard the amenities of the occupiers of the maisonettes. Whilst no significant overlooking would result from the garden area proposed for Unit 1, the same boundary screening details are requested for Unit 1 in the interest of the privacy and amenity of the future occupier(s).

7.6.6 It would be difficult to justify harm on the other surrounding neighbouring properties to the northwest along Stable Hill due to the present use of the site (as a customer outdoor seating area and for deliveries), the fact that these properties are sufficiently screened by existing boundary treatment, and are located 15 metres away.

7.6.7 Overall, the impact on neighbouring amenities is considered insufficient to justify the refusal of planning permission on this application.

7.7 Highway Impact

7.7.1 Comments were received from the Parish Council and local residents in respect of the use of the existing access for this development. There are concerns that the existing access is restrictive, narrow, lacks visibility splays and cannot support the proposed development.

7.7.2 The Local Highway Authority (NCC) was consulted on this application in January 2010. Initially, NCC was concerned that the proposal would lead to a loss of parking for the public house and would result in intensification of use of a substandard vehicular access (memorandum dated 25.01.10). The Highway Officer later became aware that the proposed maisonettes would be used as accommodation associated with the public house. As the rear

courtyard currently has a parking capacity for approximately 12 vehicles, the Highway Officer is satisfied that the proposed development would not generate more vehicle movements than the present use of the site. Therefore, on the basis that the proposal would not result in intensification of use of the existing access, the Highway Officer does not object to the proposed development.

7.7.3 The existing access measures 3.4 metres in width. NCC would usually require a 4.5 metres wide shared access to help reduce conflict between approaching vehicles, and visibility splays of 2.0 metres x 2.0 metres on both sides of the access.

7.7.4 The width of the existing vehicular access is 1.1 metres narrower than NCC's current standards. However, as the Highway Officer is satisfied that the proposed development would not result in intensification of use of the access, this would be acceptable in its present form and it would not be reasonable to insist that the existing access be widened to conform with current standards. Furthermore, narrow access roads are often features found in traditional villages and it would be desirable to maintain this character, where possible.

7.7.5 The existing visibility splays on both sides of the access are very limited, due to the fact that there is a two-storey property located on the right hand side (No.6 Stable Hill) and there is an elevated open space area surrounded by stone walls measuring some 1.0 metres high on the left hand side.

7.7.6 In attempt to improve vehicular visibility and pedestrian movement at the front of the site with The Syke, the Highway Officer suggested creating pedestrian improvement works on both sides of the access off The Syke and entered into discussion with the agent about these works. Amended plans were later received on 13.05.2010 proposing new pavement areas on both sides of the access.

7.7.7 In the opinion of the Highway Officer, the proposed new pedestrian footway would help to provide an island to help facilitate pedestrian movement at the front of the site and would help with the vehicular visibility on both sides of the access. Subject to conditions to require that the proposed new footway is provided in accordance with the submitted details and that the proposed maisonettes be conditioned to remain ancillary to the public house, the Highway Officer considers that there would be no adverse highway impact from this proposal.

7.7.8 Comments were received from neighbours to say that there is an error on the drawings, where once the new footway is installed, the width of the road would be narrowed down to 3.8 metres and not the 5.0 metres shown on the amended drawing. The Highway Officer has been requested consider this matter and his views will be added to the update sheet.

7.7.9 The Parish Council and local residents raised concerns that, that the development would lead to the loss of an existing car park, that overflow parking would take place on the surrounding roads, in particular within the village square, along Hall Hill and Market Cross.

7.7.10 The guidance contained in PPG13 and Parking SPG both suggest that a flexible approach should be applied when considering car parking. In particular, a lower provision than set out in the standards may be sought in locations accessible by a means of transport other than the private car. This is particularly the case where on-street parking is available within close distance to the site and where the proposal is unlikely to result in an adverse effect on road safety in the location where the new parking demand is being sought.

7.7.11 Therefore, in terms of the submitted proposal, the Council would need to consider the extent to which the existing parking area is in use, and whether by losing the existing car park area alternative parking would be available nearby, that would not have an adverse effect on parking and road safety in these areas.

7.7.12 In assessing the need for parking, consideration needs to be given to the fact that visitors of the public house are likely to be local residents, many of whom live close enough to the site to travel by foot and would not have to travel by car.

7.7.13 Officers have visited the site on several occasions, two times during the day, one late afternoon and twice in the evenings (on a Saturday and Thursday) and during these times the existing parking area has not been heavily parked (with four to five cars at the most). It is therefore reasonable to assume that whilst the site has capacity for the parking of 12 vehicles, not all of these parking spaces are frequently occupied.

7.7.14 There is a small number of dwellings located along The Syke and each of these has off-road parking provided within the spacious front garden areas. This existing layout of development makes room for on-street parking along The Syke, without generating competition between the occupiers of some of the surrounding properties and the visitors and staff of the public house. In addition, a number of the properties located along the northern side of the road of Stable Hill have off-road parking served off Woodland Close, creating room for off-road parking along Stable Hill. It could be appreciated that some of these on-street parking spaces may already be in use by the occupiers of the surrounding properties (mainly those who do not have off-road parking i.e. the properties located on the eastern corner of The Syke with Stable Hill and Stable Hill). However, given that there are often on-street parking spaces available within the surrounding roads, it would be difficult to argue that the proposal would have an adverse impact on the area and would be difficult to refuse on grounds of highway safety. Notwithstanding this, the NCC have been contacted to ascertain whether there have been any reported highway accidents near the village centre and surrounding roads, and the information received will be reported on the update sheet.

7.7.15 Furthermore, customers travelling to the public house by car (unless they are familiar with the parking area at the rear) are likely to park close to the front of the public house and therefore probably make use of the on-street parking within Hall Hill and Market Cross. Given the limited range of services offered in Brigstock, it could be recognised that the need for parking in the centre of the village would be much less than that of a town centre or other village centres which offer a wider range of services.

7.7.16 Overall, taking into consideration the above matters and the fact that the Local Highway Authority has not objected to the proposed development, it would be extremely difficult to refuse the application on grounds of loss of parking.

7.7.17 Concerns were raised that insufficient parking would be provided for the occupant and visitors of the proposed maisonettes and there would be no room for delivery vehicles to deliver goods to the public house.

7.7.18 One off-road parking space is identified on the submitted drawings to serve each of the maisonettes, giving a total of three parking spaces. This level of parking would be sufficient given the small level of internal accommodation that would be available within the maisonettes.

7.7.19 In terms of room for delivery vehicles, the proposed turning area in the centre of the site and space identified in between Units 2 and 3 would allow room for delivery vehicles to turn into the site and leave in a forward gear.

7.7.20 Overall, sufficient off-road parking would be available to serve the development and there would be enough room for delivery vehicles.

7.8 Impact on Bats

7.8.1 No.4 Stable Hill is presently used as a garage for storage. Due to the fact that this building is a secure building and is in use, bats are unlikely to be present.

7.8.2 The existing outbuilding/structures on the site are either locked up, as so that they do not allow entry for bats or that they do not offer sufficient cover for bats. Therefore, it is unlikely that bats would be affected as a result of the removal of these outbuilding/structures

7.8.3 Overall, no bats would be adversely affected by the proposed development.

7.9 Impact on Trees

7.9.1 There are two ornamental trees on the site and both of these would be retained to provide some soft landscaping for the site. There would be no more impact on these trees in terms of root damage and soil compaction than the existing use of the site as a delivery yard. No trees are proposed to be removed from the site

7.10 Sustainable Construction and Energy Efficiency

7.10.1 Policy 14 of the Core Spatial Strategy states that development shall incorporate techniques of sustainable construction, provision for waste reduction/recycling, and water efficiency/recycling.

7.10.2 A Sustainability Appraisal and Energy Efficiency Statement has been submitted with the application. The statement states that the materials on the existing buildings would be reused and the shortfalls will be made up from reclaimed materials which are locally sourced. In particular, "The existing roofs will be re-clad in their existing clay pantiles and the new clay pantiles elsewhere will all be within 'The Green Guide to Specification' score as an 'A' rating". In addition, waste from the development would be recycled where possible.

7.10.3 For water efficiency and water recycling, the toilets would be a dual flush type and external water would be collected via the rainwater drainage system via a 200 litre water butt(s).

7.10.4 In order to ensure that the sustainable construction methods and waste reduction/recycling, water efficiency/recycling and energy efficiency measures mentioned in the submitted statement are implemented, a condition is recommended.

8 Other issues

8.1 Amenity Space – Individual garden areas are proposed for the maisonettes. The garden proposed for Unit 2 measures: 2.2 metre by 4.0 metre, the garden for Unit 3 measures 3.0 metre by 7.0 metre, and the garden for Unit 1 measures 2.0 metre by 3.0 metres. Given the buildings are proposed to be used ancillary to the public house as short term accommodation use, and the fact that two of these are only for one bedroomed units, it would be difficult to justify a refusal of planning permission on grounds of lack of amenity space.

8.2 Refuse and Cycle Storage - A bin storage area and cycle parking area is proposed in the western corner of the site for use of the future occupants of the maisonettes. Whilst the location of the refuse storage areas are shown, details to show the external appearance of these structures have not been provided. Therefore, a condition is recommended to require the submission of these details before commencement of development.

8.3 Damage to neighbouring walls –The occupiers/owners of No.7 Hall Hill and No.6 The Syke raise concerns about damage to their rear walls. Units 2 and 3 would be constructed within the boundaries of the application site and would not affect the rear wall belonging to the neighbouring properties. Furthermore, any damage to a neighbouring wall is a civil matter and is covered by other legislation.

8.4 Setting a Precedent – Whilst a resident raised concern that the proposed development could set a precedent for Three Cocks Public House, Members are reminded that each application needs to be considered on its own planning merits.

8.5 Ownership of the Access – A Certificate A has been submitted with the application, where a declaration has been made that the area of land marked in red is under the sole ownership of the applicant. Whilst land ownership is not a material planning consideration, the applicant is required to complete the correct ownership certificate. Some residents questioned about the ownership of the access, and in light of the comments received, the agent has been requested to provide clarification on this matter and any further information received would be added to the committee updates.

8.6 Crime and Disorder – There would be a degree of cross surveillance between the maisonettes and therefore this application does not raise any significant issues. An open (un-roofed) cycle storage area and bin storage area have been proposed to the west side of Unit 2. In order to ensure that these areas would be offered sufficient protection against theft and vandalism, it is recommended that full details of these facilities be provided (including security details, as recommended per condition 11).

8.7 Access for Disabled – This application does not raise any significant issues.

9 Conclusion

In recommending approval to this application, the relevant planning guidance and policies were identified as: PPS1, PPS4, PPS5, PPS7, PPS9, PPG13; Policies 1, 8, 9, 10, 13, 14 of the North Northamptonshire Core Spatial Strategy 2008; Policies 1, 2 of the Rural North, Oundle and Thrapston Plan (Emerging Policy); Supplementary Planning Guidance: Parking SPG 2003, SPG Planning Out Crime in Northamptonshire 2004; Design SPD 2009; Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008.

Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of development; visual impact; impact on conservation area; impact on listed buildings; impact on neighbouring amenities; highway impact; impact on bats; impact on trees; sustainable construction and energy efficiency requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy; crime and disorder; and access for the disabled.

The application has been recommended approval as:

1. The principle of the development is acceptable and is consistent with the development plan and guidance contained in national planning policies.
2. The proposal would have no significant impacts on visual amenity or the character and appearance of the area.
3. The proposal would not harm the conservation area
4. The proposal would not have an adverse effect on the setting of the nearby listed buildings.
5. The proposal would not have a significant impact on the amenities of neighbouring occupiers or the amenity of the area.
6. The proposal would not have an unacceptable impact on the local highway.
7. The proposal would have no adverse effect on bats.
8. The proposal would not result in an unacceptable loss or harm to trees.
9. The proposal satisfies the sustainable construction and energy efficiency requirements of Policy 14 of the Northamptonshire Core Spatial Strategy.
10. Waste, recycling storage and cycle storage can be reasonably provided for the maisonettes.
11. The proposal would have no significant crime and disorder issues.
12. The proposal would have no significant disabled access issues.

10 Recommendation

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

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 shall be carried out in accordance with the materials and surface treatments shown on drawing number: 962-03 Revision F received by the Local Planning Authority on 14th June 2010; and prior to the commencement of the development hereby permitted, full details and samples of the external materials to be used shall have been submitted to and approved in writing by the Local Planning Authority and the development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and appearance of the conservation area.

3. The rooflights shall be of a conservation type and full details of the rooflights, including material(s), sections and elevational drawings, shall be submitted to and be agreed in writing by the Local Planning Authority before the commencement of development, and the development shall be implemented in accordance with the details so approved.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and appearance of the conservation area.

4. Prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the gardens of all units (Units 1, 2 and 3) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the building is occupied and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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

5. Before any work is commenced on the development hereby permitted, details showing the slab levels of Unit 2 and Unit 3 in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge and eaves height of No. 6 The Syke and neighbouring buildings within 10 metres of Units 2 and 3) shall be submitted to and approved in writing by the Local Planning Authority, and the buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

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

Reason: To safeguard public health, neighbour amenity and in the interest of the amenity of future occupiers.

7. Before the development hereby permitted is commenced, details of the surfacing of the parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details before the first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

8. Prior to the first occupation of the maisonettes hereby permitted, the parking facilities to serve the development shown on drawing number: 962-03 Revision F (received by the Local Planning Authority on 14th June 2010) and footway improvement works along The Syke and the corner between The Syke and Stable Hill shown on drawing number: 962/01 (received by the Local Planning Authority on 13th May 2010) shall have been completed and brought into use and be thereafter retained.

Reason: In the interest of highway safety and the amenity of future occupiers.

9. The maisonettes hereby approved shall be used as short term let accommodation for guests and employees of The Green Dragon Public House and shall remain ancillary to the public house to which it is associated (The Green Dragon, No.1 Hall Hill), and for no separate or independent use.

Reason: In the interest of local amenity, highway safety and the character and appearance of the area.

10. Techniques of sustainable construction shall be used and provisions for water efficiency and water recycling shall be provided in accordance with the submitted Sustainability Appraisal and Energy Efficiency Statement (dated October 2009, received by the Local Planning Authority on 19th November 2010), 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.

11. The cycle parking and bin storage areas shall be provided in accordance with the locations shown on drawing number: 962-03 Revision F (received by the Local Planning Authority on 14th June 2010). Prior to the commencement of the development hereby permitted, full details of the cycle parking and bin storage facilities shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include security details. The cycle parking and bin storage facilities shall thereafter be provided in accordance with the approved details prior to the occupation of the first of the maisonettes hereby approved.

Reason : To ensure that cycle parking and bin storage is available in the interests of the amenity of the occupiers and in the interest of reducing crime and fear for crime.

12. The development hereby permitted shall be carried out strictly in accordance with the amended details received by the Local Planning Authority on 14th June 2010, drawing number: 962-03 Revision F, and drawing number: 962-04 Revision B received by the Local Planning Authority on 13th May 2010.

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

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 shall be carried out in accordance with the materials and surface treatments shown on drawing number: 962-03 revision G received by the local planning

authority on 25 October 2010; and prior to the commencement of the development hereby permitted, full details and samples of the external materials to be used shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and appearance of the conservation area.

3. The rooflights shall be of a conservation type and full details of the rooflights, including material(s), sections and elevational drawings, shall be submitted to and be agreed in writing by the local planning authority before the commencement of development. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To achieve a satisfactory appearance for the development and to preserve the character and appearance of the conservation area.

4. Prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the gardens of all units (units 1, 2 and 3) shall be submitted to and approved in writing by the local planning authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the building is occupied and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the local planning authority.

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

5. Before any work is commenced on the development hereby permitted, details showing the slab levels of unit 2 and unit 3 in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge and eaves height of no. 6 The Syke and neighbouring buildings within 10 metres of units 2 and 3) shall be submitted to and approved in writing by the local planning authority. The buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

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

Reason: To safeguard public health, neighbour amenity and in the interest of the amenity of future occupiers.

7. Before the development hereby permitted is commenced, details of the surfacing of the parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the local planning authority. The development shall thereafter be implemented in accordance with the approved details before the first occupation of the development, unless otherwise agreed in writing by the local planning authority.

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

8. Prior to the first occupation of the maisonettes hereby permitted, the parking facilities to serve the development shown on drawing number: 962-03 revision G (received by the local planning authority on 25 October 2010) and footway improvement works along The Syke and the corner between The Syke and Stable Hill shown on drawing number: 962/04 revision E (received by the Local Planning Authority on 21 January 2011) shall have been

completed and brought into use and be thereafter retained.

Reason: In the interest of highway safety and the amenity of future occupiers.

9. The maisonettes hereby approved shall be used as short term let accommodation for guests and employees of The Green Dragon Public House and shall remain ancillary to the public house to which it is associated (The Green Dragon, No.1 Hall Hill), and for no separate or independent use.

Reason: In the interest of local amenity, highway safety and the character and appearance of the area.

10. Techniques of sustainable construction shall be used and provisions for water efficiency and water recycling shall be provided in accordance with the submitted Sustainability Appraisal and Energy Efficiency Statement (dated October 2009, received by the local planning authority on 19 November 2010), 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.

11. The cycle parking and bin storage areas shall be provided in accordance with the locations shown on drawing number: 962-03 revision G (received by the Local Planning Authority on 25 October 2010). Prior to the commencement of the development hereby permitted, full details of the cycle parking and bin storage facilities shall be submitted to and approved in writing by the local planning authority. Such details shall include security details. The cycle parking and bin storage facilities shall thereafter be provided in accordance with the approved details prior to the occupation of the first of the maisonettes hereby approved.

Reason : To ensure that cycle parking and bin storage is available in the interests of the amenity of the occupiers and in the interest of reducing crime and fear for crime.

12. The development hereby permitted shall be carried out strictly in accordance with the amended details received by the local planning authority on 25 October 2010, drawing numbers: 962-03 revision G and 962-01 revision C; and drawing number: 962-04 revision E received by the local planning authority on 21 January 2011.

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

Informatives

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

Plans received by the Local Planning Authority drawing number: 962-03 Revision F received 14th June 2010; drawing number: 962-04 Revision B received on 13th May 2010; and drawing number 962/01 received 24th November 2009.

Design and Access Statement dated October 2009 received on 19th November 2009; Sustainability Appraisal and Energy Statement dated October 2009 and received 19th November 2009; Paul Bancroft Architect letter dated 8th February 2010, received 10th February 2010 and email received 18th August 2010.

2. In approving this application, the relevant planning guidance and policies were identified as: PPS1, PPS3, PPS4, PPS5, PPS7, PPS9, PPG13; Policies 1, 8, 9, 10, 13, 14 of the North Northamptonshire Core Spatial Strategy 2008; Policies 1, 2 of the Rural North, Oundle and Thrapston Plan (Emerging Policy); Supplementary Planning Guidance: Parking SPG 2003, SPG Planning Out Crime in Northamptonshire 2004; Design SPD 2009; Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008.

Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of development; visual impact; impact on conservation area; impact on listed buildings; impact on neighbouring amenities; highway impact; impact on bats; impact on trees; sustainable construction and energy efficiency requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy; crime and disorder; and access for the disabled.

The application has been approved as:

1. The principle of the development is acceptable and is consistent with the development plan and guidance contained in national planning policies.
2. The proposal would have no significant impacts on visual amenity or the character and appearance of the area.
3. The proposal would not harm the conservation area.
4. The proposal would not have an adverse effect on the setting of the nearby listed buildings.
5. The proposal would not have a significant impact on the amenities of neighbouring occupiers or the amenity of the area.
6. The proposal would not have an unacceptable impact on the local highway.
7. The proposal would have no adverse effect on bats.
8. The proposal would not result in an unacceptable loss or harm to trees.
9. The proposal satisfies the sustainable construction and energy efficiency requirements of Policy 14 of the Northamptonshire Core Spatial Strategy.
10. Waste, recycling storage and cycle storage can be reasonably provided for the maisonettes.
11. The proposal would have no significant crime and disorder issues.
12. The proposal would have no significant disabled access issues.

A full report is available on the Council's website www.east-northamptonshire.gov.uk

3. The applicant is advised that no works within the existing public highway may commence without the written consent of the Local Highway Authority and this permission does not give or infer such consent. The Highway Authority will only give consent commence works subject to the completion of an appropriate agreement with the Highways Act 1980 You are advised to contact the Local Highway Authority for further advice on this matter.

Committee Report

Committee Date : 2 March 2011

Printed: 18 February 2011

Case Officer **Mr Rhys Bradshaw**

EN/10/00617/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
6 April 2010	20 May 2010	19 August 2010	Thrapston Lakes	Thrapston

Applicant **Rosguill Developments**

Agent **Mr M McBride**

Location 71 - 75 High Street Thrapston Northamptonshire

Proposal **Demolition of Thrapston Town Council offices and construction of new 2 storey building to house Town Council, 1 no. retail unit on ground floor and 11 no. offices above. Demolition of outbuildings to rear of 71-75 High Street and northern range to rear of 75. Conversion of 71-75 to offices retaining existing retail and creation of 4 no. apartments on 1st and 2nd floors. Construction of 3 no. 2 storey and 1 no. 3 storey dwellings on northern boundary and creation of central parking courtyard accessed via Oundle Road.**

1 Summary of Recommendation

1.1 That permission be GRANTED subject to the imposition of planning conditions

2 The proposal

2.1 The application proposes the redevelopment of the Thrapston Town Council building, the adjacent listed building and land to the rear. The proposal includes the following:

- The erection of a two storey building fronting Oundle Road and the corner with High Street to house Thrapston Town Council offices on the ground floor and eleven offices on the first floor.
- Demolition and conversion of outbuildings to the rear to create three two storey, two bedroom dwellings and one three storey, three bedroom dwelling.
- Conversion of the existing grade II listed building (no 71-75 High Street) to offices and retail on the ground floor and four two bedroom apartments on the first and second floor.
- Internal courtyard parking area for eight vehicles accessed via an integral drive way from Oundle Road. This would give access to the dwellings to the rear of the site.

These proposals have been subject to protracted negotiations and the submission of amended plans in an attempt to overcome concerns raised by English Heritage and the Senior Conservation Officer.

3 The Site and Surroundings

3.1 The application site is situated in the centre of Thrapston at the junction of Oundle Road and the High Street. Directly opposite, on the southern side of the High Street, is a contemporary mews style development of 2.5 storey houses and diagonally opposite the corner of the site is the Old Rectory (grade II listed). To the north is the grade II* listed St James's Church.

3.2 Site is currently occupied by the existing listed building fronting the High Street, the single storey, flat roof Town Council building on the corner and a series of outbuildings to the rear. The listed building is in very poor condition internally. Boarded up showing considerable signs of deterioration, it currently has a detrimental impact on the street scene and the wider conservation area.

3.3 The land levels are consistent throughout the site

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.

PPG24 - Planning and Noise

4.2 Regional Spatial Strategy for the East Midlands (RSS8)

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development

Policy 13b – Housing Provision (Northamptonshire)

Policy 17 – Regional Priorities for Managing the Release of Land for Housing

Policy 43 – Regional Transport Objectives

Policy 45 – Regional Approach to Traffic Growth Reduction

Policy 48 – Regional Car Parking Standards

Policy 49 – A Regional Approach to Improving Public Transport Accessibility

Policy MKSM SRS Northamptonshire 1

Policy MKSM SRS Northamptonshire 2

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application.

4.3 North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements

Policy 6 – Infrastructure Delivery & Developer Contributions

Policy 7 – Delivering Housing

Policy 8 – Delivering Economic Prosperity

Policy 9 - Distribution and Location of Development

Policy 10 – Distribution of Housing

Policy 11 – Distribution of Jobs

Policy 13 – General Sustainable Development Principles

Policy 14 – Energy Efficient and Sustainable Construction

Policy 15 - Sustainable Housing Provision

4.4 Supplementary Planning Guidance

Parking; Planning Out Crime; Northamptonshire Place and Movement Guide

4.5 Rural North, Oundle and Thrapston Plan

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.

5 Relevant planning history

5.1 EN/06/00572/FUL - Redevelopment of buildings and land to create a total of two shops, five houses and two flats with associated works. Granted

5.2 EN/06/00574/LBC - Redevelopment of house, two shops, flat and storage to create house, two shops, and two flats, garages and workshop to west to be demolished and replaced with two dwellings, alterations to garage on north boundary, store and overgrown area to be replaced with two houses and associated works. Granted

5.3 EN10/01267/CAC – Demolition of Thrapston Town Council Offices. Pending

5.4 EN10/00618/LBC – Redevelopment of site to provide retail, residential, offices. Pending

6 Consultations and Representations

6.1 Neighbours: Two letters received. These can be summarised by the following points:

- Welcome the redevelopment of a particularly unsightly area of the High Street
- The proposed form of the development appears cramped and at odds with the built form of the area.
- A 3 storey property would be respectful of the surrounding character but the courtyard style with properties on all sides would not.
- Mixed use should be encouraged but the introduction of dwellings is out of place. They will have a poor outlook which will be significantly overshadowed and will give rise to a poor level of amenity for occupants.
- There is no outdoor amenity space.
- The proposal only includes 5 car parking spaces and 3 for the dwelling houses. Whilst the application site is in a sustainable location being in the town centre, Thrapston is poorly served by bus services and the 11 office units are unlikely to be solely occupied by local businesses. Therefore, there is likely to be a significant demand for car parking as a result of the proposal. There is currently an inadequate level of parking in the town centre with heavy congestion at peak times and unauthorised parking giving rise to congestion. There is concern that the proposal would add to this and result in harm to highway safety.
- The access position would appear insufficient. It will obviously be up to the Highways engineers to comment on this but having an access in such close proximity to a busy controlled junction may give rise to unacceptable harm to users of the public highway and this needs to be addressed.
- The units should not be granted A3 usage and should be restricted to normal shop opening hours.
- The first and second floor windows in the new building will overlook the grade II listed Old Rectory and will invade its privacy. Obscuring the offending windows would overcome this problem.

6.2 St James Parish Church: Some of the residential apartments are going to be very close to the bell tower and although the bells are generally only rung on Friday evenings and Sunday mornings we value that facilities which gives a lovely rural feeling to the town and would not wish to lose it because of new residents who may complain.

6.3 Thrapston Town Council: No objections

6.4 English Heritage (summarised):

The proposals involve numerous alterations, including demolition to a group of grade II listed buildings and the construction of a development forming a courtyard which will have a direct impact on the setting of the adjacent grade II* listed church of St James. The existing Town Council offices are of marginal merit and their demolition is uncontentious.

Development of this site has potential to deliver significant townscape and heritage merits but the quality of the submitted designs do not adequately fulfil this potential. This corner is a highly visible piece of townscape, the redevelopment of which, unless handled particularly

sensitively, will adversely affect the character and appearance of the conservation area and the setting of a number of listed buildings.

The corner building currently on the site was presumably designed to reflect the shape of a new highway alignment as the road here is broader than it was historically. This building is of little interest. The widening of this corner appears to have had little practical necessity – the radius does not make a dramatic difference in terms of traffic safety due to its position on the junction, while significant townscape benefits might accrue from reinstating the historic, tighter corner. It can also be argued that such a junction would actually have a passive traffic calming effect.

The re-use of the listed buildings, which have been vacant and in need of repair has the potential to reinvigorate this part of town. The 19th century factory extension to the rear of no 75 is an interesting addition to this much earlier house, whilst the carriage house and cottage suggest a complex history to the site, although they are altered. The loss of the factory building to provide courtyard parking is regrettable, although the retention of the carriage house and cottage is welcomed.

The proposals discuss aspects of repair to the existing buildings including “like for like” replacement of existing joinery “where necessary”. This is unsatisfactory both in terms of methodology and level of detail when considering the future of potentially all of the external timber joinery.

Three dimensional visualisations of the views of the church and Oundle Road have not been expressed. The effect on the setting of the church is not readily discernable simply from the submitted elevations.

The proposals for the new build are far from convincing in terms of massing, form and detailing. The common roof eaves, lack of chimney stacks, modern car entrance and faceted plan replicating the chamfered corner all militate against this from being successfully assimilated into the street rather than reading as a modern pastiche.

The general thrust of Government policy has moved to strengthen the position of local planning authorities seeking to maximise the potential of redevelopment to improve local amenity. Reflecting policy in PPS1, good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take opportunities available for improving the character and quality of an area and the way it functions should not be accepted. This is the policy position for undesignated sites, however the location within the conservation area, coupled with the presence of numerous listed buildings, including those on site and St James’ Church creates an even stronger policy position enshrined in the Planning (Listed Buildings and Conservation Areas) Act 1990.

While the redevelopment has potential to “mend” a currently weak area of townscape and bring a group of buildings back into use, we do not feel that the current proposals yet fulfil the potential of this important site. The proposals for the listed buildings could, in the context of an otherwise acceptable scheme, be justified subject to conditions relating to detail such as the joinery.

We advise that significant improvements are both necessary and possible in terms of design for the new build element of the scheme (potentially involving discussions with County Highways) while the lack of perspective view of the northern elevation make assessment of the setting of the church difficult.

6.5 ENC Conservation – Comments on original scheme:

The application site comprises a listed building, a number of 'curtilage listed' structures and the Thrapston Town Council Offices; a single storey building built circa 1920. The site is located within the Thrapston Conservation Area. The buildings of 71-75 High Street were noted in the recent review of the conservation area to be at-risk due to vacancy and in turn a

lack of maintenance.

I am satisfied in principle with the works proposed to the principal listed building; the works appear to sit comfortably within the existing framework with very little alteration to the internal structure/plan of the building. There is a general lack of information with regard to this part of the scheme however, and so it is difficult to comment further. Information is required with regard to structural works (front elevation and generally) and internal fixtures and fittings.

In terms of the external alterations proposed, the first floor extension appears acceptable; I would recommend that the ridge-line is lowered so as to be subservient and markedly a different stage of development. In my view the proposed replacement shop-front on the western property is a shortfall of the scheme; this development is considered a good opportunity to reinstate a good quality shop-front instead.

In terms of the development to the rear of the frontage buildings, it is considered that this is somewhat intensive. Amongst other things, I wish to see the carriage house building, which comprises early fabric (pre 1781), preserved as is as far as possible; certainly not extended on its front elevation. The garage building to the west of the site has already been compromised to a large degree and I have no objections to the work proposed to this structure in principle. Notwithstanding this I suggest the dormer window is omitted.

I have no objections to the demolition of the warehouse range in principle, subject of course to it being fully recorded before and during demolition.

Overall the new units are of a greater scale than the existing listed buildings, which I don't consider appropriate. The units are also lacking architectural features such as chimneys to give them vertical emphasis and so as to help them blend in with the built form of the High Street.

In my view the under-croft is not a particularly good feature; architecturally and practically. I would suggest that the floor above is omitted to create a larger space (historically, carriageways in market towns were often open to the rafters; this can be viewed in West Street, Oundle for example).

I would recommend that the applications be refused as the scheme currently stands. This is due to a lack of information with regard to the alterations proposed to the listed building, and the works proposed surrounding the listed building which for the reasons given above, are considered to have a detrimental impact on its setting. Thus, the proposal is considered contrary to policies HE6 and HE10 of PPS5.

6.6 ENC Housing: No objections

6.7 ENC Environmental Services: I have checked through the supporting information and that submitted in support of previous applications for this site. From this it would appear the land has been in commercial (shops) and residential use for a considerable time. There is no evidence to suggest that significant levels of contamination may be present. Therefore, I have no object to the planning application in this respect.

Noise

I can confirm that the frequency of the bell ringing as described does not give Environmental Protection cause for concern in respect of noise nuisance.

6.8 ENC Design Officer

I have reviewed the revised drawings submitted in respect of the above application. I am satisfied that the amendments address the main points of my original memorandum dated 21 June 2010, specifically regarding window spacing, dormer windows and the rear elevations.

I still however request that the shop fronts identified within the elevations are explicitly excluded from any planning permission in order that these can be considered in detail at a

later date

6.9 NCC Highways: (summarised)

Initial response – The applicant has failed to demonstrate or give adequate information to determine my full view and in its present form the proposal is unacceptable. I trust that the issues can be resolved prior to consideration. Request the following details:

- Visibility splays and site lines.
- Access width of 4.5m
- Revised car park layout
- Removal of kerb radius at site entrance
- Removal of planting either side of entrance to achieve visibility

These details have since been submitted and are acceptable to the Highway Authority.

6.10 NCC Archaeology: No objection subject to the imposition of a recording condition.

6.11 Ancient Monuments Society: No objections to the general principles of this application but we are very concerned over the materials planned for the substantial new terrace. It is proposed that the doors and windows should be in uPVC. This is utterly unacceptable in such a context. Such key features in plastic would greatly damage the historic townscape. Seasoned and painted timber windows, if necessary with secondary glazing, would be much more acceptable. There is also reference to "blue black slate" for the roof. This seems to imply artificial slate. Such a large expanse of such a characterless material would be disappointing and damaging. The shell is to be in a smooth render over modern building blocks. Again, this is very disappointing in such a context. A lime render applied with a wooden float and avoiding bell mouths would be gentler and more satisfying

6.12 Northamptonshire Police: No objections in principle but object if the undercroft cannot be secured by gates. Also recommends the following:

- The ground floor level window to the pedestrian passage way 'The Slabs' should be protected against both burglary and damage. This can be achieved by installing a recognised form of deterrent i.e. perforated metal or similar. As a minimum requirement laminated glazing is essential.
- The hardwood gate to access the rear via 'The Slabs' should be of solid construction and lockable.
- All dwellings should be constructed to 'Part 2', Physical Security, Secured by Design. This is a minimum standard for safety and security.
- All windows and external commercial/communal doors should be certified to secure standards as recommended by the police.
- The lighting to the external and internal courtyard areas should be approved by the LPA in consultation with the police.
- Serious consideration should be given extend the towns CCTV system to cover the proposed development and Coronation Gardens. Consultation with the police prior to any decision should be made and guidance should be taken from the Home Office 'Operational Requirements Manual 2009'.

6.13 NCC Rights of Way: No objections in principle to the application and would like to make the following comments in respect of Public Rights of Way. This response is without prejudice to any response from Northamptonshire County Council Development Liaison Team in the same way theirs is without prejudice to this one.

There is a Public Right of Way, Footpaths NX7 & NX16, registered on the Definitive Map (2005) surrounding the proposed development. Both footpaths immediately surround the proposed development but should not be impacted upon. Although there is no awarded width for these paths, we would not want to see them reduced by the re-development. NX7 is more enclosed and we wish to see it as wide as possible on the ground.

If, as part of the re-development, the applicant will be re-surfacing the footpaths, Northamptonshire county council would not be objecting to it in principle but would need to

agree details and specification at a later stage. Again widths are to be considered within, ideally 2 meters for an enclosed path where possible although outside the red line boundary.

With reference to the supplementary planning guidance: Planning Out Crime in Northamptonshire, the county council would like to make the following comments in regards to design. We would like to suggest a post and rail fence up to a height of 1.2 meters along the gardens of the new properties which border the public footpaths NX7 and/or NX16, in relation to safety issues of enclosed Public Rights of Way between houses. It is best practise that streets and spaces should be well overlooked, lit and busy in order to reduce crime and access requirements comply with Disability Discrimination Act 2005 regulations. Users also feel safer when they can be seen by drivers, residents and other users.

We have no objections in principle providing the standard requirements are adhered.

7 Evaluation

7.1 The main considerations in the determination of this proposal are the principle of development; design, layout and visual impact; the effect on neighbouring amenities; highway matters, archaeology and other issues.

7.2 Principle of development

7.2.1 This previously developed site is within the confines of the town. The principle of its redevelopment for commercial, residential and community use is therefore considered acceptable. PPS4 encourages schemes that secure sustainable economic growth to promote the vitality and viability of town centres.

7.3 Design, layout and impact on the setting of listed buildings and the conservation area.

7.3.1 The significant concerns raised by both English Heritage and the Council's own Conservation Officer must be acknowledged. Some of these concerns have been overcome through the submission of additional details, notably the three dimensional visualisation from Oundle Road (demonstrating an acceptable impact on the setting of St James' Church) and revised elevational details to include chimney features, dormer windows and changes to fenestration. To the rear of the main frontage buildings, amendments have been made to the carriage house to remove the originally proposed front projection to the satisfaction of the Senior Conservation Officer.

7.3.2 Concerns have been raised by English Heritage regarding the faceted plan of the proposed new build element, in that it replicates the modern form of the chamfered corner of the site. Officers agree with the sentiment of English Heritage that the widening of this corner in the relatively recent past appears to have had little practical necessity. The opportunity to re-instate the historic, tighter corner has been thoroughly explored through negotiations with Northamptonshire County Council (NCC), English Heritage and the applicant. The wide corner at this junction is highway land and has utilities running beneath. To bring the corner of the proposed building out to replicate the historic form would require the stopping up of this land, with the significant associated costs borne by the applicant. The applicant has investigated the possibility of stopping up the land and moving the services but has confirmed that this would not be viable. NCC have also indicated that a ransom would be payable to transfer this land to the applicant and were also not willing to agree to the tighter junction radius suggested by English Heritage. As such, this part of the scheme remains as originally submitted, maintaining the wide corner.

7.3.3 It is acknowledged that other elements of the design are not ideal such as the arched drive through and step up in height; however, on balance, the works to the listed building and the overall improvement in the street scene would be beneficial to the town centre. The concerns surrounding the form of the building have to be balanced with the need to secure the future of the adjoining listed buildings, which all parties have agreed, are in a poor state of repair. 71-75 High Street occupies a prominent position in the street scene and, more importantly, the conservation area. The development of this site would bring these buildings back into productive use and secure their future

7.3.4 Policy HE11 of PPS5 advises further on this issue and says that local planning authorities should assess whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the disbenefits of departing from the development plan or from national policies, taking into account whether:

- it will materially harm the significance of the heritage asset or its setting
- it will avoid detrimental fragmentation of management of the heritage asset
- it will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation
- it is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid
- there is a source of funding that might support the heritage asset without the need for enabling development
- the level of development is the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests.

When assessing the scheme against this policy, Officers are of the view that the need to secure the long term future of the listed building far out outweighs the amount of harm caused to its setting by the proposed new building.

7.3.5 In terms of the finer detail of the design, the proposed building would reflect features in the existing listed building such as the proportions, design and spacing of windows, the chimney detail and shop fronts. In all there would be four new shop fronts facing Oundle Road and the junction as well as the replacement of the two existing shop fronts in the listed building. Whilst the proportions and general detailing shown on the submitted plans are acceptable, the applicant has agreed that the finer detail of all shop fronts can be designed in consultation with the Councils Design and Conservation Officers and controlled by condition.

7.3.6 The application does not propose any amenity space for the four proposed flats. Given the constraints of the site and the presence of the listed building, it is not possible to provide any amenity space and it is not considered reasonable to insist on provision being made in this instance. The proposed dwellings to the rear of the courtyard do have some useable space to the front of the buildings, where small walled garden areas are shown on the submitted layout. These spaces are limited in area but would provide adequate definition between public and private space as well as space for bin storage. The fact that the courtyard would be gated offers enhanced levels of privacy to these areas which would otherwise be visible from the public realm.

7.4 Impact on neighbouring amenities

7.4.1 The occupier of the Old Rectory diagonally opposite has expressed concerns about the level of overlooking from first and second floor office windows. Whilst this is noted, the separation distance between the two buildings would be in excess of 26m, which is sufficient to avoid undue levels of overlooking. This new front to front relationship would not be unusual in this location, where elsewhere along the High Street the intervening distance between opposing buildings is as little as 12m. It would be unreasonable to insist that these windows are obscurely glazed as the rooms they would serve would be single aspect.

7.4.2 There are no other existing neighbouring residential properties that could be adversely affected by this proposal, either through the proposed building having an overbearing impact or introducing new levels of overlooking. 5-12 Chicheley Cottages on the southern side of the High Street already have the mass of the existing listed building to the north so the proposed new building would have no greater impact in this regard.

7.5 Access/Parking

7.5.1 The following details have been submitted as requested by the Local highway Authority:

- Visibility splays and site lines.
- Access width of 4.5m
- Revised car park layout
- Removal of kerb radius at site entrance
- Removal of planting either side of entrance to achieve visibility

Northamptonshire County Council has confirmed that these details are now acceptable. The request to set the building back by 500mm to allow the opening of windows cannot be accommodated, although a condition to ensure that windows open inwards can be imposed should permission be granted. A neighbour has raised a concern that the entrance to the site is too close to the junction with the High Street, however the highway authority have no objection to this.

7.5.2 There have been some recent changes to PPG13 which aim to allow a more localised approach to parking standards. Whilst the central requirement to express maximum parking standards has been deleted, local authorities will still need to set parking standards for their own areas. The changes to PPG13 do not in themselves set new parking standards, but merely allow local standards to be more flexible in the future, whilst still supporting sustainable transport choice and modal shift.

7.5.3 It is intended that new local parking standards will be incorporated into forthcoming development plan documents, but in the meantime the only local standards we can apply to development proposals are those produced by Northamptonshire County Council. Historically the Parking SPG (2003) set out a maximum residential parking standard of 1.5 spaces per dwelling. The applicant proposes one parking space per unit in accordance with these guidelines. However the residential element of the Parking SPG has since been superseded by the Northamptonshire Place and Movement Guide (2008), which promotes more flexible standards informed by English Partnerships data. This approach is based on 1 allocated space per dwelling plus some additional spaces.

7.5.4 Despite the government's intention to allow more localised parking standards, the recently revised version of PPG13 does not automatically change our local policies, and furthermore PPG13 still states that "local authorities should not require developers to provide more parking spaces than they themselves wish, other than in exceptional circumstances". The application proposes eight spaces, which equates to one per dwelling. No additional spaces are proposed. Whilst this is so, the proposed development is sustainably located in the centre of Thrapston and there are areas of on street parking nearby as well as the public car park off Sackville Street. This, coupled with the desire to secure the listed buildings, makes this site an example of where a lower parking provision would be acceptable

8. Other matters

8.1 Contamination: There is no evidence to suggest that significant levels of contamination may be present.

8.2 Disabled access: The submitted Design and Access Statement confirms that all new build shops and offices will be wheelchair accessible.

8.3 Crime and disorder: The potential for crime and disorder on this site would be reduced by bringing the listed buildings back into active use. The Police Design Advisor requested a gated access and this has been shown on revised plans. The design and opening mechanism can be controlled by condition.

8.4 Archaeology: The County Archaeologist has requested a condition to ensure recording during development.

8.5 Refuse storage: Each of the proposed dwellings would have a walled area to the front within which wheeled bins could be stored. No details have been provided

9. Conclusion

9.1 In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS4, PPS5, PPG13 and North Northamptonshire Core Spatial Strategy policies 1, 6, 7, 8, 9, 10, 11, 13 and 14. 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 on the conservation area and existing listed buildings 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 represents the best use of land in an existing settlement.
- The proposal would not have an unacceptable impact on the local highway.
- The development would secure the future of the listed building on site whilst having an acceptable impact on the character of the conservation area and nearby listed buildings.
- The proposal would not have a significant impact on the amenities of neighbouring occupiers

10 Recommendation

10.1 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. Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the buildings hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory 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 final 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 the means of drainage to prevent the unregulated discharge of surface water onto the highway 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 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. Details of external lighting within the courtyard area shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The external lighting shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted.

Reason : In the interests of crime prevention and the amenities of the users of the parking area.

8. Notwithstanding the submitted details and prior to the commencement of the development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the building(s) hereby permitted, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details, 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.

9. No works shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist so that works are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

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

10. No development shall commence until a scheme of kerbing and surfacing works throughout the frontage of the site has been submitted to and approved in writing by the local planning authority. No development shall commence until a timetable for the completion of offsite improvement works has been submitted to and approved in writing by the local planning authority. The approved access road shall not be used to provide means of access to new residents until such time as the works have been completed in accordance with the approved details and timetable.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order amending or re-enacting that order with or without modification) there shall be no development within Part 1 of Schedule 2 to that order without the prior written approval of the local planning

authority.

Reason: To prevent alterations that could result in an adverse impact upon the simple character and appearance of the building

12. Notwithstanding the submitted details, all windows shall be of timber construction and not uPVC. Prior to the commencement of the development hereby approved, sections at a scale of 1:20 of new windows 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: To achieve a satisfactory appearance for the development.

13. The ground floor windows of the building hereby approved shall not open outwards.
Reason: In the interests of public safety.

14. All rainwater goods shall be of cast iron or cast aluminium upon rise-and-fall brackets and painted in black unless otherwise agreed in writing by the Local Planning Authority prior to commencement of development and thereafter retained and maintained in perpetuity.

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

15. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, further details of each shop front, including sections, 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: To achieve a satisfactory appearance for the development.

16. The development hereby permitted shall be carried out strictly in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:

Location Plan

received by the Local Planning Authority on 28/04/10

R001-01-02 REV C

received by the Local Planning Authority on 06/04/10

R001-01-03

received by the Local Planning Authority on 06/04/10

R001-01-04

received by the Local Planning Authority on 06/04/10

R001-01-05 REV A

received by the Local Planning Authority on 06/04/10

R001-01-06 REV H

received by the Local Planning Authority on 16/02/11

R001-01-07 REV E

received by the Local Planning Authority on 17/08/10

R001-01-08 REV B

received by the Local Planning Authority on 17/08/10

R001-01-09 REV F

received by the Local Planning Authority on 05/09/10

R001-01-10 REV H

received by the Local Planning Authority on 03/09/10

R001-01-11 REV H

received by the Local Planning Authority on 05/09/10

R001-01-13 REV D

received by the Local Planning Authority on 05/09/10

R001-01-14 REV A

received by the Local Planning Authority on 12/07/10

R001-01-15

received by the Local Planning Authority on 08/02/11

Reason: In order to clarify the terms of the planning permission and to ensure the works are carried out as permitted

Informatives

1. In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS4, PPS5, PPG13 and North Northamptonshire Core Spatial Strategy policies 1, 6, 7, 8, 9, 10, 11, 13 and 14. 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 on the conservation area and existing listed buildings and highway matters. The application has been approved as:
 - The principle of the development is acceptable and is consistent with the development plan.
 - The proposal represents the best use of land in an existing settlement.
 - The proposal would not have an unacceptable impact on the local highway.
 - The development would secure the future of the listed building on site whilst having an acceptable impact on the character of the conservation area and nearby listed buildings.
 - The proposal would not have a significant impact on the amenities of neighbouring occupiers

Committee Report

Committee Date : 2 March 2011

Printed: 18 February 2011

Case Officer **Mr Rhys Bradshaw**

EN/10/00618/LBC

Date received	Date valid	Overall Expiry	Ward	Parish
6 April 2010	20 May 2010	15 July 2010	Thrapston Lakes	Thrapston

Applicant **Rosguill Developments**

Agent **Mr M McBride**

Location 71 - 75 High Street Thrapston Northamptonshire

Proposal **Demolition of Thrapston Town Council offices and construction of new 2 storey building to house Town Council, 1 no. retail unit on ground floor and 11 no. offices above. Demolition of outbuildings to rear of 71-75 High Street and northern range to rear of 75. Conversion of 71-75 to offices retaining existing retail and creation of 4 no. apartments on 1st and 2nd floors. Construction of 3 no. 2 storey and 1 no. 3 storey dwellings on northern boundary and creation of central parking courtyard accessed via Oundle Road.**

1 Summary of Recommendation

1.1 That permission be GRANTED subject to the imposition of planning conditions

2 The proposal

2.1 The application proposes the redevelopment of the Thrapston Town Council building, the adjacent listed building and land to the rear. The proposal includes the following:

- The erection of a two storey building fronting Oundle Road and the corner with High Street to house Thrapston Town Council offices on the ground floor and eleven offices on the first floor.
- Demolition and conversion of outbuildings to the rear to create three two storey, two bedroom dwellings and one three storey, three bedroom dwelling.
- Conversion of the existing grade II listed building (no 71-75 High Street) to offices and retail on the ground floor and four two bedroom apartments on the first and second floor.
- Internal courtyard parking area for eight vehicles accessed via an integral drive way from Oundle Road. This would give access to the dwellings to the rear of the site.

These proposals have been subject to protracted negotiations and the submission of amended plans in an attempt to overcome concerns raised by English Heritage and the Senior Conservation Officer.

3 The Site and Surroundings

3.1 The application site is situated in the centre of Thrapston at the junction of Oundle Road and the High Street. Directly opposite, on the southern side of the High Street, is a contemporary mews style development of 2.5 storey houses and diagonally opposite the corner of the site is the Old Rectory (grade II listed). To the north is the grade II* listed St James's Church.

3.2 Site is currently occupied by the existing listed building fronting the High Street, the single storey, flat roof Town Council building on the corner and a series of outbuildings to the rear. The listed building is in very poor condition internally. Boarded up showing considerable signs of deterioration, it currently has a detrimental impact on the street scene and the wider conservation area.

3.3 The land levels are consistent throughout the site

4 Policy Considerations

4.1 National Planning Policy Guidance

PPS5 – Planning for the Historic Environment.

4.2 Regional Spatial Strategy for the East Midlands (RSS8)

Policy 2 – Promoting Better Design

Policy 27 – Regional Priorities for the Historic Environment

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application.

4.3 North Northamptonshire Core Spatial Strategy

Policy 13 – General Sustainable Development Principles

4.4 Supplementary Planning Guidance

Shop Front Design Guide January 2011

4.5 Rural North, Oundle and Thrapston Plan

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.

5 Relevant planning history

5.1 EN/06/00572/FUL - Redevelopment of buildings and land to create a total of two shops, five houses and two flats with associated works. Granted

5.2 EN/06/00574/LBC - Redevelopment of house, two shops, flat and storage to create house, two shops, and two flats, garages and workshop to west to be demolished and replaced with two dwellings, alterations to garage on north boundary, store and overgrown area to be replaced with two houses and associated works. Granted

5.3 EN/10/00617/FUL – Redevelopment of site to provide retail, residential, offices. Pending

5.4 EN10/01267/CAC – Demolition of Thrapston Town Council Offices. Pending

6 Consultations and Representations

6.1 Neighbours: One letter received, summarised by the following points:

- The units should not be granted A3 usage and should be restricted to normal shop opening hours.
- The first and second floor windows in the new building will overlook the grade II listed Old rectory and will invade its privacy. Obscuring the offending windows would overcome this problem.

6.2 Thrapston Town Council: No objections

6.3 English Heritage (summarised):

The proposals involve numerous alterations, including demolition to a group of grade II listed buildings and the construction of a development forming a courtyard which will have a direct impact on the setting of the adjacent grade II* listed church of St James. The existing Town Council offices are of marginal merit and their demolition is uncontentious.

Development of this site has potential to deliver significant townscape and heritage merits but the quality of the submitted designs do not adequately fulfil this potential. This corner is a highly visible piece of townscape, the redevelopment of which, unless handled particularly sensitively, will adversely affect the character and appearance of the conservation area and the setting of a number of listed buildings.

The corner building currently on the site was presumably designed to reflect the shape of a new highway alignment as the road here is broader than it was historically. This building is of little interest. The widening of this corner appears to have had little practical necessity – the radius does not make a dramatic difference in terms of traffic safety due to its position on the junction, while significant townscape benefits might accrue from reinstating the historic, tighter corner. It can also be argued that such a junction would actually have a passive traffic calming effect.

The re-use of the listed buildings, which have been vacant and in need of repair has the potential to reinvigorate this part of town. The 19th century factory extension to the rear of no 75 is an interesting addition to this much earlier house, whilst the carriage house and cottage suggest a complex history to the site, although they are altered. The loss of the factory building to provide courtyard parking is regrettable, although the retention of the carriage house and cottage is welcomed.

The proposals discuss aspects of repair to the existing buildings including “like for like” replacement of existing joinery “where necessary”. This is unsatisfactory both in terms of methodology and level of detail when considering the future of potentially all of the external timber joinery.

Three dimensional visualisations of the views of the church and Oundle Road have not been expressed. The effect on the setting of the church is not readily discernable simply from the submitted elevations.

The proposals for the new build are far from convincing in terms of massing, form and detailing. The common roof eaves, lack of chimney stacks, modern car entrance and faceted plan replicating the chamfered corner all militate against this from being successfully assimilated into the street rather than reading as a modern pastiche.

The general thrust of Government policy has moved to strengthen the position of local planning authorities seeking to maximise the potential of redevelopment to improve local amenity. Reflecting policy in PPS1, good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take opportunities available for improving the character and quality of an area and the way it functions should not be accepted. This is the policy position for undesignated sites, however the location within the conservation area, coupled with the presence of numerous listed buildings, including those on site and St James’ Church creates an even stronger policy position enshrined in the Planning Listed Buildings and Conservation Areas) Act 1990.

While the redevelopment has potential to “mend” a currently weak area of townscape and bring a group of buildings back into use, we do not feel that the current proposals yet fulfil the potential of this important site. The proposals for the listed buildings could, in the context of an otherwise acceptable scheme, be justified subject to conditions relating to detail such as the joinery.

We advise that significant improvements are both necessary and possible in terms of design for the new build element of the scheme (potentially involving discussions with County Highways) while the lack of perspective view of the northern elevation make assessment of the setting of the church difficult.

6.4 ENC Conservation - Comments on original scheme:

The application site comprises a listed building, a number of 'curtilage listed' structures and the Thrapston Town Council Offices; a single storey building built circa 1920. The site is located within the Thrapston Conservation Area. The buildings of 71-75 High Street were noted in the recent review of the conservation area to be at-risk due to vacancy and in turn a lack of maintenance.

I am satisfied in principle with the works proposed to the principal listed building; the works appear to sit comfortably within the existing framework with very little alteration to the internal structure/plan of the building. There is a general lack of information with regard to this part of the scheme however, and so it is difficult to comment further. Information is required with regard to structural works (front elevation and generally) and internal fixtures and fittings.

In terms of the external alterations proposed, the first floor extension appears acceptable; I would recommend that the ridge-line is lowered so as to be subservient and markedly a different stage of development. In my view the proposed replacement shop-front on the western property is a shortfall of the scheme; this development is considered a good opportunity to reinstate a good quality shop-front instead.

In terms of the development to the rear of the frontage buildings, it is considered that this is somewhat intensive. Amongst other things, I wish to see the carriage house building, which comprises early fabric (pre 1781), preserved as is as far as possible; certainly not extended on its front elevation. The garage building to the west of the site has already been compromised to a large degree and I have no objections to the work proposed to this structure in principle. Notwithstanding this I suggest the dormer window is omitted.

I have no objections to the demolition of the warehouse range in principle, subject of course to it being fully recorded before and during demolition. Overall the new units are of a greater scale than the existing listed buildings, which I do not consider appropriate. The units are also lacking architectural features such as chimneys to give them vertical emphasis and so as to help them blend in with the built form of the High Street.

In my view the under-croft is not a particularly good feature; architecturally and practically. I would suggest that the floor above is omitted to create a larger space (historically, carriageways in market towns were often open to the rafters; this can be viewed in West Street, Oundle for example).

I would recommend that the applications be refused as the scheme currently stands. This is due to a lack of information with regard to the alterations proposed to the listed building, and the works proposed surrounding the listed building which for the reasons given above, are considered to have a detrimental impact on its setting. Thus, the proposal is considered contrary to policies HE6 and HE10 of PPS5.

6.5 ENC Design Officer

I have reviewed the revised drawings submitted in respect of the above application. I am satisfied that the amendments address the main points of my original memorandum dated 21 June 2010, specifically regarding window spacing, dormer windows and the rear elevations.

I still however request that the shop fronts identified within the elevations are explicitly excluded from any planning permission in order that these can be considered in detail at a later date

6.6 NCC Archaeology: No objection subject to the imposition of a recording condition.

6.7 Ancient Monuments Society: No objections to the general principles of this application but we are very concerned over the materials planned for the substantial new terrace. It is proposed that the doors and windows should be in uPVC. This is utterly unacceptable in such a context. Such key features in plastic would greatly damage the historic townscape. Seasoned and painted timber windows, if necessary with secondary glazing, would be much more acceptable. There is also reference to "blue black slate" for the roof. This seems to imply artificial slate. Such a large expanse of such a characterless material would be disappointing and damaging. The shell is to be in a smooth render over modern building blocks. Again, this is very disappointing in such a context. A lime render applied with a wooden float and avoiding bell mouths would be gentler and more satisfying

7 Evaluation

7.1 The main consideration in the determination of this proposal is the impact on the character of the listed building.

7.2 Impact on the character of the listed building

7.2.1 The schedule of works to the listed building itself requires some amendments. As such, a condition is recommended to ensure the submission and approval of a revised schedule.

7.2.2 The significant concerns raised by both English Heritage and the Council's own Conservation Officer must be acknowledged. Some of these concerns have been overcome through the submission of additional details, notably the three dimensional visualisation from Oundle Road (demonstrating an acceptable impact on the setting of St James' Church) and revised elevational details to include chimney features, dormer windows and changes to fenestration. To the rear of the main frontage buildings, amendments have been made to the carriage house to remove the originally proposed front projection to the satisfaction of the Senior Conservation Officer.

7.2.3 Concerns have been raised by English Heritage regarding the faceted plan of the proposed new build element, in that it replicates the modern form of the chamfered corner of the site. Officers agree with the sentiment of English Heritage that the widening of this corner in the relatively recent past appears to have had little practical necessity. The opportunity to re-instate the historic, tighter corner has been thoroughly explored through negotiations with Northamptonshire County Council (NCC), English Heritage and the applicant. The wide corner at this junction is highway land and has utilities running beneath. To bring the corner of the proposed building out to replicate the historic form would require the stopping up of this land, with the significant associated costs borne by the applicant. The applicant has investigated the possibility of stopping up the land and moving the services but has confirmed that this would not be viable. NCC have also indicated that a ransom would be payable to transfer this land to the applicant and were also not willing to agree to the tighter junction radius suggested by English Heritage. As such, this part of the scheme remains as originally submitted, maintaining the wide corner.

7.2.4 It is acknowledged that other elements of the design are not ideal such as the arched drive through and step up in height; however, on balance, the works to the listed building and the overall improvement in the street scene would be beneficial to the town centre. The concerns surrounding the form of the building have to be balanced with the need to secure the future of the adjoining listed buildings, which all parties have agreed, are in a poor state of repair. 71-75 High Street occupies a prominent position in the street scene and, more importantly, the conservation area. The development of this site would bring these buildings back into productive use and secure their future

7.2.5 Policy HE11 of PPS5 advises further on this issue and says that local planning authorities should assess whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the disbenefits of departing from the development plan or from national policies, taking into account whether:

- it will materially harm the significance of the heritage asset or its setting
- it will avoid detrimental fragmentation of management of the heritage asset
- it will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation
- it is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid
- there is a source of funding that might support the heritage asset without the need for enabling development
- the level of development is the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests.

When assessing the scheme against this policy, Officers are of the view that the need to secure the long term future of the listed building far out outweighs the amount of harm caused to its setting by the proposed new building.

7.2.6 In terms of the finer detail of the design, the proposed building would reflect features in the existing listed building such as the proportions, design and spacing of windows, the chimney detail and shop fronts. In all there would be four new shop fronts facing Oundle Road and the junction as well as the replacement of the two existing shop fronts in the listed building. Whilst the proportions and general detailing shown on the submitted plans are acceptable, the applicant has agreed that the finer detail of all shop fronts can be designed in consultation with the Councils Design and Conservation Officers and controlled by condition.

8. Other matters

8.1 Matters such as contamination, crime and disorder and refuse storage are considered under the application for full planning permission (EN/10/00617/FUL) which accompanies this application for listed building consent.

8.2 Archaeology: The County Archaeologist has requested a condition to ensure recording during development.

9. Conclusion

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

- The development would secure the future of the listed building on site whilst, on balance, having an acceptable impact on its character and integrity.

10 Recommendation

10.1 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. Notwithstanding the submitted details, prior to the commencement of the works hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the buildings hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in

writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

3. No works shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist so that works are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

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

4. All works hereby approved shall be carried out in a manner that no unnecessary damage is caused to the fabric or decorative features of the building and any damage so caused shall be rectified in accordance with a scheme to be submitted and approved by the Local Planning Authority prior to the completion of development.

Reason: In the interests of preserving the historic character, fabric and appearance of the grade II listed building and its setting.

5. All joinery shall be in timber not metal or plastic and thereafter retained in perpetuity.

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

6. Notwithstanding the submitted details, a revised schedule of works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. Works shall then be carried out in strict accordance with the approved details.

Reason: To maintain the character and appearance of the property as a building of acknowledged architectural and historic interest and ensure the development would not harm the character, appearance or historic fabric of the listed building.

7. Prior to the commencement of works, a structural report for the repair works to the front elevation of the building shall be submitted to and approved in writing by the Planning Authority. This report shall be carried out by a suitably qualified surveyor.

Reason: To ensure the works would not harm the character, appearance or historic fabric of the listed building.

8. Notwithstanding the submitted details, the re-pointing of existing stonework and new stonework shall be carried out using a hydraulic lime mix (no cement). Details regarding the composition of the mortar shall be submitted to and approved in writing by the local planning authority prior to the commencement of works.

Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II listed building and its character.

9. Notwithstanding the submitted details, all windows shall be of timber construction and not uPVC. Prior to the commencement of the works hereby approved, sections at a scale of 1:20 of new and replacement windows 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.

10. All rainwater goods shall be of cast iron or cast aluminium upon rise-and-fall brackets and painted in black unless otherwise agreed in writing by the Local Planning Authority prior to commencement of development and thereafter retained and maintained in perpetuity.

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

11. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, further details of each shop front, including sections, 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: To achieve a satisfactory appearance for the development.

12. The development hereby permitted shall be carried out strictly in accordance with the following approved plans unless otherwise agreed in writing by the local planning authority:

- Location Plan received by the Local Planning Authority on 28/04/10
- R001-01-02 REV C received by the Local Planning Authority on 06/04/10
- R001-01-03 received by the Local Planning Authority on 06/04/10
- R001-01-04 received by the Local Planning Authority on 06/04/10
- R001-01-05 REV A received by the Local Planning Authority on 06/04/10
- R001-01-06 REV H received by the Local Planning Authority on 16/02/11
- R001-01-07 REV E received by the Local Planning Authority on 17/08/10
- R001-01-08 REV B received by the Local Planning Authority on 17/08/10
- R001-01-09 REV F received by the Local Planning Authority on 05/09/10
- R001-01-10 REV H received by the Local Planning Authority on 03/09/10
- R001-01-11 REV H received by the Local Planning Authority on 05/09/10
- R001-01-13 REV D received by the Local Planning Authority on 05/09/10
- R001-01-14 REV A received by the Local Planning Authority on 12/07/10
- R001-01-15 received by the Local Planning Authority on 08/02/11

Reason: In order to clarify the terms of the planning permission and to ensure the works are carried out as permitted

Informatives

1. In approving this application, the relevant planning guidance and policies were identified as PPS5 and North Northamptonshire Core Spatial Strategy policy 13. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the impact on the character of the listed building. The application has been approved as:

- The development would secure the future of the listed building on site whilst, on balance, having an acceptable impact on its character and integrity.

Committee Report

Committee Date : 2 March 2011

Printed: 18 February 2011

Case Officer **Mr Rhys Bradshaw**

EN/10/01267/CAC

Date received 12 July 2010	Date valid 19 July 2010 Thrapston Lakes	Overall Expiry 13 September 2010 Thrapston	Ward	Parish
--------------------------------------	---	--	------	--------

Applicant **Rosguill Developments**

Agent **Mr M McBride**

Location **71 - 75 High Street Thrapston Northamptonshire**

Proposal **Demolition of existing offices at Thrapston Town Council to allow for construction of subsequent Residential/Offices and retail development on this site and adjacent lands**

This application accompanies planning application EN/10/00617/FUL and listed building consent application EN/10/00618/LBC.

1 Summary of Recommendation

1.1 That consent be GRANTED.

2. The Proposal

2.1 This application seeks consent for the demolition of the office building occupied by Thrapston Town Council in order to accommodate the residential, retail and office development proposed under applications EN/10/00617/FUL and EN/10/00618/LBC.

3 The Site and Surroundings

3.1 The application site is situated in a designated conservation area in the centre of Thrapston at the junction of Oundle Road and the High Street. Directly opposite, on the southern side of the High Street, is a contemporary mews style development of 2.5 storey houses and diagonally opposite the corner of the site is the Old Rectory (grade II listed). To the north is the grade II* listed St James's Church.

3.2 The site is currently occupied by a listed building fronting the High Street, the single storey, flat roof Town Council building on the corner, which is the subject of this application and a series of outbuildings to the rear.

4 Policy Considerations

4.1 National Planning Policy Guidance:

PPS1– Sustainable Development

PPS5 – Planning for the Historic Environment

4.2 Regional Spatial Strategy 8: East Midlands Regional Plan, March 2009

Policy 2 – Promoting Better Design

Policy 27 – Regional Priorities for the Historic Environment

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material

consideration which should be taken into account when determining a planning application.

4.3 North Northamptonshire Core Spatial Strategy, June 2008:
Policy 13 – General Sustainable Development Principles

4.4 Rural North, Oundle and Thrapston Plan (Emerging Policy):

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.

5 Relevant planning history

5.1 EN/06/00572/FUL - Redevelopment of buildings and land to create a total of two shops, five houses and two flats with associated works. Granted

5.2 EN/06/00574/LBC - Redevelopment of house, two shops, flat and storage to create house, two shops, and two flats, garages and workshop to west to be demolished and replaced with two dwellings, alterations to garage on north boundary, store and overgrown area to be replaced with two houses and associated works. Granted

5.3 EN/10/00617/FUL – Redevelopment of site to provide retail, residential, offices. Pending

5.4 EN10/00618/LBC – Redevelopment of site to provide retail, residential, offices. Pending

6 Consultations and Representations

6.1 Neighbours: no comments received.

6.2 Thrapston Town Council: No objection.

6.3 Senior Conservation Officer: No objection.

6.4 English Heritage: The existing Town Council offices are of marginal merit and their demolition is uncontentious.

6.5 NCC Archaeology: No objection

6.6 Ancient Monuments Society: No objections to the general principles of this application but we are very concerned over the materials planned for the substantial new terrace. It is proposed that the doors and windows should be in uPVC. This is utterly unacceptable in such a context. Such key features in plastic would greatly damage the historic townscape. Seasoned and painted timber windows, if necessary with secondary glazing, would be much more acceptable. There is also reference to "blue black slate" for the roof. This seems to imply artificial slate. Such a large expanse of such a characterless material would be disappointing and damaging. The shell is to be in a smooth render over modern building blocks. Again, this is very disappointing in such a context. A lime render applied with a wooden float and avoiding bell mouths would be gentler and more satisfying

7 Evaluation

7.1 The sole determining issue is the visual effect of the proposed demolition on the Conservation Area; all other issues have been considered in the associated planning and listed building consent applications EN/10/00617/FUL and EN/10/00618/LBC)

7.2 PPS5 (paragraph HE9.5) recognises that not all elements of a conservation area will necessarily contribute towards its significance. This policy advises that when considering proposals affecting conservation areas, local planning authorities should take into account the relative significance of the element affected and its contribution to the significance of the

conservation area as a whole. Where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the conservation area, "including, where appropriate, through development of that element, and this should be seen as part of the process of place-shaping".

7.3 There would be no harm from the proposed demolition of the existing Town Council office building as it presents limited architectural merit and is of relatively modern construction and appearance. A proposed replacement scheme has been submitted under references EN/10/00617/FUL and EN/10/00618/LBC and the planning merits of this scheme are discussed in the committee reports for these applications. Overall, the scheme proposed would be an acceptable replacement for the office building and would contribute to the enhancement of the conservation area.

7.4 A condition to require a timetable for the construction of a replacement scheme be submitted for approval before demolition works commence on site is recommended. This would help to minimise harm on the conservation area as a result of the loss of the existing building.

7.5 Finally, in order to ensure that proposed demolition works could be carried out without resulting in undue harm on the nearby residents and the environment, a condition is recommended to request that a scheme of dust and noise suppression be submitted before the demolition works commence on site.

8 Conclusion

8.1 In recommending approval for this application, the relevant planning guidance and policies were identified as: PPS1, PPS5; Policies 2, 27 of the East Midlands Regional Plan 2009; Policy 13 of the North Northamptonshire Core Spatial Strategy 2008; and The Rural North, Oundle and Thrapston Plan (Emerging Policy).

Having regard to these, the representations received and any other material planning reasons, the main issue is identified as the visual effect of the proposed demolition on the conservation area.

The application has been recommended approval as:

1. The proposal would not harm the character and appearance of the conservation area, or its setting.

9 Recommendation

9.1 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. Prior to the commencement of any demolition work or other development on the site a method statement for the control of dust and noise during demolition shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be implemented in accordance with the scheme so approved, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity, the orderly development of the site and to protect the environment.

3. Prior to the commencement of any demolition work or other development on the site, a timetable for the construction of a replacement scheme shall be submitted and approved in writing by the local planning authority. The replacement scheme shall be implemented in accordance with the timetable so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the proposal would not harm the character, appearance and setting of the conservation area and in the interest of residential amenity.

Informatives

1. In approving this application, the relevant planning guidance and policies were identified as: PPS1, PPS5; Policies 2, 27 of the East Midlands Regional Plan 2009; Policy 13 of the North Northamptonshire Core Spatial Strategy 2008; and The Rural North, Oundle and Thrapston Plan (Emerging Policy). Having regard to these, the representations received and any other material planning reasons, the main issue is identified as the visual effect of the proposed demolition of the conservation area.

The application has been approved as:

1. The proposal would not harm the character and appearance of the conservation area, or its setting.

A full report is available on the Council's website www.east-northamptonshire.gov.uk

Committee Report

Committee Date : 2 March 2011

Printed: 18 February 2011

Case Officer **Mr Rhys Bradshaw**

EN/10/01950/CND

Date received	Date valid	Overall Expiry	Ward	Parish
20 October 2010	22 October 2010	14 January 2011	Thrapston Market	Denford

Applicant **Mr And Mrs Bright**

Agent **Partners In Planning Ltd - Mr A Bussetil**

Location **South Reach High Street Denford Kettering Northamptonshire NN14 4EQ**

Proposal **Erection of a dwelling and garage following demolition of existing garages and alterations to access Condition 1 - Materails Condition 2 - Landscaping Condition 3 - Trees Condition 5 - Foul and Surface Water Condition 8 - Access Condition 9 - Access Drainage**

At its meeting on 09/02/2011, the Development Control Committee resolved to approve the details pursuant to condition 2 of planning permission EN/10/00920/FUL, allowing works to trees along a section of the boundary between the application site and the neighbouring dwelling. The application is brought back before the Committee for determination because Officers are of the view that works to all sections of the boundary should be determined by Members given the sensitive nature of the site.

1 Introduction

1.1 The Officers' report to committee of 09/02/2011 is appended to this report as Appendix A and the works to trees immediately adjacent to the new dwelling are detailed in this report.

2. Works to other boundary trees.

2.1 Rear of site

2.1.1 Tall trees, mostly Leylandii, occupy the full length of the boundary between the site and the adjacent dwelling to the southwest. Under delegated powers, Officers have previously agreed in writing to the gradual reduction in the height of the trees beyond the approved dwelling towards the river. In tapering the trees, they would fall from a height of 5m at the point closest to the dwelling to 3m where the site meets the river.

2.1.2 Neighbours have expressed concern as they feel there would be unacceptable levels of overlooking from the rear of the new dwelling across their rear garden. It is accepted that there would be a degree of overlooking from first floor windows but this would be at oblique angles and the tapered trees would still offer a level of screening. Although the ground floor is higher given the fall in levels towards the river, trees to a height of 3m would obscure views when standing on the approved raised deck area to the rear of the house. Taking this into account, Officers are of the view that the works to the trees in this location are acceptable.

2.2 Front of site

2.2.1 The proposals currently before Officers show a reduction in height of the trees forward of the approved dwelling to 5m. This would match the height of the trees immediately adjacent to the dwelling and is therefore considered acceptable.

2.2.2 Since agreeing to these works, the owners have explored the possibility of removing these trees altogether to allow for the reduction in height of an earth mound to the front of the site to enable the provision of additional car parking. These trees are of little merit as individual specimens but do enclose the neighbours' driveway. The owners are willing to replant semi-mature trees in the same location in liaison with the Council's Conservation Officer. Officers are of the view that replacement trees would provide a comparable level of screening to the front of the neighbours' property.

3 Recommendations

3.1 That works to the boundary trees to reduce their height to 5m adjacent to the approved dwelling and the gradual tapering of trees towards the river to a height of 3m be approved under condition 3 of planning permission EN/10/00920/FUL.

3.2 That the Head of Planning Services be authorised to approve further works to the trees to the front of the site as detailed in 2.2.2 above.

APPENDIX A : report to Development Control Committee – 09/02/2011

This application is reported to the Development Control Committee because of the sensitive nature of the site. The Committee approved the original application at its meeting on 21.07.10.

1. Summary of Recommendation

That the proposed reduction in height to the boundary trees be approved.

2. The Proposal

2.1 As Members are aware conditions are frequently imposed when planning permission is granted. The approval of details in relation to conditions and the discharge of conditions (the confirmation that development has been carried out in accordance with the approved details) is normally dealt with under delegated powers.

2.2 A request has been received in relation to the permission for a single dwelling (ref EN/10/00920/FUL) for the approval of tree works. The relevant condition states:

"The landscaping scheme required to be submitted by Condition No.2 hereof shall include the retention of all trees along the southwest boundary of the site and none of these existing trees shall be felled or lopped unless otherwise agreed in writing by the Local Planning Authority. Should any of the trees be removed they shall be replaced with specimens of a similar species, height and spread, the details of which shall first be agreed in writing by the Local Planning Authority."

2.3 This condition was attached to protect the residential amenity of the occupiers of Leaholm, which adjoins the site to the southwest. Under a previous planning permission, Officers had agreed a reduction in height of the boundary trees to 6m under delegated powers.

2.4 The applicant has written to the Council under the current scheme to request permission to reduce the height of the trees to 5m to enable the installation of solar panels on the southwest facing roof slope.

3. The Site and Surroundings

3.1 The application site previously formed part of the side garden to 'South Reach' on the northwest side of the High Street. South Reach has a wide frontage on the highway boundary and extends backwards into the plot. The River Nene runs to the north of the site, forming a natural rear boundary. The land falls gradually from the highway down to the river.

3.2 The southwest boundary with Leaholm is defined by a row of Leylandii trees

4. Policy Considerations

4.1 National Planning Policy Guidance

PPS1– Sustainable Development

PPS3 – Housing

PPS25 – Development and Flood Risk

4.2 Regional Plan (RSS8)

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. However following further legal action the Secretary of State has now agreed that until the further court case in mid January it is for a Local Planning Authority to decide how much weight to attach to the letters that the Government have issued about Regional Spatial Strategies.

4.3 North Northamptonshire Core Spatial Strategy 2008

Policy 1 – Strengthening the Network of Settlements

Policy 7 – Delivering Housing

Policy 9 - Distribution and Location of Development

Policy 10 – Distribution of Housing

Policy 13 – General Sustainable Development Principles

4.4 Rural North, Oundle and Thrapston Plan Inspectors Modifications, 8 July 2009

Policy 2 – Windfall Development

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.

5. Relevant Planning History

5.1 07/02061/FUL Detached dwelling and garage. WITHDRAWN

5.2 08/00625/FUL Detached dwelling and garage. REFUSED

5.3 08/01342/FUL Detached dwelling and garage. APPROVED

5.4 09/00920/FUL Detached dwelling and garage. APPROVED

6. Consultations and Representations

6.1 Leaholm House: Refer to the previous agreement to top out the trees to a height of 6m.

7. Evaluation

7.1 The impact on residential amenity is the sole consideration in the discharge of this condition

7.2 The rationale behind the imposition of the condition detailed in 2.2 above is that the Leylandii trees serve to screen the development site from the adjacent dwelling. When the Council considered the application, the neighbours expressed concerns regarding the possible overbearing impact of the dwelling on the rear of their property. Having consulted the occupiers of this property on the proposed reduction in height of the trees, an objection was received based on the fact that the agreed height had previously been set at 6m.

7.3 The approved plans, which include levels details and street scene elevations, show that at a height of 5m, the trees immediately alongside the approved dwelling would be as high as the eaves. Above this level, the roof would slope away from the boundary and the neighbouring property. Taking this into account, Officers are of the view that the reduction in height of the boundary trees would have an acceptable impact on the residential amenity of the occupiers of Leaholm.

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 Recommendation

9.1 That works to the boundary trees to reduce their height to 5m be approved under condition 3 of planning permission EN/10/00920/FUL

Committee Report

Committee Date : 2 March 2011

Printed: 18 February 2011

Case Officer **Amie Baxter**

EN/10/01969/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
27 October 2010	22 November 2010	17 January 2011	Raunds Saxon	Raunds

Applicant **Mr Joby Simpson**

Agent **Joby Simpson**

Location 47 Holmes Avenue Raunds Wellingborough Northamptonshire NN9 6SZ

Proposal **Two semi detached three storey dwellings sited on land to the side of the existing dwelling**

1 Summary of Recommendation

1.1 That permission be GRANTED subject to conditions.

2 The Proposal

2.1 The application seeks full planning permission for the erection of two semi-detached, three storey dwellings on garden land currently associated with No 47 Holmes Avenue.

2.2 The application proposes the creation of a new access off Holmes Avenue, along the north eastern boundary of the site.

2.3 The proposed dwellings would each have three bedrooms, a private rear garden and off road parking for two vehicles.

3 The Site and Surroundings

3.1 The proposed development site currently comprises the large side garden of an existing detached 4 bedroomed dwelling. The site has an existing vehicular and pedestrian access off Holmes Avenue.

3.2 A mix of two storey dwellings and 1.5 storey chalet style bungalows surround the site, giving Holmes Avenue a mixed residential character.

3.3 The land in this area slopes sharply from north to south, with the dwellings along the north eastern side of Holmes Avenue having an elevated position over those on the south western side. The existing dwelling at 47 Holmes Avenue sits much lower than the road along Holmes Avenue, with only the upper storey being visible from the street. The rear elevation of the existing property is visible within the streetscene along Thorpe Street.

3.4 Mature planting and boundary screening runs along the north western boundary. Various mature trees exist within the site, none of which are subject to Tree Preservation Orders.

4 Policy Considerations

4.1 National Planning Policy Guidance

PPS1- Sustainable Development

PPS3- Housing.

PPG13- Transport

4.2 Regional Plan (RSS8)

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application.

- Policy 1 – Regional Core Objectives
- Policy 2 – Promoting Better Design
- Policy 3 – Distribution of New Development
- Policy 45 – Regional Approach to Traffic Growth Reduction
- Policy 48 – Regional Car Parking Standards

4.3 North Northamptonshire Core Spatial Strategy 2008

- Policy 1- Strengthening the Network of Settlements
- Policy 7- Delivering Housing
- Policy 9 – Distribution & Location of Development
- Policy 10 – Distribution of Housing
- Policy 13 – General Sustainable Development Principles
- Policy 14 – Energy Efficiency and Sustainable Construction

4.5 Supplementary Planning Guidance:

- NCC Place and Movement Guide
- Planning Out Crime in Northamptonshire, Feb 2004

4.6 Supplementary Planning Document:

- Design SPD, March 2009

4.7 Other Documents:

- Highway Authority Standing Advice for Planning Authorities, Working Draft July 2008
- Raunds Preferred Options Document.

5 Relevant Planning History

5.1 EN/08/01623/FUL Erection of a detached, four bedroomed dwelling with garden and associated parking space. Permitted with conditions on 19.01.2009.

6 Consultations and Representations

6.1 Neighbours: Several objections have been received from neighbouring properties. The comments are as follows:

- Parking and access for larger vehicles is already an issue and the occupiers of number 46 can no longer park on their own drive as it is impossible to manoeuvre a car safely without worrying about hitting one of the many cars parked opposite. This would be made worse with the proposal to create another two driveways on the narrowest point of the street.

Building the proposed dwellings would cause upset, arguments and friction between neighbours and the application is being made for personal gain.

The existing land to be built on is a garden provided when the houses were built in the 1970's. There may be something in the deeds that space had to remain between the original 1970's dwelling (associated with the application site) and the 1930's house adjacent to the site. Otherwise, when the dwellings were built in the 1970's, the developers would have built a house on the application site.

The occupier of number 46 Holmes Avenue feels that their privacy would be invaded because of the height of the proposed dwellings. This will also affect the value of existing dwellings.

There is a main sewer pipe that runs across the site and the proposed development may result in problems.

The development would be dangerous as children play in the street and the proposal would result in more traffic and less space to play. More traffic is also going to cause an accident, especially around a building site.

The proposal would be overdevelopment. The area will struggle to accommodate two new families and associated vehicles on a narrow section of Holmes Avenue.

The construction of the proposed houses would also harm the habitat of local red squirrels and other wildlife.

This application should be taken to an open forum meeting as the decision of a sole planning officer will not fully take into account the views of local residents.

6.2 NCC Highways: No objection noted, however the proposed development should be examined against advice within the NCC standing advice document.

6.3 Raunds Town Council: Object to the proposed development on the grounds that the proposal would constitute overdevelopment of the site and that the proposed development is out of character with the surrounding dwellings.

6.4 Environmental Services: No objection to the proposed development, provided that a condition is used to ensure that the site is examined for contamination and if found, the applicant should take necessary remediation measures.

6.5 NCC Archaeological Advisor: There is potential for archaeological remains within the site and therefore, a condition is recommended which ensures that a programme of works is completed and submitted to the local planning authority for written approval.

7 Evaluation

7.1 The main considerations in the determination of this proposal are: Principle of development, visual impact, impact on neighbouring amenity, highways and parking, trees and archaeology.

7.2 Principle of Development

7.2.1 The principle of residential use on the site has already been established through a previous permission for one dwelling (EN/08/01623/FUL) and therefore, in terms of principle, the key point for consideration for this application is the suitability of two smaller dwellings as opposed to the single unit previously approved.

7.2.2 The site is large enough to accommodate two semi detached dwellings along with adequate private amenity space and off road parking and the proposal therefore, would not result in the overdevelopment of the site. The two dwellings proposed would be similar in terms of bulk to the previously approved single dwelling but each individual unit would be almost half the size. As the resultant units would be small, it is likely that they would provide for a low number of occupants, such as a couple or small family, and a large garden area would not necessarily be required. The applicant has demonstrated that two dwellings could be accommodated within the site. As such, the proposed development is acceptable in principle.

7.3 Visual Impact

7.3.1 The proposed dwellings (when measured together as one) would have a width of 9.3 metres, a height of 7.7 metres and a depth of 7.0 metres. The scale of the proposed building is comparable with the scale of the single detached dwelling which was previously permitted on this site. The dwellings proposed as part of this application would be 0.4 metres taller and 1.3 metres wider, but the previously permitted dwelling would be 1.5 metres deeper than the dwellings proposed this time around.

7.3.2 The area surrounding the site is made up of a diverse mix of dwelling types. There are bungalows along Holmes Avenue and two storey dwellings between Holmes Avenue and Thorpe Street. There is also a mix in plot size and orientation. The existing dwellings on Holmes Avenue face south and the two storey dwellings opposite (adjacent to the application site) face north onto Holmes Avenue rather than onto Thorpe Street. Number 86 Thorpe Street faces south onto Thorpe Street.

7.3.3 The land level at Holmes Avenue is considerably higher than the land along Thorpe Street, with the application site forming part of the transition between the two levels. The application site is very steep at its northern part, as the land slopes sharply from north to south. The land becomes more even at the southern extent of the site.

7.3.4 Given the difference in land levels, the proposed dwellings would not be fully visible from Holmes Avenue. The dwellings would be obscured somewhat by the sharp decline in land level and only the roof and the upper section of the elevation would be visible. There is a group of mature trees and fencing along the southern boundary of the site which is approximately 2.4 metres in height. This would obscure the lower half of the proposed dwellings from Thorpe Street. In addition, as the proposed dwellings would be positioned approximately eight metres away from the southern boundary, the dwellings would not be overly prominent from Thorpe Street. As the land levels differ significantly, it is necessary to request that the applicant submits more detailed information regarding slab levels for written approval. This is to ensure that the dwelling is not constructed with a slab level which is too high or low as this could have an impact on the suitability of the dwellings in visual terms. A condition is recommended in this respect.

7.3.5 There is no strong prevailing character in terms of dwelling height or plot width in the local area. Although the proposed dwellings would be 2.5 storeys in height, the building itself would not be overly tall, particularly when comparing it to the two dwellings each side of the site. The width of the proposed building would also be comparable to the detached dwellings neighbouring the site. Therefore, the proposed building would not be overly large or prominent.

7.3.6 The proposed dwellings would be most closely related to number 47 Holmes Avenue. The dwelling at number 86 Thorpe Street would not have a close relationship with the site as it is physically and visually separated by a row of mature trees. The design of the proposed dwellings is simple and, as there is no prevailing design for dwellings in the vicinity, the proposed dwellings would not appear out of keeping. Carefully chosen materials would ensure that the proposed dwellings would assimilate well with the neighbouring dwelling at number 47 Holmes Avenue. A condition is recommended which requires the applicant to submit samples of materials for the written approval of the local planning authority.

7.4 Impact on neighbouring amenity.

7.4.1 The proposed dwellings would be positioned towards the centre of the plot, leaving a distance of 2.6 metres between the proposed dwellings and number 47 Holmes Avenue and 12 metres between the dwellings and number 86 Thorpe Street.

7.4.2 As the proposed dwellings would be positioned in line with number 47 Holmes Avenue and, as there are no habitable room windows within the west elevation of number 47, the proposal would not result in any overshadowing or overbearing impact. There would be no

direct overlooking and the degree of overlooking to neighbouring garden areas would not exceed the level which is expected in a suburban area such as this.

7.4.3 The proposed dwellings are positioned far enough away from number 86 Thorpe Street to avoid any issues regarding overbearing impact or overshadowing. There are no windows within the west elevation of the proposed building and the site is separated from number 86 by several mature trees. Overlooking would not therefore become an issue. To prevent any overlooking in the future, a condition is recommended to prevent any windows being installed within any elevation of the properties, without having prior written approval of the local planning authority. This condition is necessary as the site is surrounded by residential dwellings which are reasonably close in proximity.

7.4.4 As a result of the difference in land levels, no direct overlooking would occur with properties which are to the opposite side of Holmes Avenue.

7.5 Highway matters.

7.5.1 The proposed development would provide four off road parking spaces (two for each dwelling). This is a more than adequate provision which would prevent the need for the new occupiers to park along Holmes Avenue. Adequate pedestrian and vehicular visibility splays along Holmes Avenue can be achieved and a condition is recommended to ensure that the appropriate splays are ensured.

7.5.2 There would be no impact caused to highway safety subject to standard conditions being added to ensure that the proposal is in accordance with guidance contained within the Local Highway Authorities Standing Advice.

7.6 Trees

7.6.1 It is proposed to retain most of the existing trees which are adjacent to the south west boundary of the site (inside the application site). This is of course encouraged in order to enable the development to appear more established and to limit the visual impact of the proposed dwellings.

7.6.2 Given that the trees are in relatively close proximity to the proposed dwelling and as the trees would overhang a large proportion of the rear amenity space, it is likely that there may be pressure to remove the trees in the future. As such, the impact of the development, should the trees be removed, also needs to be considered. At present, the trees are not protected and could therefore be removed at any time.

7.6.3 The existing trees are leylandii and are not well maintained. No conditions were used to ensure the retention of the trees at the southern boundary with the previous application so it would not seem reasonable or desirable to now insist that the leylandii be retained by way of condition. Several other two storey properties that back on to Thorpe Street have more open rear boundaries so even if these leylandii were removed or replaced with lower specimens in the future the development would still be in keeping with the character of this part of Thorpe Street.

7.7 Archaeology

7.7.1 The Archaeological Advisor at NCC has advised that there is potential for archaeological remains within the site. Therefore, a condition is recommended which requires the applicant to complete and submit a programme of works to the local planning authority for written approval, prior to the commencement of works.

8 Other issues

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

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

8.3 Sewer Pipe - Neighbours have noted that there is a sewer pipe running along the north west boundary the site. The pipe is believed to serve a number of properties on Homes Avenue. The proposed dwellings would be positioned adjacent to the sewer pipe and the applicant has approached Anglian Water to see if this is acceptable. The applicant has submitted a copy of an email which confirms that Anglian Water is satisfied that the proposal would not be detrimental, providing that the footings of the dwellings are dug deeper than the position of the pipe. The applicant has confirmed that this will be the case. In addition, the dwellings would be constructed on piled footings which would result in load being centred on the corners of the building, rather than throughout the entire footprint. The proposal would also be examined in relation to the relevant building regulations.

9. Conclusion

9.1 In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS3, Regional Spatial Strategy Policies 1, 2, 3, 45 and 48 North Northamptonshire Core Spatial Strategy 2008 policies 1, 7, 9, 10, 13 and 14, NCC Place and Movement Guide, Planning Out Crime SPG, Design SPD and Highway Authority Standing Advice. 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, trees 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 represents the best use of land in an existing settlement.
- The proposal would not 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

10 Recommendation

10.1 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. Notwithstanding the submitted details, prior to the commencement of development, details of all roofing and facing materials shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained in perpetuity thereafter.
Reason: To achieve a satisfactory elevational appearance for the development.
3. Notwithstanding the details already submitted, full details of the method of the treatment of the external boundaries of the site together with individual garden boundaries shall be submitted to and approved in writing by the local planning authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.
Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development.
4. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form or enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.
Reason: To protect the amenity of adjacent occupiers and to protect the open

countryside.

5. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority, development shall be carried out in accordance with the approved scheme. The scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of 5 years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in any elevation of the proposed development without the prior written consent of the local planning authority.

Reason: To safeguard the privacy of adjoining properties.

7. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to the natural ground levels of the neighbouring residential sites and the highways (Holmes Avenue and Thorpe Street) shall be submitted to and approved in writing by the local planning authority. These details shall include cross sectional diagrams from Holmes Avenue to Thorpe Street. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity.

8. The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the building hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety.

9. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the local planning authority (LPA) and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a conceptual model of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical

summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

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

10. Prior to the occupation of the dwellings hereby permitted, a copy of the Final Certificate (or any replacement for this) shall be provided to the local planning authority to demonstrate that the unit has been constructed to achieve a minimum under the Code for Sustainable Home of Code Level 3, the relevant BREEM and Code for Sustainable Home

Level, and any replacement standards, in accordance with the submitted Sustainability and Energy Efficiency Statement, 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.

11. Prior to the commencement of development, proposals for the provision of foul water and surface water drainage installations to serve the development proposed shall have been submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with these details.

Reason: To safeguard public health.

12. Notwithstanding the submitted details, a Tree Protection Plan for the on site trees along the north west (side) boundary shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. This statement shall be in accordance with BS5837: 2005. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site.

13. Notwithstanding the submitted details, pedestrian visibility splays of 2.0m x 2.0m shall be provided on both sides of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.

Reason: In the interest of highway safety.

14. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), no gates or other form of barrier shall be erected at the point of access.

Reason: In the interest of highway safety.

15. Prior to the commencement of development the applicant or their agents or successors in title, shall submit an archaeological programme of works which is in accordance HE12.3 of PPS5 Planning for the Historic Environment No works shall take place before the programme has been submitted to and approved in writing by the local planning authority.

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

16. The works hereby permitted shall be carried out strictly in accordance with the approved plans, 01C, 2 and site plan, received by the Local Planning Authority on 14/01.11, unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure the works are carried out as permitted

Informatives

1. In approving this application, the relevant planning guidance and policies were identified as PPS1, PPS3, Regional Spatial Strategy Policies 1, 2, 3, 45 and 48 North Northamptonshire Core Spatial Strategy 2008 policies 1, 7, 9, 10, 13 and 14, NCC Place and Movement Guide, Planning Out Crime SPG, Design SPD and Highway Authority Standing Advice. 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, trees 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 represents the best use of land in an existing settlement.
- The proposal would not 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

Printed: 17 February 2011

Case Officer **Mrs Diane Hall**

EN/10/02165/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
6 December 2010	6 December 2010	31 January 2011	Rushden	Pemberton

Applicant **Mr Martin Byford**

Agent **Sidey Design Architecture**

Location **1 Arundel Court Rushden Northamptonshire NN10 9JB**

Proposal **First floor side extension**

This application is brought before the Development Control Committee at the request of the Ward Member due to concerns expressed by neighbours.

1 Summary of Recommendation

1.1 That permission be GRANTED subject to conditions.

2 The Proposal

2.1.1 This application is for a first floor side extension over a previously approved single storey side and rear extension approved in 2008.

2.1.2 This followed a refusal, EN/08/00514/FUL for a two storey side extension on the north west side of the property.

3 The Site and Surroundings

3.1 The application site comprises of a previously extended semi detached dwelling in a residential street characterised by semi-detached dwellings with adjoining flat roofed garages built in the early 1970's.

4 Policy Considerations

4.1 National Planning Policy Guidance
PPS1– Sustainable Development

4.2 East Midlands Regional Plan
Policy 2-Promoting Better Design

On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSS's is a material consideration which should be taken into account when determining a planning application.

4.3 North Northamptonshire Core Strategy
Policy 13 – General Sustainable Development Principles

4.4 Supplementary Planning Guidance
Residential Extensions and Alterations Design Guide, Oct 1998

5 Other Relevant Planning History

- 5.1 EN/08/00514/FUL-Two storey side and rear extension. Refused
EN/08/01135/FUL-Single storey side and single storey rear extension. Re-submission of EN08/00514/FUL. Permitted.

6 Consultations and Representations

6.1 Neighbours: 9 letters of objection from 2 neighbours and two letters in response from the applicant. Re-consultations had to be carried out following an amendment to the description of the proposal to 1st floor side extension. The comments are therefore similar and are summarised as follows-

Visual impact on the street scene

- The previous refusal was on grounds of its siting and design would result in a visually obtrusive form of development which would detract from the character and appearance of the surrounding area and street scene which would be contrary to Policies within the structure plan local plan and supplementary planning guidance. An email was received from the neighbour at 51 Barnwell Drive which reiterated this point on 1 February 2011.
- The area is already overdeveloped. 1 Arundel Close is on a small plot only a few feet away from the fence and public pathway and having that size of building would be out of character with the rest of Arundel Court and Barnwell Drive.
- Change to the appearance of the area creating a towering/overcrowded impact on the street scene which would be contrary to policies GS5 of the Structure plan and GEN 2 and H17 of the district local plan.

Neighbouring amenity

6.1.1 Overlooking

- The proposed extension will block out the sun and cast a shadow over my garden and patio and the first floor will overlook the garden. It will also block out light and cause overlooking to the front of the dwelling.
- The proposed development represents loss of privacy due to overlooking both gardens front and rear of the property.
- An email was received on 1 February 2011 which agrees that there are no windows to the side elevation the issue is the loss of light and overlooking into the garden and patio area.

6.1.2 Overbearing

- There would be enhanced loss of sunlight between the hours of 2pm and 7pm as the sun sets to the south west of my property resulting from this proposal.
- The applicant has already extended to the back and side of his house as the original 2 storey extension was rejected so applicant should not be allowed to apply again.

6.1.3 Noise and smell

- The existing side elevation is incorrect as there is a chimney on the side elevation which formed part of the previously refused scheme and all chimneys located in the mid roof section the side chimney is out of character with the surrounding properties. It is coal fired and causing pollution due to its height.
- Unregulated development has already taken place not approved by the council including lower lined chimney and a summerhouse.
- The previous two storey extension included a chimney to the side which would contribute to its dominance and would be out of character with the area.
- Noise and disruption caused will continue if the proposal goes ahead

6.1.4 Parking issues

- Traffic parking and footpath access has been affected during the previous development which will cause a risk to pedestrians motorists and children who play in the area due to lorries blocking accesses and skips parked in the road.

6.1.5 Other issues

- Side garden contributes to the open space corridor which extends from south west to north east side of Barnwell Drive.
- Property values will be affected if the proposal goes ahead.

6.2 1 letter from the applicant relating to the proposal

- The proposed extension is above the existing footprint to the side extension with the rear extension remaining single storey so there is no detrimental impact on green open space.
- The neighbours property sits sideways on to our property and has no windows overlooking our property. The proposed first floor extension is from the centre of the ridge to the boundary fence 13.5 metres the height of the ridge is 7.2 metres at an angle of 45 degrees from the ridge would strike the garden at 1 Arundel Court 6.3 metres from the boundary
- Loss of privacy The neighbour at 51 Barnwell Drive has no windows in the side elevation which faces 1 Arundel Court and the orientation of the proposed rear window to the first floor extension is to the neighbours side elevation, so there is no loss of privacy or detrimental impact on the neighbours garden amenity and a photo shows the views over the blank flank wall and garage.

6.3 Parish Town Council: No objection.

6.4 Environmental Protection:

- No objection subject to an informative which states that the application area is less than 250 metres from the boundary of a former landfill site used for the disposal of a mixture of wastes including putrescible domestic waste. It was known to be producing landfill gas that may pose a risk under certain circumstances.
- The applicant may wish to seek advice from a consultant experienced in these matters to ensure the development can be delivered safely.

7 Evaluation

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

7.2 Visual impact on the host building and street scene.

7.2.1 A previous application for a two-storey side extension was refused because it was considered to be a visually obtrusive form of development .

- A subsequent single storey side and rear extension was approved in 2008.
- This proposal would add a first floor with a pitched roof set back 1.4 metres from the front of the dwelling.
- It would be subordinate in height, being set down 0.9 metres from the ridge. This would be an improvement on the previous design which was set back by just 0.2 metres and set down by 0.2 metres.
- This would be in line with policy guidance set out in the supplementary planning guidance (SPG) which seeks to ensure design is considered carefully in order to make sure, that any extension would not be detrimental to the quality and character of the area.

7.2.2 Neighbours have expressed concern that this proposal does not differ from the previously refused scheme. These concerns are noted and it is accepted that the changes are not major. However, as described above, the extension would be more subservient in height than that which was refused. On balance, these alterations would have an acceptable impact on the character of the host building and the street scene, appearing as a more subservient addition.

7.3 Neighbouring amenity

7.3.1 Overlooking

7.3.1 To the rear of this dwelling is number 51 Barnwell Drive which is a two storey detached dwelling with a garage attached to the side. This neighbour is concerned that the proposed rear window would directly overlook his rear garden and bedroom window at the front.

The proposed window would overlook the garage and flank wall which has no window openings and is sited some 9 metres to the north of the proposed extension. Whilst there may be oblique views from the new window towards the garden area of number 51, the level of overlooking would be no greater than that which already exists from the rear first floor windows of 1 Arundel Court. The previous application was not refused on grounds of overlooking.

7.3.2 The proposed first floor side window would be obscure glazed and would, due to its siting, only afford views of Barnwell Drive itself, and would not overlook any neighbour.

7.4 Overbearing

7.4.1 Neighbours have expressed concern that this proposal would, due to its size and bulk, cut out light to the neighbours rear garden. Given its siting in relation to the neighbours rear garden and its modest addition in height over the existing single storey extension, it would not appear overbearing to an unacceptable degree. The existing conifers which form part of the boundary treatment between number 51 Barnwell Drive and the host dwelling due to their height in excess of 3 metres, would already cut out some light to this neighbour and this proposal would not result in any further reduction.

7.5 Noise and pollution

7.5.1 Neighbours have expressed concerns that the chimney on the existing single storey extension generates fumes and causes pollution and is out of keeping with the area. The current proposal does not propose a chimney which should resolve this issue.

7.5.2 Neighbours have expressed concern that the previous scheme had resulted in a high degree of noise nuisance whilst the single storey extension was being built. If noise becomes an issue it could be investigated under the relevant Environmental Health legislation.

7.6 Environmental Protection

7.6.1 As the site lies on the boundary of a former landfill site the applicant will be advised to seek expert advice as to the feasibility of this development by way of an informative.

8 Other issues

8.1 Adequate private amenity space would remain.

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 Loss of value of property is not a material planning consideration.

8.5 Nuisance caused by lorries and skips on the highway would be a civil matter.

8.6 Neighbours have expressed concerns that the existing single storey extension was not built in accordance with the approved plans. As built, this extension does appear to be taller than the approved ridge height of 3.9 metres and, as such, the pitch of the roof does differ. The existing extension also has a chimney which was not previously permitted. Should the application considered here be permitted, officers will closely monitor its construction to ensure it is built in accordance with the submitted plans.

8.7 The applicants letter was received after the cut off date for consultation ended on 19th January 2011. It is noted that these comments from the neighbour at number 51 Barnwell Drive were received by email on 1 February and have still been taken into consideration.

9 Conclusion

In recommending this application for approval the relevant planning guidance and policies were identified as PPS1, policy 13 of the North Northamptonshire Core Spatial Strategy and the Residential Extensions and Alterations Design Guide. Having regard to these, the representations received and any other material planning considerations, the main issues were identified as the visual impact on the host building and the street scene, the impact on neighbour amenity and environmental issues. The application has been recommended for approval as:

1. The visual impact on the host building and the street scene would be acceptable.
2. The proposal would not have a significant impact on the amenities of neighbouring occupiers.
3. The proposal would be acceptable subject to an informative to seek expert advice due to the distance from a former landfill site.

10 Recommendation

10.1 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 the first occupation of the building/extension hereby permitted the first floor side windows located on the western flank wall at number 1 Arundel Court shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.

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

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application drawing number 08/022/03 received by the Local Planning Authority on 6.12.10, 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.

4. All alterations to the elevational appearance of the building shall be carried out using materials and treatments matching those of the existing building.

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

Informatives

1. In approving this application the relevant planning guidance and policies were identified as PPS1, policy 13 of the North Northamptonshire Core Spatial Strategy and the Residential Extensions and Alterations Design Guide. Having regard to these, the representations received and any other material planning considerations, the main issues were identified as the visual impact on the host building and the street scene, the impact on neighbour amenity and environmental issues. The application has been approved as:

1. The visual impact on the host building and the street scene is acceptable.

2.The proposal would not have a significant impact on the amenities of neighbouring occupiers.

3.The proposal would be acceptable subject to an informative to seek expert advice due to the distance from a former landfill site.

2. Additional informative

The application area is less than 250 metres from the boundary of a former landfill site used for the disposal of a mixture of wastes including putrescible domestic waste. It was known to be producing landfill gas that may pose a risk under certain circumstances. The applicant may wish to seek advice from a consultant experienced in these matters to ensure the development can be delivered safely.

Committee Report

Committee Date : 2 March 2011

Printed: 17 February 2011

Case Officer **Samantha Hammonds**

EN/10/02223/FUL

Date received	Date valid	Overall Expiry	Ward	Parish
20 December 2010	4 January 2011	1 March 2011	Prebendal	Yarwell

Applicant **Stepford Homes Ltd (Southern Division)**

Agent **Peter Wilmot Architects**

Location **Land Off Dovecote Close Yarwell Northamptonshire**

Proposal **Residential development to provide five new dwellings (all affordable housing) and associated works**

1 Summary of Recommendation

1.1 The application be GRANTED subject to the prior completion of a section 106 agreement to secure affordable housing and the imposition of the recommended conditions.

2 The Proposal

2.1 The application proposes residential development of five affordable dwellings on Dovecote Close, Yarwell. The dwellings would comprise a pair of 2-bed semi-detached houses set at right angles to a row of three 2-bed bungalows.

2.2 Each plot would have two off-road parking spaces either to the front or side of the dwelling, and an enclosed private garden to the rear. The dwellings would be accessed off a private driveway that would be created by dropping the existing kerb. The private driveway would be wider than normal in order to facilitate access for farm vehicles to the gated field beyond.

3 The Site and Surroundings

3.1 The application site is the corner of an agricultural field that forms a substantial gap in the existing dwellings on the corner of Dovecote Close. The site allows a view from Dovecote Close to the countryside beyond with only a low post and rail fence and gate enclosing the site.

3.2 The applicant states that the field has been grassed pasture for the last 25 years with hay being cut every year. The land is believed to be within grade 3 of the Agricultural Land Classification, but the applicant's records do not specify whether this is grade 3a or 3b.

3.3 To the north and east of the site is a mixture of modern semi-detached dwellings and bungalows of varying designs and materials. To the south and west is open countryside.

3.4 Although the site is closely related to the existing residential development on Dovecote Close, it falls outside the proposed village boundary identified in the Rural North Oundle and Thrapston Plan (RNOTP).

4 Policy Considerations

4.1 National Planning Policy Guidance

PPS1– Sustainable Development

PPS3 – Housing

PPS7 - Sustainable Development in Rural Areas

PPG13 – Transport

4.2 East Midlands Regional Plan

4.2.1 On 10th November 2010 the High Court ruled that the Secretary of State's decision to revoke Regional Spatial Strategies was unlawful as it had been taken without primary legislation. A statement was then issued by the Government reiterating their intention to remove RSSs and that this should be treated as a material consideration. Despite a further legal challenge, it has now been confirmed that the Government's intention to abolish RSSs is a material consideration which should be taken into account when determining a planning application.

4.2.2 Relevant Policies from the East Midlands Regional Plan

Policy 1 - Regional Core Objectives

Policy 2 - Promoting Better Design

Policy 13b - Housing Provision (Northamptonshire)

Policy 15 - Regional Priorities for Affordable Housing in Rural Areas

4.3 North Northamptonshire Core Spatial Strategy 2008

Policy 1 – Strengthening the Network of Settlements

Policy 7 – Delivering Housing

Policy 9 - Distribution and Location of Development

Policy 10 – Distribution of Housing

Policy 13 – General Sustainable Development Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Policy 15 – Sustainable Housing Provision

4.4 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. The following policies are relevant:

Policy 1 - Settlement Roles

Policy 6 - Residential Parking Standards

Policy 12 - Considerate Construction

Policy 13 - Affordable housing requirements

Policy 14 - Rural Exceptions Housing

4.5 Northamptonshire Minerals and Waste Development Framework (MWDF) Core Strategy (adopted May 2010) Policy CS7

4.6 Other documents of relevance

Yarwell Housing Needs Survey, September 2009

Strategic Housing Market Assessment, 2007

RNOTP: Settlement Hierarchy defining category A and B villages, January 2009

Planning Out Crime SPD, 2004

Northamptonshire Space and Movement Guide, 2008

ENC Developer Contributions SPD, 2006

5 Relevant Planning History

5.1 92/00640/OUT - residential development for eight dwellings – permitted 1.6.93

5.2 93/00349/REM - details of four bungalows and four houses - permitted 13.9.93

5.3 94/00091/REM - landscaping for residential development - permitted 25.5.94

6 Consultations and Representations

6.1 Neighbours: Two letters of objection from 16 and 28 Dovecote Close, raising the following issues:

- why build on a greenfield site when there is an old disused airfield 2 miles down the road which would be a better site?
- why build in a village that has no shop, school or any other amenities within a mile and a half radius?
- there is no reason why Yarwell needs these "affordable" houses other than to make money for the developers. The village doesn't need them.
- An extra 5 dwellings on this narrow close would increase traffic up and down the street causing a greater risk of accidents and affecting access to the houses at the top of the close
- The new dwellings would impact on the peace and quiet of the close
- Children play on the field and I object to this being taken away from them
- transportation of materials to site will interfere with the close and the children that play in the area
- noise, dirt, disturbance and disruption during construction, especially from lorries which would have to go on the pavement due to cars being parked on both sides of the road.
- The dwellings will block the charming view of the fields from our windows

6.2 Yarwell Parish Council: No objection.

6.3 NCC Contributions: Seek fire and rescue services contributions of £92.00 per household (total of £460.00). No contributions sought for libraries or education due to the size of the development and the fact that it is for affordable dwellings.

6.4 NCC Archaeology: It is possible that remains of archaeological interest may survive on the site, but this is not an over-riding constraint on development. Please attach a condition for an archaeological programme of works as per paragraph HE12.3 of PPS5.

6.5 NCC Rights of Way: no comments as the application does not affect any rights of way.

6.6 ENC Planning Policy: No objections. National policy (PPS3 and PPS7), the development plan (CSS policy 1 and RNOTP policy 1 and 14) and the council's own Corporate Plan prioritise the development of rural affordable housing schemes to meet local needs. In principle therefore the development of a small scheme at Yarwell to meet an identified local need is clearly acceptable, subject to design criteria in CSS policy 13 and RNOTP policy 14.

6.7 ENC Housing: Support the development of small rural affordable units and this application has been designed to address the specific needs of the local community. A Housing Needs Survey was conducted in September 2009 and this indicated the need for five affordable dwellings in Yarwell (2x2-bed houses and 3x2-bed bungalows). The survey also indicated that 57% of respondents were in favour of a small affordable housing development in Yarwell to provide accommodation for people with a strong local connection. The evidence is supported by the SHMA (2007) which indicates that the Prebendal Ward has one of the highest needs in the district for small affordable dwellings. ENC has been working with Yarwell Parish Council to identify a suitable site and the Dovecote Close site was selected from a range of sites within the village. A village consultation drop-in took place in November 2010 and the submitted scheme was informed by the feedback received.

6.8 ENC Design Officer: No objection. The design of the layout responds to the existing context and would provide enhanced enclosure to Dovecote Close whilst maintaining reasonable access to the adjacent farmland. Support the aspiration for Code for Sustainable Homes level 3. Details of the sustainable drainage systems and modern methods of construction should be secured as part of any permission.

6.9 ENC Environmental Services (contamination): no objections as it is unlikely that significant levels of contamination are present. It would appear the site has not been used for any commercial or industrial use; historic maps show the 1800s field boundaries still in place; there are no known landfill sites within 250m of the application area.

6.10 ENC Landscape Officer: no objection subject to a landscaping condition.

6.11 A site notice was displayed. No other representations were received.

7 Evaluation

7.1 The main considerations in the determination of this proposal are the principle of development; housing density and mix; design and visual impact; impact on neighbouring properties; highway matters and other matters.

7.2 Principle of Development

7.2.1 PPS3 sets out the approach to providing for affordable housing in rural communities, and states that planning at local level should adopt a positive and pro-active approach which is informed by evidence, with clear targets for the delivery of rural affordable housing. In particular, paragraph 30 of PPS3 specifies that: "Where viable and practical, local planning authorities should consider allocating and releasing sites solely for affordable housing, including using a Rural Exception Site Policy". Furthermore, paragraph 8 of PPS7 emphasises that: "It is essential that local planning authorities plan to meet housing requirements in rural areas, based on an up to date assessment of local need".

7.2.2 Core Spatial Strategy (CSS) Policy 1 states that: "Development adjoining village boundaries will only be justified....in exceptional circumstances, if it can be clearly demonstrated that it is required in order to meet local needs for employment, housing or services. Development will be focussed on those villages that perform a sustainable local service centre role". The village of Yarwell is a 'Network Village' that retains a range of local services, including a pub, service station, rural businesses, outdoor sports facilities, a village / community hall, doctors and access to a daily bus service. Whilst the level of services could be said to be limited, Yarwell as a service centre ranks highly compared to the other settlements in the rural north (Yarwell is the eighth best served out of 51 settlements). Yarwell is therefore one of the district's more sustainable locations for housing development.

7.2.3 RNOTP Policy 1(4) places an emphasis on development that meets local needs within the Network Villages (including Yarwell). RNOTP Policy 14 (Rural Exceptions Housing), states that "planning permission will be granted for affordable housing to meet genuine local needs (identified through a local housing needs survey)", subject to specified criteria. The recent Yarwell Housing Needs Survey, carried out in September 2009, specifically identified a need for two bedroom bungalows and houses to rent. This finding was supported by the earlier Strategic Housing Market Assessment, carried out in 2007, which found that the Prebendal Ward is one of the wards in East Northamptonshire with the highest need for small affordable dwellings.

7.2.4 Overall there is strong support in both national and local planning policy for the principle of developing rural exceptions housing to meet specific local needs. Given that a clear local need has been identified for Yarwell based on recent surveys, the principle of the proposed rural exceptions housing is acceptable subject to the proposal meeting the specific criteria set out in RNOTP Policy 14 (Rural Exceptions Housing), namely:

- the site is well related to a village
- scale and nature of development appropriate to its surroundings
- village offers (individually or as part of a network of villages with an affordable housing need) at least a basic range of services appropriate to the form of housing provided
- there are no more sustainable locations available

- impact on countryside is minimised through careful siting and design
- occupation of housing is controlled through a legal agreement to ensure the benefits of affordable housing are also enjoyed by subsequent occupiers.

The above criteria are all met in this instance as outlined in the remaining sections of this report.

7.3 Housing density and mix

7.3.1 The proposal for five dwellings on this 0.16 hectare site gives a density of 31 dwellings per hectare, which is a sensible density for the location and is consistent with the pattern of development on Dovecote Close.

7.3.2 The proposal for three 2-bed affordable bungalows to rent and two 2-bed affordable dwellings to rent is consistent with the identified need for Yarwell, and the Housing Strategy section of ENC is satisfied with this mix and tenure.

7.4 Design and Visual Impact

7.4.1 The layout of the proposed development takes account of the existing built form of this part of Dovecote Close by following broadly the established building line of the neighbouring properties.

7.4.2 The surrounding area lacks a strongly defined architectural style, and rather it accommodates dwellings of a wide variety of character and design together with a broad palette of materials. The proposed dwellings would be simple, gable ended rows that would compliment the existing character of the street whilst bringing in a more contemporary element. The materials proposed (buff brick and red roof tiles) would complement the existing properties on Dovecote Close. The precise materials details can be controlled by a condition requiring samples to be submitted and approved.

7.4.3 The layout incorporates reasonable sized private gardens to the rear of each dwelling and the open front gardens with their mixture of hardstanding and soft landscaping would soften the overall visual impact of the development.

7.4.4 There is no objection from the council's design officer. Overall then the design and visual impact of the development is acceptable.

7.5 Impact on neighbouring properties and residential amenity

7.5.1 The siting of the new dwellings is in line with and sufficiently separated from the neighbouring dwellings, ensuring that there would be no overbearing or overshadowing impact on either the existing or proposed dwellings.

7.5.2 11 Dovecote Close has a small secondary window in the first floor side elevation facing the development. However as this window is approximately 9 metres from the side boundary and 13 metres from the side elevation of the proposed development this would not adversely affect residential amenity or privacy for neighbouring occupiers. No side windows are proposed in plot 1 and this can be ensured into the future by conditions.

7.5.3 28 Dovecote Close also has a landing window in the first floor side elevation facing the development. However due to its height and separation from the proposal this window would not be overshadowed by the bungalow and there would be no concerns relating to loss of privacy or residential amenity. The proposed bungalow at plot 3 would have a bathroom window on the side elevation at ground floor level but this is unlikely to be a concern given its position at ground floor level and in any case a condition would ensure that this is obscure glazed.

7.5.4 A neighbour has objected on the basis that the new dwellings would impact on the peace and quiet of the close. However, the proposed residential development is in keeping with the existing residential character of the close and an additional five houses would not significantly impact on noise levels.

7.6 Highway matters

7.6.1 The development would be accessed from Dovecote Close via a shared private driveway that would be formed at the existing point of access to the agricultural land. The access would be on the outside of a bend in the road, allowing good visibility in both directions. The highways authority has confirmed that the proposed access is acceptable subject to the relocation of an existing gully. Conditions are recommended to ensure this together with the usual requirement for highway details such as the provision and maintenance of 2x2 metre pedestrian visibility splays, surfacing and gradient.

7.6.2 Concerns have been raised by neighbours about the volume of traffic that the development may generate and the inconvenience that may be caused to existing residents. Disruption during the construction period is an inevitable consequence of development, and cannot be afforded any significant weight when determining planning applications. However, conditions can be used that would seek to minimise any disruption during the construction period, and such a condition is recommended. The longer term traffic implications of cars from an additional five affordable dwellings using Dovecote Close would not be so significant to justify refusal of planning permission. Although the carriageway is relatively narrow and parking is only possible on one side of the street without blocking the road, this is a very low density close with only 18 properties currently. The proposal would take this number to 23 which is not an excessive number to be served of a close of this size.

7.6.3 Two off-road parking spaces are proposed for each new dwelling, in line with the provisions of the RNOTP, making it unlikely that the development would create a significant demand for additional on-street parking. The situation with vehicles parking on the narrow close would therefore not be significantly worse than existing.

7.7 Developer Contributions

7.7.1 The county council has requested contributions in respect of fire and rescue services, but as these are not referred to in ENC's Developer Contribution SPD it would not be reasonable to insist on these contributions being made.

7.7.2 The size of development, being 5 units on a site area of 0.16 hectare, is below all of the thresholds within ENC's Developer Contributions SPD so no contributions are sought in this instance.

7.7.3 Nonetheless it would be necessary to enter into a section 106 agreement in order to secure the terms of the affordable housing provision.

8 Other issues

8.1 Site selection - In response to a resident's objection to the development of a greenfield in favour of other brownfield sites it may be worth outlining the site selection process that was undertaken. Once a need for affordable housing had been identified Yarwell Parish Council and Northamptonshire Rural Housing Association undertook a village 'walk about' to identify potential sites. It was established very early on that there were no infill sites available at a price that would enable the delivery of affordable housing. The three sites that were identified were all exception sites (outside the proposed village boundary). A site west of Nassington Road was ruled out by planning officers on sustainability grounds as it is detached from the village and would lead to an obvious spread of the village into the open countryside. A site east of Mill Road opposite the entrance of Dovecote Close would have a similar effect and was also opposed by local residents in the form of a petition. Of the identified sites, the Dovecote Close site (the subject of this application) was considered the most sensibly and sustainably located site that would lead to the most logical form of

development of this scale. The objector's suggestion of a disused airfield 2 miles down the road would have taken the development further into the open countryside and separated it from the village so it is likely that it would be opposed on sustainability grounds even if it were a realistically available site.

8.2 Loss of agricultural land - PPS7 seeks to steer new development towards the lower grade of agricultural land (3b, 4 and 5) in preference to the higher grades (1, 2 and 3a) particularly for significant losses of agricultural land. However PPS7 also acknowledges the need to take into account other sustainability criteria when balancing the implications of any loss. In this case only a small corner of a large agricultural field would be lost and the development would allow the remainder of the field to stay in active agricultural use. The land in question is graded 3 so is not the highest quality agricultural land, but sits in the middle of the range. The land, being cropped and harvested every year, could not provide a steady habitat for protected species and so is not highly valued in ecological terms. Therefore, on balance, any harm caused by the loss of this small piece of average quality agricultural land would be outweighed by the benefits of the affordable housing scheme.

8.3 Loss of countryside view - a resident has objected because their view of the countryside from their windows would be lost. However, the loss of a private view is not a material consideration that can be given any weight by the planning system.

8.4 Loss of playspace - a resident has objected because the development would prevent his children playing on the fields. Again, this is not something that can be given any weight by the planning system, particularly as the field is not a play area or public open space, but a piece of enclosed, privately owned agricultural land.

8.5 Archaeology - The site is close to the historic core of Yarwell, scatters of Romano-British pottery and an inhumation cemetery have been recorded in the vicinity. There is a potential for remains of archaeological interest to survive on the site, but this is not an overriding constraint on development subject to the imposition of conditions for an archaeological programme of works.

8.6 Refuse and cycle storage can be accommodated within the substantial private rear gardens of each plot.

8.7 Sustainable Construction – a condition is recommended in line with the approach that is usually taken on this matter.

9. Conclusion

9.1 In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS7, PPG13; East Midlands Regional Plan policies 1, 2, 13b, 15; North Northamptonshire Core Spatial Strategy 2008 policies 1, 7, 9, 10, 13, 14, and 15 and Rural North Oundle and Thrapston Plan policies 1, 6, 12, 13, and 14. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of the development, density, housing mix, the impact on neighbouring amenities, the design and visual impact 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 not 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

The proposal would create a satisfactory living environment for future occupiers.

10 Recommendation

10.1 It is recommended that the Head of Planning Services be authorised to GRANT the application subject to the prior completion of a section 106 agreement to secure the terms of the affordable housing provision and the imposition of the recommended conditions.

Conditions/Reasons -

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development cross sectional details, to illustrate the proposed differences in levels between the approved buildings, their slab levels, gardens and any retaining structures compared with the existing land levels and building heights of neighbouring properties and the adjacent highway, shall be submitted to and approved in writing by the local planning authority. The details shall include spot levels of the site and adjacent highway. Development shall be completed in accordance with the approved details.

Reason: In the interests of visual amenity.

3. No development shall take place until (1) samples of the materials to be used in the construction of the external surfaces of the building hereby permitted and (2) details of the windows and external doors to be installed have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of boundary treatment indicating the positions, design, materials and type of any fences, railings, walls and gates to be erected around and within the site. The approved boundary treatment shall be completed before any of the dwellings are occupied and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual and residential amenity.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority.

Reason: In the interest of visual amenity.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: In the interest of visual amenity.

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with PPS5 Policy HE12.

8. Notwithstanding the submitted details, prior to the commencement of development access details showing the relocation of the existing carriageway drainage gully being clear of the proposed shared vehicle access point shall be submitted to and approved in writing by the local planning authority. These details shall illustrate a carriageway / shared vehicle access which is to the local highway authority's adoptable standard. The hard surfacing shall be completed in accordance with the approved details in accordance with a timetable to be agreed in writing by the local planning authority prior to the commencement of development. Development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter.

Reason: In the interests of highway safety.

9. Before any work is commenced on the development the subject of this permission details of the provision for foul water and surface water drainage installations to serve the development hereby permitted 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.

10. Notwithstanding the submitted details and before commencement of development hereby permitted, a sustainable strategy shall be submitted to and approved 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 Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy. 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, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy.

11. Before unit 3 is first brought into occupation, the side (bathroom) window shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently.

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows or other form of opening, shall be inserted in the east facing elevation of unit 1 hereby permitted.

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

13. No external construction work shall be undertaken at the site other than between the hours of 8.00am and 6.00pm Mondays to Fridays, 8.00am to 1.00pm on Saturdays and not at all on Sundays and public bank holidays.

Reason: To ensure noisy operations are not undertaken during noise sensitive times, in the interests of the residential amenity of the existing nearby dwellings.

14. Prior to the commencement of development a method statement that includes details of measures to minimise noise and dust during construction works shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the residential amenity of the existing nearby dwellings.

15. The development hereby permitted shall be carried out strictly in accordance with the approved plans: drawings 2010-14-06 received 4 January 2011; 2010-14-07a received 31 January 2011; 2010-14-08; 2010-14-09; AS1625/1 received by the local planning authority on 20 December 2010.

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

Informatives

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

Drawings 2010-14-06 received 4 January 2011; 2010-14-07a received 31 January 2011; 2010-14-08; 2010-14-09; AS1625/1 received by the local planning authority on 20 December 2010.

2. No works within the existing public highway may commence without the express written permission of the Highway Authority. This planning permission does not give or infer such permission. The Highway Authority, will only give consent to commence works subject to the completion of an appropriate Agreement, under Section 278 within the Highways Act 1980, to discharge the relevant condition above.

3. 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.

4. In recommending this application for approval, the relevant planning guidance and policies were identified as PPS1, PPS3, PPS7, PPG13; East Midlands Regional Plan policies 1, 2, 13b, 15; North Northamptonshire Core Spatial Strategy 2008 policies 1, 7, 9, 10, 13, 14, and 15 and Rural North Oundle and Thrapston Plan policies 1, 6, 12, 13, and 14. Having regard to these, the representations received and any other material planning reasons, the main issues were identified as the principle of the development, density, housing mix, the impact on neighbouring amenities, the design and visual impact 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 not 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

The proposal would create a satisfactory living environment for future occupiers.

Committee Report

Committee Date : 2 March 2011

Printed: 17 February 2011

Case Officer **Susan Scott**

EN/11/00093/LBC

Date received	Date valid	Overall Expiry	Ward	Parish
24 January 2011	24 January 2011	21 March 2011	Oundle	Oundle

Applicant **Mr Neal Wilson Dyer-Gough**

Agent **Waterland Associates - Mr David Smith**

Location **15 West Street Oundle Peterborough Northamptonshire PE8 4EJ**

Proposal **Reduction in size of existing shop front opening. Remodelling of existing shop front joinery and insertion of a new stone panel, with recess, to existing front facade**

The application has been brought to Committee Due to the history of the site and because of the potential loss of the Victorian shop frontage.

All consultation responses which have been received at the time of writing this report have been included; any further responses received shall be added to the Committee update sheet. The expiry date for site notice is 24.02.2011.

1 Summary of Recommendation

1.1 The application be REFUSED.

2 The Proposal

2.1 The application proposes the reduction in size of the existing shop front opening, remodelling of the existing shop front joinery and the insertion of a new stone panel, with recess to the existing front facade

3 The Site and Surroundings

3.1 The site comprises a two storey terraced building situated in a predominantly commercial area within the historic core of Oundle. While residential use has been permitted, a 19th century shop front remains in situ and did not form part of the change of use. The building is Grade II listed and falls within the Conservation Area for Oundle.

3.2 The building is constructed from dressed limestone with a Collyweston slate roof. Windows, doors and the existing shop front are all of timber construction.

4 Policy Considerations

4.1 Planning Policy Guidance Notes/Statements
PPS1 – Delivering Sustainable Development
PPS5 – Planning for the Historic Environment

4.2 North Northamptonshire Core Spatial Strategy, June 2008
Policy 13 – General Sustainable Development Principles

4.3 East Northamptonshire District Local Plan
No saved policies relevant to this application

4.4 Shop Front Design Supplementary Planning Document, January 2011

5 Relevant Planning History

5.1 EN/03/01474/FUL - Change of use from existing retail area to residential use – Permitted 30.01.2004

5.2 EN/84/01106/FUL - Use of part of building as retail shop – Permitted 05.09.1984

5.3 EN/06/01037/LBC – Re-build part of front elevation including insertion of new window – Refused 10.07.2006. An appeal against this refusal was dismissed on 25.05.2007 under reference APP/G2815/E/06/2031029.

5.4 EN/08/00141/LBE – Listed Building Enforcement Notice which took effect on 22.07.2009. The requirements of the Notice are as follows:

(a) Remove the plastic sheeting and timber boarding from the external face of the shop-front and similarly, the stud and plasterboard lining to the internal face.

(b) On completion of step (a) above, repair the existing shop-front as necessary, to restore it to the condition and appearance it was before the works had taken place, and make good any internal decorations that are comprised by the removal of the stud and plasterboard lining.

5.5 An appeal against the Listed Building Enforcement Notice is was subject to an Informal Hearing on 17 March 2010 under reference APP/G2815/F/09/2109246. The appeal was dismissed and the listed building enforcement notice was upheld. The appeal decision dated 26 April 2010 upheld the time period allowed for compliance as being two months for requirement (a) and three months for requirement (b).

5.6 Formal enforcement action is still ongoing. As legal opinion is still being sought, final details will be available on the update sheet.

5.7 EN/10/00109/LBC - Removal of late 19th century shop front to enable repair of street elevation and rebuilding with new sash window and stonework to match window to east of front door. Introduction of relieving stone arch above front door and projecting stone cills at the foot of three existing windows. - Refused 12.03.2010.

6 Consultations and Representations

6.1 Neighbours: Two comments to date.

- Both refer to the fact that the floor plans show a garage under the arch leading from West Street to Turners Yard. This matter is the subject of current litigation between the applicants and Northamptonshire County Council. If the current application is successful the garage should not be included in the permission.

- The applicant claims that the property is no longer viable as a retail concern. In 1996 the shop was seemingly successful and only closed due to the retirement of the then owners. (Comment one)

- The proposed front elevation is a fair compromise towards keeping the shop front. Any future owner could return the property to business premises if they wished to. The mouldings at the end of the fascia should be retained as shown on the submitted plan. (Comment two)

6.2 Senior Conservation Officer: Objection. The existing shop front forms a significant part of the building's special interest, as has been drawn out in previous applications and appeal. It also positively contributes to the character and appearance of the Oundle Conservation Area. As such, I am strongly of the view that it should be retained in its current form.

While the removal of the existing shop front is my principle concern, this aside, I have concerns with the proposed works in their own right. In my view, the scale of the feature proposed is not correct -it is too narrow. Furthermore, the three windows lined up against one another would give a rather odd appearance, as would the recessed door feature which would serve no purpose whatsoever (archaeological or otherwise).

All things considered, the works proposed would cause substantial harm to the listed building

and the character and appearance of the conservation area. I see no justification for them in terms of public benefits.

6.3 Design Officer: Objection. The Shop Front SPD was adopted by the Planning Policy Committee on 24 January 2011 subject to a number of recommendations and additions. The amended final document is due to be published imminently. None of the recommendations or additions are relevant to this application.

Paragraph 1.13 of the SPD states "Historically shop fronts were designed as integral elements of buildings. As such, a shop front traditionally reflected and incorporated architectural detailing of the building in which it was located. Where original shop fronts exist, their removal will be resisted, particularly in listed buildings and conservation areas."

The removal of an historic shop front from a listed building within a conservation area is clearly contrary to the content of the SPD as set out above.

6.4 Northamptonshire County Council Highways: Comment that there is ongoing litigation in the High Court regarding the legal status of Turners Yard. It is the Council's argument that Turners Yard is an adopted highway.

6.5 The Victorian Society: Strongly object. Removal of the nineteenth century shop front will have a detrimental impact on the historical and architectural interest of the building, contrary to local and national planning policy. It is an important part of the building's history and makes a positive contribution to the street scene. The proposals involve inserting a door where there has never been one before and reducing the shop front to a size that it not historically have, while both appear to be historic features. This flies in the face of best conservation practice.

The Society has seen numerous examples of shops converted to residential use without the need for the shop front to be removed. Frosted window films and blinds are simple ways of improving privacy without harming the architectural integrity of buildings; these proposals are both unnecessary and damaging.

6.6 Footpath Committee Ramblers Association: Object to Turners Yard being labelled as a "garage" on the plan. Turners Yard is a public highway and should not be appropriated to private use. This is a material consideration for planning permission.

7 Evaluation

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

7.2 Effect on the special architectural or historical interest of this listed building:

7.2.1 The site comprises a two storey terraced building which has held a commercial use at ground floor level. The listing description specifically acknowledges the Victorian shop front which appears to have been constructed during the late 19th Century. While the property history set out above suggests that the building may have been used for a residential purpose between the installation of the shop front and its conversion back to commercial use around 1984, the shop front has remained in place throughout the varying uses contributing to the character and appearance of the commercially dominated street scene.

7.2.2 West Street forms the main route through the town and provides a local centre of varying services and commercial uses. The character of the town has been largely preserved in its present form over the years, still boasting many original and historic features including a number of shop fronts. It is important to retain this character for the sake of both local distinctiveness and to preserve the history and heritage of both the building itself and the surrounding area. The practice guide supporting PPS5, which contains advice on making changes to heritage assets, provides the following with regard to works to historic shop fronts

(paragraph 190): "Removal of, and change to, historic shop fronts may damage the significance of both the building and the wider conservation area, as may the introduction of new shop fronts to historic buildings where there are none at present. All elements of new shop fronts (stall-risers, glazing, doors, fascias etc.) may affect the significance of the building it is located in and the wider street setting."

7.2.3 The Design and Access Statement submitted with the application acknowledges that the appearance of the building in general and the shop front in particular is significant both to the history of the building itself and to the character of the Conservation Area. However, the applicant argues that the slavish retention of shop fronts can result in uncomfortable relationships between private and public space along the street scene as a whole.

7.2.4 The applicant also argues that the principle purpose of a shop front is to provide clear views into the shop it serves and that once the use of the building changes they do not provide an ideal relationship between the public domain and the dwelling. Also that the predominance of lace curtains along both West Street and North Street in Oundle, where other conversions have taken place, serve to emphasise the decline of the retail area rather than to celebrate the new use of the buildings.

7.2.5 Policy HE9 of PPS5 states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. This policy recognises that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (paragraph HE9.1).

7.2.6 Policy 13 (h) of the North Northamptonshire Core Spatial Strategy seeks to ensure that development is of a high standard of design, architecture and landscaping, and respects and enhances the character of its surroundings and is in accordance with the environmental character of the area. Policy 13 (o), further states that development should conserve and enhance the landscape character, historic landscape, designated built environmental assets, and their settings.

7.2.7 The proposal, although intending to retain the appearance of an historic shop front, appears too narrow. The three windows lined up against the new window give a rather odd appearance and the recessed door feature serves no purpose, archaeological or otherwise. Therefore the proposal is contrary to both PPS5 and Policy 13 of the Core Spatial Strategy.

7.2.8 The Design and Access Statement submitted with the application states that 15 West Street has a uniquely problematic relationship with the public domain, in that it is located directly across the street from a popular public house with a zebra crossing between the two. There is also reference to the structural damage caused by the vibration from traffic passing along West Street.

7.2.9 These matters were referred to in a previous application refused under reference EN/06/01037/LPC. The Inspector's report dismissing the subsequent appeal referred to the exposure of the occupants of the house to passing traffic, noise and vibration. It was the Inspector's opinion that consideration should be given to a more imaginative approach to provide improved living conditions while preserving the shop front. It should be noted that many listed properties in nearby North Street have retained their original shop frontages following a change to residential use. These properties are located in a narrow street where vehicle movements are in an alternating one way direction controlled by traffic lights. The proximity of the moving traffic to these properties is comparable to that of 15 West Street.

7.2.10 The proposal may appear to be a compromise between the requirements of the Listed Building Enforcement Notice to repair the existing shop front and the wishes of the occupants. However, policy HE9 of PPS5 advises that where an application will lead to substantial harm or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the harm is necessary in order to deliver substantial public

benefits that outweigh the harm. Under this policy LPAs are advised to weigh the public benefit of the proposal (for example that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm, (Policy HE9.4).

7.2.11 The proposed works would have an adverse impact on the history, appearance and fundamental features of the listed building resulting in a significant loss to the historic fabric and are therefore contrary to both national and local policy. While removal of the shop front may be necessary in order to carry out structural repair works, the frontage can be returned upon completion retaining the character and appearance of the building and its setting within the conservation area.

8 Other Issues

8.1 Crime and Disorder – It is considered that there are no crime and disorder issues relevant to this application

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

8.3 The original listing description of 15 West Street, Oundle refers to a “carriageway through west end full height to eaves (entrance to Turner’s Yard). Although not part of this application this area referred to in the listing is shown on drawing numbers 885 X/LP/01 and 885 P/LP/01, received on 24.01.2011, as a garage on both the existing and proposed floor plans. This matter is currently the subject of legal action by Northamptonshire County Council. This is brought to the attention of Members as, should they be minded to approve the application, any permission granted should make it clear that the garage does not form part of the approval.

9 Recommendation

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

Conditions/Reasons -

1. The proposed development, by nature of its impact on the historic fabric of the building, namely the reduction of a historic shop front would have an adverse impact on the character and appearance of a listed building; as such the proposal is considered contrary to policy HE9 of PPS5, Policy 13 of the North Northamptonshire Core Spatial Strategy and the Shop Front Design Supplementary Planning Document.
2. The proposed development, by nature of its design, lacks the balance of proportions found in a traditional shop front. The positioning of the windows and the proposed recessed door feature have an unbalanced appearance; as such the proposal is considered contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy and the Shop Front Design Supplementary Planning Document.

Informatives

1. The drawings to which this decision relates are as follows: Drawing no's 885 X/LP/01 and 885 P/LP/01 received by the Local Planning Authority on 24 January 2011.