

## PLANNING COMMITTEE

Wednesday 29<sup>th</sup> July 2020 at 6.00pm  
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# AGENDA

1. Apologies
2. Declarations of Interest
  - (a) Personal
  - (b) Prejudicial
3. Minutes of the meetings held on 10<sup>th</sup> June 2020 to be approved as a correct record and signed by the Chair
4. Any items of business the Chair considers to be urgent
5. Planning Application Reports

**BOROUGH OF KETTERING**

**PLANNING COMMITTEE**

**Meeting held: 10<sup>th</sup> June 2020**

**Present:** Councillor Ash Davies (Chair)  
Councillors Linda Adams, Scott Edwards, David Howes,  
Clark Mitchell, Jan O'Hara, Mark Rowley, Greg Titcombe,  
Lesley Thurland

**20.PC.11 APOLOGIES**

Apologies for absence were received from Councillors Shirley Stanton and Cliff Moreton.

It was noted that Councillor Scott Edwards was acting as a substitute for Councillor Shirley Stanton and Councillor David Howes as a substitute for Councillor Cliff Moreton.

**20.PC.12 DECLARATIONS OF INTEREST**

None

**20.PC.13 ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

None.

**20.PC.14 PLANNING APPLICATION REPORTS**

The Committee considered the following applications for planning permission, which were set out in the Head of Development Control's Reports and supplemented verbally and in writing at the meeting. Six speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

**20.PC.14.1 KET/2029/0696**

| <u>Proposed Development</u>   | <u>Decision</u>  |
|---|--|
| <p>*4.1 Full Application: Demolition of dormer bungalow and erection of two storey dwelling and shed to rear at 43 High Street, Harrington for Mr &amp; Mrs Jackson Stops</p> <p>Application No: KET/2019/0696</p> <p><u>Speaker:</u></p> <p>Councillor Jim Hakewill attended the meeting and addressed the committee as ward councillor for the proposed development stating that it was only due to the change of personnel within Historic England that led to change in opinion and subjective objection to the proposed development. Councillor Hakewill also stated that the application would positively enhance the local area and conservation area and had support from the Parish Council.</p> <p>Susan Jackson Stops attended the meeting and addressed the committee as the applicant for the proposed development stating that the dwelling was being developed as a place to retire. Mrs Jackson Stops also stated pre-application advice had marked the application as acceptable before the change in personnel.</p> | <p>Members received a report about a proposal for which planning permission was being sought for the demolition of the existing chalet style house and the erection of a four-bedroom two-storey L-shaped (footprint) dwelling house and the erection a single storey outbuilding to the rear.</p> <p>The Planning Officer addressed the committee and in recognition of the officer recommendation for refusal on grounds of harm to heritage asset, advised that the issue of impact on the setting and significance of the scheduled ancient monument was to be determined in accordance with national and local planning policies</p> <p>An update stated that The Gardens Trust had responded to consultation but confirmed they did not wish to comment on the proposals at this stage.</p> <p>Members stated that the proposed development was an opportunity to enhance the local area and that the application would have a positive impact on the surrounding visual amenity.</p> <p>During debate members were reminded that if approval was to be granted then members would need to be satisfied that the proposed development did not negatively impact the condition or local historic surroundings.</p> <p>Officers also advised on the scope of any planning conditions were members minded to approve this application</p> <p>Following debate it was proposed by Councillor Edwards and seconded by Councillor O'hara that the application be approved subject to conditions to be delegated to officers.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to a comprehensive set of conditions which the Committee agreed could be delegated to Officers to draft and issue in due course.</p> |



*(Members voted on the motion to APPROVE the application)*

*(Voting: For: Unanimous)*

*The application was therefore*  
**APPROVED subject to conditions delegated to Officers**

| <u>Proposed Development</u>   | <u>Decision</u>  |
|---|--|
| <p>*4.2 Full Application: Two storey side extension with render and stone, and addition of 2 no. windows at first floor southeast and southwest elevations at Appleton Farmhouse, Rothwell Road, Harrington for Mr &amp; Mrs Bray</p> <p>Application No: KET/2019/0870</p> <p><u>Speaker:</u></p> <p>Councillor Jim Hakewill attended the meeting and addressed the committee as ward councillor for the proposed development. Councillor Hakewill stated that the attractive application would not have massively detrimental effect on the surrounding area due to its hidden location and that subjective opinions had changed during the application process.</p> <p>Richard Bray attended the meeting and addressed the committee as the applicant for the proposed development stating that the development would provide additional space for his growing family and that the application had received support from the Parish Council. Mr Bray also stated that the development would enhance the area whilst working with a local architect who specialised in listed building extensions.</p> | <p>Members received a report about a proposal for which consent was being sought for a two-storey side extension, on the northeast side set back from the front elevation.</p> <p>Members raised concerns regarding the need to protect listed buildings and the need not to set a dangerous precedent in allowing developments on protected sites.</p> <p>Members also debated that the original building had already received multiple historic extensions and that the use of local architect would be sympathetic in terms of the materials used to minimise the impact on the historic building.</p> <p>Following debate it was recommended by Councillor Howes and seconded by Councillor Thurland that the application be approved with conditions imposed and delegated to officers.</p> <p>During the voting process the motion to approve the proposed application fell resulting in the application being refused in line with the officers recommendation.</p> <p>It was agreed that the application be <b>REFUSED</b> for the following reasons</p> |

- The proposed two storey extension would result in a development that would adversely impact upon the grade II listed building and its setting as it would fail to respect the open setting of the farmhouse by way of its scale and form. It would also result in harm to the rural approach to the village and the Harrington Conservation Area. It is therefore contrary to Section 72(1) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and conflicts with Part 16 of the NPPF and Policies 2(b) and 8(e) of the North Northamptonshire Joint Core Strategy

*(Members voted on the motion to APPROVE the application)*

*(Voting: For: 4; Against 5)*

*The application was therefore*  
**REFUSED**

| <u>Proposed Development</u>  | <u>Decision</u>  |
|--|--|
| <p>*4.3 Application for Listed Building Consent: Two storey side extension with render, to create kitchen. Alterations to existing kitchen to create dining room including 1 no. window blocked and creation of new opening with glazed doors to northwest elevation. Block 1 no. window in utility room. Creation of first floor bedroom with ensuite and addition of 2 no. windows at first floor level to southeast and southwest elevations at Appleton Farmhouse, Rothwell Road, Harrington for Mr &amp; Mrs Bray</p> <p>Application No: KET/2019/0871</p> <p><u>Speaker:</u></p> <p>Councillor Jim Hakewill attended the meeting and addressed the committee as ward councillor for the proposed development. Councillor Hakewill stated that the attractive application would not have massively detrimental effect on the surrounding area due to its hidden location and that subjective opinions had changed during the application process.</p> <p>Richard Bray attended the meeting and addressed the committee as the applicant for the proposed development stating that the development would provide additional space for his growing family and that the application had received support from the Parish Council. Mr Bray also stated that the development would enhance the area whilst working with a local architect who specialised in listed building extensions.</p> | <p>Members received a report about a proposal for which consent was being sought for a two-storey side extension, on the northeast side set back from the front elevation.</p> <p>Members raised concerns regarding the need to protect listed buildings and the need not to set a dangerous precedent in allowing developments on protected sites.</p> <p>Members also debated that the original building had already received multiple historic extensions and that the use of local architect would be sympathetic in terms of the materials used to minimise the impact on the historic building.</p> <p>Following debate it was recommended by Councillor Howes and seconded by Councillor Thurland that the application be approved with conditions imposed and delegated to officers.</p> <p>During the voting process the motion to approve the proposed application fell resulting in the application being refused in line with the officers recommendation.</p> <p>It was agreed that the application be <b>REFUSED</b> for the following reasons</p> |

1. The proposed extension by virtue of its design, scale and location, would be detrimental to the special historic and architectural character of the grade II listed building. Therefore, this proposal is considered to be contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 16 of the

National Planning Policy Framework and Policy 2 of the North Northamptonshire Joint Core Strategy.

*(Members voted on the motion to APPROVE the application)*

*(Voting: For: 4; Against 5)*

*The application was therefore*  
**REFUSED**

| <u>Proposed Development</u>  | <u>Decision</u>  |
|--|--|
| <p>*4.4 Full Application: Conversion and extension of outbuilding to form annex at 3 Middle Lane, Stoke Albany for Mrs S Clennett</p> <p>Application No: KET/2020/0024</p> <p><u>Speaker:</u></p> <p>Molly Phillips attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the proposed development was to be built in order to form an accessible living area for a dependent relative. The application was to improve life quality of the resident and would not negatively impact any neighbouring amenity or impact any parking requirements.</p> | <p>Members received a report about a proposal for which planning permission was being sought for the conversion and extension of the existing outbuilding to form 1 no. residential annexe.</p> <p>The Planning Officer addressed the committee and provided an update which stated amended plans had been received which removed 'kitchen-diner' use.</p> <p>Members raised questions as to if the residential annexe could be used as a second home/dwelling. Officers confirmed to members that additional planning permission would be required if the annexe was to be used for any alternative use to what was being discussed.</p> <p>Members then agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p> |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development shall conform in all aspects with the plans and details shown in the application as listed below including amended plan ref: 124-709/Rev. B; received 12.03.2020 (i.e. without a kitchen or dining room); and be retained thereafter for the life of the development.
3. Notwithstanding the details submitted, no development shall commence on site until samples of all materials to be used in the external construction of this development are provided on site and details (including photographs) are submitted for approval in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details and be retained thereafter.
4. The use of the hereby-approved development/residential annexe shall remain ancillary to 3 Middle Lane, Stoke Albany; and shall not be separated or sub-divided or used as independent dwelling/accommodation.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out in respect of the hereby approved under Classes A, B, C, D, or E of Part 1 of Schedule 2 of GPDO 2015.
6. Demolition or construction on site shall not occur other than between the hours Monday to Friday 08:00 to 18:00 Hrs, Saturday 08:30 to 13:30 Hrs and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
7. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.
8. Notwithstanding details shown on the hereby-approved plans, the proposed roof light(s) shall be flush-fitting conservation type (e.g. VELUX GGL MK08 3570H Conservation Pine Laminated Centre Pivot Roof Window 78x140cm; OR similar)

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: Unanimous)*

*The application was therefore*  
**APPROVED**

| <u>Proposed Development</u>  | <u>Decision</u>   |
|--|---|
| <p>*4.5 Full Application: Demolition of garages and erection of a dwelling at 20 - 24 Underwood Road (land between), Rothwell for Mr A Elliott</p> <p>Application No: KET/2020/0049</p> <p><u>Speaker:</u></p> <p>Susan Alden provided a written statement in objection to the proposed development stating that if approved the proposed development would have a detrimental impact on neighbouring amenity including natural light and privacy.</p> | <p>Members received a report about a proposal for which planning permission was being sought for the demolition of a garage block consisting of four single garages and the construction of a part single storey and part two-storey detached dwelling.</p> <p>The Planning Officer addressed the committee and provided an update which stated that there had been a typing error within the report in relation to relevant planning history.</p> <p>Members then agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p> |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. The development hereby permitted shall be carried out using the following approved external facing and roofing materials:
  - a) Marley slate - Edgemere smooth grey concrete interlocking roof tile
  - b) Weber Weberpral M Monocouche Render 'Chalk'
  - c) Ibstock Red Brick.
4. Prior to first occupation, the parking areas should be provided on site in accordance with Plan L.10A and shall thereafter be set aside and retained for those purposes.
5. The window at first floor level on the east side elevation shall be glazed with obscured glass and any portion of the windows that is within 1.7m of the floor of the room where the window is installed shall be non-openable. The window shall thereafter be maintained in that form.
6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in any side elevation or roof plane of the building.





Wednesday, 29 July, 2020

**No. 5 Planning Application Reports**

|     |                      |     |  |    |
|-----|----------------------|-----|--|----|
| 5.1 | KET/2019/0711        | JWI | Cransley Road (land north east of), Loddington<br>Full Application: Change of use from agricultural land to 8 pitch residential caravan site with 2 no. caravans per pitch, including 8 no. utility buildings, hardstanding and access<br>Expiry date: 29-January-2020 | 1  |
| 5.2 | KET/2019/0797        | JPS | 22 Bracken Close, Kettering<br>Full Application: Remove conifers and replace with 2m high concrete post, gravel board and feathered edge fence panel<br>Expiry date: 14-January-2020   | 8  |
| 5.3 | KET/2020/0042        | KEK | 1 Little Oakley, Corby<br>Full Application: Replacement of 9 no. windows and 1 no. door<br>Expiry date: 20-May-2020  | 12 |
| 5.4 | <b>KET/2020/0043</b> | ACH | 175a Beatrice Road (garages adj to), Kettering<br>Full Application: 6 no. one bedroom flats<br>Expiry date: <b>31-July-2020</b>  | 18 |
| 5.5 | KET/2020/0060        | JPS | The Paddocks, Rushton Road, Pipewell<br>Full Application: Creation of swimming pool.<br>Expiry date: 01-May-2020   | 32 |
| 5.6 | KET/2020/0074        | LJO | Jasper's Bar, Meeting Lane, Kettering<br>Full Application: Conversion of ground and first floor club to 5 no. flats<br>Expiry date: 01-June-2020   | 39 |
| 5.7 | KET/2020/0167        | LJO | 149 London Road, Kettering<br>Full Application: Change of use from dwelling (C3) to 7 bedroom 7 person HMO (sui generis)<br>Expiry date: 30-June-2020  | 50 |
| 5.8 | KET/2020/0255        | SBE | 135 Barton Road (land to rear), Barton Seagrave<br>Full Application: One carbon neutral dwelling with garage and associated landscaping<br>Expiry date: 10-June-2020   | 60 |
| 5.9 | KET/2020/0326        | RJA | 69 Queen Street, Desborough<br>Full Application: Single storey rear extension with pitched roof and velux windows<br>Expiry date: 21-July-2020   | 67 |

Application Reference Numbers and Expiry Dates in bold type are within the permitted time frame

The Planning Officer's initials are in the third column. For further details please refer to the end of the individual reports.

The membership for this Full Planning Committee is as follows:-

Councillors:- S Stanton (Chair), A Davies (Deputy Chair), J O'Hara, L Adams, C Mitchell, C Moreton, M Rowley, L Thurland, G Titcombe

Substitutes:- Councillors S Edwards, D Howes, I Jelley, A Lee, J West

## BOROUGH OF KETTERING

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>   | <b>Item No: 5.1</b>                      |
| <b>Report Originator</b> | <b>James Wilson<br/>Interim Head Of Development Services</b>  | <b>Application No:<br/>KET/2019/0711</b> |
| <b>Wards Affected</b>    | <b>Slade</b>  |  |
| <b>Location</b>          | <b>Cransley Road (land north east of), Loddington</b>   |  |
| <b>Proposal</b>          | <b>Full Application: Change of use from agricultural land to 8 pitch residential caravan site with 2 no. caravans per pitch, including 8 no. utility buildings, hardstanding and access</b> |  |
| <b>Applicant</b>         | <b>Mr J Delaney</b>   |  |

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be REFUSED for the following reason(s):-

1. The site is not closely linked to an existing settlement with an adequate range of services and facilities. It is considered that the site is unsustainably located and fails to accord with Policy 31 (a) of the North Northamptonshire Joint Core Strategy.
2. Insufficient information has been submitted to assess the ecological impacts of the development including, but not limited to, the impact on the Cransley Reservoir Local Wildlife Site. The development is therefore contrary to Policy 4 of the North Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework.
3. Insufficient information has been submitted to assess the risk to highway safety of the proposed access. The application has not demonstrated it has safe access which is required by Policy 31 (e) and Policy 8 (b) of the North Northamptonshire Joint Core Strategy.

## **Officers Update Report for KET/2019/0711**

This application is reported for Committee decision because in the light of further landscape advice received it is considered that there should be an additional reason for refusing planning application KET/2019/0711 based upon adverse landscape impact. As the original decision to refuse the application was made by the Committee it is the opinion of the Interim Head of Development Services, that the decision as to whether to include an additional refusal reason on landscape is a matter for the decision of the Committee.

### **1.0 Information**

#### **Relevant Site History**

##### Enforcement

ENFO/2019/00160:

The Local Planning Authority (LPA) was made aware of activities taking place on site on 11th October with officers in attendance within 2 hours. The LPA's response was therefore immediate and sought to use the powers available in a prompt manner with a Temporary Stop Notice. Works continued over that weekend with caravans being brought onto the site. A Stop Notice and an Enforcement Notice were then served which is now the subject of an appeal. A planning application dated Friday 11th October was marked as received by the LPA on Monday 14th October.

The following planning history is relevant to the site:

KET/1983/0097      Erection of stable and hay store and use of land for grazing of horses, including field jumps – approved 03/03/83.

KET/1985/042      Erection of stable and hay store and use of land for grazing of horses, including field jumps – approved 12/07/85.

KET/1989/0844      Renewal of Temporary Permission for Stable and Tack Room – approved 29/09/89.

KET/1991/0620      Renewal of Temporary Permission: Retention of Stable Block and Tack Room – approved 09/10/91.

#### **Site Visit**

Site inspections have been carried out on a number of occasions between October 2019 and June 2020.

#### **Site Description**

The site, which is 1.09 hectares, is set with open countryside to the south east of Loddington village. Trees and hedgerow are located on the east and west boundaries, wet woodland to the south and a post and rail fence to the north which separates the application site from the wider land parcel.

The site lies 350m from the edge of Loddington and 740m as the crow flies, or 930m by road from the centre of the village with its limited facilities comprising, public house, primary school and village hall. The site itself is accessed off Cransley Road, a rural road with a 60 mph speed limit which links Loddington, with Great Cransley and beyond to Broughton. The 350m stretch of Cransley Road between the site entrance and the edge of Loddington village is unlit with no designated footpath. There is a public right of way, the bridleway GR10, which runs adjacent to the site following the northern boundary of the site and linking up to the road junction where the property known as The Three Chimneys is located. The site is positioned adjacent to the Cransley Reservoir which is a local wildlife site (LWS) and Loddington Verge, another LWS.

### **The Enforcement Notice**

On 15th October 2019 the LPA issued the enforcement notice. The notice was to take effect on 13 November 2019 unless an appeal was made.

The Notice alleges, Without planning permission, the making of a material change of use of the land from a use for agriculture to a use for the stationing and human habitation of caravans, the construction of an area of hard standing together with a hard standing means of access and erection of a breeze block building on the western side of the site adjacent to the point of access onto Cransley Road.

The reasons for issuing this notice are stated to be:

*It appears to the Council that the breach of planning control has occurred within the last ten years.*

*The site is within open countryside and is not closely linked to an existing settlement with an adequate range of services and facilities. As such, the development is in an unsustainable location which conflicts with Policy 31 of the North Northamptonshire Joint Core Strategy.*

*The development harms the character and appearance of the landscape and is thereby in conflict with Policy 31 of the North Northamptonshire Joint Core Strategy.*

### **The Determined Planning Application**

This was a retrospective application for full planning permission for change of use from agricultural land to 8 pitch residential caravan site, with 2 no. caravans per pitch, including 8 no. utility buildings, hardstanding and access.

Each pitch is proposed to have two caravans, with no more than one static/mobile home sited on each. Each utility building (150 square metres) would include a bathroom and laundry facilities. The proposed layout is for a central access road running down the site with 4 pitches on each side as shown on the proposed site plan.

It is proposed to widen the access to 6 metres and provide a sealed bound surface for the first 10m from the access point into the site to prevent loose material going onto the highway.

Planning permission was refused by Planning Committee on 25th February 2020.

The reasons for refusal are set out below:

- 1. The site is not closely linked to an existing settlement with an adequate range of services and facilities. It is considered that the site is unsustainably located and fails to accord with Policy 31 (a) of the North Northamptonshire Joint Core Strategy.*
- 2. Insufficient information has been submitted to assess the ecological impacts of the development including, but not limited to, the impact on the Cransley Reservoir Local Wildlife Site. The development is therefore contrary to Policy 4 of the North Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework.*
- 3. Insufficient information has been submitted to assess the risk to highway safety of the proposed access. The application has not demonstrated it has safe access which is required by Policy 31 (e) and Policy 8 (b) of the North Northamptonshire Joint Core Strategy.*

**Any Constraints Affecting the Site**

Open countryside/outside village boundary  
Adjacent to Local Wildlife Site

**2.0 Financial/Resource Implications**

There are current conjoined planning and enforcement appeals ongoing which are to be heard at a public inquiry. The enforcement notice appeal includes a reason relating to adverse landscape but the planning refusal does not.

In adding additional reasons for refusal to the Council's case after the decision was taken and after the statement of case has been submitted [although reference to the issue of landscape harm has been included in the statement of case] there is a risk of the appellant seeking a claim for costs for unreasonable behaviour.

In relation to this risk it is important to note that the Inspector is required to have regard to all material planning considerations at the Inquiry whether or not they have been formally identified within the reasons for refusal. Your consultants and barrister have indicated that in their view the additional reason for refusal is justified having carried out additional investigation and research since the original decision was taken.

These investigations and research have been undertaken by specialist consultants expert in the fields of landscape. Having considered the advice of those experts it is the view of Officers that the raising of a landscape ground against the allowing of the appeal and granting of planning permission is justified. To that end the officers seek to include these as part of its case and will present expert Landscape witnesses and adduce appropriate evidence to the Inquiry. The Council will ask the Inspector to take these into account when determining the appeal.

In terms of the matters being raised as part of the putative reason for refusal, these are intrinsic to the overall assessment of the planning merits of the appeal on a site that is situated in a Countryside location outside of an existing settlement and where the proposal is contrary to the Council's adopted Development Plan.

If the Appellant makes an application for costs based on the approach of the Council that is being recommended in this report to be undertaken, they will need to demonstrate that this constitutes unreasonable behaviour. Given the evidence before the Council with respect to the level of harm to the landscape, a robust argument can be made that these are matters that are essential to the full assessment of the planning merits of the appeal and therefore it is reasonable on the Council's part to present them, albeit at this stage. Moreover, Officers are aware that Loddington Parish Council, a Rule 6 party to the Inquiry, will be calling landscape evidence so the appellant would have needed to address this in any event.

For these reasons Officers consider that it is highly unlikely that costs would be awarded against the Council in respect of the additional reason for refusal.

### **3.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site-Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

#### **4.0 Planning Considerations**

The key issues for consideration in this revised decision are: -

1. Additional Landscape Information and assessment leading to a revised reason for refusal

##### **Background**

In August 2019, Ian Dudley of Lockhart Garratt, prepared a landscape consultation response in relation to the above planning application. This was a brief outline exercise, based upon desktop information and photographs supplied by the Local Planning Authority, and he applied a precautionary principle in relation to landscape and visual effects.

Subsequent to this consultation, the development in question has been refused and appeals have been lodged in respect of both the enforcement notice and the planning refusal. This has prompted a more comprehensive examination of the evidence at hand.

This information includes a more in-depth examination of the value of the landscape in which the site is located, including first hand visual evidence. Having now personally visited the site's setting, Ian Dudley has determined that the landscape is of a higher value than he had originally anticipated, and the proposed development would be visible to a range of receptors that had originally been dismissed.

As part of this more comprehensive examination, a copy of which is attached at Appendix 1, he visited a number of Public Rights of Way in the vicinity of the site to gather first hand photographic evidence, and this has revealed a considerably higher level of visibility from the wider valley landscape than originally indicated.

He also observed that an extensive amount of unauthorised development has taken place on the site, including the placement of aggregate, the erection of fencing, the creation of a surfaced entrance to Cransley Road, and the placement and occupation of caravans. Whilst this unauthorised activity may not represent the exact final proposed layout, it has nonetheless greatly assisted his understanding of the likely magnitude of landscape and visual effects, and the visibility of the scheme from the surrounding area.

These newly considered factors have combined to change his view, and it is now his revised opinion, based upon this new evidence, that the effects of the proposed development upon landscape character and visual amenity will be significant.

For these reasons it is considered that the planning appeal should contain a landscape reason for refusal. Whilst the Council are unable to change the actual reasons of the decision notice as issued, we are empowered to make clear to the Planning Inspectorate and the appellant that we will now be arguing an additional reason for refusal on the planning appeal in respect of landscape harm.



## **5.0 Recommendation**

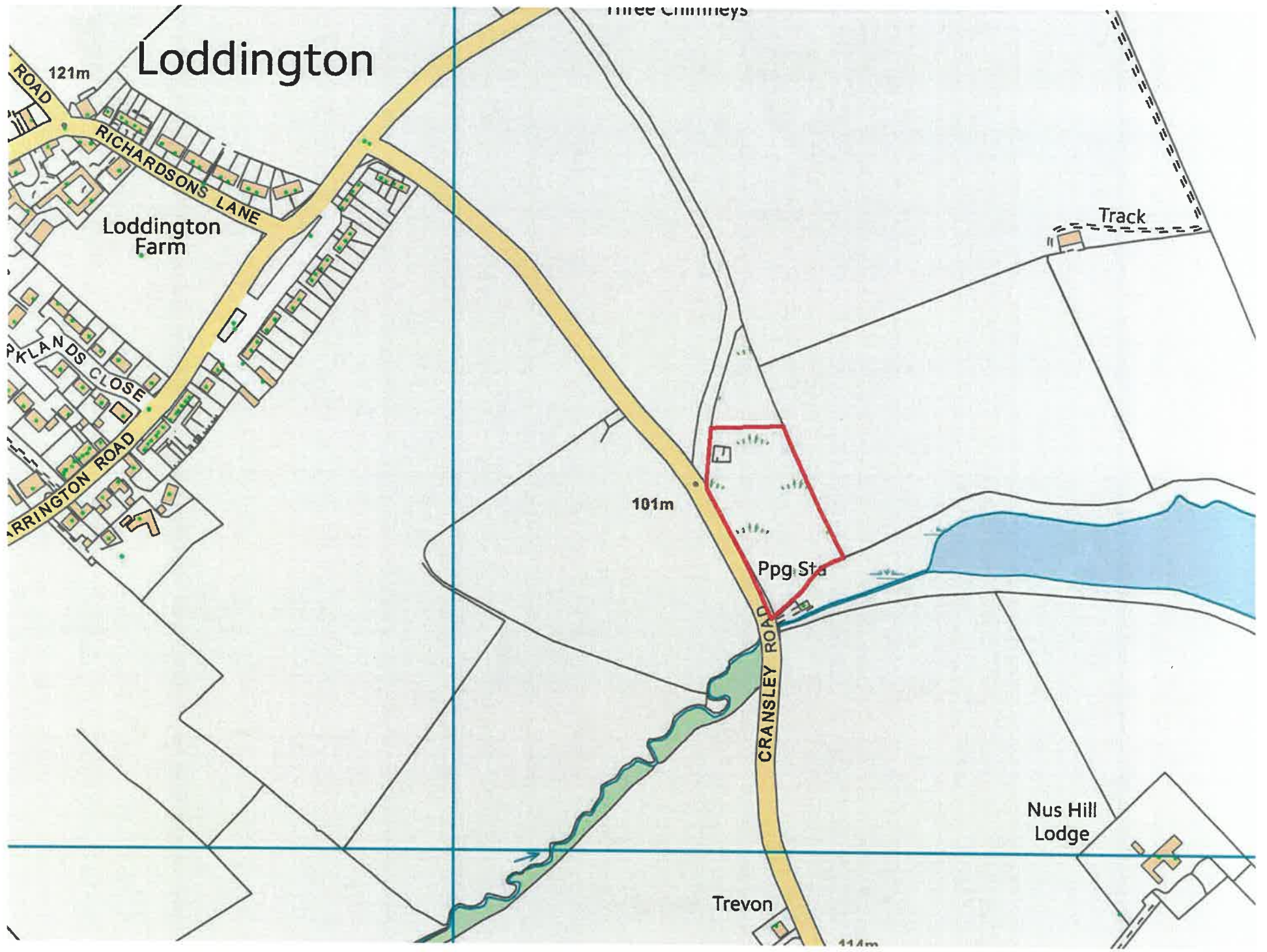
The Committee is requested to agree that Officers can argue the following as an additional reason for refusing planning application KET/2019/0711 at the forthcoming public inquiry:

*The development harms the character and appearance of the landscape and is thereby in conflict with Policies 3 and 31 of the North Northamptonshire Joint Core Strategy.*

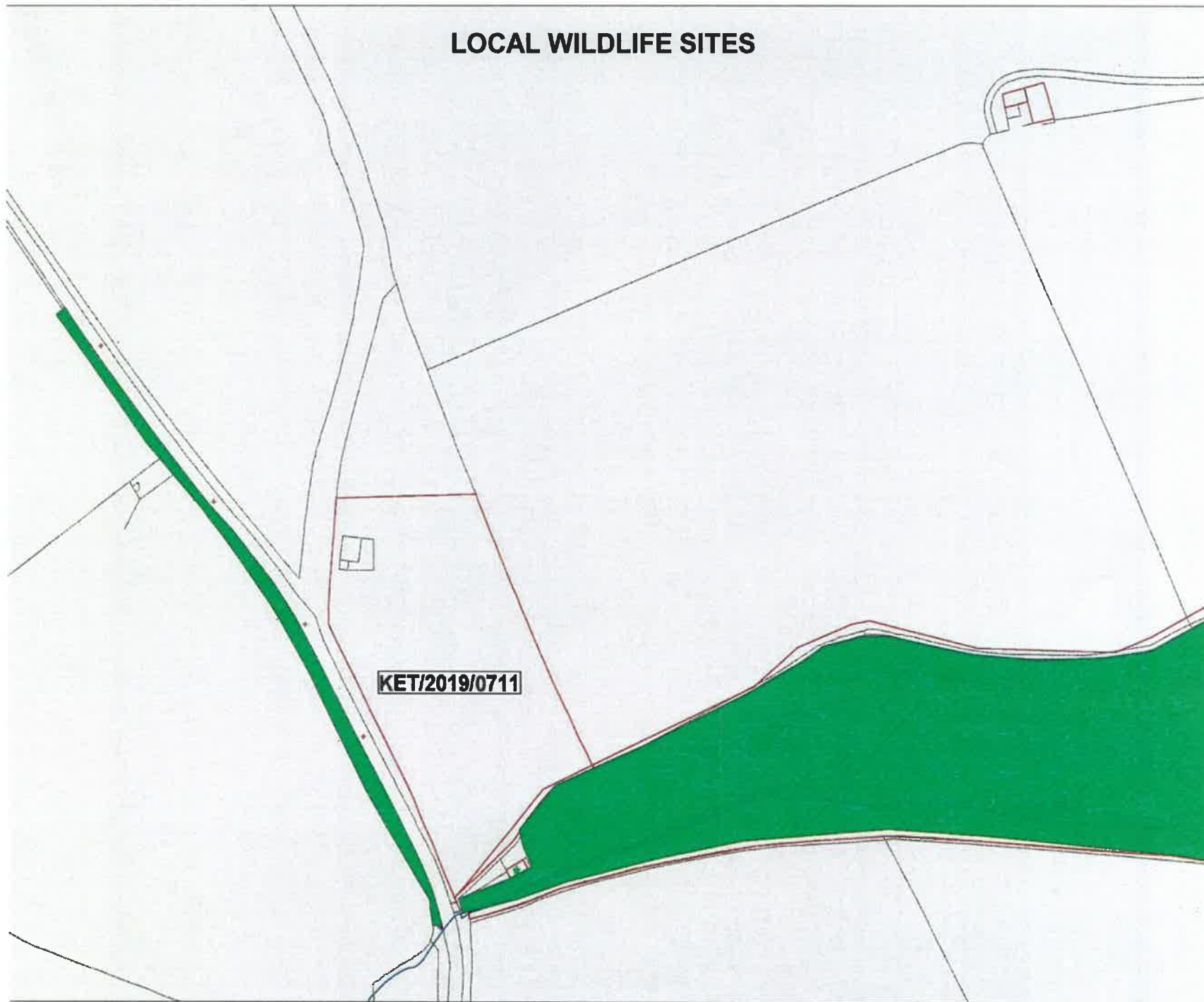
## **Appendices**

**Appendix 1** Landscape and Visual Statement of Case prepared by Ian Dudley of Lockhart Garratt

**Appendix 2** Original Officer Report for KET/2019/0711



# LOCAL WILDLIFE SITES



**LAND EAST OF CRANSLEY ROAD, LODDINGTON**



Site Plan above was located by: 482853.13, 272086.25 482482.16, 272482.25 for a scale of 1:2500, OSGRD:OSGB 360287265. The representation of a road, track or path is no evidence of a right of way. The representation of features on this is no evidence of a property boundary.

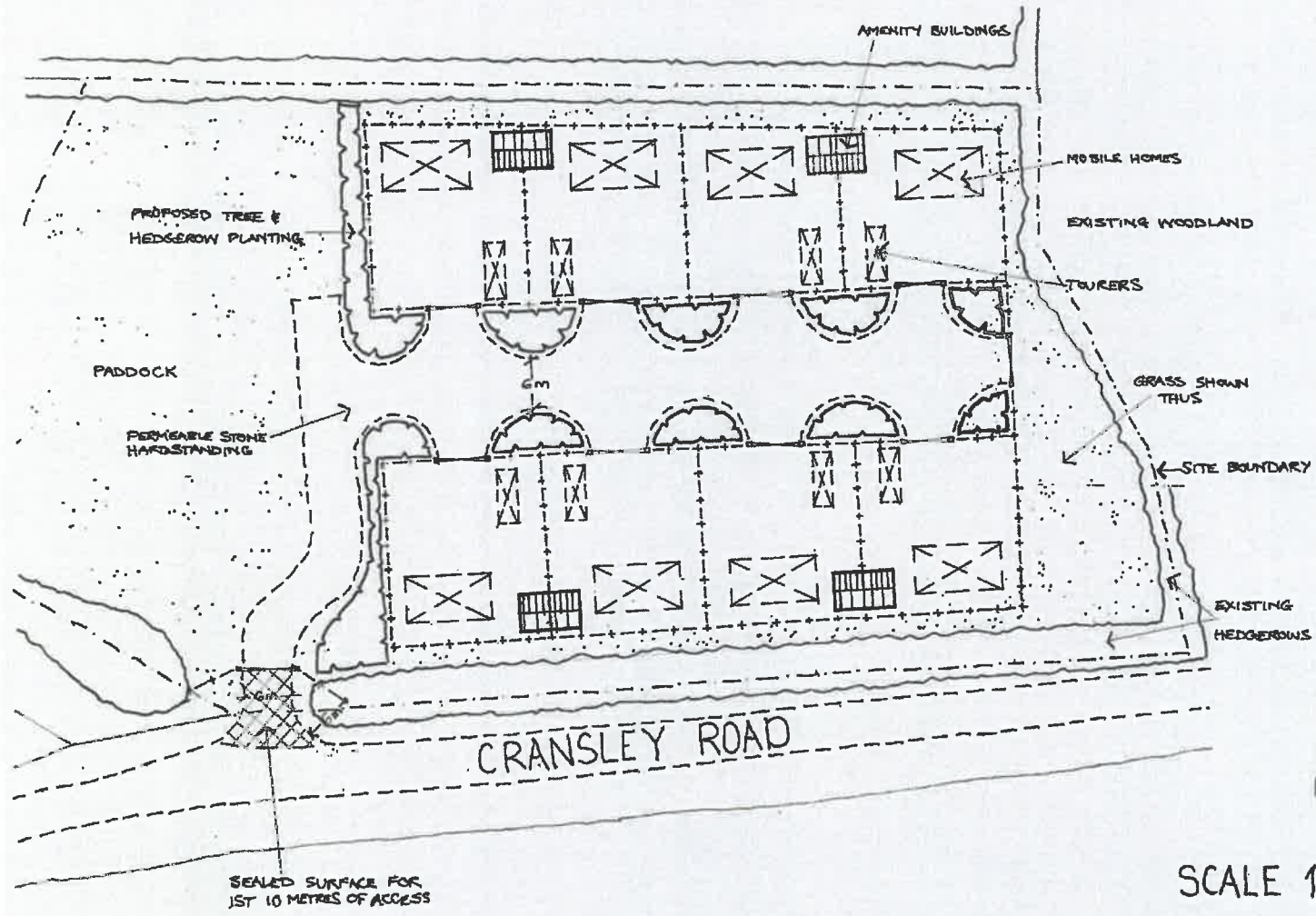
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14 OCT 2019  
KET 2019/0711/  
FILE



# SITE LAYOUT PLAN



Page 25  
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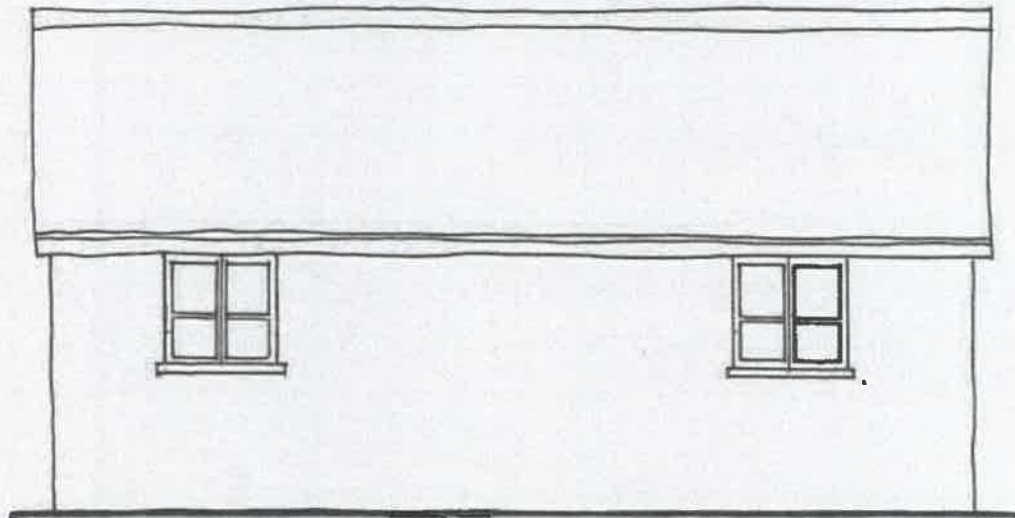




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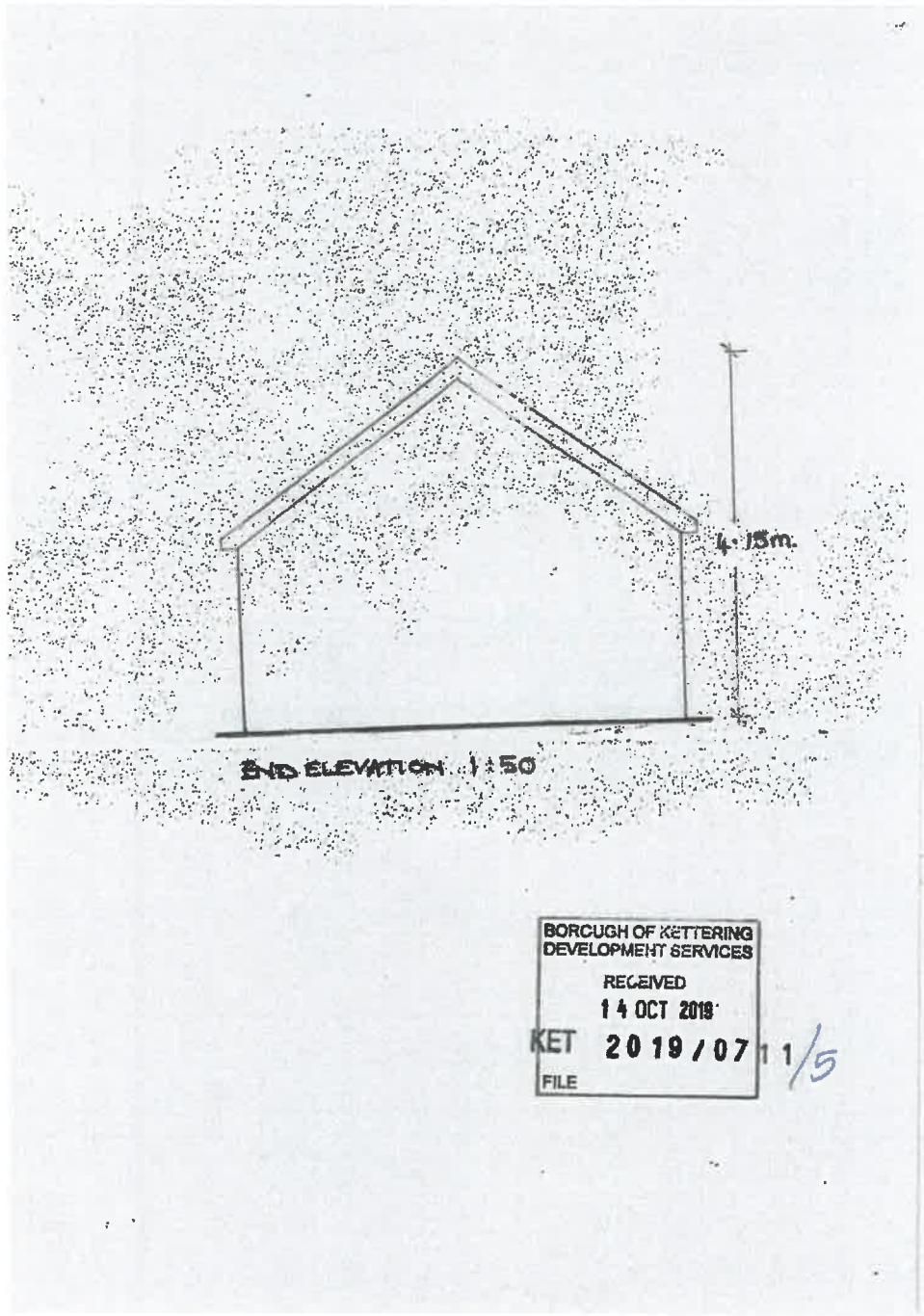
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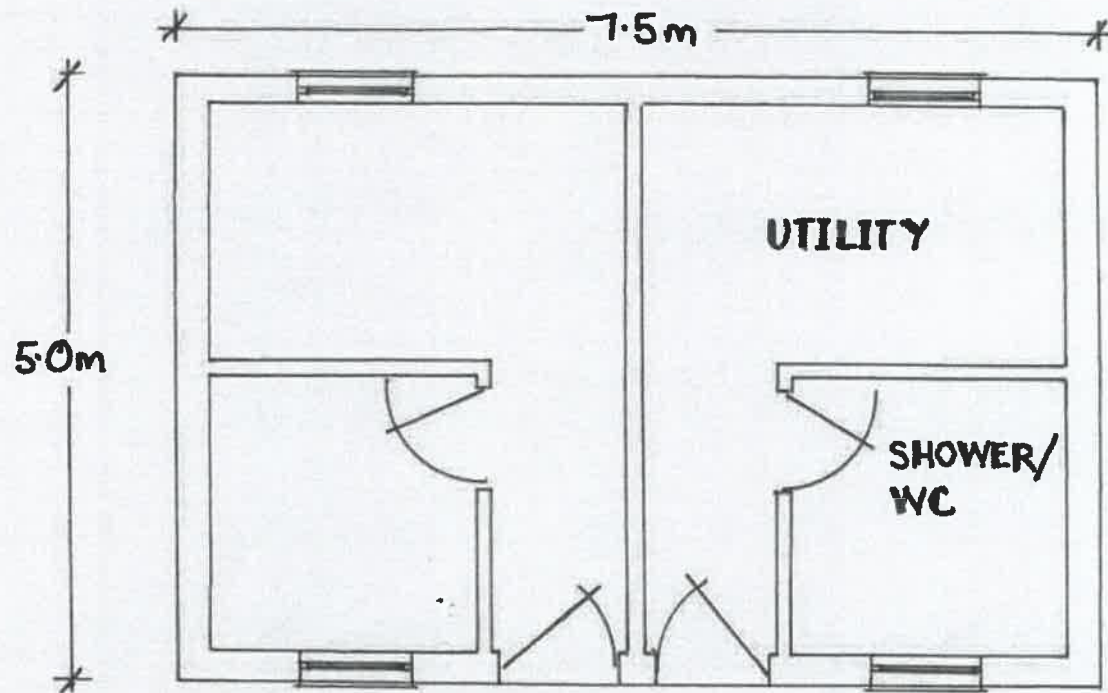


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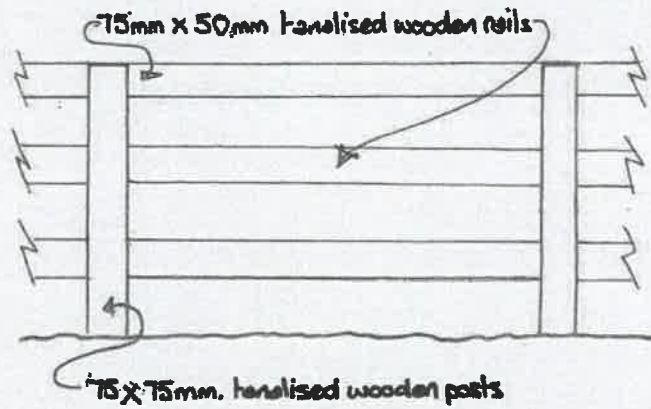
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DRAWING No. PBA2  
Detail of boundary fencing

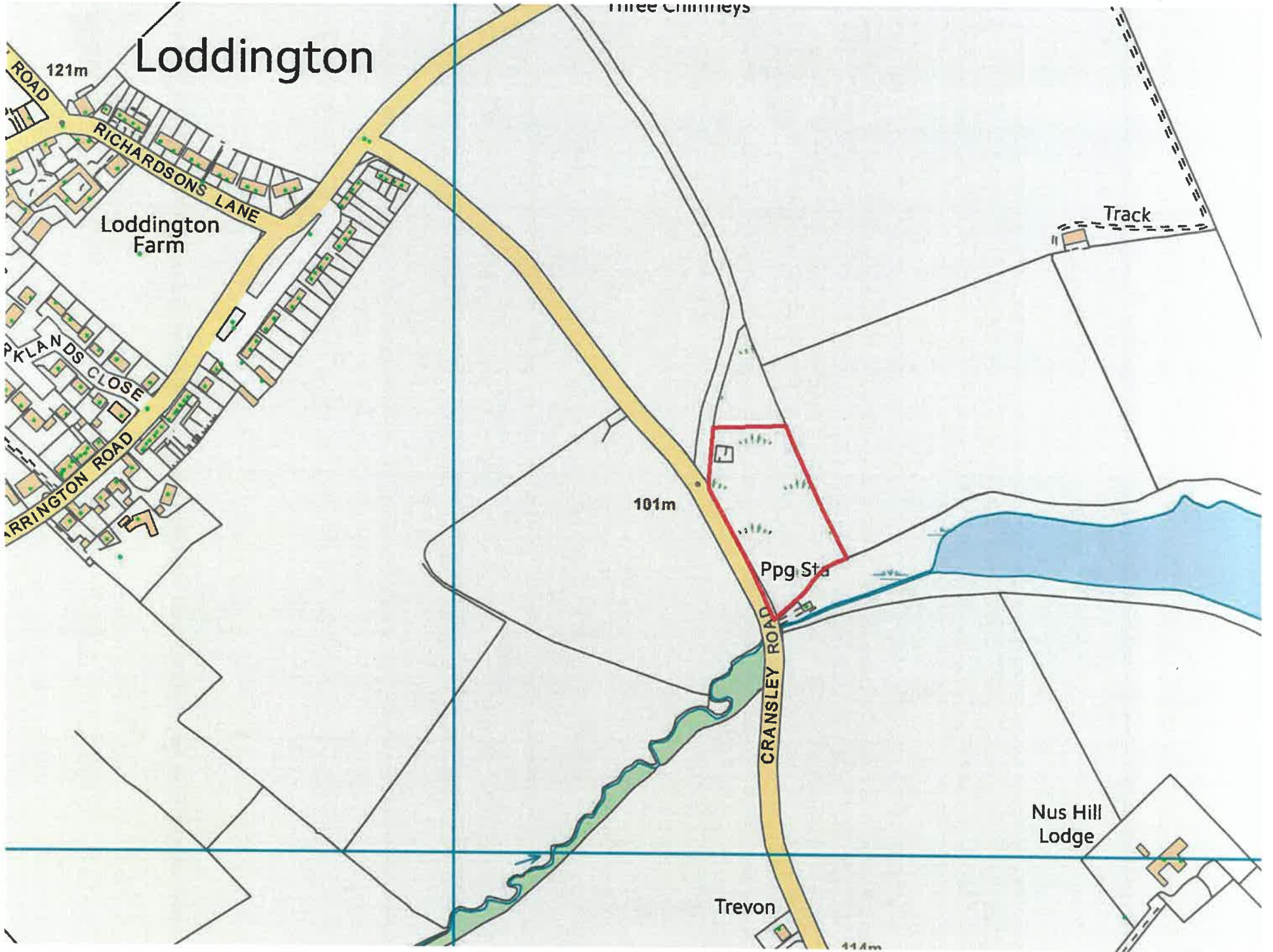


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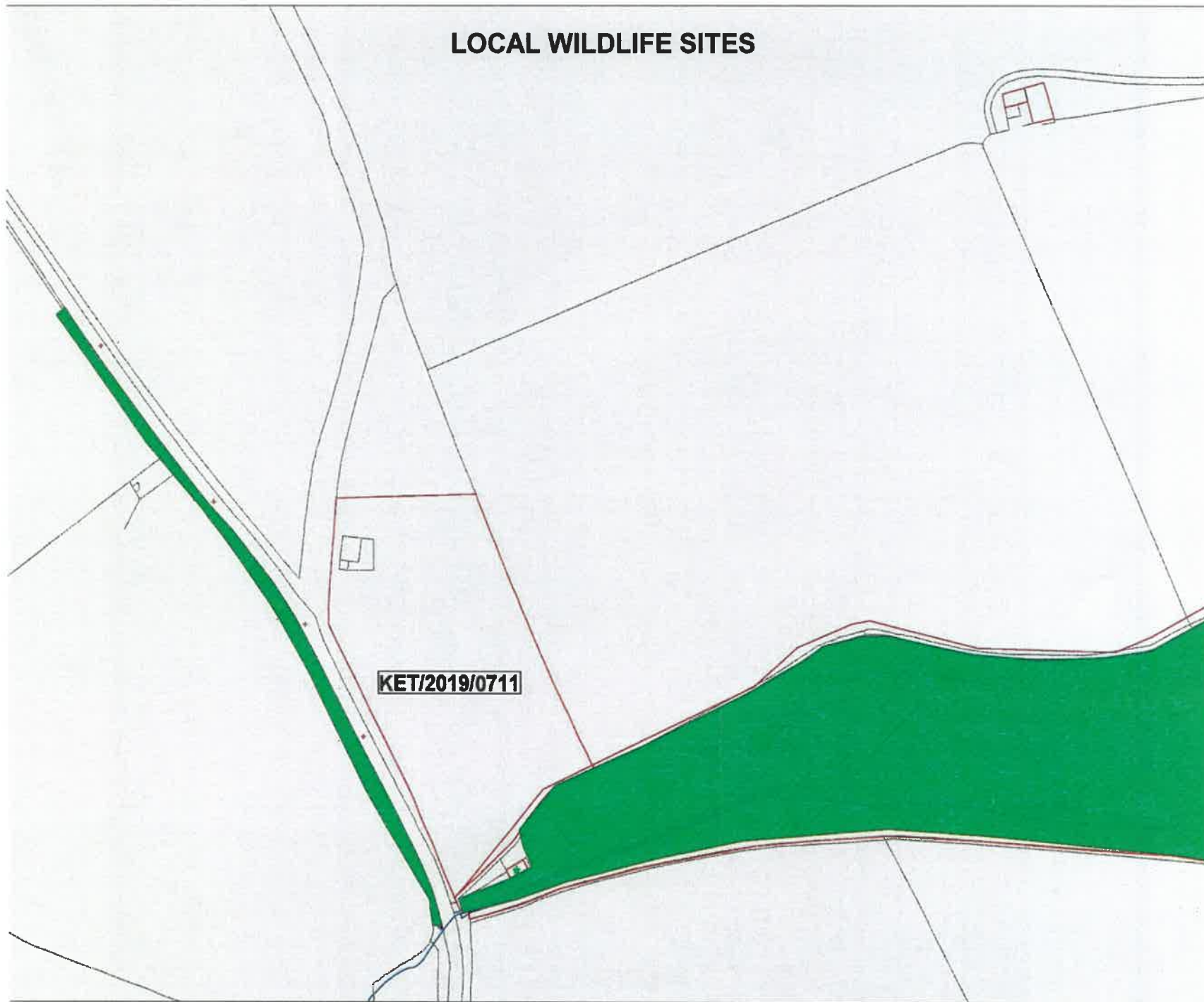
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5-bar field gate : 1.2 metres tall x 3.6m.wide



# LOCAL WILDLIFE SITES



**KET/2019/0711**



**LAND EAST OF CRANSLEY ROAD, LODDINGTON**



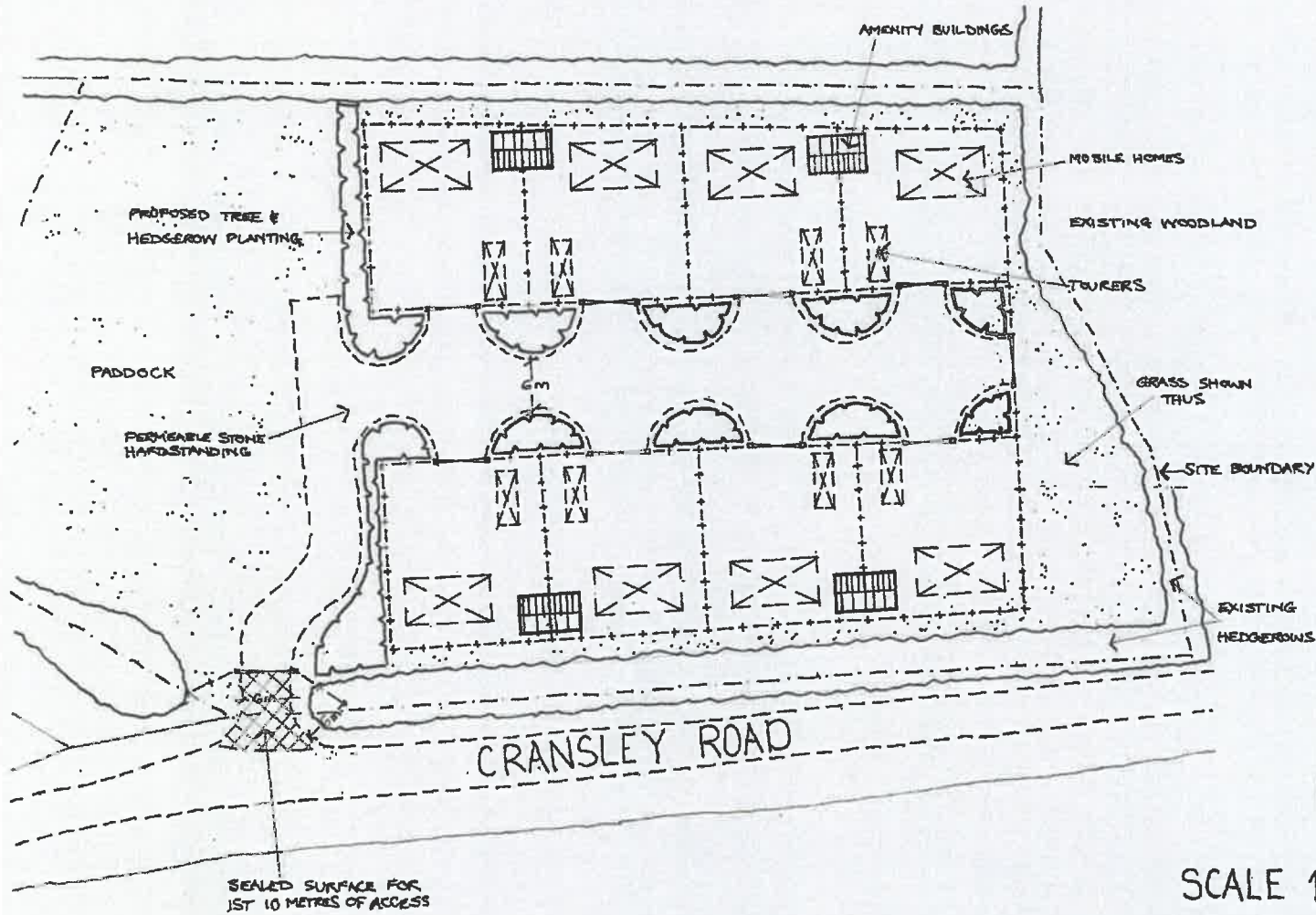
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# SITE LAYOUT PLAN



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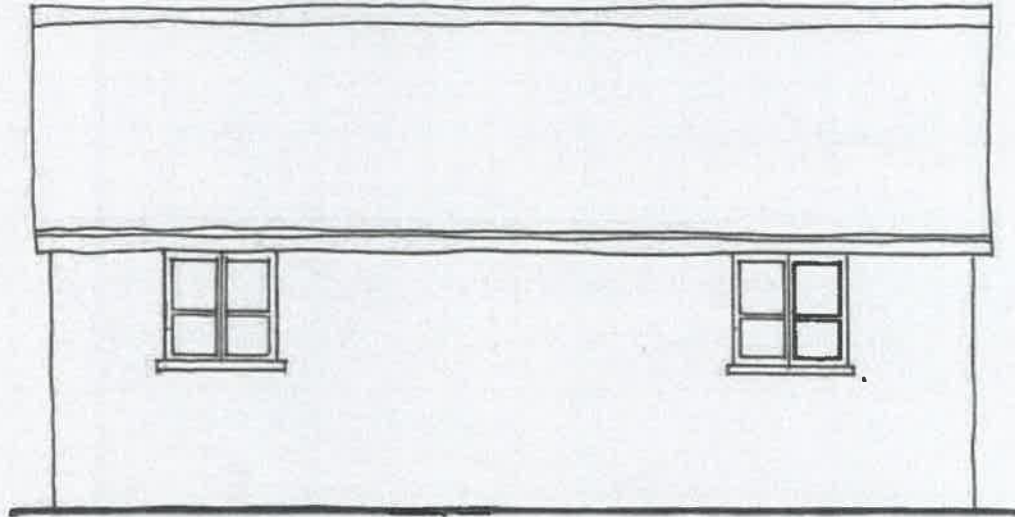
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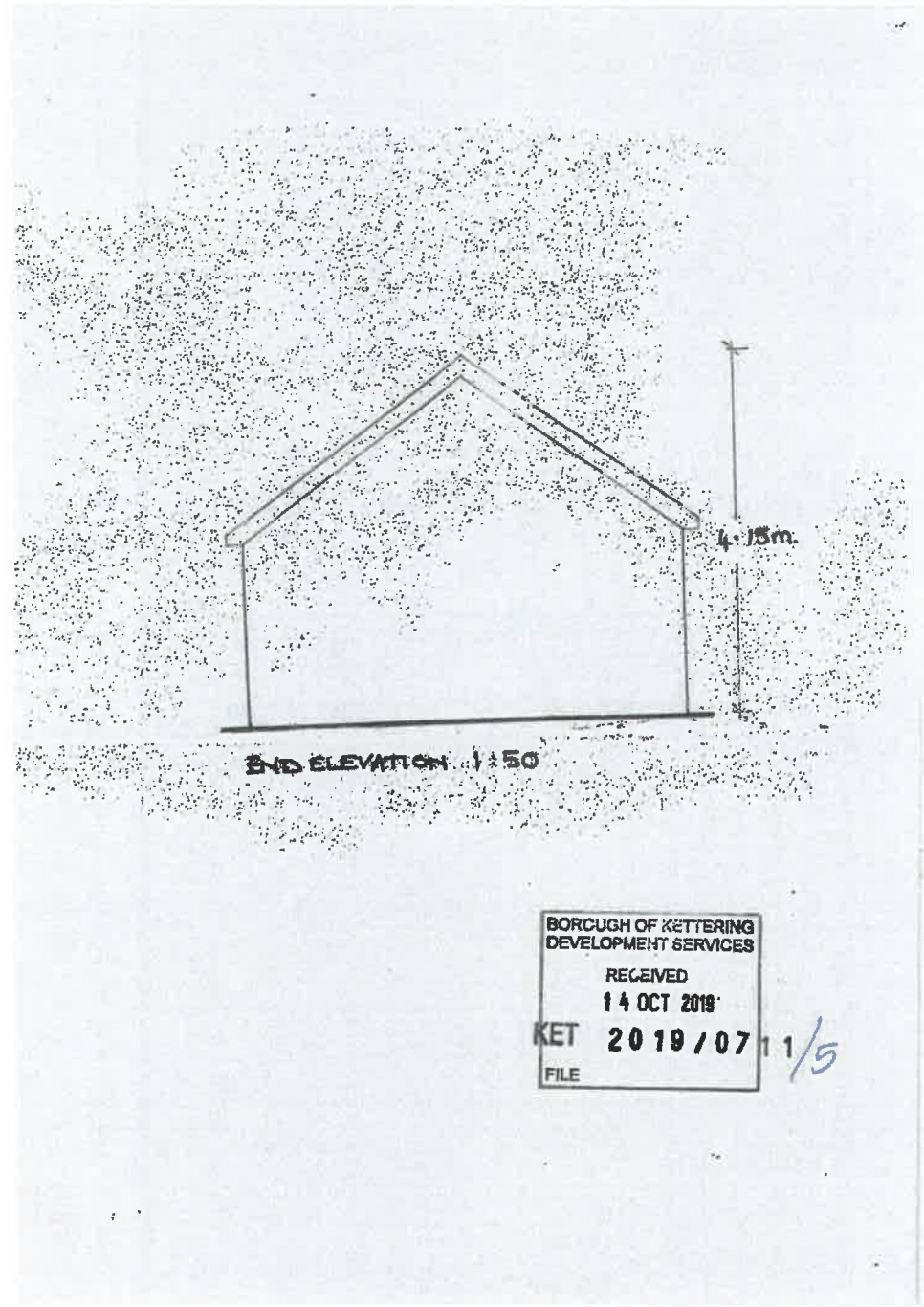
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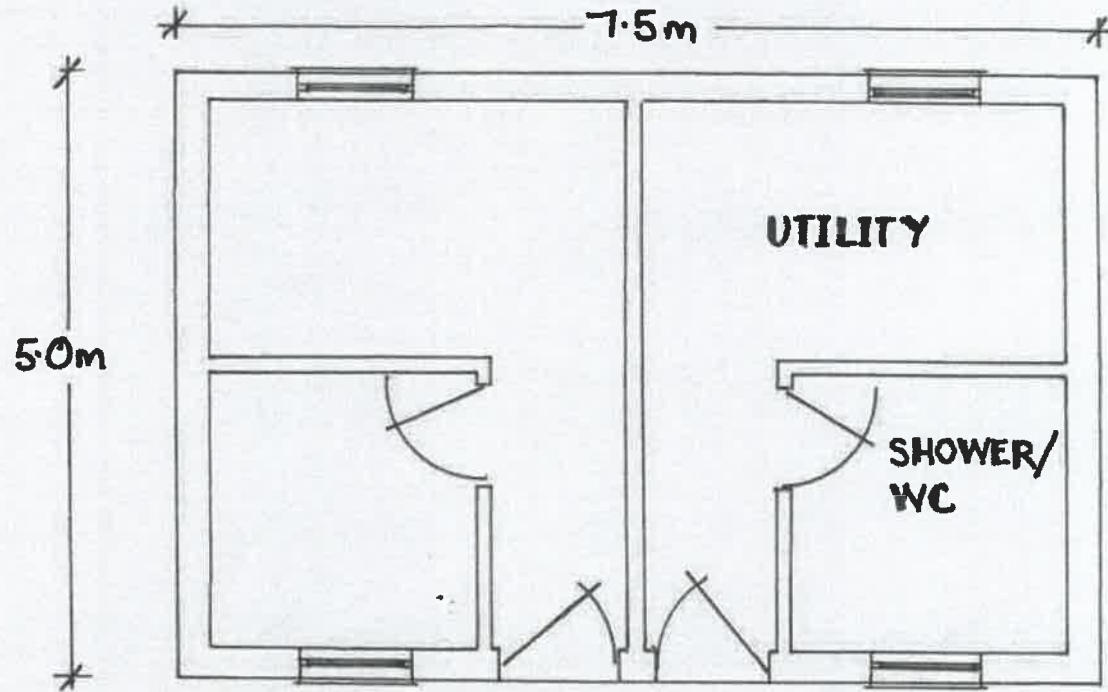
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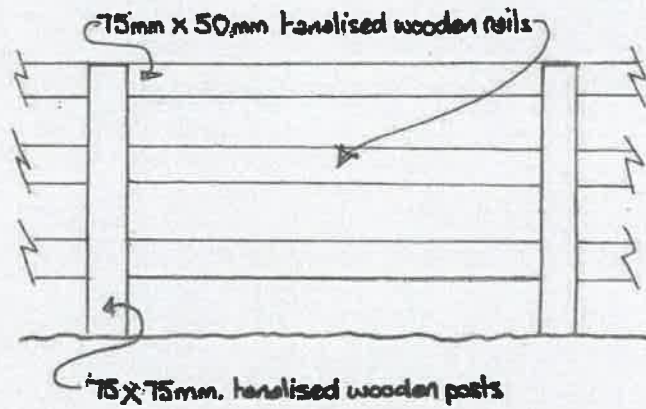
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DRAWING No. PBA2  
Detail of boundary fencing



SCALE 1:20

BOROUGH OF KETTERING  
DEVELOPMENT SERVICES  
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14 OCT 2019  
KET 2019/0711  
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5-bar field gate : 1.2 metres tall x 3.6m.wide

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**KETTERING BOROUGH COUNCIL: LAND EAST OF CRANSLEY ROAD, LODDINGTON**  
**APPLICATION REF: KET/2019/0711**

## **LANDSCAPE AND VISUAL STATEMENT OF CASE**

**Prepared by: Ian Dudley BSc(Hons) MICFor CEnv CMLI**

### *Introduction*

In August 2019, I prepared a landscape consultation response in relation to the above planning application. This was a brief outline exercise, based upon desktop information and photographs supplied by the Local Planning Authority, and I applied a precautionary principle in relation to landscape and visual effects.

Subsequent to this consultation, the development in question has been refused and an appeal has been lodged, which has prompted a more comprehensive examination of the evidence at hand. Having done this, I am obliged to respond to this new information and to bring it to the Inspector's attention. This information includes a more in-depth examination of the value of the landscape in which the site is located, including first hand visual evidence. Having now personally visited the site's setting, I have learned that the landscape is of a higher value than I had originally anticipated, and the proposed development would be visible to a range of receptors that had originally been dismissed.

As part of this more comprehensive examination, I visited a number of Public Rights of Way in the vicinity of the site to gather first hand photographic evidence, and this has revealed a considerably higher level of visibility from the wider valley landscape than originally indicated.

I have also observed that an extensive amount of unauthorised development has taken place on the site, including the placement of aggregate, the erection of fencing, the creation of a surfaced entrance to Cransley Road, and the placement and occupation of caravans. Whilst this unauthorised activity may not represent the exact final proposed layout, it has nonetheless greatly assisted my understanding of the likely magnitude of landscape and visual effects, and the visibility of the scheme from the surrounding area.

These newly considered factors have combined to change my view, and it is now my revised opinion based upon this new evidence that the effects of the proposed development upon landscape character and visual amenity will be significant.

### *Landscape Context*

As noted within my original consultation response, the site is located within the Kettering and Wellingborough Slopes Character Area, associated with the Rolling Ironstone Valley Slopes Landscape Type. I consider the site to be strongly representative of the local landscape character, reflecting a wide range of the more positive identified key characteristics and aesthetic and perceptual qualities, with the more disruptive elements being noticeably absent due to the intimate valley landscape.

With regard to the Rolling Ironstone Slopes Landscape Type, the published key characteristics of this landscape are as follows, with those considered to be relevant to the site and its valley setting highlighted in bold text:

- **Broad valley slopes dissected by numerous tributary streams;**
- **Ironstone geology expressed in local vernacular buildings and in rich red soils;**
- **Rolling landform, extensive views and sense of exposure on some prominent locations;**
- **Steep slopes adjacent to more elevated landscapes;**
- **Numerous water bodies including the county's largest reservoir;**
- **Productive arable farmland in medium and large scale fields predominates on elevated land although sheep and cattle pastures also prevalent, often in smaller fields adjacent to watercourses;**
- **Agricultural practices create a patchwork of contrasting colours and textures extending across valley slopes;**
- **Where broadleaved woodlands and mature hedgerow trees combine, these impart a sense of a well treed landscape;**
- Hedgerows generally low and well clipped although intermittent sections show evidence of decline;
- Well settled with numerous villages and towns;
- Landscape directly and indirectly influenced by the close proximity of many of the county's urban areas; and
- **Building materials vary although vernacular architecture and churches display the local ironstone.**

It can therefore be reasonably concluded that the site and its setting are highly representative of the most positive characteristics of the Rolling Ironstone Valley Slopes.

The stated landscape strategy for the Rolling Ironstone Valley Slopes is as follows:

*New development, change and land management should be controlled or encouraged to conserve and enhance the diversity and richness of the landscape, and provide opportunities to emphasise the variations that contribute to local distinctiveness. In view of the proximity of the many urban areas within and surrounding this landscape, it is likely to be particularly vulnerable to development pressures and change. It is important, therefore, that where development is considered, its integration with the local landform is carefully considered, as well as its wider setting and relationship with existing built areas. Reference should also be made to the locality to integrate with particular details of local vernacular building styles, materials, and layout. Woodland cover should also be retained wherever possible and conserved and enhanced to strengthen this resource.*

This implies that this landscape is particularly sensitive to new development and that where it is considered to be acceptable, then it should contribute to local distinctiveness and should reinforce vernacular styles.

With regard to the Kettering and Wellingborough Slopes Character Area, the key characteristics of this Character Area may be interpreted as follows from its narrative description, with those I consider to be relevant to the Site and its setting highlighted in bold text:

- **Gently rolling landscape of ridges and valleys orientated in a north-east to south-west direction;**
- Relationship with Ise Valley to east and clay plateau areas to west and north;
- **Wide views available across surrounding landscapes from upper valley slopes, although woodland blocks contain views towards Wooded Clay Plateau to the north;**
- **Views along valleys from lower slopes are more channelled and contained, for example along the Ise Valley south of Desborough;**
- **Relatively well-settled landscape with settlement focussed on upper valley slopes. Settlements are generally compact in form and formed around road junctions with prominent church towers;**
- Urban influences from Wellingborough, Kettering, Rothwell and Desborough are significant, with prominent views available;
- Busy 'A' roads connecting settlements are intrusive, as is the railway line situated on an embankment north of Kettering;
- **Majority of minor roads are quiet and rural;**
- **Land cover typically comprises large to medium scale arable fields interspersed with semi-improved pasture, often similar in scale and largely grazed by sheep;**
- Pastoral fields generally associated with settlements and individual farmsteads;
- 'Horsiculture' creates an untidy appearance adjacent to settlements;
- **Woodland is small to medium size and broadleaved in character, and is generally associated with historic parkland and settlements. Many valleys also have a well-treed character; and**
- Recreational opportunities are largely limited to the rights of way network.

I therefore consider the site and its setting to be highly representative of the wider character area, and again reflect the more positive and tranquil rural characteristics, with urban influences notably absent.



### *Landscape Value*

The North Northamptonshire Joint Core Strategy and the Northamptonshire Current Landscape Character Assessment are largely silent on the matter of relative landscape value. In absence of established evidence of landscape value, the prevailing guidance is to assess it according to a suitable set of criteria, such as the following suggested list as set out in Box 5.1 of Guidelines for Landscape and Visual Impact Assessment Third Edition:

- Landscape quality (condition);
- Scenic Quality;
- Rarity;
- Representativeness;
- Conservation interests;
- Recreational value;
- Perceptual aspects; and
- Associations.

I consider that the above list is a suitable set of criteria for the consideration of landscape value in this context, and therefore the following bullets set out this analysis. For ease of comparison, a relative score has been given for each criterion, based upon a scale of high/medium/low/not relevant.

- **Landscape quality (condition):** The valley in which the site is located is considered to be in good condition, in that it strongly represents the positive published characteristics of the prevailing landscape character, and largely represents an area of well-managed farmland with elements of woodland and historic parkland. More valuable habitat areas are present closer to Cransley Reservoir Local Wildlife Site, and these include the site, which was identified within the Appellant's submission as supporting unmanaged grassland and scrub, although this has largely been lost to unauthorised development. I therefore consider the quality of the landscape to be high.
- **Scenic quality:** The landscape in which the site is located is a rural valley landscape, with the historic village of Loddington with its prominent church spire located upon a ridgeline to the north, and Cransley Reservoir at its core. The valley form creates an intimate landscape, which is separated from surrounding urban influences. I therefore consider the scenic quality of this landscape to be high.
- **Rarity:** The elements and features are not considered to be individually or collectively rare, and therefore I do not consider this criterion to be relevant.
- **Representativeness:** I consider the valley landscape in which the site is located to be strongly representative of the Rolling Ironstone Valley Slopes, expressing the more positive characteristics of this landscape, with very few detracting elements. In particular, I consider Cransley Reservoir to be a good example of the water bodies that characterise this landscape. I therefore consider the representativeness of this landscape to be high.



- **Conservation interests:** The Appellant's Primary Ecological Appraisal noted that the site's native hedgerows are Biodiversity Action Plan priority habitats, and that Loddington Verge Local Wildlife Site is located just to the north-west and that Cransley Reservoir Local Wildlife Site is located just to the south. Furthermore, the Appellant's appraisal found the site to be of some interest to bats, nesting birds and reptiles. I therefore consider the site to be of medium conservation interest, as a supporting habitat to these designated areas.
- **Recreation value:** Whilst the site itself is not accessible, Cransley Reservoir supports a sailing club. This is a form of tranquil recreation where the landscape setting to the reservoir is important, and a number of public footpaths also traverse the valley, connecting to accessible woodland to the east of the reservoir. I therefore consider this landscape to be of medium recreational value.
- **Perceptual aspects:** As noted above, the valley in which the site is located expresses a tranquil and deeply rural character, separated from surrounding urban activity by its topography, creating an intimate landscape. I therefore consider the perceptual aspects of this landscape to be high.
- **Associations:** I am not aware of any specific associations relating to this landscape and therefore I do not consider this criterion to be relevant.

Based upon this analysis, I conclude that the landscape in which the site is located is of high relative value in the context of non-designated landscapes.

#### *Landscape Impact*

My original note concluded that some landscape harm would result from the proposed development, although the extent of this harm was unclear and the precautionary principle was applied. Now that I have first-hand experience of the site's setting and the impacts of the unauthorised development, this position can be clarified. I have included a brief selection of images from key locations as an appendix to this note, to illustrate these points.

As a result of this new evidence, my professional view has changed because I now have a better appreciation of the unspoilt rural character of the valley in which the site is located and the effects of the development, as evidenced by unauthorised activity, upon this character. This has led me to conclude that the landscape impact of the proposed development would in fact be significantly adverse.

As demonstrated in my analysis above, the landscape in which the site is located expresses the character of a tranquil and deeply rural valley, with the picturesque Cransley Reservoir at its base. The valley also expresses a recreational character, being well-served by Public Rights of Way, in addition to the sailing club on the reservoir and the permissive access within the woodland to the east, which is locally titled 'Cransley Eco Park'. The sloping valley sides contain the valley landscape, creating a sense of intimacy and isolation, separating it from the nearby influences of Kettering and the A14 dual carriageway. The only relative urban influence is from the small village of Loddington, located on the ridgeline to the north, with its prominent church spire.

The proposed development, as evidenced by its unauthorised presence upon the site, is an incongruous feature within this landscape, detracting from its otherwise rural character. Its position on the northern valley slope exerts an adverse influence upon the setting of the reservoir and southern valley slopes, even in summer months when vegetative screening is at its highest, as my photographs demonstrate. In winter months, this exposure is anticipated to be even greater, given the predominantly deciduous nature of the local vegetation.

The adverse influence is largely derived from the incongruous appearance of the elements within the site, which are clearly identifiable upon the mid-slope of the valley, forming prominent elements within an otherwise deeply rural setting. It is likely that the further addition of additional features as the site develops to its full capacity, such as the proposed amenity blocks, would increase the magnitude of this impact.

I therefore conclude, following my collection of first-hand field evidence that the proposed development is likely to result in a significant adverse impact upon its landscape setting, which has been identified above to be of high value.

#### *Visual Impact*

My original consultation response was based upon the communication from the Local Planning Authority that the proposed static and touring caravans would not be visible from local public footpaths and Cransley Reservoir because of their position at the lower part of the site.

As part of the preparation of this Statement of Case, I have undertaken a first-hand survey of the setting of the site and found that this is not in fact the case. My survey was undertaken in June and all vegetation was in full leaf, and so vegetative screening in the landscape was at its greatest level. In spite of this, clear views of the unauthorised structures within the site were observed from Public Footpath GG6 from its junction with Northfield Road, as it descends the valley side and crosses the reservoir dam. Views were also recorded from the entrance to the woodland nature reserve to the east of the reservoir, and from Cransley Sailing Club, and it is anticipated that views would be available from Public Footpath GG5 in the winter months as it descends the valley slopes. Furthermore, it is highly likely that views would be available to those recreational sailing vessels upon Cransley Reservoir. Images from key locations have been included as an appendix to this note, to illustrate these points.

All of the identified visual receptors are considered to be highly sensitive to changes in their outlook, because the activities being undertaken are related to the appearance and tranquillity of this deeply rural and picturesque valley, and therefore it is likely that the type of impact observed would be significant and adverse. This is evidenced from the current unauthorised development, and I note that the submitted development proposals are not materially different, but represent a greater quantity of development compared to that observed and recorded in my photographs.

APPENDIX 1: ILLUSTRATIVE PHOTOGRAPHS

1. View from Cransley Reservoir Dam (Public Footpath GG6)



7p  
Page 47

2. View from Public Footpath GG6 at Junction with Northfield Road



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for



## Officers Report for KET/2019/0711

This application is reported for Committee decision because there are unresolved, material objections to the proposal and the proposal is a contentious application which, in the opinion of the Head of Development Services, is a matter for the decision of the Committee.

### 3. Information

#### Relevant Site History

##### Enforcement

ENFO/2019/00160:

The Local Planning Authority (LPA) was made aware of activities taking place on site on 11th October with officers in attendance within 2 hours. The LPA's response was therefore immediate and sought to use the powers available in a prompt manner with a Temporary Stop Notice. Works continued over that weekend with caravans being brought onto the site. A Stop Notice and an Enforcement Notice were then served which is now the subject of an appeal. A planning application dated Friday 11th October was marked as received by the LPA on Monday 14th October.

The following planning history is relevant to the site:

KET/1983/0097      Erection of stable and hay store and use of land for grazing of horses, including field jumps – approved 03/03/83.

KET/1985/042      Erection of stable and hay store and use of land for grazing of horses, including field jumps – approved 12/07/85.

KET/1989/0844      Renewal of Temporary Permission for Stable and Tack Room – approved 29/09/89.

KET/1991/0620      Renewal of Temporary Permission: Retention of Stable Block and Tack Room – approved 09/10/91.

#### **Site Visit**

Site inspections have been carried out on a number of occasions between October 2019 and February 2020.

#### **Site Description**

The site, which is 1.09 hectares, is set with open countryside to the south east of Loddington village. Trees and hedgerow are located on the east and west boundaries, wet woodland to the south and a post and rail fence to the north which separates the application site from the wider land parcel.

The site lies 350m from the edge of Loddington and 740m as the crow flies, or 930m by road from the centre of the village with its limited facilities comprising, public house, primary school and village hall. The site itself is accessed off Cransley Road, a rural road with a 60 mph speed limit which links Loddington, with Great Cransley

and beyond to Broughton. The 350m stretch of Cransley Road between the site entrance and the edge of Loddington village is unlit with no designated footpath. There is a public right of way, the bridleway GR10, which runs adjacent to the site following the northern boundary of the site and linking up to the road junction where the property known as The Three Chimneys is located. The site is positioned adjacent to the Cransley Reservoir which is a local wildlife site (LWS) and Loddington Verge, another LWS.

### **Proposed Development**

This is a retrospective application for full planning permission for change of use from agricultural land to 8 pitch residential caravan site, with 2 no. caravans per pitch, including 8 no. utility buildings, hardstanding and access.

Each pitch is proposed to have two caravans, with no more than one static/mobile home sited on each. Each utility building (150 square metres) would include a bathroom and laundry facilities. The proposed layout is for a central access road running down the site with 4 pitches on each side as shown on the proposed site plan.

It is proposed to widen the access to 6 metres and provide a sealed bound surface for the first 10m from the access point into the site to prevent loose material going onto the highway.

### **Any Constraints Affecting the Site**

Open countryside/outside village boundary  
Adjacent to Local Wildlife Site

## **4 Consultation and Customer Impact**

**Summaries of responses received are below.**

### **Local Highway Authority (LHA)**

#### **Third Response**

The LHA objects to the application. The latest supplied information does not satisfactorily address the LHA's prior concerns. Hence, the reasons for objection stated in our prior response (revision b – sent to the LPA on 06/02/2020) are still maintained. We can see no reason why the ATC survey cannot be undertaken in accordance with our requirements.

#### **Second Response**

The LHA objects for the following reasons;

- The applicant has failed to demonstrate that the access to the site would be safe and fit for purpose
- The LHA firmly believe the requests for an ATC speed survey is essential in accurately identifying true vehicle speeds on Cransley Road and subsequently, the necessary vehicle visibility splays required at the site access. These splays are critical in ensuring highway safety.
- The LHA does not permit more than 5 dwellings to be served off of a shared private drive.

**First Response**

The LHA cannot support the application and require further information to fully assess the proposals. The LHA do not accept speed surveys undertaken using radar guns as the act of a surveyor at the side of the road can influence the results of the survey. Given the uneven topography of Cransley Road either side of the site access, the LHA requires visibility splays in both the horizontal and vertical planes to be illustrated on clear and scaled detailed drawings.

**Environment Agency****Second Response**

No comments.

**First Response**

Foul Water drainage – the proposed development will only be acceptable if the following planning condition is imposed on any planning permission granted:

**Condition**

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To reduce the risk of pollution to the water environment.

We note the applicant is proposing the use of a package treatment plant (PTP) for the disposal of foul water from the development. It is our view that the PTP is not suitable in this instance as the development is:

- Within suitable distance to connect to a mains foul sewer
- Within 20 metres of a water course
- In close proximity to Cransley Reservoir
- A shared residential area, so we have concerns regarding ongoing maintenance of a package treatment plant.

In addition to this, the Anglian river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the development could cause deterioration of a quality element to a lower status class, prevent the recovery of and/or cause deterioration of a water body because it could result in the release of harmful polluting matter into a water course.

**Environmental Protection**

No objection and request conditions regarding unexpected contamination, caravan site licence and refuse.

**Lead Local Flood Authority (LLFA)**

No comment

**Anglian Water**

### **Third Response**

We can confirm that the assets near to the site is in fact a water main on Cransley Road and is not a foul/surface water sewer. Section 1 is reflective of this water main, and Section 3 comments on available capacity within our sewerage system which is located on Harrington Road.

AW have no asset pipes crossing the boundary of this site.

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

### **Second Response**

There are assets owned by AW or those subject to an adoption agreement close to the development boundary. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option.

### **First Response**

The applicant has indicated on their application form that their method of foul and surface water drainage is not to an Anglian Water sewer. Therefore, this is outside our jurisdiction for comment.

### **The Wildlife Trust**

#### **Second Response**

We still have serious concerns and continue to object to the proposal. Although the proposal includes a series of recommendations which seek to mitigate for the impact that the proposed development would have on biodiversity, none of these have been taken forward into the Site Layout Plan and other documents.

Of particular concern is the impact that the proposal would have on both Cransley Reservoir LWS and Loddington Verge LWS. Surface water drainage and the installation of amenities (water and sewage pipes) are key aspects of the protection of both sites. The updated Ecological Appraisal makes a clear recommendation that the proposal includes a clear scheme for drainage and sewage. This does not seem to have been provided.

The site layout does not include any measures to achieve the net gain in biodiversity as stated in paragraphs 170 and 174 of the NPPF.

The presence of protected species is a material consideration within the planning proposal. Further survey work for reptiles and bats would be useful as their presence or likely absence from the site has not been established.



### **First Response**

The submitted ecological survey fails to consult the Northamptonshire Biodiversity Records Centre and therefore did not include the Cransley Reservoir and Loddington verge Local Wildlife Sites. The proposal needs to include both LWSs and where necessary recommend suitable mitigation. As this is not included, we would like to register our objection. During the last survey the section of Cransley Reservoir LWS which is immediately adjacent to the proposed development, was highlighted as being as one of the most species rich.

### **NCC Ecological Advisor**

#### **Second Response**

Having reviewed the updated information, I remain concerned about this application.

There is still no information about how surface water is to be attenuated and pollutants kept out of Cransley Reservoir LWS. The site layout plan still does not include SUDS. It is also not clear whether in fact foul water will be disposed of via mains sewer. Due to the wildlife sites proximity and aquatic habitats it needs to be established that the site is not at risk.

Two trees were identified as having low and moderate bat roost potential; these are still not indicated on the site layout plan. Neither a tree survey nor amended plans have been submitted to the authority so it is not currently possible to determine impacts on roosting bats.

#### **First Response**

Concerns that the Northamptonshire Biodiversity Records Centre was not consulted for site and species records with no reference to Cransley Reservoir or Loddington Verge LWS. At this stage I would not be confident that the application complies with either Policy 4 of the JCS or paragraph 175 of the NPPF.

### **Northamptonshire Badger Group**

We note that there is no specific reference to badgers in the Ecological Survey although many other protected species are commented upon. Our extensive records show that there have been 22 RTA's reported in the area between 1992 and 2017, 8 of which were reported on Cransley Road.

The area being agricultural land with hedgerows and trees there is every likelihood that badger setts would be present and even though there is a mention in the report that no other protected species appear to be present we would like a specific badger activity survey to be carried out with reference to the Protection of Badger Act 1992 and also Schedule 6 of the Wildlife and Countryside Act 1981 (as amended).

### **Natural England**

#### **Second Response**

No comment on the application and has directed the authority to standing advice which can be used to assess impacts on protected species.

### **First Response**

No comment on the application and has directed the authority to standing advice which can be used to assess impacts on protected species.

### **Northamptonshire Police Crime Prevention Advisor**

The application is for a small named family group and we therefore have no objections to the principle of what is proposed.

### **Great Cransley Parish Council**

#### **Second Response**

Cransley Parish Council did not meet after the 7-day renotification was sent. The parish council was sent the reply from Loddington Parish Council and they wish to support the very reasonable reply sent by Loddington Parish Council.

#### **First Response**

The application fails to comply with the following planning policies and guidance NPPF para 79, JCS policies 1, 3, 4, 5, 11 13 and 31. Policies 7, 10 11 and RA5 and paragraph 12.4 of the emerging Site Specific Proposals Part 2 Local Plan.

### **Loddington Parish Council**

#### **Second Response**

The Parish Council has been invited to comment upon the email from the applicant's agent dated 18 December 2019. The Council is not clear why the email has only recently been publicised, although it is noted that the email promises a further submission containing information from the applicant's ecologist. It is assumed that the further information referred to has not materialised, and that Officers have decided to wait no longer and consult third parties on the scant information provided on 18th December.

In short, the 18th December email is of no assistance to the Planning Authority and does not alter the Parish Council's objections to this proposed development.

#### Highway Safety

We attach correspondence from the experienced highway consultant, Stirling Maynard Transportation. SMT have reviewed the 18th December email and their comments are self-explanatory. It is curious that the applicant's unnamed highway engineer has not submitted an assessment of the highway safety of the access in response to the concerns that have been raised, and there has been plenty of time available for the ATC count requested by the Highway Authority to be undertaken.

Instead, the Planning Authority and Highway Authority are being invited to reach conclusions based upon an apparent conversation. This is clearly not a substantive or in any way persuasive approach by the applicant in relation to this very important matter of public safety.

The Parish Council considers that the applicant has not demonstrated that this development has a suitable means of access. There is an objection from the Highway Authority. It is plain that the Planning Authority should refuse the planning

application on highway safety grounds.

#### Stirling Maynard Response to Loddington Parish Council

I refer to the above application and the recent email from the agent for the application which contains comment on the Highway Authority's Consultee Response regarding speed surveys and visibility splays. I would comment as follows:

- i) I do not agree the request for the ATC survey is excessive. For an access to be safe the required visibility splays should be provided whether it is a small or large site. This is to do with geometry not the number of vehicles using the access. As you know for residential developments the visibility splay standards are the same for 8 units as for 800 units.
- ii) If the splays are being based on actual vehicle speeds rather than speed limits (if it was based on the speed limit here the requirement would be more onerous) the speeds must be measured correctly. This normally requires at least a full weeks data so the counter needs to be put down and taken up either side of this. You could argue that therefore the survey could be nine days but the difference in effort and cost between the two weeks would be minimal.
- iii) Based on both i) and ii) above the request from the County Council is reasonable.
- iv) The (anonymous) highway consultant is incorrect. The calculation of the visibility splay is based on a driver's reaction time and the deceleration of the vehicle. DMRB uses a long accepted formula to calculate this and application of the formula does not equate to 79 metres.
- v) There is no explanation as to how an alternative calculation for 79 metres has actually been made.

In conclusion therefore the applicant should carry out the appropriate speed survey and produce a drawing showing what visibility splays are actually available. Otherwise it is not clear whether safe access can be provided.

#### Foul Drainage

In the Parish Council's opinion, the task at hand is to demonstrate that a positive means of foul drainage is (i) available and (ii) deliverable. Anglian Water will advise whether there is sufficient capacity to make the nearest point of connection available to serve the development. If it is available, the applicant then needs to show that the connection can be delivered. The nearest point of connection to a mains sewer is close to the junction of Cransley Road and Harrington Road, some distance away from the site and significantly elevated. It has not been demonstrated that a connection to that sewer is deliverable. The Environment Agency has made clear that this option must be properly investigated and discounted before any other option can be considered (see the EA's letter dated 27 November 2019).

The Planning Authority is not in a position to conclude that an appropriate foul drainage method has been demonstrated for this development.

#### Ecology

Since no further information has been submitted by the applicant to the Planning Authority, the concerns expressed by the County Ecologist, the Wildlife Trust and by The Landscape Partnership on behalf of the Parish Council have simply not been addressed.

Again, and this is a recurring theme, the Planning Authority does not have the necessary information to enable it to reach a conclusion on the ecological impacts of this development.

The Parish Council wishes to reiterate its continuing stance that it fully supports the action of the Planning Authority in issuing enforcement and stop notices in relation to this site and will support the Borough Council in continuing to oppose the development. It is noted that in its statement to the Planning Inspectorate in response to the appeal against the enforcement notice, the Planning Authority indicates an intention to determine the planning application this month. The Parish Council welcomes that intention, particularly as it seems to be the case that the applicant is making little effort to persuade the Planning Authority and the wider community of the merits of this development.

In conclusion Loddington Parish Council would like to reiterate its recommendation for refusal based on the information set out in this and previous correspondence.

### **First Response**

A theme that runs through Government planning policy for traveller sites is that the travelling community and the settled community should not be isolated from one another, and that efforts should be made to reduce tensions between settled and traveller communities in plan-making and planning decisions. Unfortunately, the manner in which this site has come about does nothing to contribute to these objectives. The site was created over the course of a weekend without any planning permission, with a sudden impact upon the area and upon the settled community.

The Enforcement Notice provides your Council's reasons why it considers the unauthorised development is not acceptable. These are that the development conflicts with Policy 31 of the North Northamptonshire Joint Core Strategy in two respects: landscape impact and the unsustainable location of the site. As a matter of pure logic, the Parish Council expects that you will recommend to Planning Committee that the application is refused on those grounds, and that the Committee will refuse planning permission consistent with the formal opinion of your Council as already set out in the Enforcement Notice. There is nothing within the application to justify any reconsideration of your Council's position. Indeed, in the Parish Council's opinion there are other material harms from this development that give rise to additional reasons for refusal. Those material harms are explained in this letter. In the event that your Council resolves to refuse planning permission on grounds additional to those set out in the Enforcement Notice, it is assumed that your Council will formally add those grounds to its case in response to the Enforcement Appeal. The Parish Council unanimously objects to the development proposed in the application. In summary, its grounds for objection are: -

1. The unsustainable location of the site;
2. The impact of the development upon the landscape and character and appearance of the countryside;
3. Highway safety;
4. Ecological impact; and
5. Foul and surface water drainage.



### Planning Policy

The Parish Council is aware that the starting point for the consideration of the planning application is the development plan, which comprises the North Northamptonshire Joint Core Strategy (JCS) and saved policies of the Kettering Borough Local Plan. The keynote part of the development plan is Policy 31, which addresses traveller sites. That does not mean that the rest of the development plan is immaterial however, far from it for example, policies on landscape impact, ecology, highway safety are all material and the development plan should be assessed as a whole. Whilst Policy 31 has been the focus of the reasons for issuing the enforcement notice, there is now time for reflection as to whether conflict should be identified with other development plan policies: for example, JCS Policies 3 (landscape character), 4 (biodiversity) and 5 (water environment).

Other material considerations to be taken into account include the National Planning Policy Framework (NPPF). The Parish Council considers that there is conflict with the NPPF, and that conflict is a negative factor in the planning balance to be applied to this application.

A further material consideration is the Government publication "Planning Policy for Traveller Sites" August 2015. The Parish Council notes that the applicant's covering letter for the application seeks support for the development from this publication, and also seeks to discredit the North Northamptonshire Gypsy and Traveller Accommodation Assessment published in March this year. The Parish Council does not find the applicant's comments in the least persuasive, but in any event the application of these policy documents in a Kettering Borough context has very recently been applied in consideration of a substantially smaller site at Stoke Albany (KET/2019/0245 and KET/2019/0445). The Parish Council relies upon your Council to adhere to the approach taken to Government policy in the assessment of those applications, most notably in relation to the relevance of 5-year supply in the context of permanent sites. The site at Cransley Road is clearly intended to be permanent.

### Material Impacts

#### Unsustainable Location

The Parish Council strongly supports this objection, which is identified in the Enforcement Notice. The site is located in open countryside. There are no services or facilities adjoining the site or nearby. Loddington has limited facilities, comprising a public house, primary school, church and village hall (there was a small shop in the village, but it closed some time ago). There is no footway on Cransley Road, and it is clearly not a sensible route for walking between the site and the limited facilities in the village. The bridleway provides an alternative route north from the site to Harrington Road, which then doglegs back towards the village. It is considered highly unlikely that occupiers at the site would walk this route with children to access the primary school for example. There are no buses serving Loddington. The reality is that occupiers of the site would travel by car to access services and facilities. It is noted that the applicant relies upon an appeal decision in relation to a site at Slapton, Buckinghamshire and makes points about how this decision applied the Government publication "Planning Policy for Traveller Sites" August 2015. However, the appeal decision is dated September 2013. The relevance of that appeal decision is not clear. It is noted that Northamptonshire County Council as Local Highway Authority has also objected to the development on the grounds of it being in an unsustainable

location.

### Landscape and Countryside

The development has had a significant impact upon the character and appearance of the countryside. An innocuous parcel of set aside land has been transformed through the opening up of the access, significant earthworks, laying of hardstanding, stationing of caravans and portable toilets, lighting and the activity and comings and goings associated with the site. The site is in a sensitive location at the edge of the reservoir, in a landscape that is valued and enjoyed by local residents. The Parish Council also wishes to emphasise that the ability of local people to use and enjoy the bridleway connecting Harrington Road and Cransley Road has been affected by the development. Visually, the development has had a major impact on the ability to enjoy this route, but the Parish Council is also aware that some local people have ceased using the route as they are nervous about encountering the site.

### Highway Safety

The Parish Council notes that the County Council has objected to the development on highway grounds. Put simply, the applicant has failed to demonstrate that a safe means of access has been, or can be, provided to serve the development. The Parish Council strongly supports the County Council in this regard. The highways impact of the development over the initial few days of the unauthorised occupation was intense, with extensive areas of mud on the road and real and present danger to all road users. However, the site access must also be safe for the long term, and there is no evidence of this whatsoever. The application includes a speed survey and comments upon it within a covering letter, but the speed survey is flawed, the wrong visibility standards have been applied and no access drawing is included to demonstrate that the appropriate splays can be delivered on land that is either within the public highway or in the applicant's control. Your Council is simply not in a position to do anything other than impose a highway safety reason for refusal. The Parish Council has utilised the services of Stirling Maynard Transportation to review the development, and it has advised as follows: -

*"The recorded 85<sup>th</sup> percentile vehicle speeds are up to 42 miles per hour. Correcting this for wet weather speeds gives a maximum 85<sup>th</sup> percentile speed of 39.5 miles per hour (wet weather speeds are used for visibility splay purposes). The Agent's letter states that this level of speed requires a visibility splay of 2.4 x 60 metres but does not state on what basis this is calculated. It is assumed it is a loose interpretation of Manual for Streets which would require a splay of 2.4 x 59 metres for a speed of 37 miles per hour.*

*It is our view that Manual for Streets is not the correct standard for this location. It is a rural road not an urban street and the speed is in excess of the normal range of Manual for Streets. On this basis the Design Manual for Roads and Bridges is the normal standard applied for visibility splays and at 40 miles per hour this would dictate a splay of 2.4 x 120 metres.*

*The Agent's letter says visibility splays "more than 100 metres" are available. This is not 120 metres, so the standard is not met. In addition, this is just a statement. There are no plans showing what visibility splays can be achieved and a proper access plan showing these should be provided. On the basis of the above the application does*

*not demonstrate that safe access can be provided. "*

#### Ecological Impact

The impact of the development on ecological interests has been an area of concern raised by a number of parishioners, and the Parish Council has therefore instructed The Landscape Partnership (TLP) to advise it on this issue. The headline conclusion of TLP is as follows: -

*"There is abundant planning policy and case law that states that the LPA must have all the information it needs to make a planning decision, prior to making that decision. The ecology report does not contain sufficient information, and the assessment based on the inadequate information cannot therefore be adequate and so cannot be relied upon by the LPA. Planning permission cannot therefore be given. The LPA should refuse the permission on the grounds of inadequate ecologies information, or at the very least delay a decision until all the matters described below have been properly addressed."*

Perhaps most striking is the failure of the applicant's ecology report to even recognise the existence of a County Wildlife Site immediately adjoining the development. With such an omission, what credence can the applicant's ecology report be given? Like the highway safety issue, your Council is simply not in a position to decide positively in relation to ecology matters arising from this development. The default position is refusal of planning permission on ecology grounds.

#### Foul and Surface Water Drainage

The planning application form indicates that foul drainage would be addressed by a package treatment plant. No details of the proposed foul drainage system are provided, and it is considered that this is not a matter that should be addressed by condition. The site currently relies upon portable toilets. The location of the site adjoining the reservoir as a County Wildlife Site and topography emphasises the importance of securing properly designed and constructed foul drainage infrastructure. This should be detailed now, before your Council determines the application. If the applicant is unwilling to provide a detailed design pre determination, then lack of information relating to foul drainage infrastructure should form a reason for refusal. Similarly, there is scant information as regards surface water. The application form ticks the sustainable drainage box, but what does this actually mean in practice? Surface water run-off across newly laid tarmac has potential to affect the reservoir's water quality in particular, and this needs to be addressed in detail now.

#### Assessment Against Core Strategy Policy 31

In light of the above, the Parish Council considers that there is clear conflict with Policy 31. We set out below the policy criteria, and the Parish Council's position on each: -

##### Criterion:

The site is closely linked to an existing settlement with an adequate range of services and facilities.

##### Comment:

The site is clearly in conflict.

Criterion:

The site, or the cumulative impact of the site, in combination with existing or planned sites, will not have an unacceptable impact on local infrastructure.

Comment:

This is a matter that the Borough Council is best placed to judge.

Criterion:

The site provides a suitable level of residential amenity for the proposed residents.

Comment:

This is a matter that the Borough Council is best placed to judge, although the Parish Council would expect that assessment of residential amenity to be as rigorous as it would be for permanent dwellings.

Criterion:

The site is served (or can be served) by an adequate water supply and appropriate means of sewage disposal.

Comment:

The application does not demonstrate that this criterion is complied with, and it is not a matter that should be addressed by condition.

Criterion:

There is satisfactory access and adequate space for operational needs including the parking, turning and servicing of vehicles.

Comment:

The proposal is in conflict with this criterion.

Criterion:

The health and well-being of occupants is not put at risk including through unsafe access to the site, poor air quality and unacceptable noise or unacceptable flood risk and contaminated land.

Comment:

There is conflict in relation to safety of access, and matters of air quality, flood risk and contamination have not been assessed by the application.

Criterion:

The size of the site and number of pitches does not dominate the nearest settled Community.

Comment:

The development has clearly had a significant impact on the settled community, albeit numerically it is accepted that the number of pitches proposed does not outnumber the number of dwellings in Loddington.

Criterion:

The proposed development does not have a significant adverse impact on the character of the landscape and takes account of the Landscape Character Assessment of the area. Appropriate landscaping and treatment to boundaries shall be provided to mitigate impact.

Comment:



There is conflict with this criterion.

### **Thorpe Malsor Parish Council**

Strongly object to the application. We consider the development to be incompatible with this tranquil, rural area; it erodes a 'natural' place to the detriment of its character, appearance and ecology. Inappropriate development in this location is supported by saved policies 7 and 10 of the Local Plan (1995) and Policy 3 and 4 of the adopted North Northamptonshire Joint Core Strategy. The cumulative effect of activity associated with a residential caravan site – from humans, their domestic pets and vehicle movement – is incompatible with this sensitive area and its ecology. We believe the site access arrangements are unsafe for all road users, and for users of the public bridleway that joins Cransley Road north of the site entrance.

### **Arthingworth Parish Council**

Object for the following reasons:

The greenfield, agricultural land should not have this change of use in a significant landscape area.

- There are already several similar sites in the area
- There are no amenities easily available
- The access to the site is inadequate
- The increase in vehicles numbers would cause problems on the narrow rural road which has limited passing places.

### **Broughton Parish Council**

Grounds for objection:

#### **Principle of the development.**

The application is for a Residential Caravan Site and although the applicant is of Gypsy heritage it is clear from a public statement made to the local press that the occupants of the site intend to live a settled life. This would suggest that the housing needs of the applicant and those seeking to live on the site should be addressed under the Authority's Housing policy in accordance with the recent GTAA report.

*Additionally it would not be reasonably possible for the Authority to be confident that all future occupants of the dwellings would be of Gypsy heritage so any concessions to the planning regulations pertaining exclusively to Gypsies should not apply.*

The Authority has sufficient capacity in the 5 year housing land supply to accommodate 8 dwellings without the need for this site.

The site is in open countryside and the Authority is obliged to "strictly limit" development in open countryside.

The actions of the applicant are a clear case of Intentional Unauthorised Development which is a Material Consideration which must be weighed against the application. Whilst accepting that the applicant has purchased the plot of agricultural land, ownership of land does not give the automatic right to develop it. Activities of this nature should not be rewarded with success which only serves to encourage other attempts to gain planning permission by the back door.

### **Suitability for residential dwellings**

The site plan shows no indication of how surface water or waste water/sewage will be dealt with. This is particularly important when the site is in such close proximity to a water course and sensitive wildlife area.

There is no indication in the application of where or how the dwellings will be supplied with a mains water supply.

There is no indication in the application of how or whether the dwellings will be supplied with electricity or whether the site will have any external lighting. Potential light pollution is an important factor in this location as referred to in the Ecological Survey. Wildlife disturbance from noise pollution from generators would be a factor in this location.

There is no plan for the storage or disposal of household waste. There appears to be no space for bins to be placed on the kerbside for collection or any safe place for a refuse truck to park in order to empty bins.

### **Highway Concerns**

We believe the site entrance to be potentially hazardous. Cransley Road is comparatively narrow, has limited visibility and a 60mph speed limit. Any obstruction to the road caused by vehicles entering or exiting the site will constitute a hazard to other road users. The traffic survey underestimates the volume of traffic as it did not take into account the peak periods of the day.

### **Environmental Damage**

We believe the Ecological survey to be of limited significance as it was conducted at the end of September which is not optimal for a number of species although we must accept that any species that may have been present are now gone. The factors that remain are the prevention of pollution of the adjacent water course and any further habitat destruction or disturbance in the surrounding area.

### **Lamport and Hanging Houghton Parish Council**

We are absolutely sure that Kettering Borough Council Planning Department would not tolerate this blatant flouting of local planning laws by a resident of any village within their jurisdiction. We trust that you will uphold accepted planning laws and refuse planning permission for the site.

### **Rothwell Town Council**

Strongly object to this application and the impact on the residents of Rothwell. Poor access to the site, lack of sewage facilities, possible effects on local primary schools and most importantly, the precedent being set that developments of this kind are acceptable before planning permissions is applied for.

### **Third Party Objections**

122 third party objections to the application highlighting the following matters:

- Highway safety – the site is on a blind bend and on a narrow road with an incline.
- The application does not provide safe access given the steep gradient of Cransley Road.
- There is no plan showing access details or visibility splays.

- The ecology report is very basic and does not recognise the close proximity to a water course, Cransley Reservoir (LWS) and Loddington Verge (LWS).
- It is not clear how foul water will be dealt with.
- Landscape impacts. The large scale site can be seen from the other side of the valley and is a significant detriment to the rural character of the area; it has a major detrimental visual effect on countryside scenic views and that of local residents.
- The intentional unauthorised development. The flagrant breach of planning laws should not be rewarded by a temporary or permanent planning permission; it is unlikely planning conditions would be adhered to given the previous disregard for planning control.
- The size of the site is too overbearing compared to the size of Loddington; planning guidance states when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners.
- Object to development in the open countryside.
- Impact on surrounding villages.
- Out of character with the local neighbourhood.
- Impact on adjacent bridleway.
- Location of the site in relation to Cransley Reservoir.
- Potential further development.
- The speed survey report is flawed.
- Lack of services in Loddington.
- The site does not conform to the "best fit" for a traveller site due to its location and lack of available services.
- The light from the site causing light pollution.
- There is no regular useable public transport making the site unsustainable (as required by the North Northamptonshire Core Strategy) and would increase numbers using private transport and pollution of the countryside.
- There is no main sewer nearby.
- Extra pressure of local services including the school.
- Traveller planning policy - the site is in an unsustainable location.
- The design, appearance and materials of the caravans and utility buildings make no effort to complement the surroundings.
- The connection to the village is by an unlit road with no footpath.
- The site has no safe walking route to schools, shops, doctors etc due to its location on a steep, unlit narrow road.
- The area of the Reservoir closest to the traveller site is an important marshland wetland habitat.
- There is no lighting, no sewage or proposal for waste.
- The site has been built to accommodate more than eight plots and is being operated as a commercial venture for caravan pitches.
- The change of use to a traveller site has not been prepared in accordance or with the involvement of the Community.

## 5. Planning Policy

### National Planning Policy

#### **Planning Policy for Traveller Sites (PPTS)**

Applications should be determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF and this Planning Policy for Traveller Sites published in August 2015.

Local Planning Authorities (LPAs) should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) The existing level of local provision and need for sites
- b) The availability (or lack) of alternative accommodation for the applicants
- c) Other personal circumstances of the applicant
- d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) That they should determine applications for sites from any travellers and not just those with local connections

However, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

LPAs should very strictly limit new traveller site development in the open countryside that is away from existing settlements or outside areas allocated in the development plan. They should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing undue pressure on the local infrastructure.

When considering applications, LPAs should attach weight to the following matters:

- a) Effective use of previously developed, untidy or derelict land
- b) Sites being well planned or soft landscaped in such a way to positively enhance the environment and increase its openness
- c) Promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) Not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

If an LPA cannot demonstrate an up to date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent decision when considering applications for the grant of temporary planning permission. There is no presumption that a temporary grant of permission should be granted permanently.

## **Ministerial Statement 2015**

This ministerial statement announced Intentional unauthorised development is a material consideration that would be weighed in the determination of planning applications and appeals. Applies to all new planning applications and appeals received since 31 August 2015.

## **National Planning Policy Framework**

### **8. Promoting healthy and safe communities**

Decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles.

### **9. Promoting sustainable transport**

It should be ensured that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; any significant impacts on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree. Development should only be refused or prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

### **12. Achieving well-designed places**

Planning decisions should ensure that developments: function well and add to the quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history including landscape setting, establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and create places that are safe, inclusive and accessible which promote health and well-being and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.

### **15. Conserving and enhancing the natural environment**

Planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

## **Development Plan Policies**

### **North Northamptonshire Joint Core Strategy**

Policy 1 – Sustainable Development

Policy 3 – Landscape Character

Policy 8 – North Northamptonshire Place Shaping Principles

Policy 31 – Gypsies and Travellers and Travelling Show people

- (a) The site is closely linked to an existing settlement with an adequate range of services and facilities
- (b) The site, or the cumulative impact of the site, in combination with existing or planned sites, will not have an unacceptable impact on local infrastructure
- (c) The site provides a suitable level of residential amenity for the proposed residents
- (d) The site is served (or can be served) by an adequate water supply and



- appropriate means of sewage disposal
- (e) There is satisfactory access and adequate space for operational needs including the parking, turning and servicing of vehicles
  - (f) The health and well-being of occupants is not put at risk including through unsafe access to the site, poor air quality and unacceptable noise or unacceptable flood risk and contaminated land
  - (g) The size and number of pitches does not dominate the nearest settled community
  - (h) The proposed development does not have a significant adverse impact on the character of the landscape and takes account of the Landscape Character Assessment of the area. Appropriate landscaping and treatment to boundaries shall be provided to mitigate impact.

### **Saved Policies in the Local Plan for Kettering Borough**

- 7. Protection of the open countryside
- RA5. Housing in the open countryside

### **Emerging Policies (Local Development Framework)**

Part 2 Local Plan – draft plan out to consultation at this time.

## **6. Financial/Resource Implications**

As there is a current appeal ongoing regarding the enforcement notice it is considered likely that the applicant would submit an appeal against any refusal of planning permission.

## **7. Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site-Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to,

climate change.

## **8. Planning Considerations**

The key issues for consideration in this application are: -

1. Principle of Development
2. JCS Policy 31 criteria
3. Five year supply of sites
4. Ecology
5. Other material considerations including PPTS Policy H and NPPF
6. Personal circumstances, Human Rights and Best interests of the child
7. Planning Balance and Conclusions

### **1. Principle of Development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy 31 of the North Northamptonshire Joint Core Strategy (JCS) refers specifically to sites for gypsies and travellers (and travelling show people). Saved Policy 7 of the Local Plan for Kettering refers to development in the open countryside. Policy 31 sets out a list of criteria, all of which should be satisfied in the consideration of a planning application.

Saved Policy 7 provides protection for the open countryside and does not set out a blanket ban on all such development if it is provided for elsewhere in the plan. Policy RA5 (which is also saved) states that planning permission will not normally be granted for residential development in the open countryside. However, exceptions may include Gypsy and Traveller sites. RA5 refers to Policy 119 in relation to Gypsy sites but is it not a saved policy and no longer valid.

The principle of allowing new sites for gypsy and traveller site development is acceptable subject to each development meeting the criteria set out in JCS Policy 31. Section 2 below sets out the officer's assessment of the proposed site against this criteria.

The PPTS is a material planning consideration. Paragraph 25 of the PPTS states that Local Planning Authority's should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. The site is not allocated, and it is clear that the term "very strictly limit" means that considerable weight should be given to limiting such development which is away from existing settlements or outside areas allocated in the Development Plan.

A further "in principle" issue is whether the applicants meet the definition of a Gypsy or Traveller as set out in Annex 1: Glossary of the Planning Policy for Traveller Sites. This is set out as;



“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependents’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling show people or circus people travelling together as such”

In this case there is no evidence before officers to suggest that the applicant or site occupants do not meet the above definition.

Policy 31 of the JCS would only permit this development in the open countryside if it meets all the criteria of that policy. Paragraph 25 of the PPTS states that such development should be very strictly limited. So, in assessing both these approaches (Development Plan and PPTS policy) it is considered that the acceptability or otherwise of development will come down to whether the proposals conform with policy and the weight of all the material considerations taken together in the planning balance.

## 2. JCS Policy 31 Criteria

Policy 31 states that applications for gypsy and traveller sites should satisfy all of the criteria listed in this policy.

### **a) The site is closely linked to an existing settlement with an adequate range of services and facilities.**

The site lies 350m from the edge of Loddington and 740m as the crow flies, or 930m by road from the centre of the village with its limited facilities comprising, public house, primary school and village hall. The 350m stretch of Cransley Road between the site access and edge of the village is unlit with no designated footpath. There is a public right of way, the bridleway GR10, which runs adjacent to the site following the northern boundary of the site and linking up to the road junction where the property known as The Three Chimneys is located.

The village of Broughton is 2.9km by road from the site which includes primary school, convenience retail, hot food takeaway, village hall and public house.

The market town of Rothwell is 3.4km by road from the site with a wider range of facilities including GP surgery.

Given the distance to the nearest settlements, and the limited services in the surrounding area, it is considered that there would be a reliance on private vehicles to access the services of Broughton and Rothwell, with the town centre of Kettering, the closest large town, located 5.2km by road from the site.

***Having regard to the distances to the nearest settlements and the facilities or services they accommodate, the site cannot be said to be closely linked to an existing settlement with an adequate range of services and facilities, it is considered that the site is unsustainably located, and fails to accord with criteria (a) of policy 31.***

### **b) The site, or the cumulative impact of the site, in combination with existing or**

### **planned sites, will not have an unacceptable impact on local infrastructure**

With regard to infrastructure the key elements considered here are highway capacity (a different consideration to safety of the access), education, health, drainage (foul and surface water) and water supply.

Safety of the access will be discussed under criterion (e and f). With regard to capacity of the highways network, the Local Highway Authority have raised no issues and it is considered that the local roads are capable of taking the additional flows without the need for any junction or highway improvement.

From information provided by NCC Education it is evident that should school places be needed by the site occupant's families there is capacity in the primary schools at Loddington, Broughton and Rothwell. There is also capacity at Rothwell for secondary school places. The applicant is aware of how to apply for such places. No information has been provided about any education requirements. Children of school age have been witnessed by Officers on site and therefore it is considered prudent to consider the capacity of educational facilities.

The nearest GP practices are within Rothwell, Kettering and Mawsley (distances to nearest GPs are approximately by road Rothwell 4.2km, Weavers/Eskdaill surgery (Kettering) 5.2km and Mawsley 6.9km). It is considered unlikely that the development would place undue pressure on health services; the site occupants are likely to be able to access health services should they be needed.

Drainage and water supply are discussed below under criterion (d). There is no evidence that the development would have any impact on sewerage infrastructure. There is mains water infrastructure in proximity to the site and there is no reason to believe this development cannot connect into this, subject to the necessary consent/approval of Anglian Water.

It is considered reasonable to assume that electricity will be available should the applicant get the necessary approvals/connection from Western Power.

There is not considered to be a cumulative impact when considering other existing or planned sites.

### **c) The site provides a suitable level of residential amenity for the proposed residents**

There are no current nationally set standards for pitch sizes following the revocation of the 2008 Designing Gypsy and Traveller Sites – A Good Practice Guide. However, as an example, the pitch sizes at the Council's Laurels Site vary between 250 square metres to 350 square metres. Elsewhere, where Councils have adopted such guidance, a single pitch can vary from 300 to 500 square metres to take into account sufficient fire separation. The application proposes 8 pitches the smallest measuring 395 square metres and the largest 470 square metres. This is therefore in accordance with this general guidance.

The site is not adversely impacted by other development as the surrounding land is only permitted to be used for agricultural purposes. There is considered to be sufficient space within each pitch to facilitate a good standard of amenity for the occupiers. A utility building is proposed to serve each pitch and can be accommodated within the pitch confines. There is no reason to believe that a good standard of amenity cannot be achieved.

**d) The site is served (or can be served) by an adequate water supply and appropriate means of sewage disposal**

There is a mains water supply close to the site which runs along Cransley Road and a hydrant located within Cransley Road adjacent to the southern corner of the site. The development is therefore considered to be capable of being served by potable water.

With regard to foul drainage, the revised proposal is to connect to the public foul drainage network. Anglian Water have commented that there is available capacity within the sewerage system to deal with any foul drainage flows from the development and that the applicant will need to serve notice on Anglian Water to connect into the foul network. It is at that point Anglian Water will advise regarding the most suitable point of connection.

Importantly, Anglian Water have confirmed that there is no foul sewer within Cransley Road (only a water main) and there are no Anglian Water assets/pipes crossing the boundary of the site. From the information the LPA have, the nearest foul water sewer is located within Loddington, close to the junction of Harrington Road and Cransley Road, some 410 m from the site entrance and 12 metres higher than the site entrance.

Given the local topography it is conceivable that any connection into the existing foul water drainage network would require a mechanical pumped solution within the site and due to distances involved to existing foul drainage may be prohibitively expensive. Any uncertainty about the feasibility of foul water drainage solutions for the site may have implications for local ecology and the concerns expressed by the Environment Agency and others regarding on site drainage solutions and the original proposal for a package treatment plant (PTP) given the proximity to Cransley Reservoir, nearby water course and concerns regarding ongoing maintenance.

**e) There is satisfactory access and adequate space for operational needs including the parking, turning and servicing of vehicles**

Cransley Road is winding and undulating; the road falls from north to south and bends close to the site corners (adjacent to the highway). The road has a 60 mph speed limit. The rural road has no footpaths, is unlit and there are no bus stops in the vicinity of the site.

The Local Highways Authority (LHA) has objected to the application. This is on the grounds that the information submitted does not address concerns the LHA have regarding the safety of the access. In the LHA's view the applicant has failed to demonstrate that the access would be safe and fit for purpose.

The LHA have requested that a speed survey is completed using Automatic Traffic Counters (ATC) rather than using radar guns (a methodology which has been used in this case to support the applicant's case regarding access and visibility requirements). Additional information has been submitted by the agent to justify the methodology employed and why ATC speed survey is not necessary. The agent has indicated that the ATC speed survey will not be carried out.

The LHA consider that a speed survey using ATC is essential to accurately identify true vehicle speeds on Cransley Road and subsequently the necessary vehicle visibility splays required at the access. These splays are critical to ensure highway safety. ***In light of the LHA objection and concerns about the risk to highway safety, it is considered that that the development does not demonstrate compliance with this criterion of Policy 31 and is in conflict with this.***

**f) The health and well-being of occupants is not put at risk including through unsafe access to the site, poor air quality and unacceptable noise or unacceptable flood risk and contaminated land**

As identified above the application does not demonstrate that a safe access can be achieved. It is considered that at this time there is a risk to the safety and therefore well-being of those accessing or egressing the site and wider highway users.

The site is not located in an area of poor air quality or in an area where there would be a high level of noise. There will inevitably be noise from the adjacent rural road however this is unlikely to be so severe or harmful to refuse the scheme on this basis. The site is located in Flood Zone 1 which is an area at lowest risk of flooding and no evidence of contamination. No consultee responses indicate that there are any environmental factors which would put at risk the well-being of the site occupants. The sole risk to safety and well-being is the highway and access issue.

**g) The size and number of pitches does not dominate the nearest settled community**

The NPPF and PPTS 2015 provides some guidance in respect of cumulative impact. The Government's aim is to reduce tension between the settled and travelling communities and in order to achieve this PPTS 2015 requires that when assessing the suitability of sites in rural or semi-rural settings, an LPA should ensure that the scale of development does not dominate the nearest settled community.

In this case given the site's location and its relative position to other Gypsy and Traveller accommodation and settled communities, there is not considered to be a dominating impact.

**h) The proposed development does not have a significant adverse impact on the character of the landscape and takes account of the Landscape Character Assessment of the area. Appropriate landscaping and treatment to boundaries shall be provided to mitigate impact.**

The application was submitted with information to demonstrate that the application had considered the landscape impact of the development.



The LPA commissioned an independent review, by a suitably qualified landscape professional, of the landscape matters associated with this application. ***This is attached as Appendix A.*** This sets out the baseline landscape character both national and local for the area. It also explains the public viewpoints associated with public footpaths and other receptors including the recreational water sports users of Cransley reservoir. Although the development will have an incongruous appearance in the rural valley, it is noted that the visual envelope of the site is relatively restricted. Whilst there are a number of public rights of way within the vicinity of the site, views are only clearly available from Bridleway GR10 which follows the northern boundary of the field where the site is located. Views from the reservoir are likely to be minimal. A more formalised access onto the highway will mean that the site will be viewed by users of this public highway. However, this is not considered to be of high sensitivity. There will be views from GR10 particularly in the winter months that will detract from the current rural outlook from the route, although well-designed planting would screen the development in time.

The development will have some harm to the character and appearance of the local landscape because of its incongruous appearance and loss of grassland. However, the site is located within the most sheltered part of the field which takes advantage of natural topography and vegetation screening to minimise its landscape influence.

The report concludes that although the development does not entirely accord with Development Plan policy or National Planning Policy, this divergence is not significant enough to conclude that the development is unacceptable in landscape and visual, terms. It is considered that a suitably worded planning condition could secure an appropriate planting scheme and also secure re-planting should any landscaping fail within the first five years after planting.

### 3. Five Year Supply of Sites

Paragraph 27 of the PPTS states;

*“If a local planning authority cannot demonstrate an up-to-date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of a temporary planning permission”*

This has been held not to be the same as the presumption in favour of sustainable development as set out in the case of NPPF (Swale Borough Council and Secretary of State for HCLG) and Mr S Maughan and Others 2018 EWHC 3402 Admin. This judgement sets out that two features of paragraph 27 are of particular relevance, namely;

- The existence of a shortfall (in supply) is in itself a *“significant material consideration.”* This excludes a characterisation of the shortfall, so although there is still a balance to be struck it is not the same as the tilted balance to be applied through paragraph 14 of the NPPF. The balance mechanism under the PPTS remains the same throughout and paragraph 27 gives indication to the weight of the factor in the balance (i.e. significant).
- The second feature of paragraph 27 is that it is expressed to go to a decision on temporary planning permission. The footnote to paragraph 27 provides

*“there is no presumption that a temporary grant of permission should be granted permanently.”* The intention is that the response to a shortfall in the required five-year supply of deliverable sites may, in an appropriate case, be the granting of planning permission for a temporary period during which, the LPA will make efforts to address the shortfall and meet its obligations under paragraph 10 (of the PPTS) to ensure a five-year supply of deliverable sites.

In 2018 the Council granted consents for three applications for travellers’ pitches:

- for 2 extra pitches at The Paddock, Braybrooke under reference KET/2018/0022; (decision date 23 February 2018)
- for 8 pitches at a site known as Old Willows, Broughton, under reference KET/2017/0980 (decision date 13 April 2018)
- 5 travellers statics at land off Braybrooke Road, Desborough under reference KET/2018/0022 (Decision date 6 July 2018)

The current and future need for gypsy and traveller accommodation is set out in the North Northamptonshire Gypsy and Traveller Accommodation Assessment (March 2019). It is calculated (taking this report into account) that the requirement for pitches plus any shortfall for the period 1 April 2019 to 31 March 2024 is 15.8 pitches.

Three traveller sites had been granted planning permission at the base date for the land supply assessment period (31.03.2019) but have not been completed, namely;

| Application number | Site Address                                       | Number of pitches | Decision date |
|--------------------|--|-------------------|---------------|
| KET/2018/0531      | Woodside, Stoke Albany Road (land adj), Desborough | 2                 | 20/12/2018    |
| KET/2014/0532      | Woodside, Stoke Albany Road, Desborough            | 6                 | 23/01/2015    |
| KET/2009/0155      | Stoke Albany Road (land at), Desborough            | 10                | 01/07/2009    |

Site under reference KET/2014/0532: There is evidence of works having started at the site in the form of concrete pad for the proposed dwelling and drainage work. It remains possible therefore that proposals could contribute to supply of sites.

The Council has been in discussion with the owner of the two larger sites (in the table above) to get these sites delivered. Whether these sites could be classed as deliverable at the present time is not certain, however, if they were a five-year supply of 5.7 years exists.

In the current monitoring year, a further permission has been granted for a single pitch at land adjacent Unit 3, Woodside, Stoke Albany Road, Desborough (KET/2019/0562). This has not yet been included within the supply but will count under next year’s monitoring figures.

Paragraph 7c) of the PPTS states that in assembling the evidence base to support their planning approach, LPAs should *“use a robust evidence base to establish*

*accommodation needs to inform the preparation of local plans and make planning decisions.”*

Whether there is a five-year supply of deliverable gypsy and traveller sites/pitches is a significant material consideration when considering the grant of a temporary planning permission. The applicant has not applied for a temporary permission although it would be open for the LPA to consider whether a grant of a temporary permission (i.e. time limited by condition) might be appropriate. This is discussed further below.

***Notwithstanding the above and given the uncertainty of delivery of certain sites with planning permission a cautious approach should be adopted, the Council cannot presently evidence that it has a five-year gypsy and traveller site/pitches.***

#### 4. Ecology

The NPPF states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity. Paragraph 99 of Circular 06/05 states that: it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Likewise, section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: every public authority must in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity. JCS policy 4 sets out that existing biodiversity assets will be protected and ecological networks enhanced. The approach is supported by the NPPF.

The application is accompanied by a Preliminary Ecological Appraisal which has been revised during the course of the application to reference three Local Wildlife Sites (LWS) within 2km of the application site; Cransley Reservoir, Loddington Verge and Cransley Wood.

The appraisal which included a walkover survey of the site and accessible adjacent areas indicates that the site comprised semi-improved grassland bounded on three sides by mature hedgerows.

The report concludes that the site provides moderate potential suitability for foraging/commuting bats with two trees providing low and moderate bat roost potential. No Badger setts were found with some evidence of well-defined but poorly used tracks moving through and along the western boundary of the site.

No records of reptiles have been recorded with Cransley Reservoir the only water body within 500m of the site offering poor suitability for Great Crested Newts.

The appraisal recommends all boundary hedgerows and trees to be retained, care should be taken not to damage the western verge of the adjacent section of Cransley Road, as large a buffer as possible retained between the construction footprint and the southern site boundary and steps taken to minimise unauthorised pedestrian access to the adjacent LWS to the south (e.g. through the use of additional fencing).



Biodiversity enhancements in the form of native planting and the provision of bird or bat nest boxes at elevation within the mature trees are proposed to maximise the biodiversity value of the site.

Northamptonshire Badger Group, Natural England, NCC Ecological Advisor and the Wildlife Trust have assessed the information submitted, with Natural England directing officers to standing advice regarding protected species.

Northamptonshire Badger Group note that 8 road traffic accidents involving badgers have been recorded on Cransley Road since 1992 and consider that a specific badger survey should be carried out with reference to the Protection of Badgers Act 1992 and also Schedule 6 of the Wildlife and Countryside Act 1981 (as amended).

NCC Ecological Advisor raises concerns about the application and specifically the lack of information about how surface water is to be attenuated and pollutants kept out of the Cransley Reservoir LWS. The advisor also highlights that two trees were identified as having low to moderate bat roosting potential; these are still not indicated on the site layout plan so their fate is unknown.

The applicants Ecological Appraisal recommends that:

- i. the scheme incorporates sufficient drainage/sewerage as to prevent any contamination of the adjacent LWS (including the stream corridor therein) to the south (i.e. the adjacent LWS).*

The Environment Agency considered that the original foul water drainage solution of an on-site Package Treatment Plant (PTP) was not suitable in this instance due to the proximity to Cransley Reservoir, the site being within 20 metres of a water course and concerns regarding ongoing maintenance. They conclude that the installation of private sewerage treatment facilities is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment. Anglian Water in their response have confirmed that the nearest foul water sewer is located in Loddington at the junction of Harrington Road and Loddington Road some 410 metres and 12 metres higher than the access point to the site.

Given the local topography it is conceivable that any connection into the existing foul water drainage network would require a mechanical pumped solution within the site and due to distances involved to existing foul drainage may be prohibitively expensive. Any uncertainty about the feasibility of foul water drainage solutions for the site may have implications for local ecology and the concerns expressed by the Environment Agency and others regarding on site drainage solutions and the original proposal for a package treatment plant (PTP).

The Wildlife Trust is concerned about the lack of clarity around the drainage proposals, both surface water and foul drainage, and their interaction with ecology. It is considered by officers that the full extent of any impacts cannot be established without the clarity the Wildlife Trust seeks. The Trust also comments that further survey work of reptiles and bats would be useful as their presence or likely absence has not been established. There is also concern that recommendations made in the ecological appraisal have not been translated onto the proposed plans and therefore

the likelihood of the proposed measures being completed is uncertain. Given development has started, it may be too late to incorporate some of the measures and compensation should be considered. The Wildlife Trust therefore objects to the application.

No information about surface water attenuation within the site and how pollutants would be kept out of Cransley Reservoir LWS has been produced. Together with the issues of foul water drainage and pollution, coupled with uncertainty regarding potential bat roosts, means that the proposals resultant impacts on biodiversity cannot be determined.

***There is insufficient information available to allow a full assessment of the ecological impacts of the development to be completed. This uncertainty about impacts is a material consideration which weighs against the scheme.***

#### 5. Other material considerations including Policy H in the PPTS and the NPPF

Material considerations to weigh in the balance with Development Plan policy include the NPPF, PPTS, the personal circumstances of the applicant and the site occupants/families including the rights of any child and the nature of the intentional unauthorised development.

Having regard to the 'Porter Exercise' as set out in South Bucks DC vs Porter (2003), it is necessary to weigh the harm arising from breaches of planning control against any countervailing considerations such as need for sites and personal circumstances.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposal is contrary to policy 31 of the JCS for the reasons set out above. The PPTS (paragraph 24) sets out that LPAs must consider the following issues amongst other relevant matters when considering applications for traveller sites;

- (a) The existing level and local provision and need for sites
- (b) The availability (or lack) of alternative accommodation for the applicants
- (c) Other personal circumstances of the applicant
- (d) That locally specific criteria used to guide the allocations of sites in plans or which from the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward
- (e) That they should determine applications for sites from any travellers and not just those with local connections

Matters to which LPAs should attach weight when considering applications are (paragraph 26);

- (a) Effective use of previously developed (brownfield), untidy or derelict land
- (b) Sites being well planned or soft landscaped so as to positively enhance the environment and increase its openness
- (c) Promoting opportunities for healthy lifestyles, such as ensuring adequate

landscaping and play areas for children

- (d) Not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

LPA's should very strictly limit new traveller site development in open countryside away from existing settlements or outside areas allocated in Development Plans (paragraph 25).

The need and availability of sites has been assessed within section 3 above. There are no alternative sites immediately available to the families on site although sites can arguably be delivered as outlined in the above assessment. A Traveller Site Allocation Policy is proposed but is not at enough of an advanced stage to be a material consideration in the determination of this application.

The PPTS states the lack of a five-year supply is a significant material consideration in a decision when considering applications for the grant of temporary permission.

It is Government policy that intentional unauthorised development is a material consideration that would be weighed in the determination of planning applications and appeals. The ministerial statement announcing this policy stated that it applies to all new planning applications and appeals received since 31 August 2015.

The LPA is aware that the applicant has been professionally advised throughout his and others occupation of the site and considers that given the professional advice that will have undoubtedly been received that they will have been aware or made aware by his instructed agent of the LPA's policies that seek to restrict development in the open countryside. No enquiries were made to the LPA about the suitability of the land for this purpose prior to it being purchased. Had the applicant made enquiries with the LPA at the time of or subsequent to his purchase he would have been advised of the strong policy objection to development of the site. The LPA considers that it is not by coincidence that the planning application was dated Friday 11th October and marked as received by the LPA on Monday 14th October, with the unlawful development works taking place over the weekend of 11th, 12th and 13th October. It is clear that this site is not intended to be a temporary base.

Nevertheless, the Council could consider granting a temporary permission if appropriate. The harm already set out with regard to the site's location, sustainability, highway safety and ecology, is not outweighed by any lack of a five-year supply and the granting of a temporary permission will only serve to exacerbate the harm and make the restoration of the site to its former condition an unlikely prospect.

The intentional unauthorised development of the site is a material consideration that should be weighed in the determination of this planning application. The written ministerial statement announcing this policy expressed concern that where the development of land has been undertaken in advance of obtaining planning permission there is no opportunity to appropriately limit or mitigate the harm that may have been caused.

The circumstances of the initial development of the site has also undermined one of the aspirations of PPTS to promote peaceful and integrated co-existence between the site and the local community. As the actions clearly prevented the proper application of planning policies concerned with the quality of development, the nature and extent of the initial development, including the way it was carried out, would weigh against the proposals.

The PPTS states, subject to consideration of the best interests of the child, personal circumstances and unmet need are unlikely to outweigh harm so as to establish very special circumstances.

There is very little weight that can be attached to this proposal as a result of considering paragraph 26 (a – d) of the PPTS; the site is a green field site and is not making effective use of brownfield, untidy or derelict land. The proposal is not positively enhancing the environment. There is adequate space for children to play but any play equipment such as swings or slides would only add to the cluttered and urbanising appearance of a piece of land that had been open prior to the caravans being moved onto the land.

The NPPF must also be considered as a material consideration. The opportunities for non-vehicular movements are considered to be limited in this case given the nature of routes and location of services which are most likely to be accessed. It must be recognised however that paragraph 103 of the NPPF states that opportunities to maximise sustainable transport solutions will vary between the urban and rural areas and this should be considered in decision-making. This would not outweigh the Development plan policy which requires new Gypsy and Traveller sites to be closely linked to an existing settlement with an adequate range of services and facilities which in not the case here.

Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by: (d) minimising impacts on and providing net gains for biodiversity and (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Given the potential impacts on the Cransley Reservoir LWS in particular as described above, this weighs against the proposal.

## 6. Personal Circumstances, Human Rights and the Best Interests of the Child

### **Public Sector Equality Duty**

Under the Equality Act 2010 people who have “protected characteristics” are protected under the Act. This includes race. A gypsy or traveller who does not meet the definition of a traveller under the PPTS is still of protected status if an ethnic gypsy or traveller. Public Authorities in undertaking their functions have to have due regard to the need to;

- Eliminate unlawful discrimination
- Advance equality of opportunity between those people who share a protected characteristic and those who don't
- Foster or encourage good relations between those people who share a protected characteristic and those who don't



### **Human Rights Act 1998 (derived from EU Convention on Human Rights)**

Article 8 – Right to respect for family and private life, home and correspondence. This is a qualified right and does not automatically override other legislation or considerations.

Article 14 – that the rights and freedoms set out in the Convention are secured without discrimination.

### **UN Convention on the Rights of the Child**

Article 3 – best interests of the child. In all actions concerning children (including those taken by administrative authorities) the best interests of the child shall be a primary consideration.

### **Summary:**

Personal circumstances are summarised here on the basis of information submitted with the application (albeit limited), any verbal updates from the applicant and information for any other sources.

- There is no dispute that the applicant and those on site meet the planning definition of Gypsies and Travellers.
- The submitted Planning Statement states that moving to the site will allow the families to put children in school and or arrange home tutoring and to register with doctors.
- There is no written information provided by the agent regarding those living on site. The applicant has verbally stated to officers visiting the site (13<sup>th</sup> February 2020) that there are 21 children on site, 4 of which are under 3 and 3 females on site who are pregnant.
- Prior to that at the end of January 2020, NCC Education were in contact with those on site, as the applicant had enquired about school places, and were advised that there were no school aged children on site at that time.
- The applicant has referred to some elderly persons with illness on site, but no further detail is before the LPA.

The personal circumstances set out are not considered to outweigh the planning harm set out in this report. Also, it is considered that any inference with human rights is proportionate.

### **7. Planning Balance and Conclusions**

The starting point for consideration of this application is that it is contrary to Development Plan policy 31 of the Joint Core Strategy in terms of its location, access to services and sustainability, risk to highways safety and ecological harm.

Although, taking a cautious approach, the Council is unable to adequately evidence a five-year deliverable supply of traveller pitches to meet the assessed need; under policy 27 of the PPTS this is expressed specifically to go to a decision on temporary planning permission. The application is not for a temporary planning permission and the submission shows that it is the applicant's intention to make this a permanent home. It is considered that the harm caused by the development as identified in this report and the failure to comply with Development Plan policy is not outweighed by a lack of a five-year supply and it is not appropriate to grant a temporary permission. The personal circumstances of the applicant and the site occupants on site have

been considered on the basis on the information submitted and any verbally updates provided by the applicant. Whilst inevitably there will be distress caused by a refusal of planning permission, this is not sufficient to outweigh the harm to the area caused by the development.

Paragraph 25 of the PPTS states that authorities should very strictly limit new traveller site development in the open countryside. The LPA accepts that this does not mean a blanket ban on all traveller sites in the open countryside.

The way in which the proposals have been implemented through intentional unauthorised development with the submission of a retrospective planning application further weigh against the application.

There are elements of the NPPF which are relevant to the proposal and which weigh for and against but do not amount to overriding factors which outweigh by themselves or cumulatively when considering other material planning considerations, the Development Plan.

Balancing the personal circumstances, the needs of the child, the lack of robust evidence for a 5 year supply of sites and any element of the NPPF which weigh in favour of the scheme, against the conflict with the Development Plan and the parts of the PPTS that count against the proposal, the material considerations supporting the proposal do not outweigh the material objections against the proposal and the fact that the proposal is contrary to the adopted Development Plan.

The application is therefore recommended for refusal for the reasons set out in this report. Should this application be refused, given the enforcement notice which has been served, an appeal would need to be made by the applicant within 28 days of the refusal.

**BOROUGH OF KETTERING**

|                          |  |  |
|--------------------------|--|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>  | <b>Item No: 5.2</b>                      |
| <b>Report Originator</b> | <b>Jonathan Pavey-Smith<br/>Development Officer</b>  | <b>Application No:<br/>KET/2019/0797</b> |
| <b>Wards Affected</b>    | <b>Brambleside</b>   |  |
| <b>Location</b>          | <b>22 Bracken Close, Kettering</b>   |  |
| <b>Proposal</b>          | <b>Full Application: Remove conifers and replace with 2m high concrete post, gravel board and feathered edge fence panel</b> |  |
| <b>Applicant</b>         | <b>Mr R Munton</b>   |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The fence shall be stained dark brown unless details of any alternative colour to be used been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.



## **Officers Report for KET/2019/0797**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

None.

#### **Site Description**

The application site is located at the entrance to the Cul-De-Sac of Bracken Close. The estate is generally characterised by the properties being set back in their plots with open plan front gardens and low level or no boundary treatment, presenting a strong sense of uniformity and rhythm in their spacing. This is with the exception of this corner plot No22 Bracken Close. No22 Bracken Close which at the time of the application being submitted had a large overgrown conifer hedge to its eastern side boundary.

Opposite the corner plot is a large area of green/landscaped space with several footpaths running through it.

#### **Proposed Development**

Removal of conifer hedge and erection of a 2m high fence to the side boundary of No22 Bracken Close.

#### **Any Constraints Affecting the Site**

Open space  
PD Removed

### **4.0 Consultation and Customer Impact**

#### **Neighbours:**

There has been one objection letter it can be summarised below:

Concerns raised regarding the impact of the fence on the vehicular visibility on the Highway serving No24 to No37 Bracken Close.

### **5.0 Planning Policy**

#### **National Planning Policy Framework**

Policy 5. Delivering a sufficient supply of homes  
Policy 12. Achieving well-designed places

#### **Development Plan Policies**

North Northamptonshire Joint Core Strategy  
Policy 8. North Northamptonshire Place Shaping Principles  
Policy 11. The Network of Urban and Rural Areas

## **6.0 Financial/Resource Implications**

None

## **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Design and Appearance.
2. Residential Amenity.
3. Highways and Parking.

### **1. Design and Appearance**

The area is characterised by street fronting dwellings set back from the highway boundary behind driveways and garden areas which present an open and spacious appearance. No22 Bracken Close is sited on the corner of the Cul-de -Sac. There was an existing large overgrown conifer hedge which enclosed the eastern end of No22 Bracken Close side garden. The conifer hedge was overgrown and overhanging the highway. The conifer hedge has now been removed.

The proposed fence will be visually sensitive to the plot and the host dwelling. As the fence will be visible along Bracken Close and prominent next to the open space, it is considered to condition the colour of the fence to ensure visual sensitivity to the area. It is considered that the development supports the character and amenity of

the area. The proposed fence should improve the character of the area when compared to the previous conifer hedge.

### 2. Residential Amenity

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

Due to the corner location of the fence, it is considered that the location of the proposed fence and the separation distance between the application site and surrounding neighbours is such that there will be no loss of daylight or sunlight or issues of overbearing. The proposal complies with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy.

### 3. Highways and Parking

Concerns raised by neighbouring properties regarding the impact of the fence on the vehicular visibility on the Highway serving No24 to No37 Bracken Close.

It should be noted the proposal will not change the highway layout or parking arrangements within the site or the area. The proposal is simply substituting the boundary treatment of the conifer hedge (now removed) with a 2m high fence. It is officer consideration that compared to the previous overgrown conifer trees, the visibility of the Cul – De – Sac will be improved. It should also be noted that Bracken Close is a Cul - De Sac and by its very nature speed and frequency of vehicles will be low. The development is considered acceptable in this regard.

### **Conclusion**

Subject to conditions requiring the colour of the fence the proposal complies with policies in the Development Plan and is recommended for approval.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

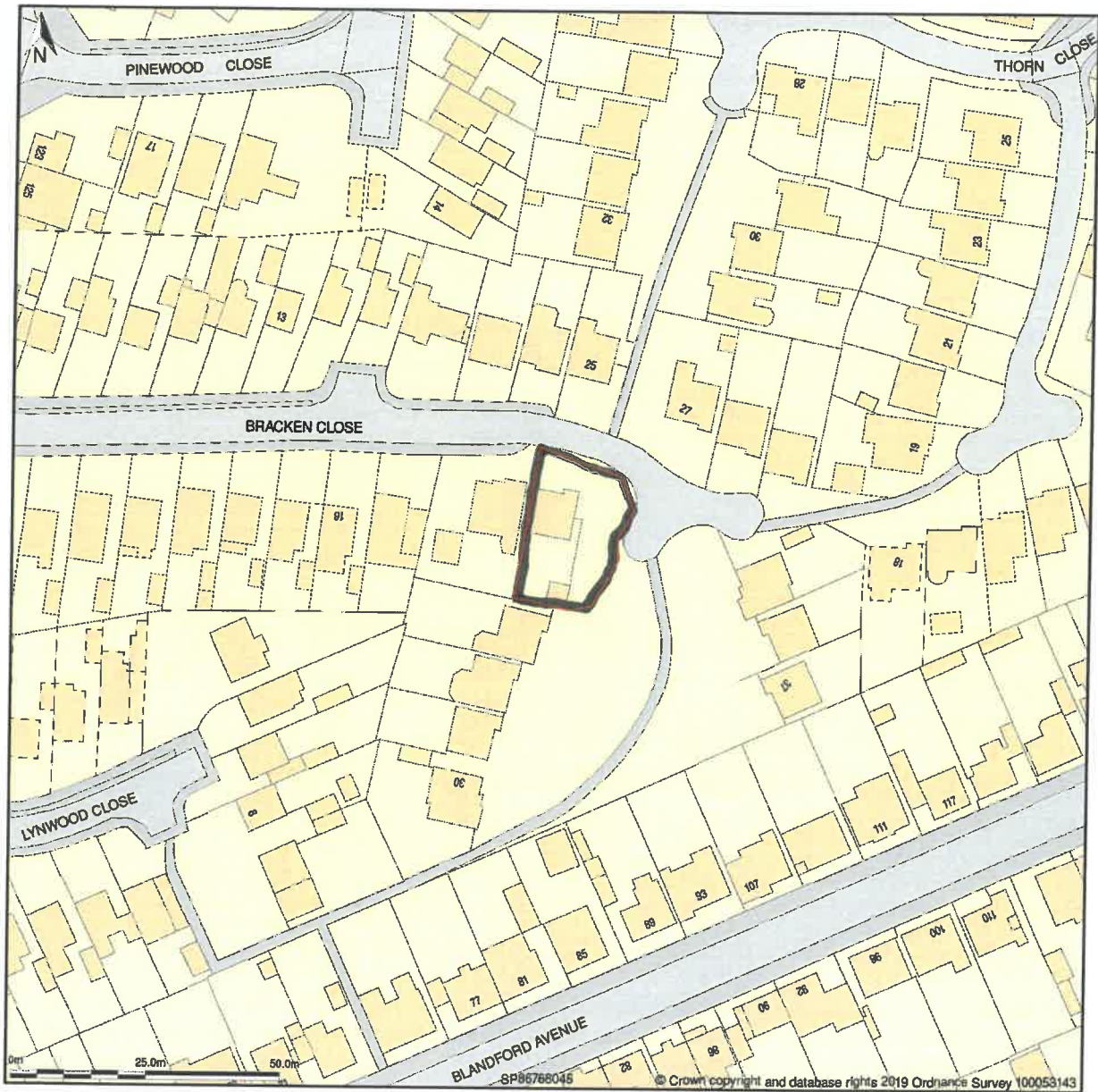
Jonathan Pavey-Smith, Development Officer on 01536 534316

#### **Previous Reports/Minutes**

Ref:

Date:

1 1250 location plan of 22, Bracken Close, Kettering, Northamptonshire, NN16 9BG

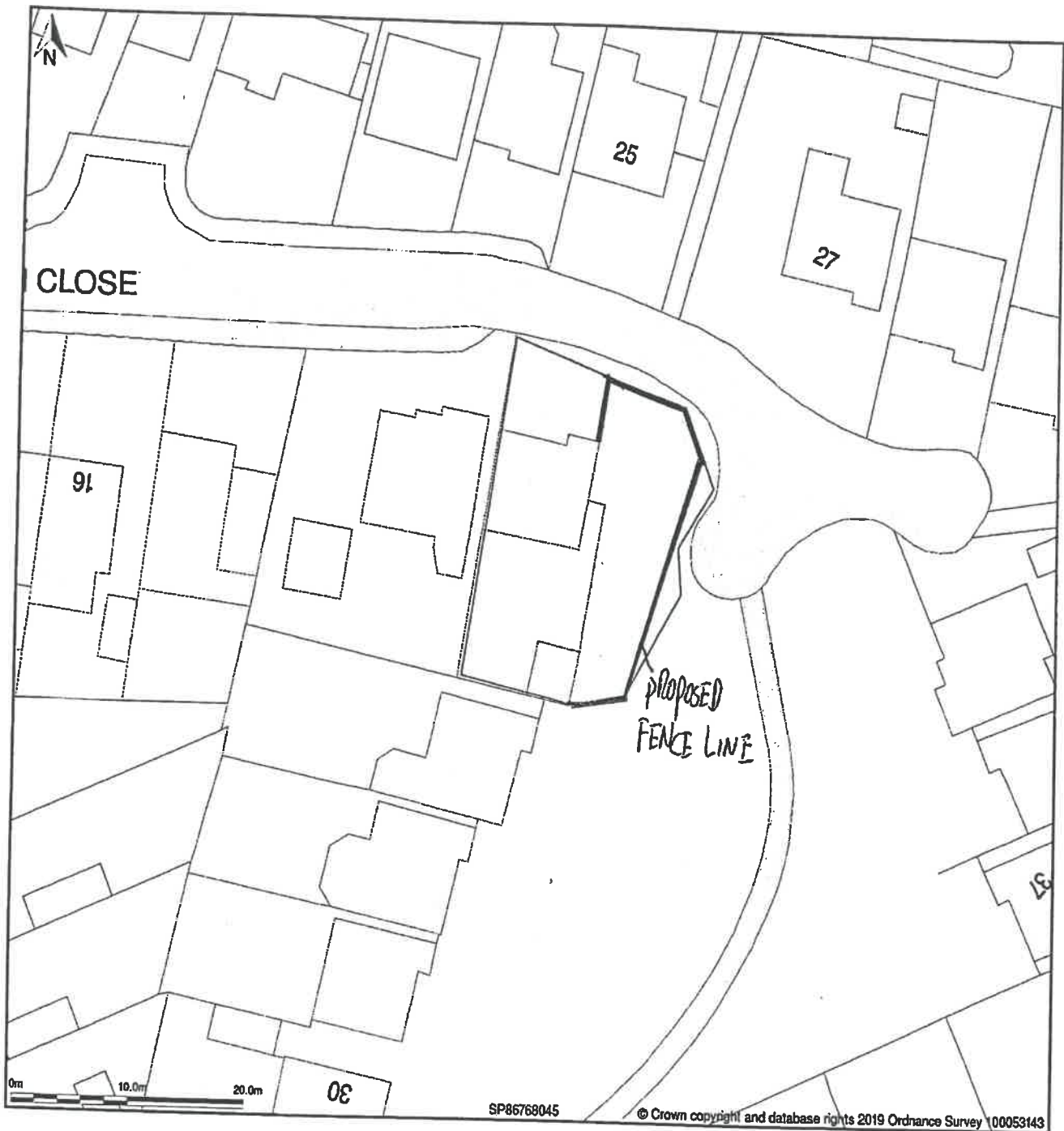


Site Plan shows area bounded by: 486664.84, 280354.69 486864.84, 280554.69 (at a scale of 1:1250), OSGridRef: SP86768045. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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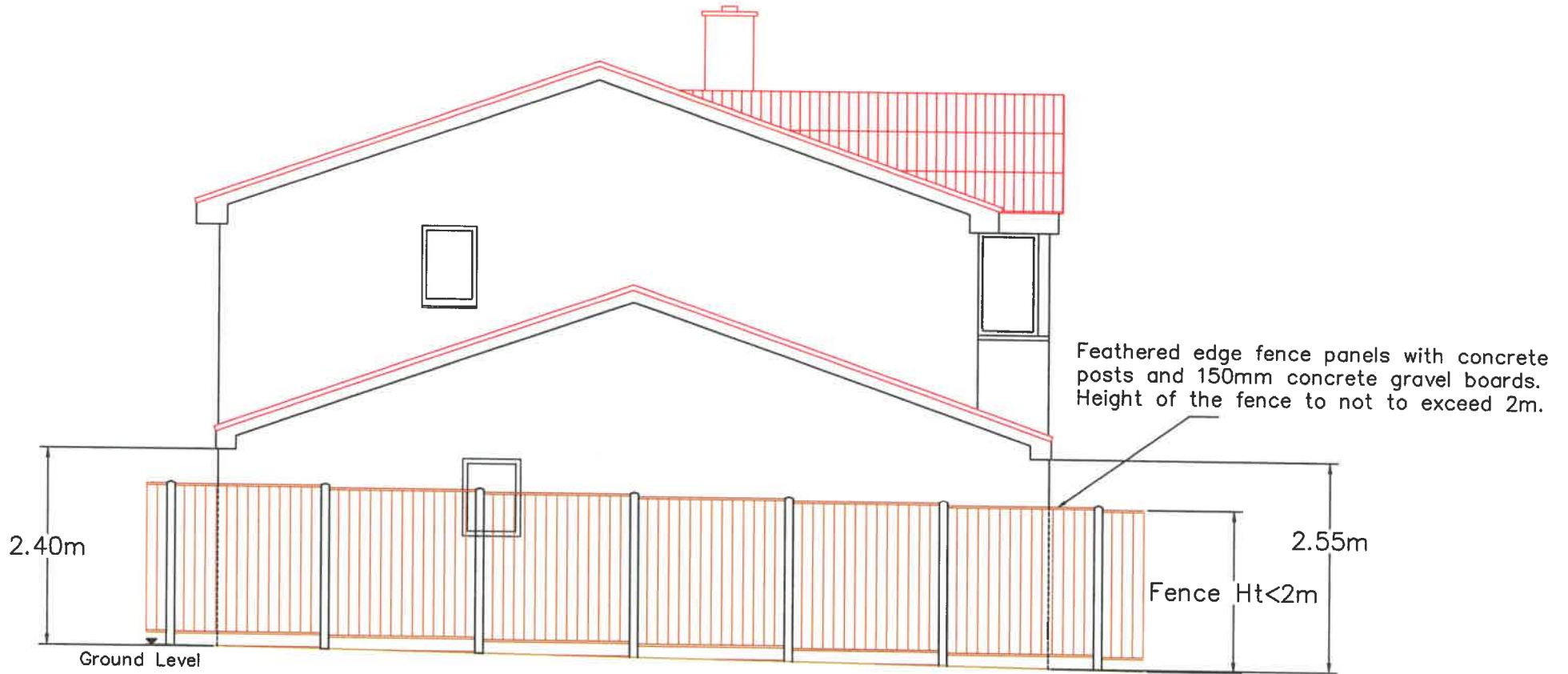
1 500 site plan of 22, Bracken Close, Kettering, Northamptonshire, NN16 9BG



Block Plan shows area bounded by: 488719.83, 280409.77 496809.83, 280499.77 (at a scale of 1:500), OSGridRef: SP86768045. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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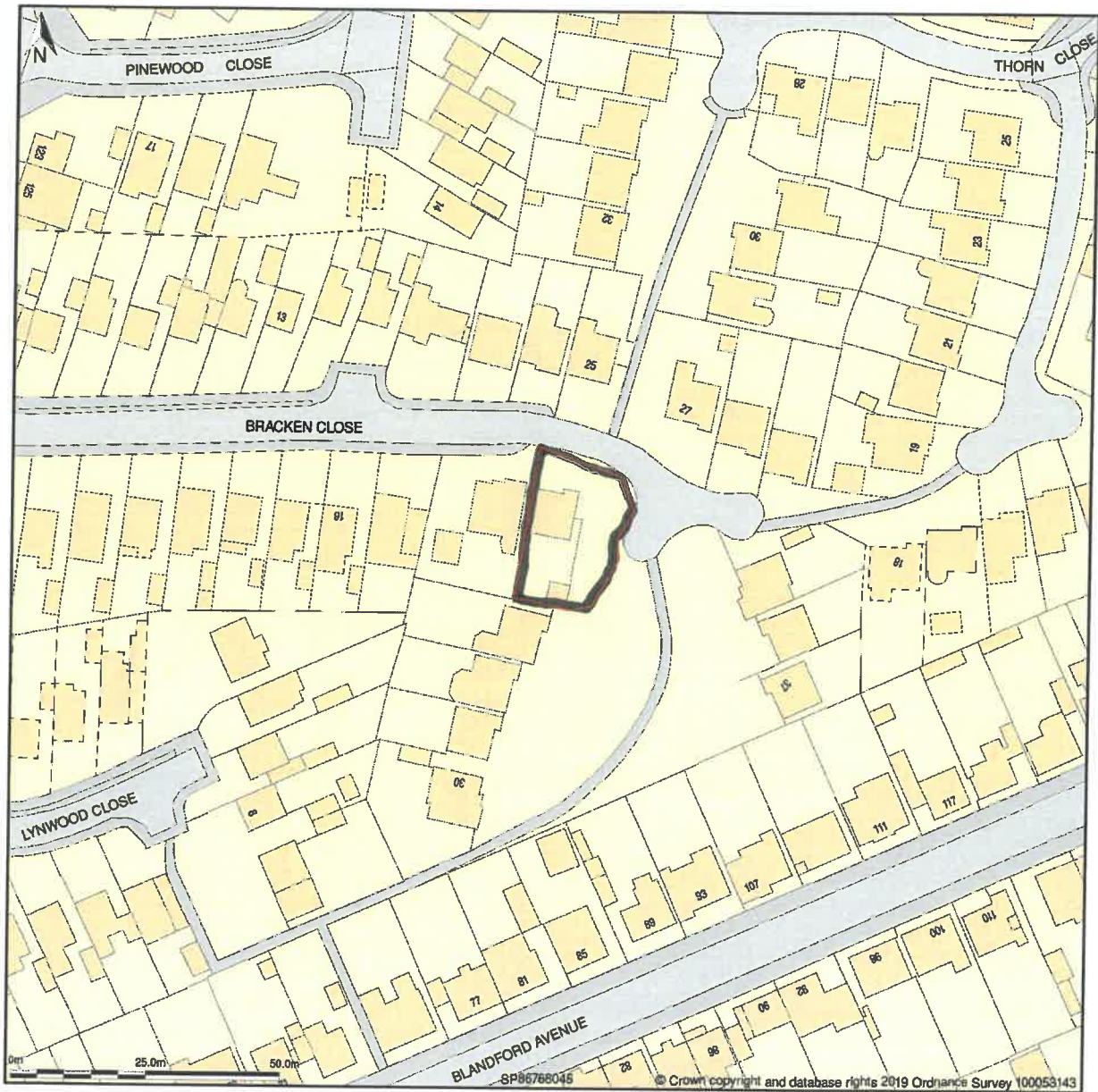
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1 1250 location plan of 22, Bracken Close, Kettering, Northamptonshire, NN16 9BG

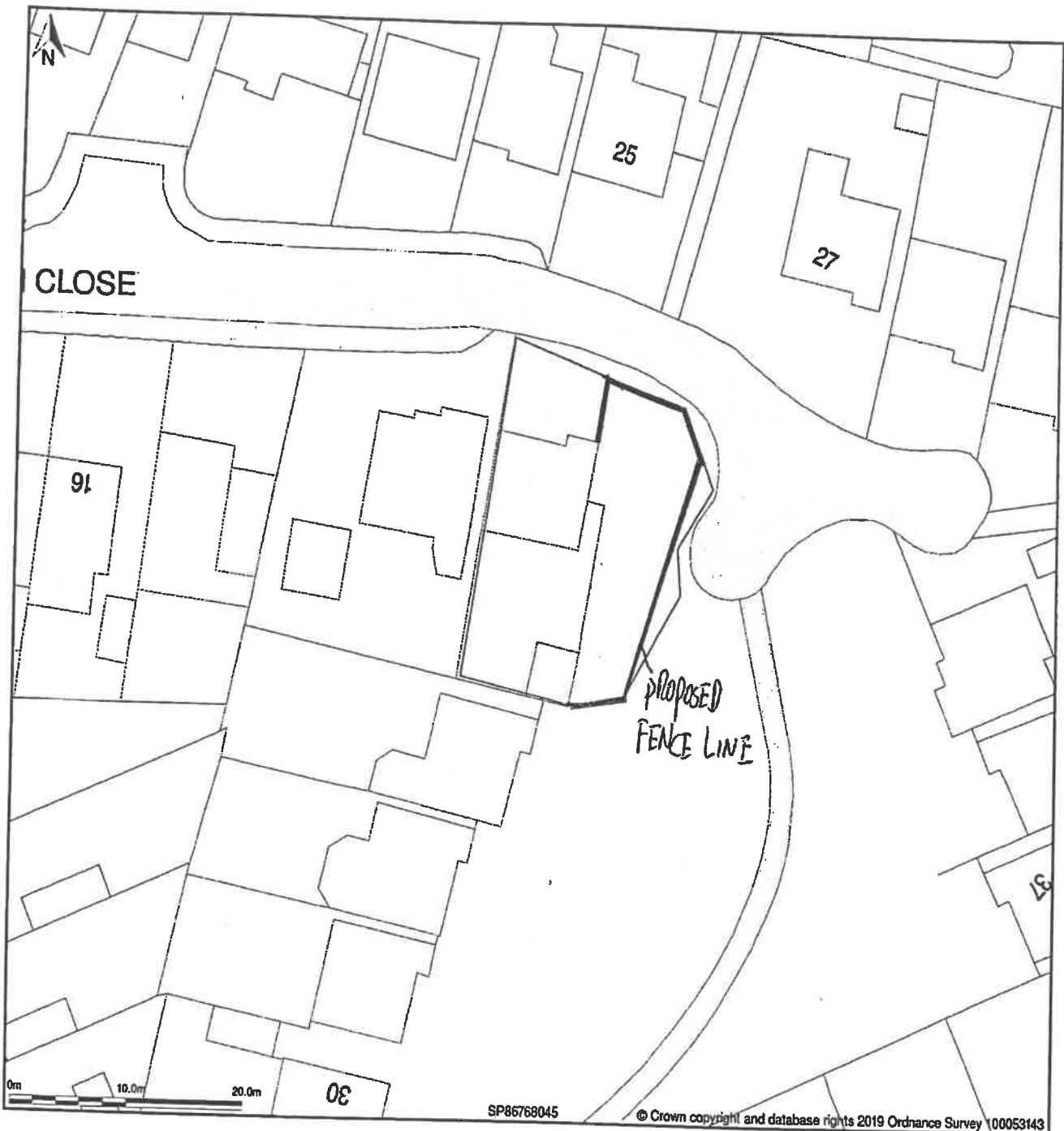


Site Plan shows area bounded by: 486664.84, 280354.69 486864.84, 280554.69 (at a scale of 1:1250), OSGridRef: SP86768045. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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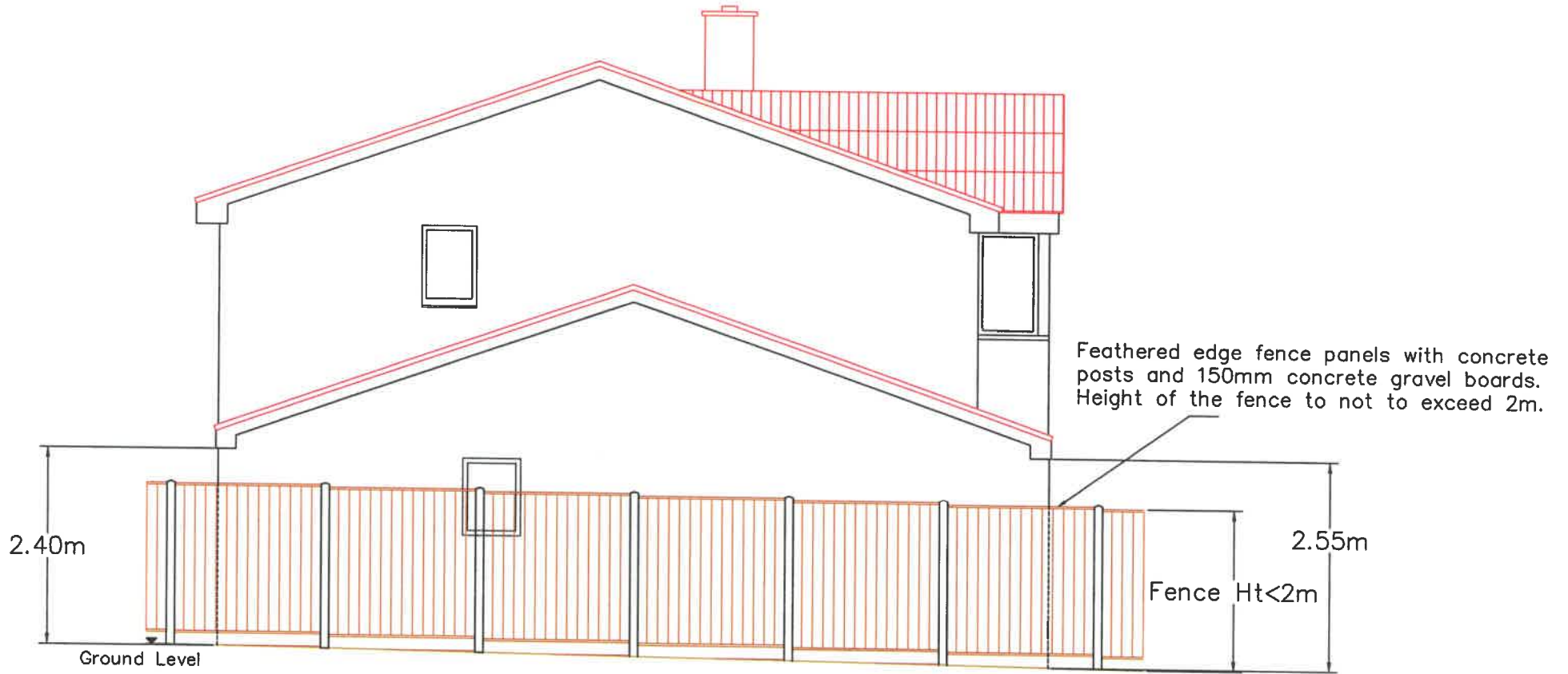
1:500 site plan of 22, Bracken Close, Kettering, Northamptonshire, NN16 9BG



Block Plan shows area bounded by: 488719.83, 280409.77 496809.83, 280499.77 (at a scale of 1:500), OSGridRef: SP86768045. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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**BOROUGH OF KETTERING**

|                          |  |  |
|--------------------------|--|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>                          | <b>Item No: 5.3</b>                      |
| <b>Report Originator</b> | <b>Koko Ekanem<br/>Development Officer</b>                           | <b>Application No:<br/>KET/2020/0042</b> |
| <b>Wards Affected</b>    | <b>Queen Eleanor and Buccleuch</b>                                   |  |
| <b>Location</b>          | <b>1 Little Oakley, Corby</b>  |  |
| <b>Proposal</b>          | <b>Full Application: Replacement of 9 no. windows and 1 no. door</b> |  |
| <b>Applicant</b>         | <b>Mr J Riding-Felce</b>   |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.

REASON: To accord with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out other than in accordance with the approved (amended) plans and information detailed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. All work to install the proposed windows and door shall utilise existing openings and surrounds, window frames shall be recessed in the openings to match existing arrangement and no additional cill added to the frame.

REASON: In recognition of existing character and to accord with Policy 8 of the North Northamptonshire Joint Core Strategy.



## Officers Report for KET/2020/0042

This application is reported for Committee decision because of a Parish Council objection.

### 3.0 Information

#### **Relevant Planning History**

None

#### **Site Visit**

Officer's site inspection: Photos.

#### **Site Description**

The application site lies on the north side of the main road (Little Oakley). To the west of the site are nos. 2 & 3 Little Oakley; to the north and east is open countryside. The footprint of the host dwellinghouse lies within the Village confines and the conservation area whilst the rest of the site grounds lies outside it.

#### Further background:

#### Extract from Site specific Part 2 Local Plan (Draft Plan Consultation)

##### **12.9 Little Oakley**

*The village of Little Oakley is located approximately five miles north-west of Kettering, off the A45 Kettering to Stamford Road, approximately half a mile south east of Corby. The village is a small historic village made up of a simple street pattern following a linear form, located either side of the main street. Although the settlement is linear there is a mixture of properties some of which front directly onto the street and others which are set in large plots, set back from the public highway. The principle pattern is properties on the southern side of the street abutting the pavement and properties on the northern side of the street are set back at a raised ground level.*

*The village is characterised by groups of stone cottages and farms interspersed by fields, fronted by attractive stone walls. The majority of the buildings within the village are constructed of limestone, with roof coverings of thatch, blue slate and orange pantiles, particularly on outbuildings. Most of the architecture is domestic in scale, although Manor Farm and its outbuildings (Grade II listed buildings) and the former St Peter's Church (Grade II\* listed building) provided an imposing entrance to the village which it is approached from the west. There has been modern infilling mainly garages, extensions and a limited number of residential properties, which has blended in with the character of the area. Properties within the village are fairly well spaced out, giving the village a very rural feel and providing views to the open countryside.*

*12.134 Little Oakley has a Conservation Area Appraisal which was adopted on the 28th September 1983.*

#### **Proposed Development**

Planning permission is sought for replacement of 9 x no. windows and 1 x no. front door:

- Existing windows (Crittall Hope metal windows)/ Proposed windows (pvc-u; amended details received 15/07/2020; showing window panes without glazing bars; and window frames in woodgrain matt finish, colour white or as satisfactory to Local Planning Authority)
- Existing front door (timber) / Proposed front door (timber)

**Any Constraints Affecting the Site**

- Conservation Area

**4.0 Consultation and Customer Impact**

**Newton & Little Oakley Parish Council**

Councillors discussed this application and made the following comments:

- (i) The specification states PVC windows, but within the paperwork it states composite aluminium timber. This raised concerns if the windows would be PVC in a conservation area and with the building being Grade 2 listed.
- (ii) The Councillor for Little Oakley had agreed with the above concerns, but had no objection to the style of the windows.
- (iii) It was proposed by Cllr Buckseall that the Parish Council would object to the application if the windows were not going to be of a heritage material which is appropriate in a conservation area. Seconded by Cllr Batchelor. All Cllrs present agreed to the proposal except for one abstention.

**Neighbours**

Occupier of 21 Little Oakley made written representation: no objections to the work proposed.

**5.0 Planning Policy**

**National Planning Policy Framework (2019)**

Chapter 16 (Conserving and enhancing the historic environment)

**Development Plan Policies**

**North Northamptonshire Joint Core Strategy**

Policy 1 (Presumption in favour of Sustainable Development)

Policy 2 (Historic Environment)

Policy 8 (North Northamptonshire Place Shaping Principles)

**6.0 Financial/Resource Implications**

None

**7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental

dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging site-specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are:-

- (i) Principle of proposal;
- (ii) Impact on character and appearance of host property and locality/streetscene;
- (iii) Whether there is any impact on neighbouring residential amenities.

### **Principle and character and appearance**

Section 72 of the relevant 1990 Act imposes a statutory duty on LPAs, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

In *South Lakeland DC v Secretary of State for the Environment*, [1992] 2 WLR 204 it was noted:...*"whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed."*

The principle of maintaining a building is obviously sound so attention is given to the specifics in this case. The building is not listed, although it is of historic interest. Planning permission is required because what would otherwise be permitted development on a non-listed building is subject to a clause in the GPDO legislation that the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

With regards to the NPPF, on conserving and enhancing the historic environment, Chapter 16 informs that not all elements of a conservation area will necessarily

contribute to its significance.

Policy 2 of the Joint Core Strategy (JCS) requires that development must protect and, where appropriate enhance, the heritage asset and its setting. JCS Policy 8 is also pertinent, as development should respond to the site's context and the local character.

The JCS at policy 8 describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area. The proposed works involve replacing: (i) nine dilapidated Crittal Hope metal windows with pvc-u windows; and (ii) front wooden door with similar type wooden door. Current site photos show that some of the existing windows are broken and it is understood that the new window would enhance the u-value (i.e. give better thermal performance) of the dwellinghouse.

Crittal frames have a value to the historic interest and character of the building. However, as described they are no longer fit for purpose; e.g. some of the existing windows to be replaced have broken glass panes (as noted above).

The proposal would result in modest alteration(s) to west/north/south elevations of host building. The impact on appearance is, in this instance addressed because as amended the proposed frames are to be kept simple (without glazing bars) and have an external appearance that would be subdued by the finish colour and careful fitting within existing openings. The replacement of existing frames is therefore considered acceptable.

The proposed alterations to the fenestra would enhance the appearance of the host building and be sympathetic to the host property in terms of character/appearance. The proposal is acceptable in terms of scale, design and appearance. It is considered that the proposed alterations to the fenestra would be unlikely to be harmful to the character/appearance of host building or streetscene.

The Parish Council preference for the materials of replacement windows to Crittal Hope metal windows is acknowledged. The officer assessment of the impact of the replacement windows and door has concluded no harm for the reasons explained.

### **Neighbouring Amenity**

The JCS at policy 8(e)(i) details policy relating to the protection of amenity of neighbouring occupiers.

As the replacement windows are utilising existing openings the relationship to other properties is unchanged.

The scheme would not have a significant effect on the standard of amenity (in terms of: loss of light, loss of outlook or loss of privacy) which is currently enjoyed by the adjacent residential occupiers for the reasons of the separation distances, positioning and orientation; and the proposal is acceptable in terms of its impact upon the amenity of the neighbouring dwellings.

## **Conclusion**

The proposed fenestra replacement by virtue of its size and design is considered an acceptable form of development. The proposal does not cause any significant harm to the residential amenity of the adjacent occupiers. The proposal is therefore considered to comply with the North Northamptonshire Joint Core Strategy, and National Planning Policy Framework (2019).

### **Background Papers**

Title of Document:

Date:

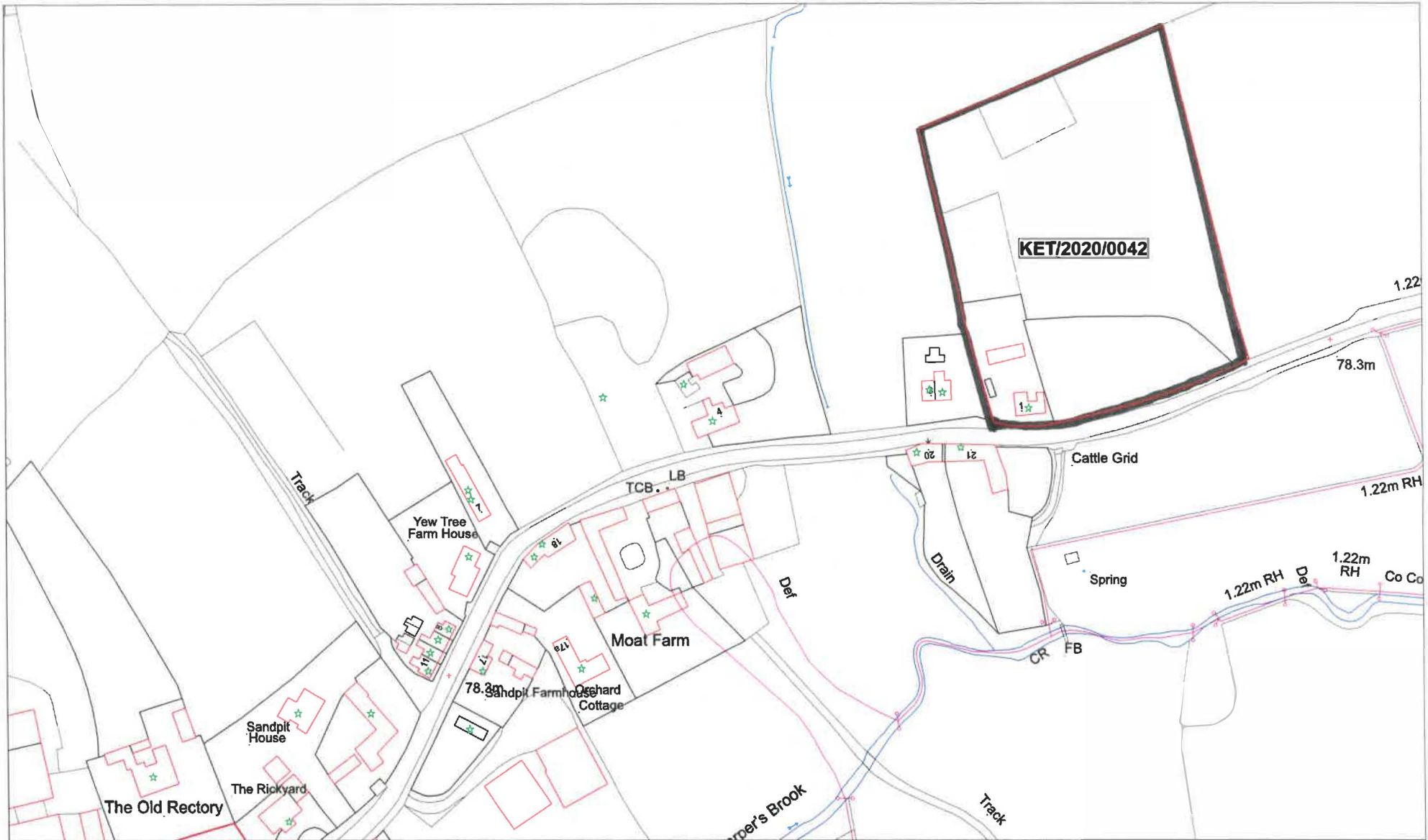
Contact Officer:

Koko Ekanem, Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date:



Title: 1 Little Oakley- Corby

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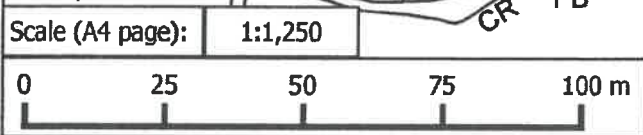
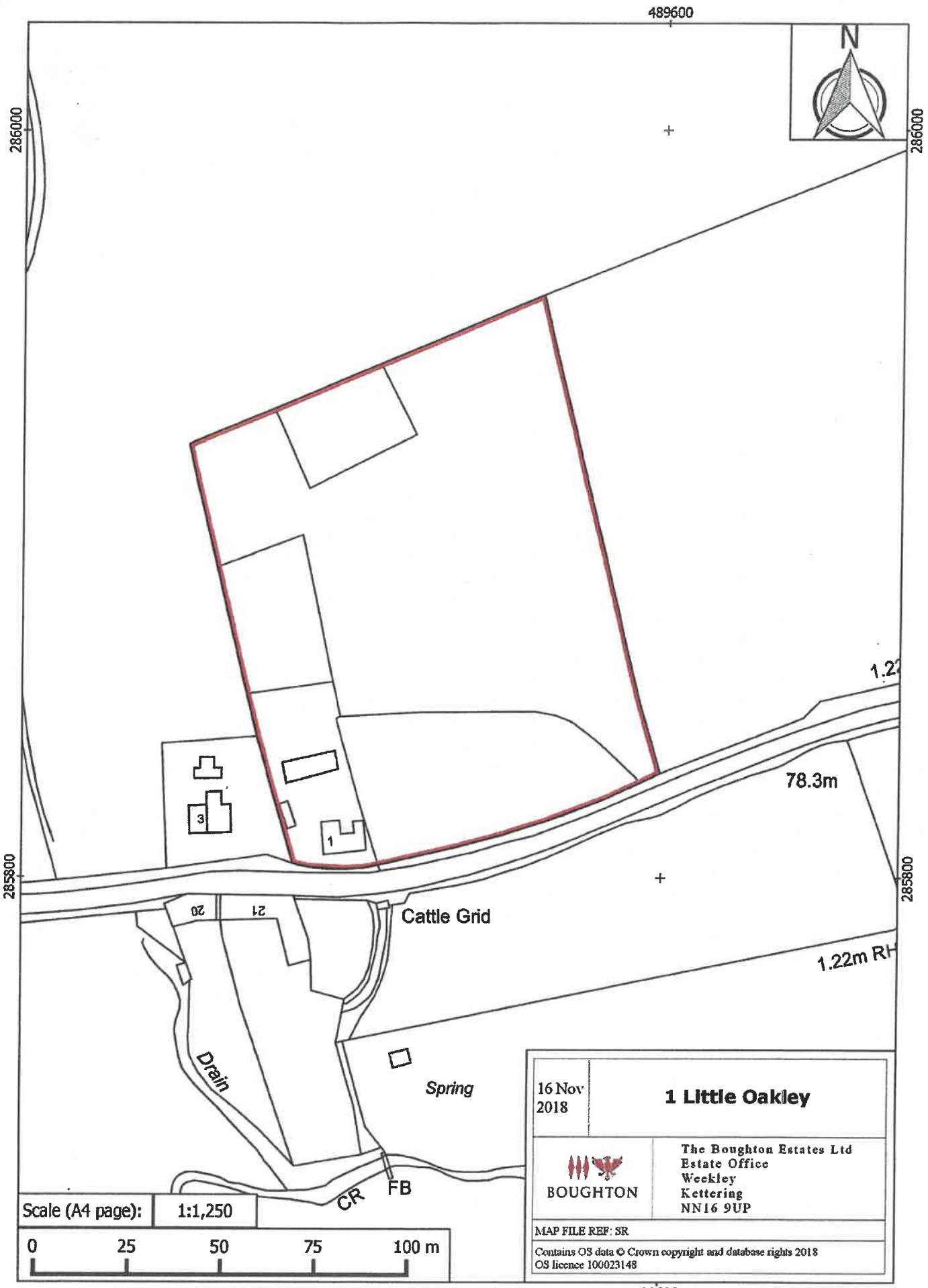
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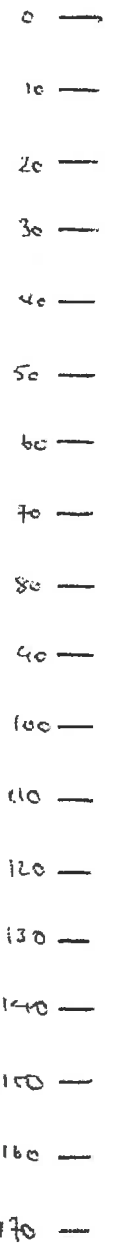
Drawn by: Drawn by:





|   |  |
|---|--|
| 16 Nov<br>2018  | <b>1 Little Oakley</b>   |
| <br><b>BOUGHTON</b> | <b>The Boughton Estates Ltd</b><br>Estate Office<br>Weekley<br>Kettering<br>NN16 9UP |
| MAP FILE REF: SR  |  |
| Contains OS data © Crown copyright and database rights 2018<br>OS licence 100023148                     |  |

f = fixed.

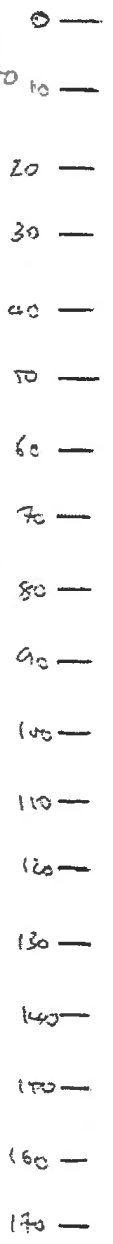
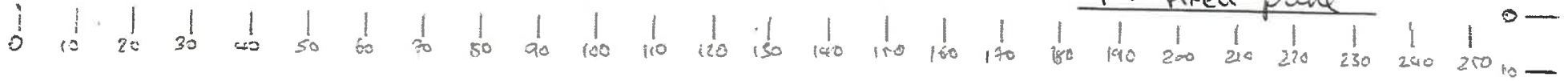


17 Page 101

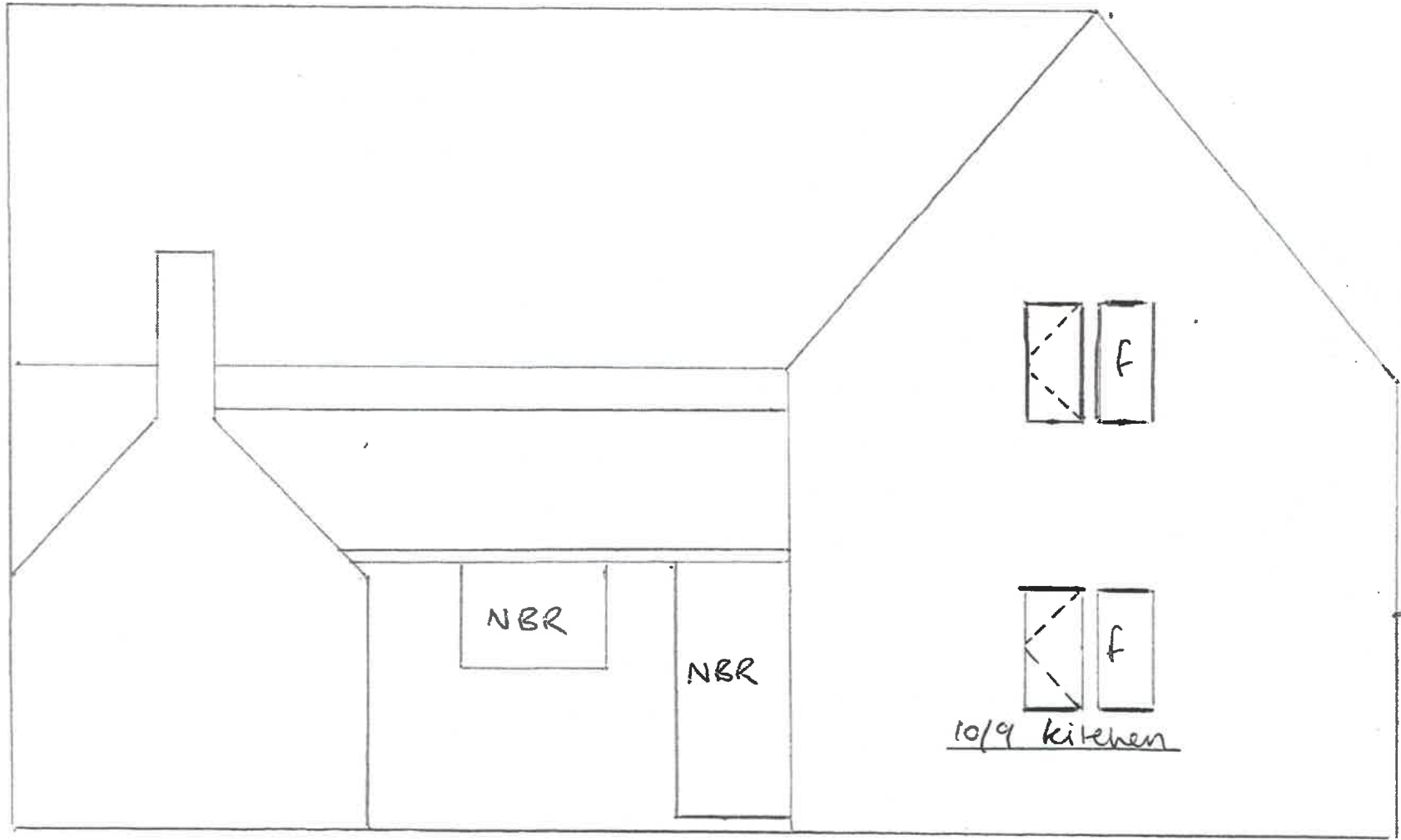


Proposed front elevation  
Scale 1:200

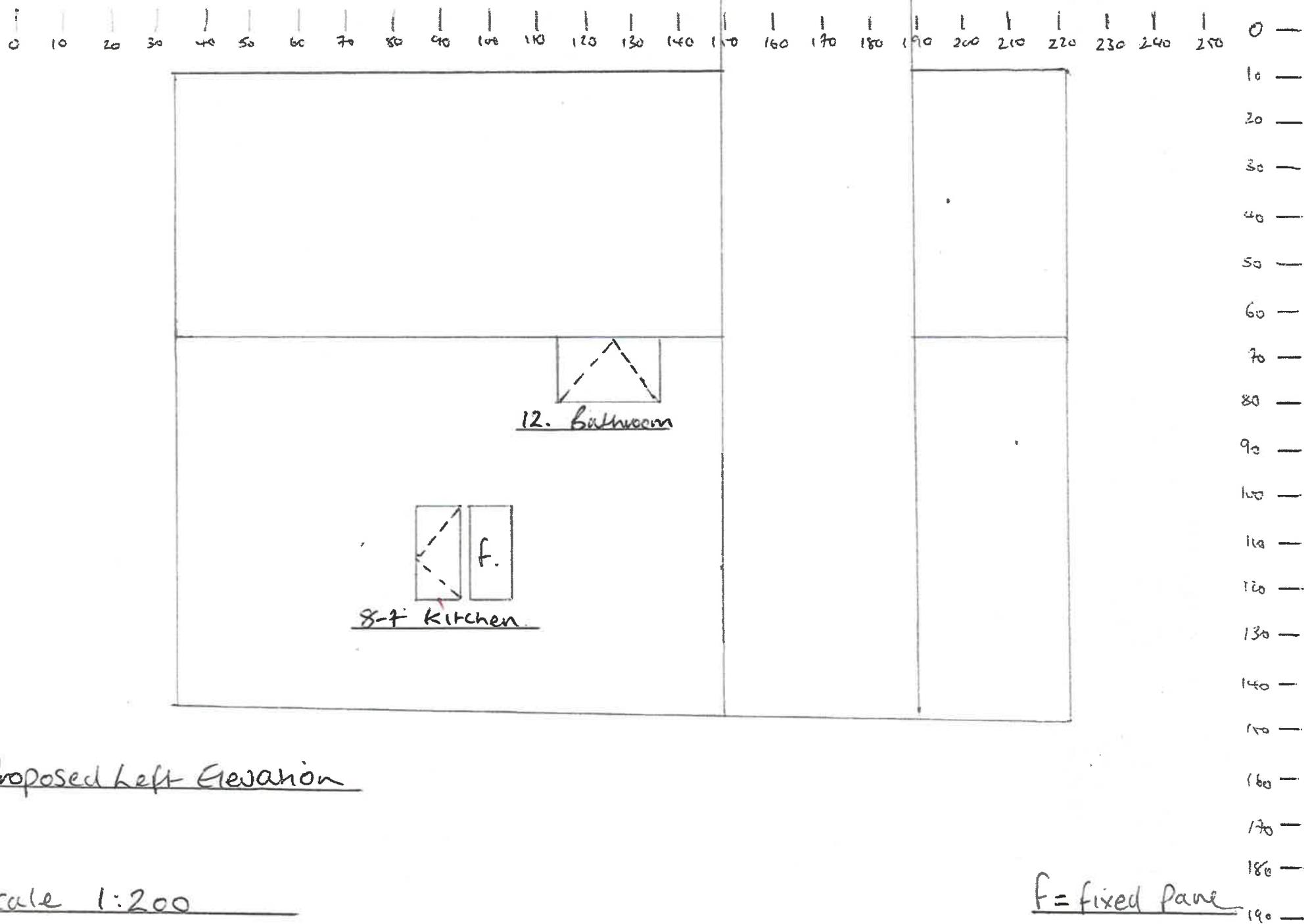
NBR = Not Being replaced  
f = fixed pane



17 Page 102



Proposed Rear Elevation  
Scale 1:200



# Georgian Report

# TYPICAL WINDOW EXAMPLE

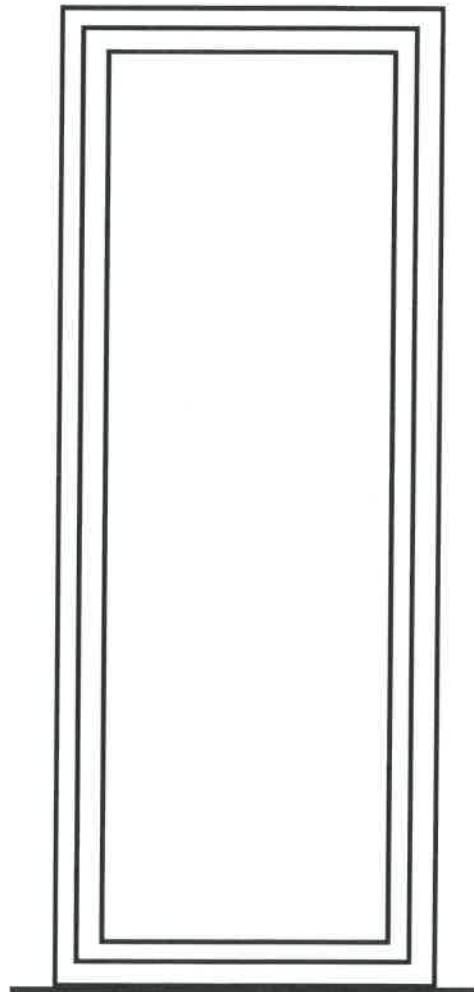


Order no. S130292681  
 Customer RIDING-FELCE  
 Address 1 LITTLE OAKLEY  
 CORBY  
 NORTHAMPTONSHIRE  
 NN18 8HA

Surveyor Craig Ward No.  
 Report date 05/03/20  
 Survey date 04/03/20 Revision V2 15-07-2020

**PLEASE NOTE THAT ALL PRODUCTS ARE VIEWED FROM INSIDE THE PROPERTY**

|      |   |              |                    |          |                                 |
|------|---|--------------|--------------------|----------|---------------------------------|
| Item | 1 | Product Type | UH Retail Casement | Design   | Casement Woodgrain, Matt Finish |
| Qty  | 1 | Style        | UH0001             | Location | Lounge                          |
|      |   | Pattern size | 367 x 385 mm       |          |                                 |



Height Break Dimensions

1240

Width Break Dimensions

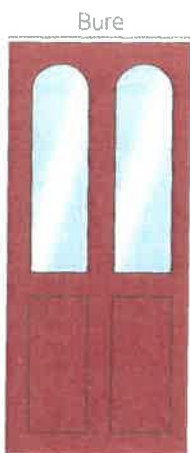
450

The Traditional range



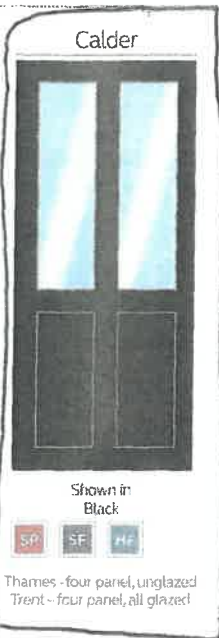
Arun

Shown in Golden Oak



Bure

Shown in Pillar Box Red



Calder

Shown in Black

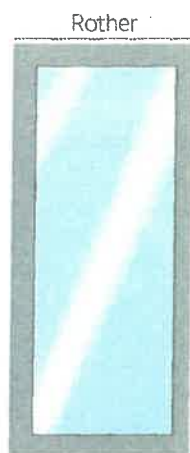


Thames - four panel, unglazed  
Trent - four panel, all glazed



Medway

Avon - unglazed  
Shown in Bluebell

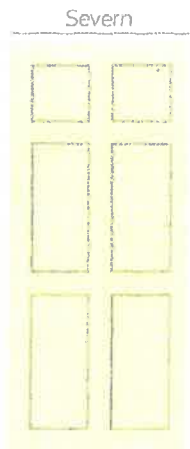


Rother

Shown in Eucalyptus



Eden - two glazed panels with horizontal middle rail



Severn

Shown in White



Pibble - six panel with top panels glazed  
Tweed - six panel with top & middle panels glazed  
Mersey - six panel, all panels glazed



Shannon

Shown in White



Clyde - full bottom panel



Spay

Shown in Fir Green



Tay

Shown in Dark Woodgrain



Wensum - nine panel, unglazed

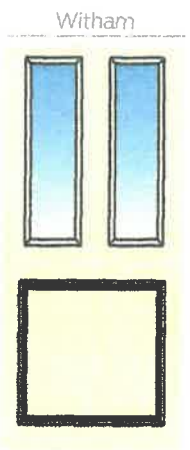


Tyne

Shown in Emerald Green

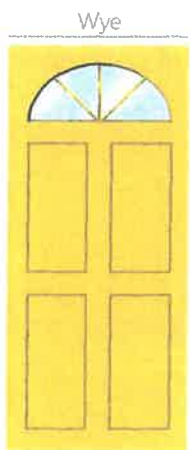


Tamar - six panel, unglazed



Witham

Shown in White







Wye

Shown in Primrose Yellow



Key

-  Side Panel available
-  Available with Standard furniture
-  Available with Heritage furniture
-  Available as Double door

For more information ask your sales rep.

from Anglian Home Improvements

Door collection





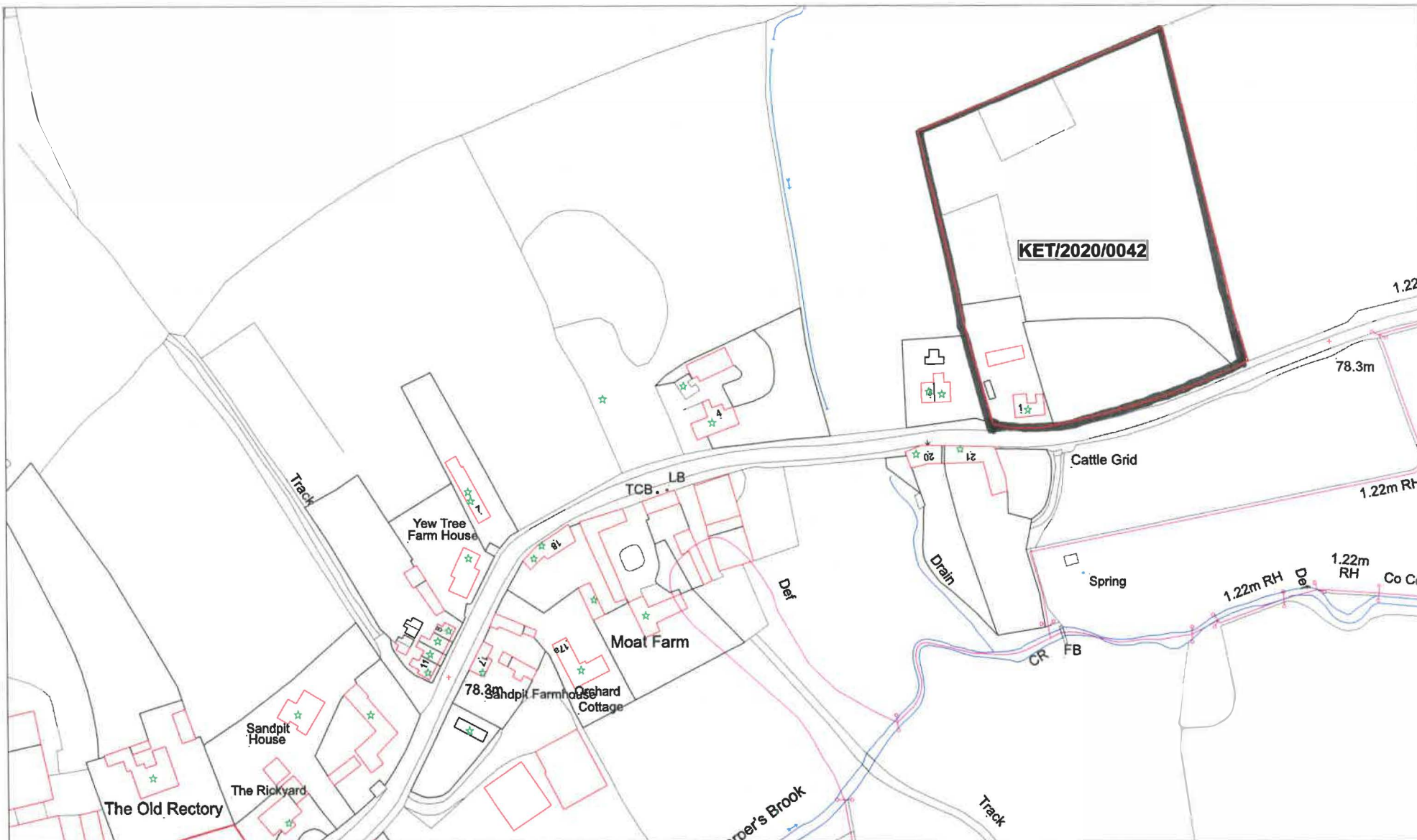


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Page 107









Title: 1 Little Oakley- Corby

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Licence 100017847

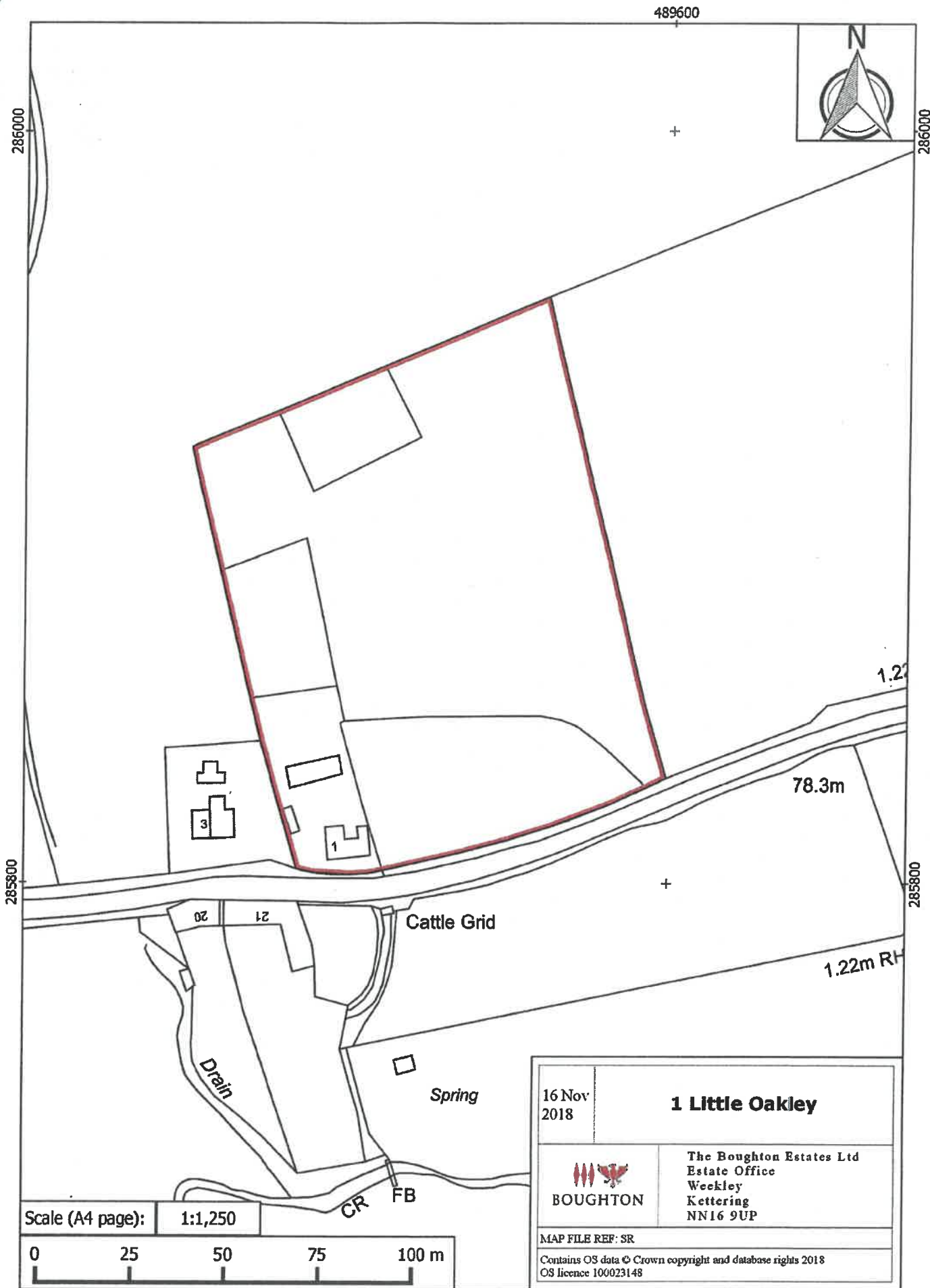
Date: 20:07:20

Scale: 1:2000

Drawn by: Drawn by:


**Kettering**  
Borough Council



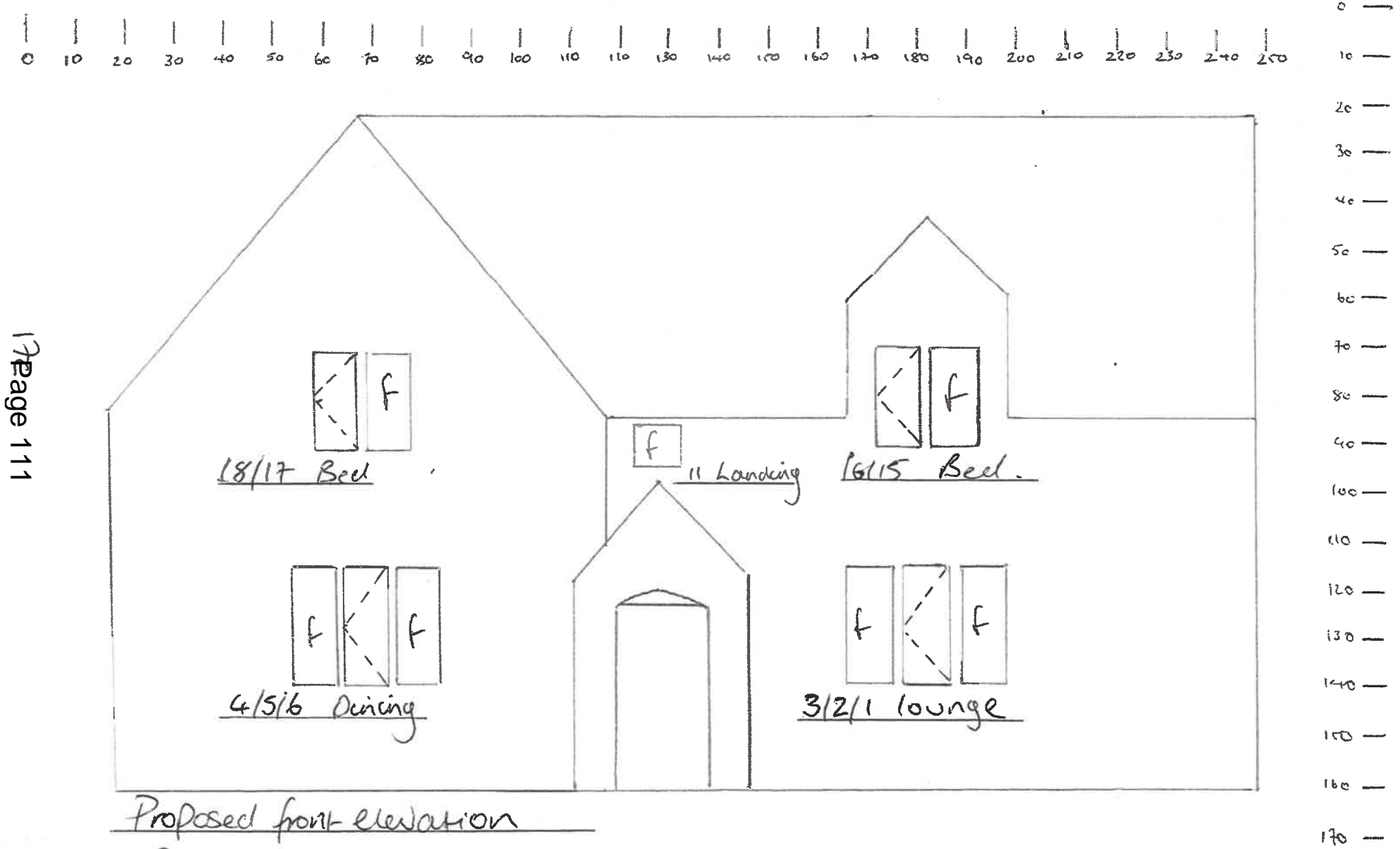


Scale (A4 page): 1:1,250

0 25 50 75 100 m

|   |  |
|---|--|
| 16 Nov<br>2018  | <b>1 Little Oakley</b>   |
| <br><b>BOUGHTON</b> | <b>The Boughton Estates Ltd</b><br>Estate Office<br>Weekley<br>Kettering<br>NN16 9UP |
| MAP FILE REF: SR  |  |
| Contains OS data © Crown copyright and database rights 2018<br>OS licence 100023148                     |  |

f = fixed.

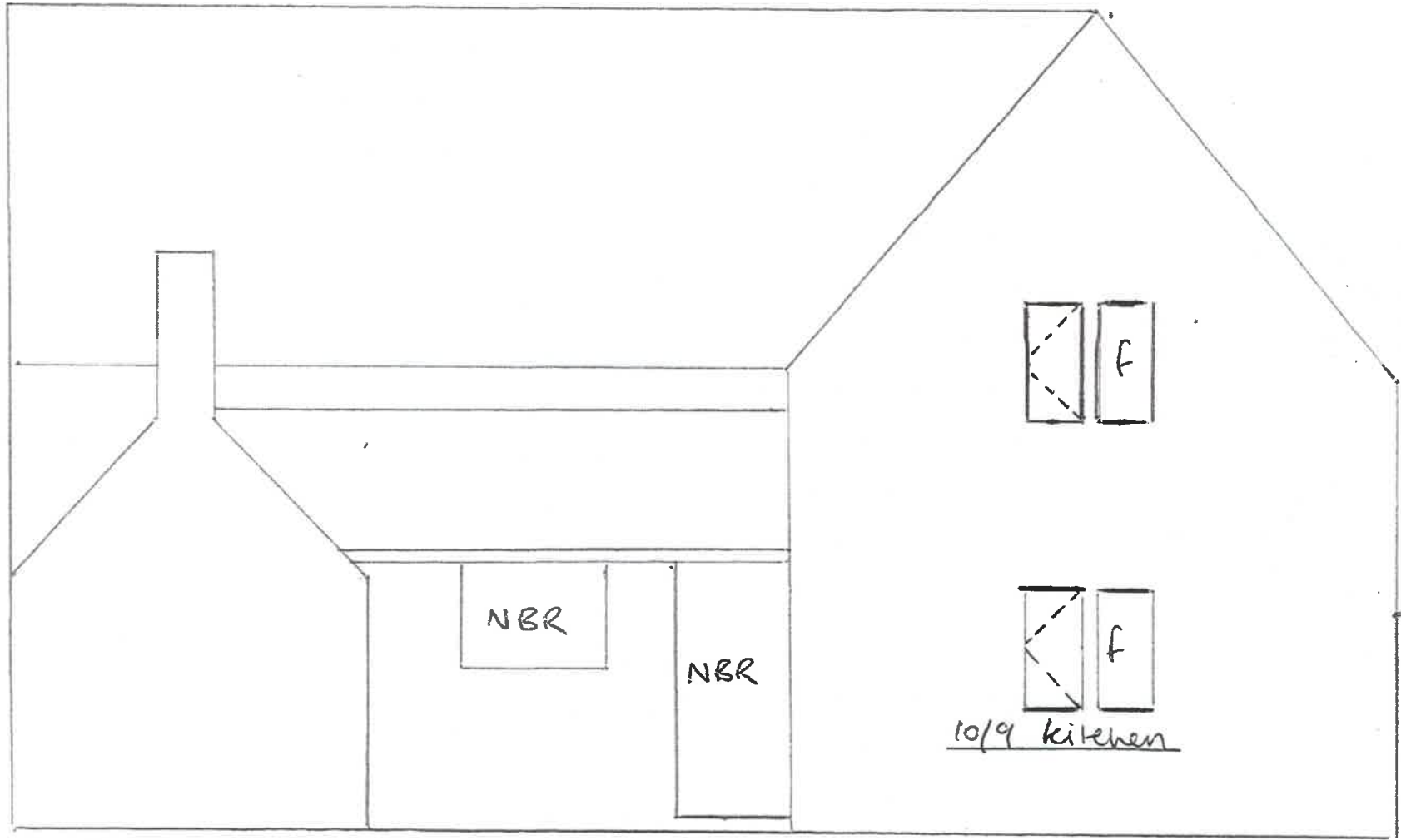
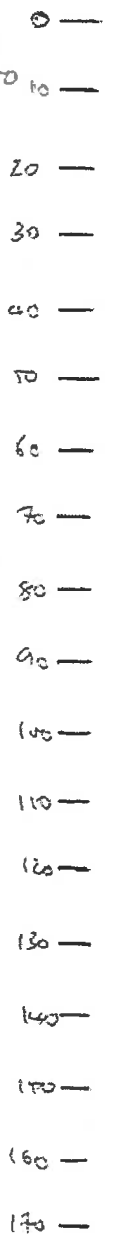
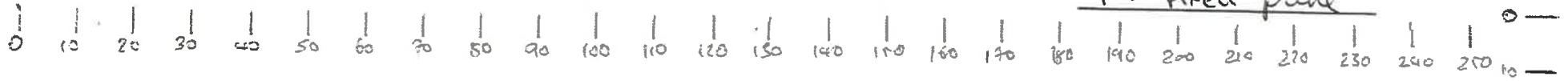


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Proposed front elevation  
Scale 1:200

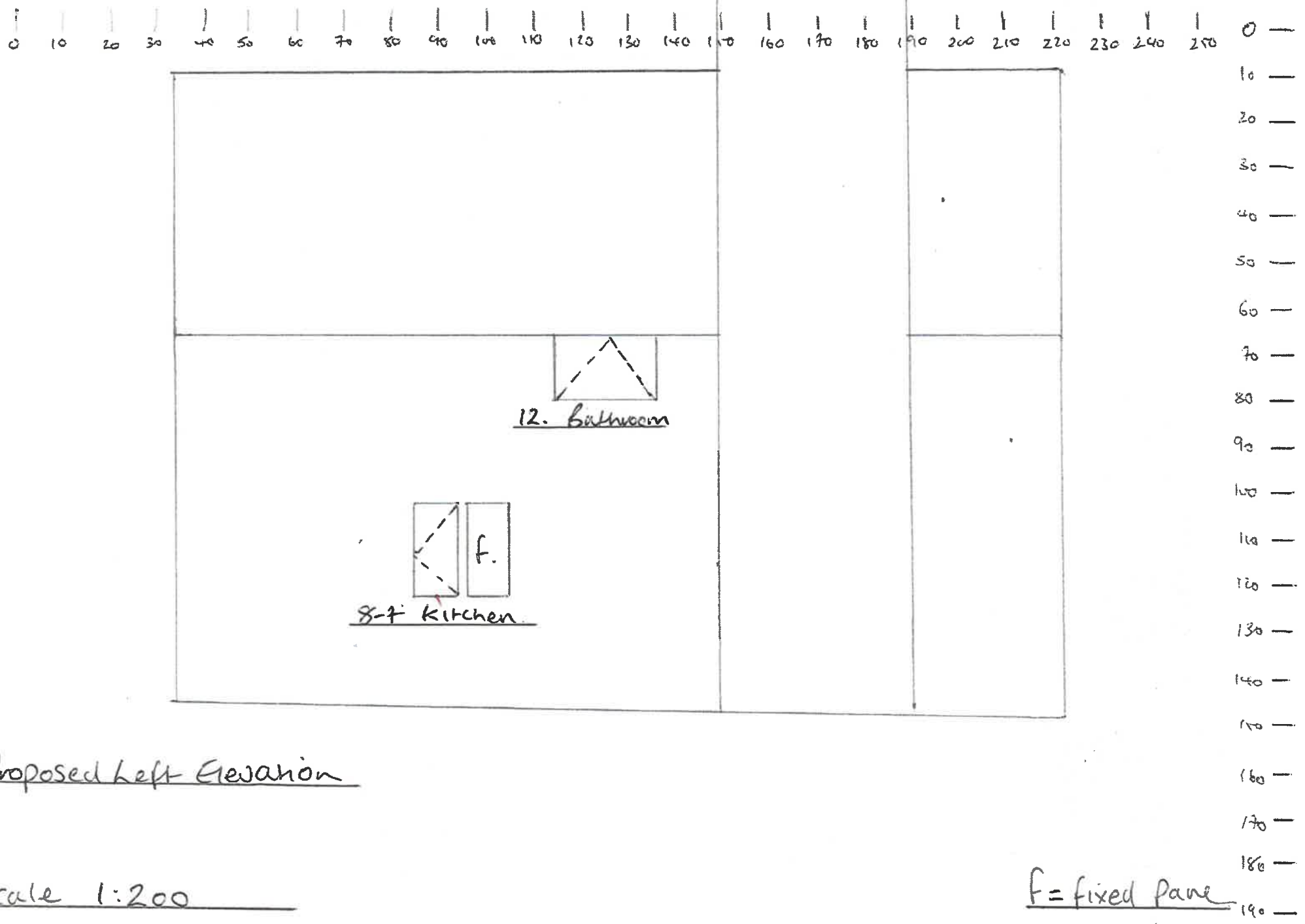


NBR = Not Being replaced  
f = fixed pane



17 Page 112

Proposed Rear Elevation  
Scale 1:200



Proposed Left Elevation

Scale 1:200

# Georgian Report

# TYPICAL WINDOW EXAMPLE

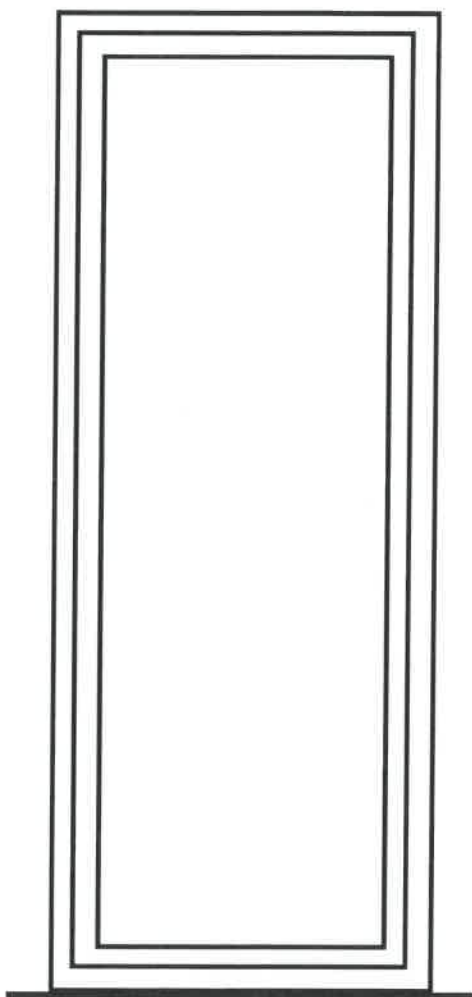


Order no. S130292681  
 Customer RIDING-FELCE  
 Address 1 LITTLE OAKLEY  
 CORBY  
 NORTHAMPTONSHIRE  
 NN18 8HA

Surveyor Craig Ward No.  
 Report date 05/03/20  
 Survey date 04/03/20 Revision V2 15-07-2020

**PLEASE NOTE THAT ALL PRODUCTS ARE VIEWED FROM INSIDE THE PROPERTY**

|      |   |              |                    |          |  |
|------|---|--------------|--------------------|----------|--|
| Item | 1 | Product Type | UH Retail Casement | Design   | <b>Casement Woodgrain, Matt Finish</b> |
| Qty  | 1 | Style        | UH0001             | Location | Lounge                                 |
|      |   | Pattern size | 367 x 385 mm       |          |  |



Height Break Dimensions

**1240**

Width Break Dimensions

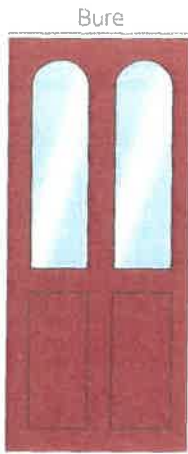
**450**

The Traditional range



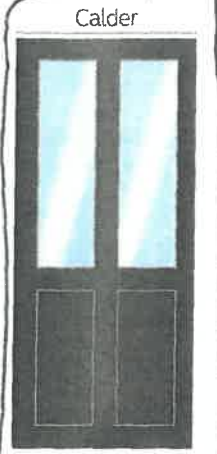
Arun

Shown in Golden Oak



Bure

Shown in Pillar Box Red



Calder

Shown in Black

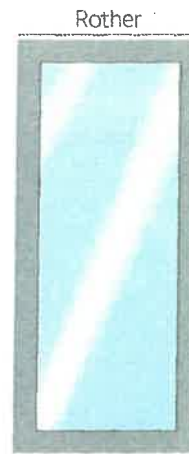


Thames - four panel, unglazed  
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Medway

Avon - unglazed  
Shown in Bluebell

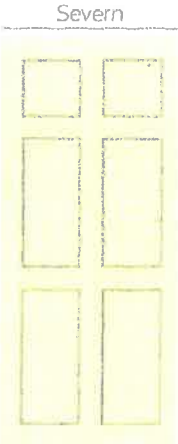


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Shown in Fir Green



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Shown in Dark Woodgrain



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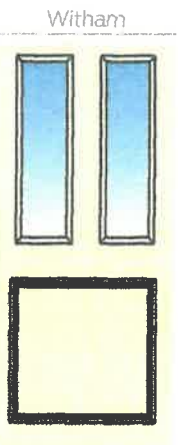


Tyne

Shown in Emerald Green

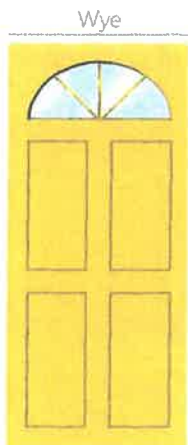


Tamar - six panel, unglazed



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Shown in White



Wye

Shown in Primrose Yellow



Key

-  Side Panel available
-  Available with Standard furniture
-  Available with Heritage furniture
-  Available as Double door

For more information ask your sales rep.

from Anglian Home Improvements

Door collection







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**BOROUGH OF KETTERING**

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>           | <b>Item No: 5.4</b>                      |
| <b>Report Originator</b> | <b>Alan Chapman<br/>Development Officer</b>           | <b>Application No:<br/>KET/2020/0043</b> |
| <b>Wards Affected</b>    | <b>All Saints</b>                                     |  |
| <b>Location</b>          | <b>175a Beatrice Road (garages adj to), Kettering</b> |  |
| <b>Proposal</b>          | <b>Full Application: 6 no. one bedroom flats</b>      |  |
| <b>Applicant</b>         | <b>Mrs J Pettit Mind</b>                              |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. This permission shall enure for the benefit of the registered charity 'Kettering Mind' (Charity Number: 1069373, Company Number: 3530098 only and shall not enure for the benefit of the land, and the use hereby permitted shall be discontinued on the date when 'Kettering Mind' ceases to have control over the tenancies for the occupation of the flats hereby approved.

REASON: To ensure that residents of the flats do not drive or have access to vehicles in the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

3. No demolition, construction, deliveries of plant and materials for construction shall occur outside of the following times. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

#### A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11(or any model procedures revoking and replacing those model procedures with or without modification)'.

#### B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority

must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

REASON: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 6 of the NPPF and Policies 6 & 8 of the North Northamptonshire Joint Core Strategy.

5. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, [together with samples,] have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details. REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. No development above building slab level shall commence on site until a scheme for boundary treatment and details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme for boundary treatment has been fully implemented and the approved surfacing has been completed in accordance with the approved details.

REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development above building slab level shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and details of any works to existing trees or landscaping within or overhanging the application site. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. The first-floor window on the northern (rear) elevation (Flat 4) shall be glazed with obscured glass and thereafter shall be permanently retained in that form.

REASON: To protect the privacy of the adjoining property and to prevent overlooking in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. Flat 1 shall have permanent access to the garden to north/rear of No. 175 Beatrice Road as shown drawing number 3124.13.03 F received by the Local Planning Authority on 17th March 2020.

REASON: In the interest of residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. Prior to the first occupation of the development the hereby approved bin stores shall be provided and thereafter permanently retained in that form.

REASON: In the interest of public health and safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. Prior to the first occupation of the development hereby approved, details of a covered and secure bicycle store shall be submitted to the local planning authority. The approved details shall be carried out and thereafter be permanently retained in that form.

REASON: To promote sustainable transport modes in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Any gates provided at the point of access shall be set back a distance of 5.5 metres from the edge of the vehicular carriageway of the adjoining highway and shall be hung so as to open inwards into the site only.

REASON: In the interests of highway safety and crime prevention in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.



## **Officers Report for KET/2020/0043**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

AOC/0738/1301, APPROVED, 08-09-14, Approval of condition nos. 3 (Refuse Storage) and 4 (SPD & Energy) of KET/2013/0738

ENQ/2018/0351, NO OBJECTION, 08-11-18, Licence application for a house of multiple occupation

KET/1981/0606, APPROVED, 14-08-81, Extensions

KET/1990/0174, Refused, 04-04-90, CHANGE OF USE: GARAGE TO STORE

KET/1991/0239, Approved, 09-05-91, 175 BEATRICE ROAD KETTERING  
SMALL EXTENSION TO DINING ROOM TO GUEST HOUSE

KET/1992/0714, Approved, 01-12-92, 175 BEATRICE ROAD KETTERING  
(PENNELS GUEST HOUSE)  
EXTERNALLY ILLUMINATED PROJECTING SIGN (ENGLISH TOURIST BOARD)

KET/1993/0723, Approved, 21-12-93, 175 BEATRICE ROAD KETTERING  
EXTENSIONS & EN SUITE TOILETS TO BEDROOMS

KET/1995/0534, Approved, 17-10-95, Illuminated RAC projecting sign.

KET/2013/0534, APPROVED, 22-10-13, Change of use from Guest House to C3(b) dwellinghouse

KET/2013/0535, APPROVED, 01-11-13, Six one-bedroom flats

#### **Site Visit**

Officer's site inspection was carried out on 04/02/2020

#### **Site Description**

The application site is located on Beatrice Road, to the north of Kettering town centre. It is located approximately 12 metres west of the junction of Beatrice Road and Hallwood Road. The application site is currently occupied by eleven garages, positioned along the shared boundary with No. 175 Beatrice Road to the west. Adjoining the eastern boundary of the application site is a carpentry workshop which has a number of windows facing onto the application site which are either high level or obscure glazed. The surrounding area is characterised by a mix of residential and light industrial uses. Parking on Beatrice Road typically takes place on the street.

## **Background**

An earlier planning application (KET/2013/0535) was granted planning permission on 1<sup>st</sup> November 2013 (but lapsed on 1<sup>st</sup> November 2016) on this same site to demolish the row of garages and to then construct a part two-storey and part single storey extension to No.175 Beatrice Road for the creation of six flats as additional residential accommodation for clients of MIND who also operate from No.175. However, only limited weight can be applied to this earlier decision as it was originally made over 7 years ago and the planning permission lapsed over 3 years ago. During this period development plan policies, national planning guidance and local circumstances have notably changed.

This latest planning application (KET/2020/0043) is essentially the same proposal as the approved KET/2013/0535 proposal, bar some minor changes to the access arrangements. Due to concerns raised during the determination of this 2020 proposal, primarily due to onsite parking arrangements, information was supplied by the MIND organisation to confirm that the future residents would be required to enter into tenancy agreements such that each flat would only be occupied by one person and each person would be a non-driver and a non-vehicle owner. As the local planning authority could not impose a planning condition to this affect, nor could it enforce private tenancy agreements then to ensure (as best as practicable) this arrangement persists, then any planning permission shall be conditioned to restrict the use of the proposed development solely to MIND only. In this scenario, if the property were to be sold or let to a private landlord where such tenancy agreements were not as restrictive then the new landlord would not be able use the property without first applying for planning permission to have such a planning condition removed. In the current circumstances it is opined that if such a planning application were made in the future then it is probable that planning permission would not be recommended.

## **Proposed Development**

The proposal involves the demolition of the existing garages and the erection of 6 no. one bed flats in two blocks.

The first block fronts onto Beatrice Road and is two storeys in height, providing one flat at ground floor and two flats at first floor level. This block incorporates an under-croft which provides access to the second block.

The second block is built up to the rear boundary wall shared with properties on Kingsley Avenue. This block is one storey in height adjacent to the rear boundary wall and increases to two storeys at 9 metres from the rear boundary wall. This block provides two flats at ground floor and one flat at first floor.

The proposed development will be operated by the charity, Kettering MIND, who provide support and advice to empower people whom eventually will wish to move on in their lives and relocate to other residential properties where they are able to live more fully independent life-styles. The development will provide supported accommodation for the people they work with to facilitate this transient period in their lives.

An amended plan was received (17<sup>th</sup> March 2020). This shows that boundary treatments to the rear of the property, as well as adjustments to the proposed under-croft highway access, ensure visibility splays are laid out as reasonably close to Highway Authority standards as practicable.

**Any Constraints Affecting the Site**

PD Removed

**4.0 Consultation and Customer Impact**

**Highway Authority:** Initially could not support the proposal due to concerns relating to access splays, on-site parking provisions and cycle storage. Later recommendations suggested that a parking beat survey be commissioned.

The HA were re-consulted on the revised plan and the supporting information pertaining to MIND's assurances that the proposed new residents would not be car drivers or possess a car. The HA responded that they could still not support the proposal as they still interpreted the proposal on the basis that residents would have vehicles and therefore the parking and access arrangements did not meet the HA's standards for a shared access to serve 5 or more residential properties.

**Environmental Care:** No comments received.

**Environmental Protection:**

Advises conditions to be imposed to control the following matters:

- Working hours for construction be limited
- Contaminated Land mitigation measures if found necessary
- Refuse storage and collection measures

Advises the applicant to be informed of their duties with respect to:

- Mitigation of radon gas
- Acoustic separation measures as controlled under building regulations

**Police Crime Prevention Design Advisor:**

Has no objection to the proposal and recommends security measures that include gating of the under-croft, doors and windows to Building Regulation standards.

**NCC Fire & Rescue:** No comments received.

**Neighbours:**

Objections (x8) received from: Nos. 156, 158, 160, 162, 164 Kingsley Avenue; Nos. 70, 87 Hallwood Road; No. 104 Beatrice Road. Reasons cited:

- Overlooking
- Loss of privacy
- Visually overbearing
- Loss of light (to rear garden)
- Out of character
- Over-development
- Insufficient parking provision

- Traffic and highway safety
- Highway access deficient
- Kettering Borough Council Planning Department and Planning Committee are simply just going through the motions
- Lack of landscaping
- Increase in noise disturbance (from current and future residents of the site)

No supporting comments received from the local community.

## **5.0 Planning Policy**

### **National Planning Policy Framework (2019)**

Policy 1: Introduction

Policy 2: Achieving sustainable development

Policy 4: Decision-making

Policy 5: Delivering a sufficient supply of homes

Policy 8: Promoting healthy and safe communities

Policy 9: Promoting sustainable transport

Policy 11: Making effective use of land

Policy 12: Achieving well-designed places

Policy 14: Meeting the challenge of climate change, flooding and coastal change

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy**

Policy 1: Presumption in Favour of Sustainable Development

Policy 6: Development on Brownfield Land

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 28: Housing Requirements

Policy 29: Distribution of New Homes

Policy 30: Housing Mix & Tenure

#### **Local Plan**

Policy 35 – Housing: Within Towns

#### **SPGs**

North Northamptonshire Sustainable Design SPD

## **6.0 Financial/Resource Implications**

None

## **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental

dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and Impact on Character
3. Impact on Neighbouring Amenity
4. Contaminated Land
5. Parking and Highway Safety
6. Crime and Safety
7. Other

### **1. Principle of Development**

The application site is a brownfield site located in an established residential area, within the town boundary of Kettering as defined by Policy 35 of the Local Plan. Policy 11 of the North Northamptonshire Joint Core Strategy is supportive of residential development that is located within the Urban Areas, where Kettering is defined as a Growth Town. Policy 2 of the National Planning Policy Framework (NPPF) requires applications for residential development to be considered in the context of a presumption in favour of sustainable development. Policy 11 of the NPPF encourages the effective use of land by re-using land that has been previously developed. Policies 11, 29 and 30 of the North Northamptonshire Joint Core Strategy (JCS) direct development towards existing urban areas and identify Kettering as a 'growth town' and as such indicate that Kettering should be a focal point for development. Policy 8 of the JCS residential development provided there is no adverse impact on character and appearance, residential amenity or highway safety.

The principle of development for this proposal was previously established for the approved KET/2013/0535 and with reference to the more recent development plan



policies quoted above, it is considered, that subject to the satisfaction of the other development plan criteria set out below, the principle of development still remains acceptable.

## 2. Design and Impact on Character

Policy 2 (Paragraph 10) of the NPPF places at the heart of planning a presumption in favour of sustainable development, with good design forming a key element of this. This is further supported by Policy 12 (Paragraph 127) of the NPPF. Policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy (JCS) requires new development to respond to the site's immediate and wider context and local character.

This proposal is effectively a re-submission of the earlier approved scheme of KET/2013/0535. In fact, apart from some very subtle changes to the area of landscaping adjacent to the single proposed under-croft parking space, the latest amended drawing (Ref. 3124.13.03F, received 17<sup>th</sup> March 2020) is the same as that approved under KET/2013/0535 (Ref. 3124.13.03, received 21<sup>st</sup> October 2013). However, this permission has now lapsed and therefore carries very limited weight.

The proposal involves the demolition of 11 no. garages and the erection of 6 no. one bed flats. The flats will be built in two blocks with the first block fronting Beatrice Road. The submitted design of this block is such that it reflects the character of the adjoining property, No. 175 Beatrice Road, to ensure it would have a complimentary addition to the street scene. The eaves height and ridge height of this block matches No. 175. The ridge height matches that of the two-storey element of No.175 although the footprint of the ground floor is such that only one car parking space and a cycle storage area can be provided on site (as was the case for KET/2013/0535). The windows at first floor level on the front elevation will reflect the style and proportions of the first-floor windows of No. 175. As a result, it is considered that the proposal sits comfortably in the street scene and presents a cohesive design approach when viewed from the public realm. The front block also incorporates an under-croft which provides access to the second block of flats and features a bay window on the front elevation which is also in keeping with neighbouring properties in the vicinity of the application site.

The second block of flats runs along the western boundary of the application site and adjoins the boundary to the rear of the site. This block is one storey in height adjacent to the rear boundary wall and increases to two storeys at 9 metres from the rear wall. The application site is in proximity to the junction of Beatrice Road and Hallwood Road and given that the development to the east of the site is single storey in height, this second block will be partially visible in the public realm. However, the design of this block is considered acceptable. A condition will be applied to the permission requiring details of external facing and roofing materials, together with samples, to be submitted and approved in writing to the Local Planning Authority prior to the commencement of the development.

Subject to this condition it is considered the proposal complies with Policy 12 of the NPPF Policy 8 (d) of the JCS.

### 3. Impact on Neighbouring Amenity

Policy 12 (Paragraph 127) of the NPPF states that development must secure a good standard of amenity for all existing and future occupants of land and buildings. Policy 8 (e) of the JCS is clear that development must not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

To the east a single storey carpentry workshop, associated with Hallwood Furniture, adjoins the boundary with the application site. The workshop has 2 no. obscure glazed windows and 3 no. high level windows in the elevation facing the application site and as such there are no concerns in terms of overlooking. Two first-floor windows are proposed in the western elevation of Block 2 which will serve the living space of proposed Flat 4. These windows have limited overlooking capacity into the communal amenity space of the neighbouring property No. 175 (which is part and parcel of the MIND facility of Nos.175 and 175a). Flat 4 will not have direct access to the amenity space. Flat 4 is to have a window in the rear elevation that would face towards the rears of the residential properties along Kingsley Avenue. This proposed window is to serve a stairwell/landing. To protect the privacies of the Kingsley Avenue residents and also to ensure the stairwell is still well lit, then it is considered appropriate to apply a condition requiring this window to be obscurely glazed.

Flat 1 on the ground floor has a bedroom window in the west elevation which also faces onto this amenity space. However, given that this flat has access the amenity space it is considered that the degree of overlooking experienced will not be any greater than that experienced by the existing bedrooms of No. 175 Beatrice Road which have windows facing onto the amenity space. Windows proposed in the north elevation of Block 1 and the south elevation of Block 2 are intended to serve as bathroom windows and therefore will be glazed with obscure glass such that there will be no overlooking impacts. Furthermore, as flats have no permitted development rights the insertion of additional openings in the future would require planning consent.

Objections were received in relation to the impact of Block 2 on the properties to the rear on Kingsley Avenue. Concerns were raised that the two-storey element of the block would have an overbearing impact on the gardens of the properties on Kingsley Avenue. However, the two-storey element of the block is 9 metres from the boundary wall, the gardens on Kingsley Avenue are, at a minimum, 13 metres deep and considering the orientation of the properties in relation to the path of the sun it is considered the proposal will not have a significantly adverse impact in terms of overbearing or loss of light to warrant a refusal of planning permission in this instance. Concerns were also expressed relating the resultant noise that would accrue from residents occupying the proposed residential flats located close to the rear boundaries of the neighbours. Environmental Health were consulted, and they expressed no objections to the proposal but recommended that the applicant be informed of their building regulation requirements for the flats to be acoustically separated. It is opined that the future occupiers of the flats would not give rise to unacceptable noise levels over and above what would be expected in similar residential settings.

While the single storey element of this block will exceed the height of the existing garages given the orientation of the dwellings it is considered that there will be no significant adverse impact in terms of loss of light or overbearing.

A refuse storage area is proposed in the central part of the site along the north-eastern boundary and would accommodate 9 no. 140 litre bins for general waste and recyclables, which are opined to be what would be recommended by Environmental Care. A condition is to be imposed requiring the external bin stores to be provided and made available for use.

To prevent unnecessary noise disturbance to local residents during construction, a condition shall be imposed limiting the times during which construction and deliveries may occur, in accord with the advice of the Environmental Protection officer's recommendations.

In conclusion, the proposal is considered to comply with Policy 8 (e) of the North Northamptonshire Joint Core Strategy which requires development not to have an adverse impact on neighbouring amenity.

#### 4. Contaminated Land

Due to the previous potentially contaminative use of the site and the underlying geology present throughout Northamptonshire, a full ground investigation will be required to prevent unacceptable risks to future occupants of the site. Subject to this, the proposal would be in accordance with Policy 6 of the National Planning Policy Framework and Policy 6 of the JCS.

#### 5. Parking and Highway Safety

Objectors and the Highways Authority (HA) have raised concerns that the proposal has insufficient on-site parking provision that would lead to parking problems on the street, that there would be an increase in traffic that could compromise highway safety and the proposed access would not meet the HA's own standards for a shared drive serving 6 dwellings or more.

The application is located approximately 1km outside the defined town centre boundary and lies within a predominately residential area with local services, such as convenience stores and bus stops all within short walking distances.

It is accepted that the proposal is for 6x one-bedroom flats, which on comparison with the Government's Technical Housing (Space) Standards (March 2015) the flats would be suitable for 1-person. Thus comprising 6 future residents. MIND had written to confirm that their future residents would be subject to strict tenancy agreements that require each resident be non-drivers and non-vehicle owners, thus abating the need for parking spaces as there would be no demand generated by the future residents. Whilst such tenancy agreements cannot be controlled by the planning system, a condition can be imposed making the permission personal to MIND (the registered charity) only such that if MIND were to sell the property on to a private landlord in the future then the flats could not be then occupied by non-MIND residents and the new landlord would then have to apply to vary or remove the condition.

Currently, MIND operate No.175 as an HMO (see KET/2013/0534) where it is managed by 2 members of staff and there are provided 2 on-site parking spaces. This proposed extension for 6 flats onto the HMO is for residents that would not have the same dependencies as the HMO residents, and so there would not be any additional staffing needs and, therefore, no additional staff parking needs. However, this proposal does provide a single parking space that the applicant states would be used for a visiting worker/emergency vehicle as and when needed.

On analysis of the information submitted, it is opined that the proposed development would not give rise to an increased demand for on-site parking spaces or any material increase in traffic as the intended occupiers (as MIND state) would not be car drivers/owners themselves, nor would there be any additional staff. It is accepted that there may be a very occasional (visiting worker/emergency) vehicle coming to the site. To this end, the proposed development would be served by one parking space that would meet with MIND's proposed operational requirements, a situation which is considered reasonable. Although the access arrangements would not fully meet highway standards, the impact upon highway safety and danger is opined to be minimal and is outweighed by the provision and need of this type of residential accommodation in the local community.

For the reasons given above and subject to the proposed condition, the proposal would accord with JCS Policy 8.

#### 6. Crime and Safety

Policy 8 (e, iv) of the JCS requires development proposals to design out crime and to incorporate security measures in accord with the principles of 'Secured by Design'. The Police Crime and Prevention Design Advisor recommends that the under-croft highways access be gated, and all doors and windows meet the Approved Document Q of Building Regulations. Provided that a set of gates could be installed without impinging upon the visibility splays thus far achieved in the submitted proposal, then such a future can be secured by way of a condition. The security measures recommended would be best served by an informative note as they are, as stated, a matter falling under the building regulations regime.

#### 7. Other

Objection comments accused the local planning authority and planning committee are simply just going through the motions in regard to the determination of this application as it was alleged by the objector that works had already started on-site and it was likely that planning permission would be recommended. Notwithstanding the fact that planning legislation permits developers to retrospectively apply for works that have either commenced or being completed without permission, a recent site visit by the case officer, made on the 15<sup>th</sup> May 2020, would confirm that works have not started.

#### Conclusion

If the proposal were for 6 privately occupied flats, the lack of parking and access deficiencies would be a concern. However, the planning permission would be conditioned to be personal to the registered charity MIND. This is considered an acceptable mechanism to control the occupation of the flats and therefore, impacts

on parking, to make development acceptable. In other respects, the proposal is in accordance with the development plan and national policy guidance. It provides much needed accommodation for people who need the assistance of MIND. The application is therefore recommended for approval subject to conditions.

**Background Papers**

Title of Document:

Date:

Contact Officer:

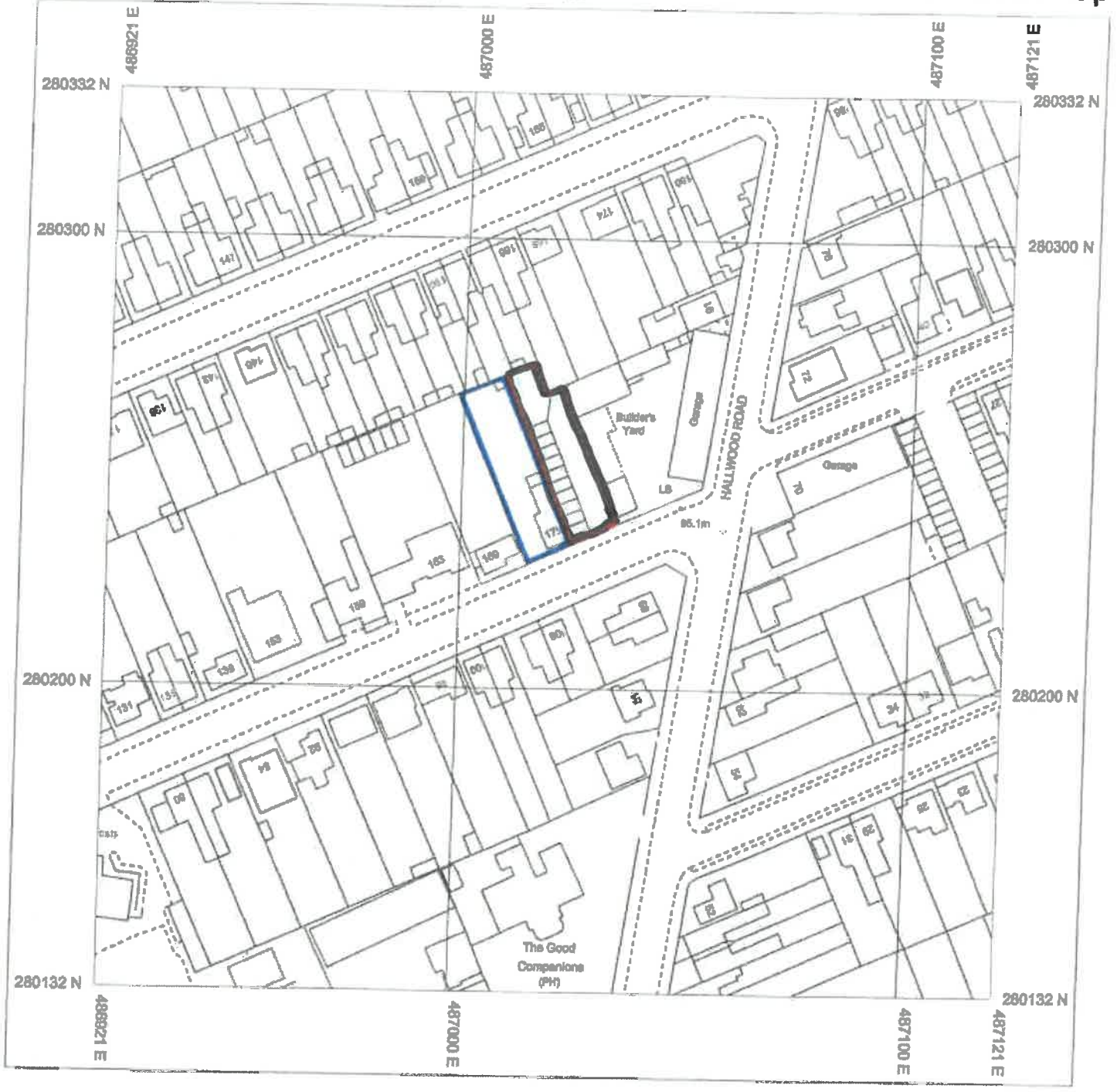
Alan Chapman, Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date:





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Serial number: 001112225  
Plot Centre Coordinates: 487021, 280232

175 BEATRICE ROAD  
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NORTHANTS  
NN18 9QR

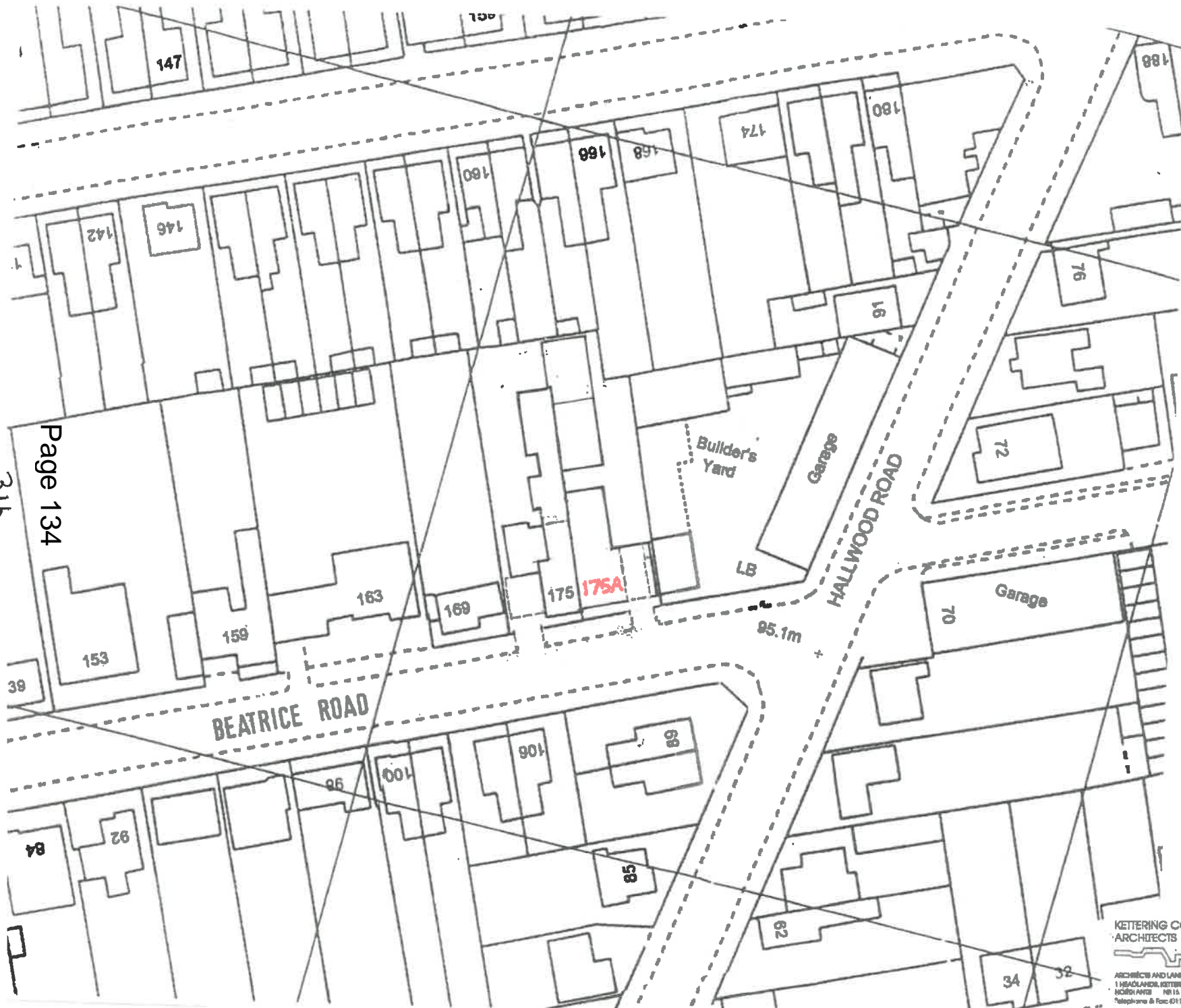
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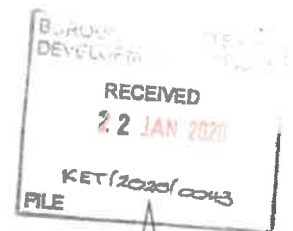
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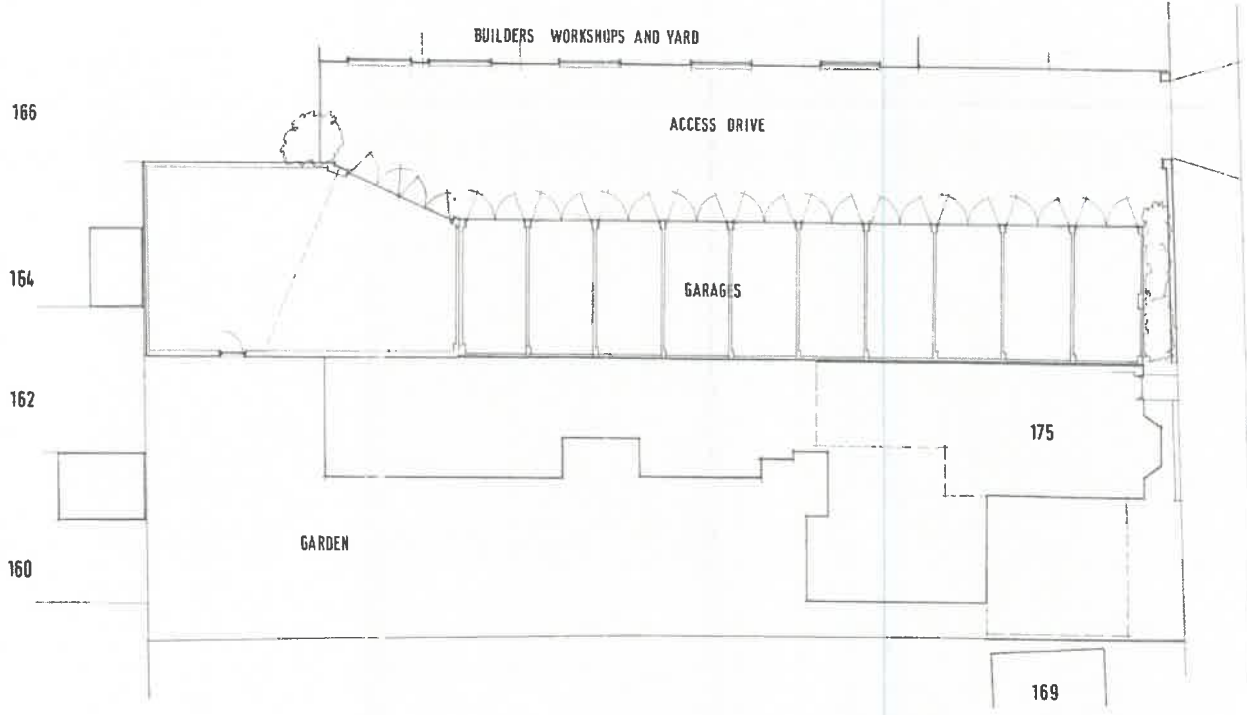
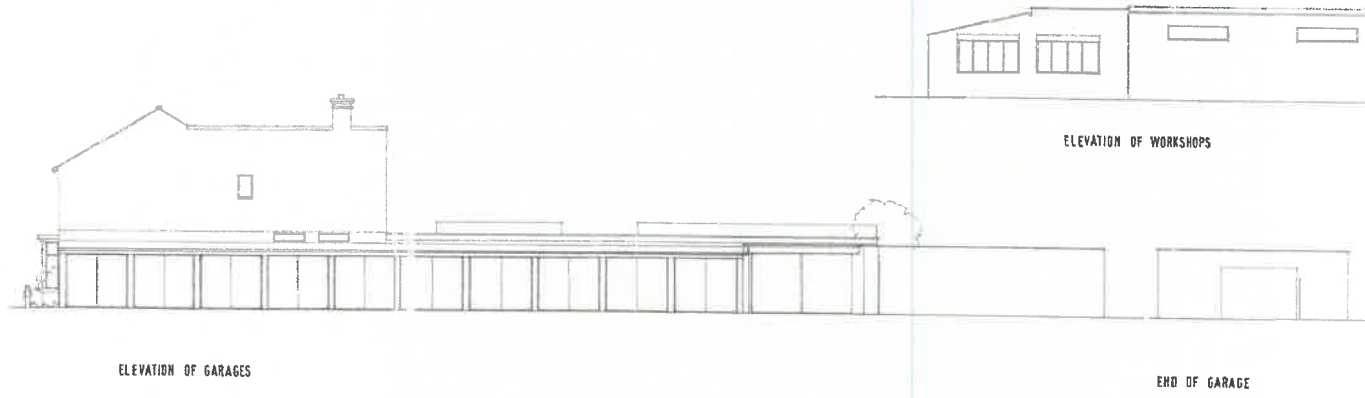
SIX, ONE BEDROOM FLATS  
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ROAD FOR MIND

**BLOCK PLAN**



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Date: 15.08.13  
Drawn: P.A.  
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**SURVEY OF GARAGE SITE ASSOCIATED WITH PENNELLS  
GUEST HOUSE, 175 BEATRICE ROAD, KETTERING, NN16 9QR**

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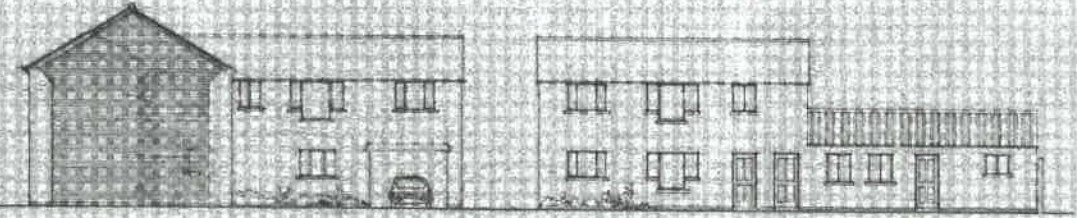
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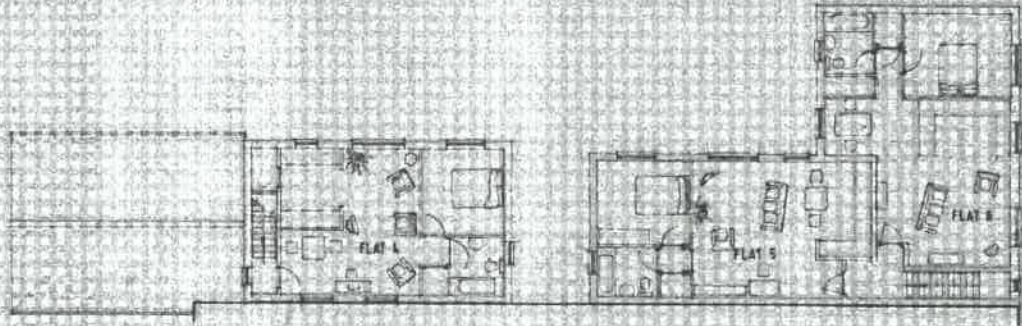




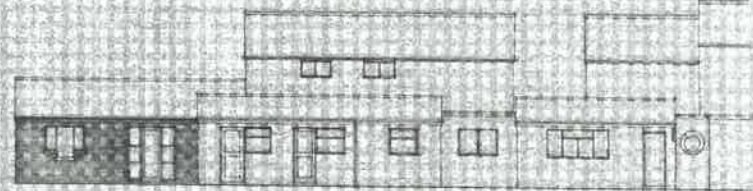
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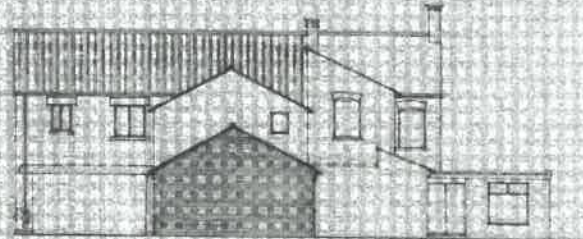
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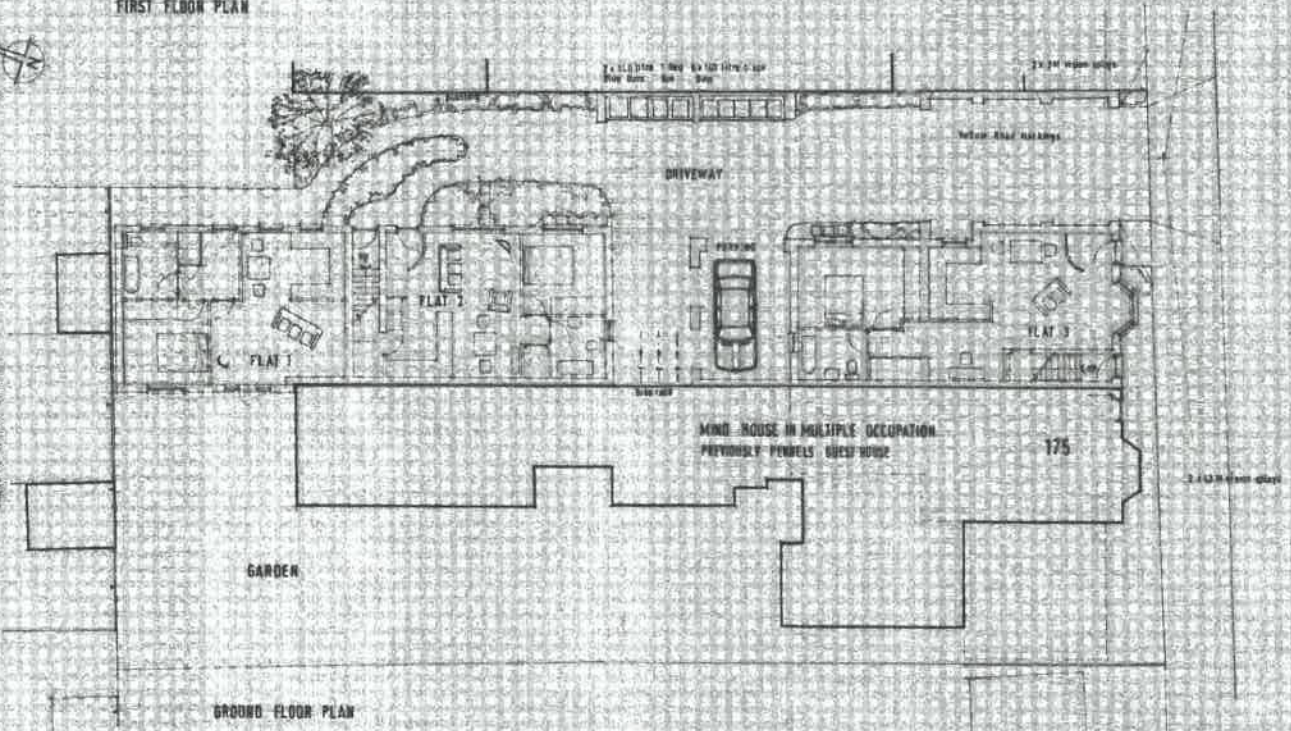
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WEST ELEVATION



NORTH ELEVATION



GROUND FLOOR PLAN

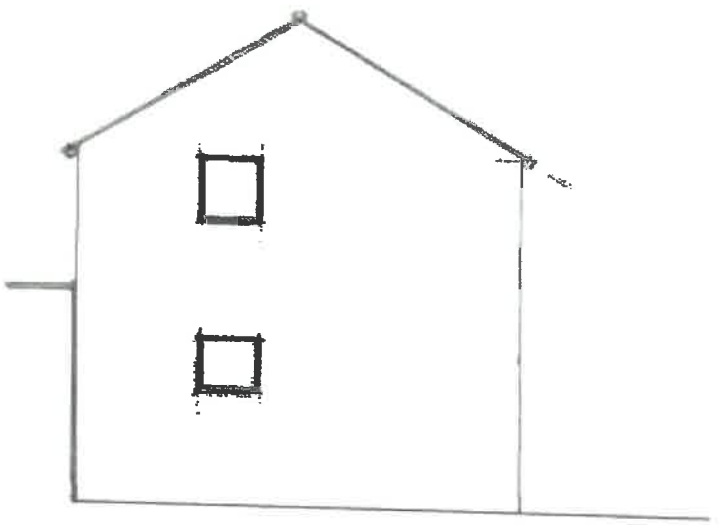
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Rev. 1: Drawing updated  
 Rev. 2: 2D/3D model  
 Rev. 3: Flats 3 and 4 repositioned  
 Rev. 4: Final window schedule  
 Rev. 5: Final schedule  
 21.01.2018  
 15.01.18  
 01.07.18  
 08.10.2018

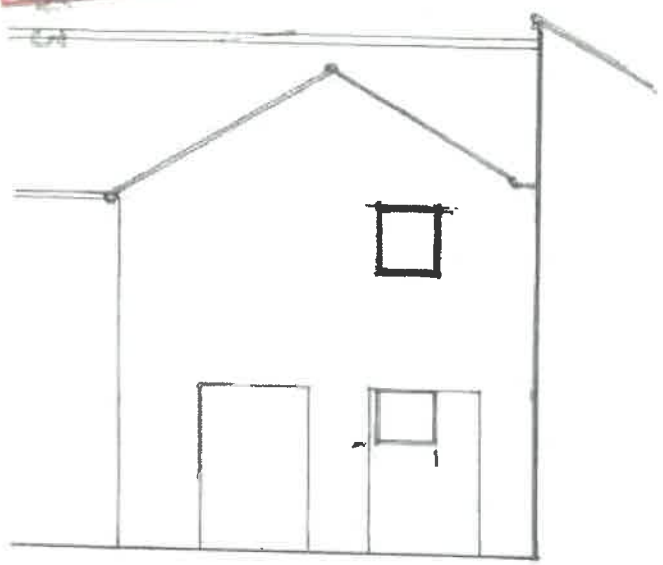
**PROPOSED ONE BEDROOM FLATS ASSOCIATED WITH  
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 FOR MIND.**  
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ARCHITECTURAL LAWYERS AND CONSULTANTS  
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 Author: R.A.





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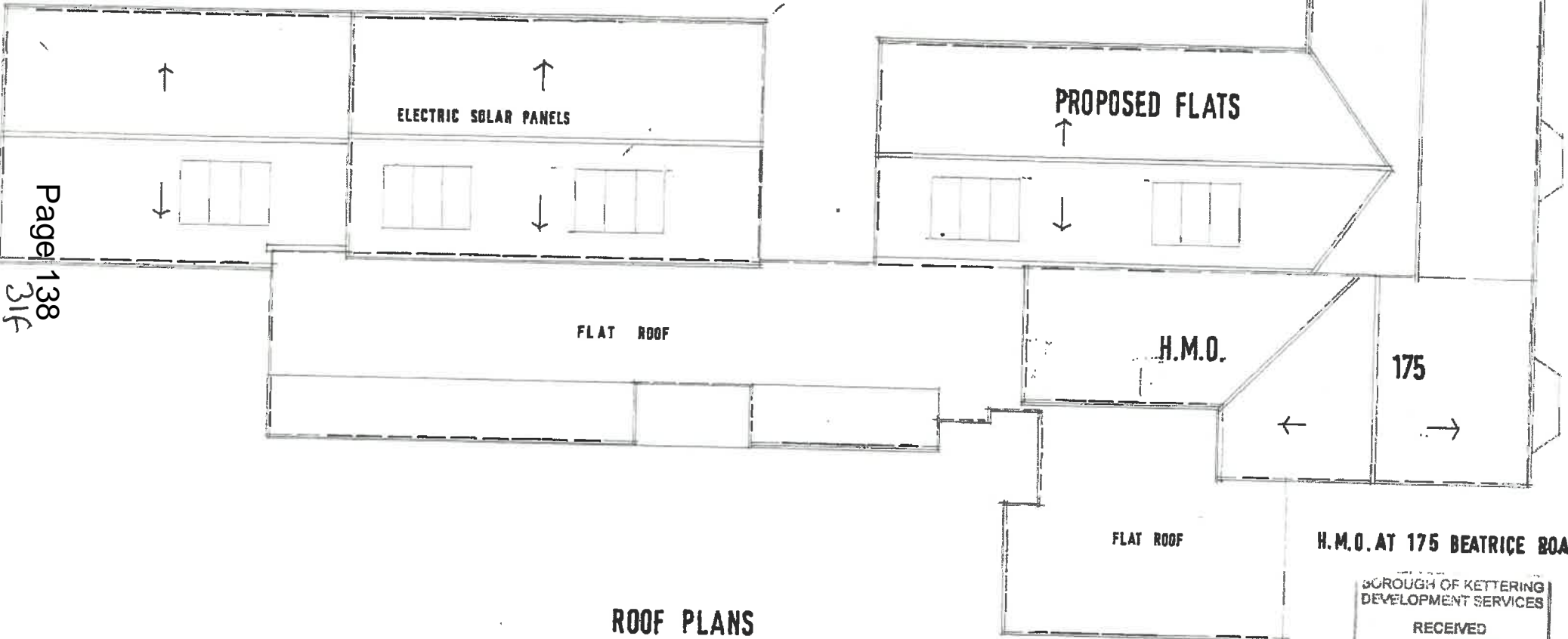
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1 HEADLANDS, KETTERING,  
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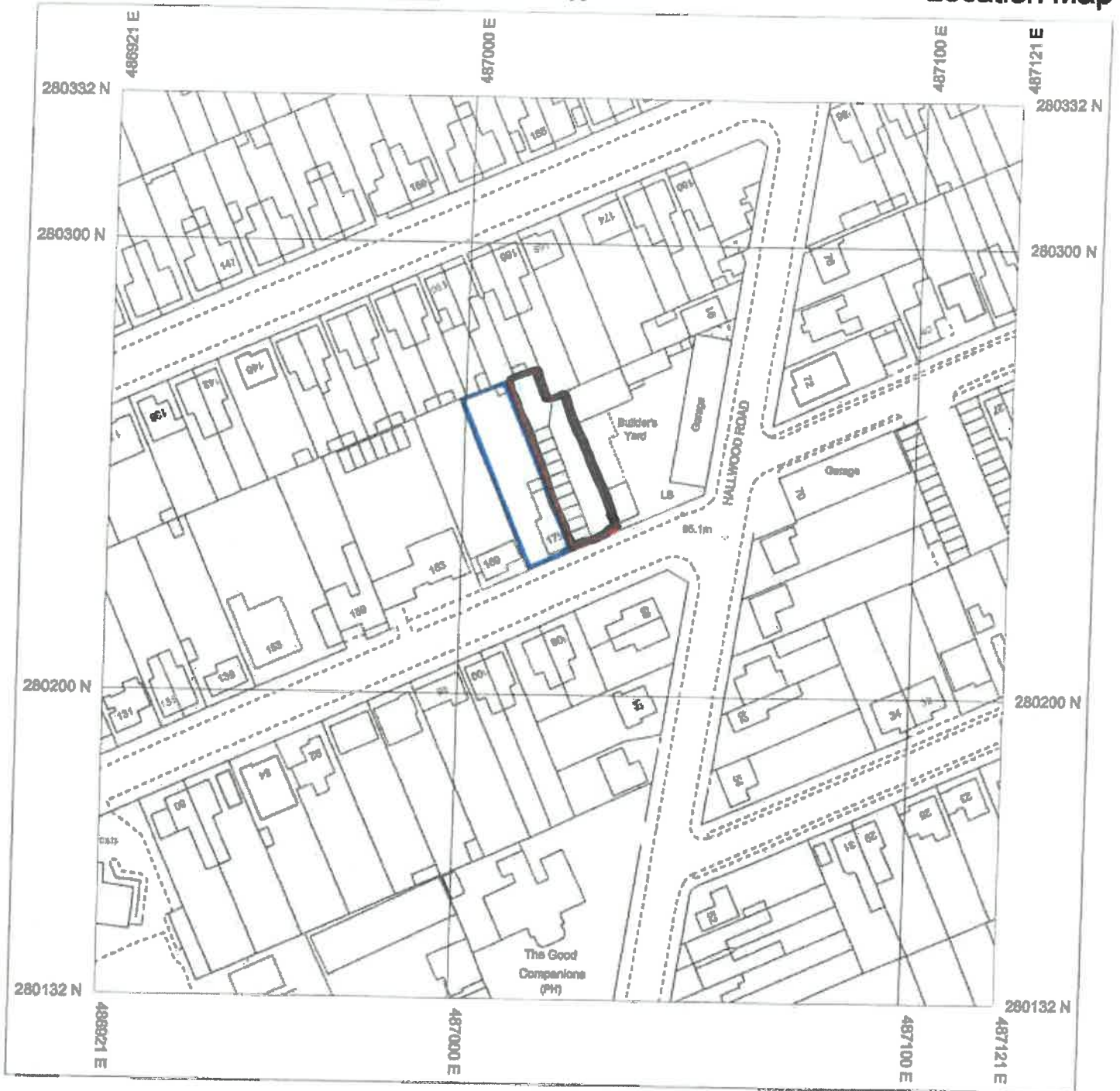
ROOF PLANS

H.M.O. AT 175 BEATRICE ROAD

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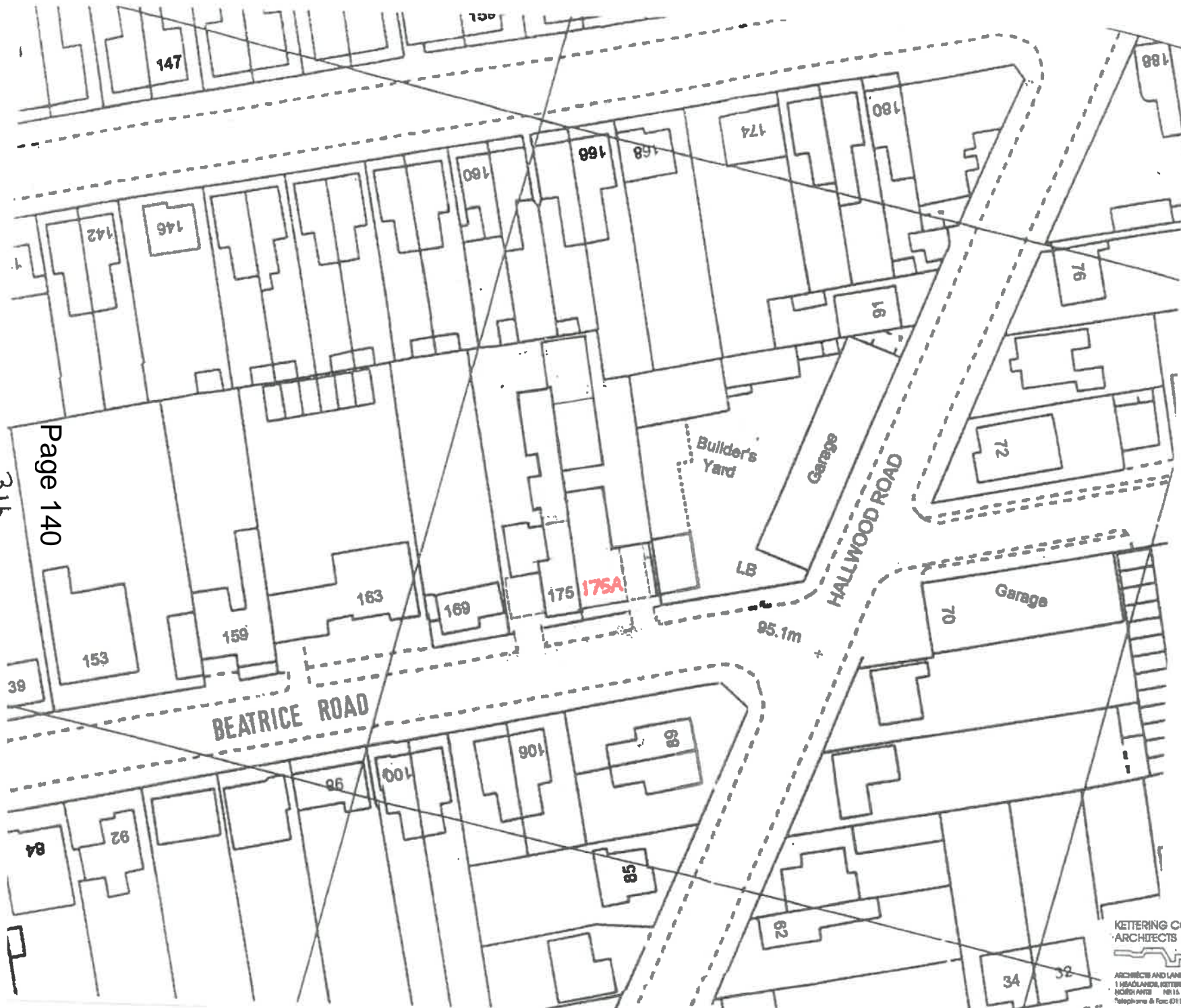
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175 BEATRICE ROAD  
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NN18 9QR



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Page 140

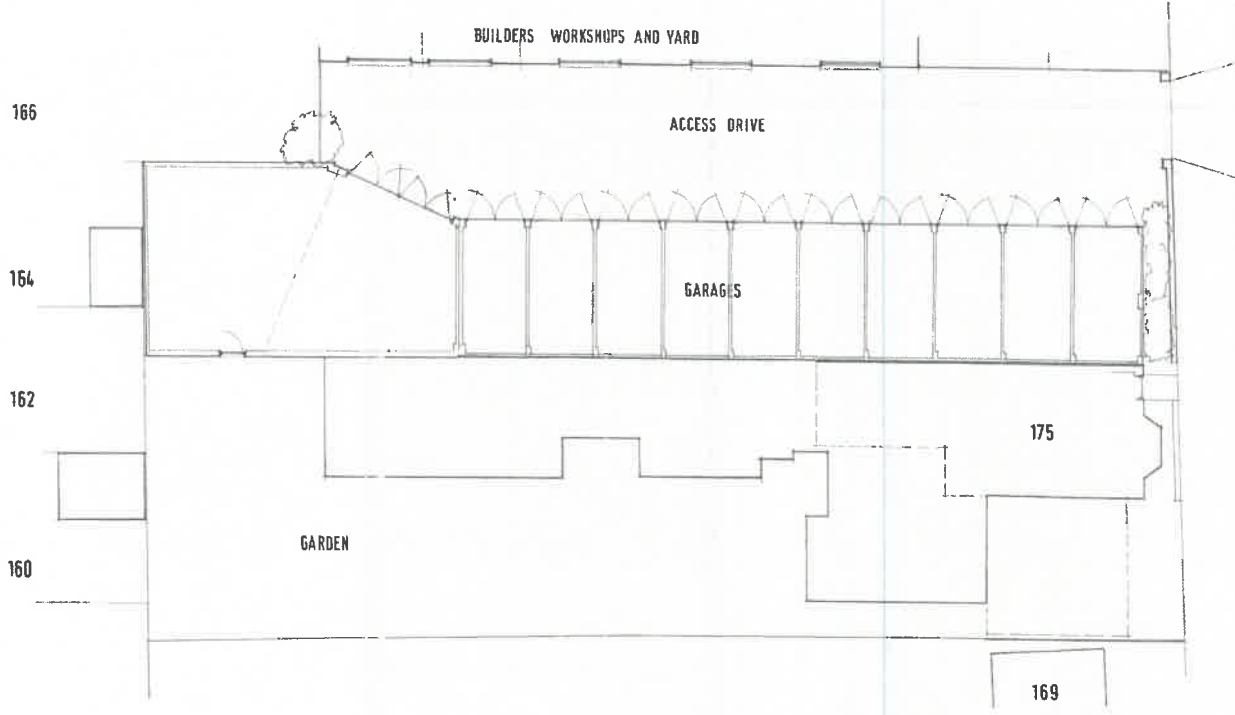
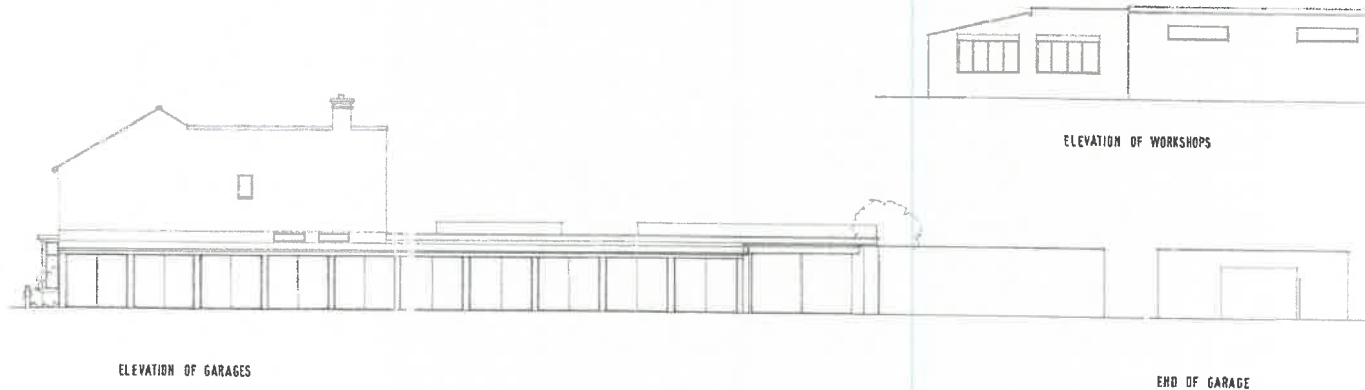


SIX, ONE BEDROOM FLATS  
LINKED WITH 175 BEATRICE  
ROAD FOR MIND

**BLOCK PLAN**



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ARCHITECTS AND LANDSCAPE DESIGNERS  
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**SURVEY OF GARAGE SITE ASSOCIATED WITH PENNELLS  
GUEST HOUSE, 175 BEATRICE ROAD, KETTERING, NN16 9QR**

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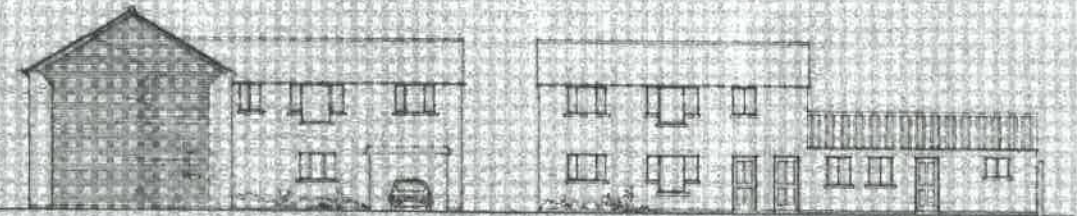
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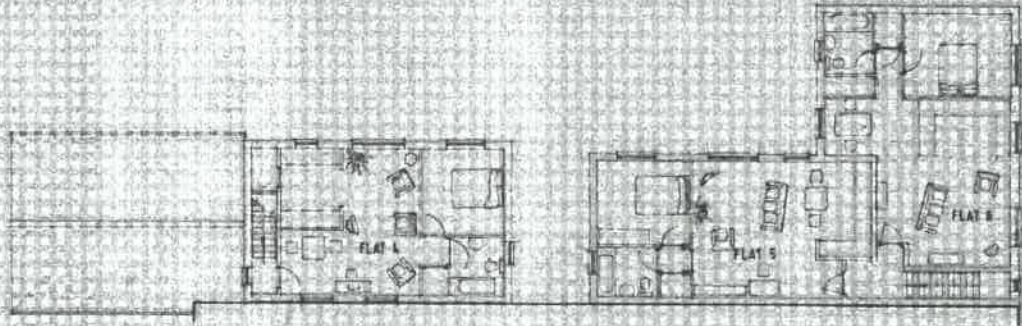




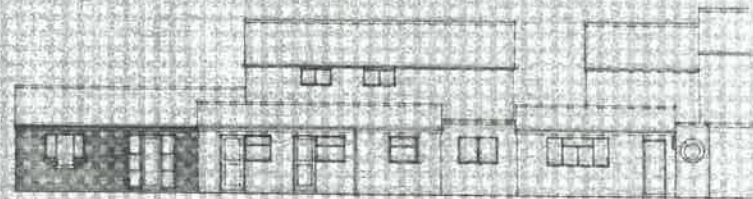
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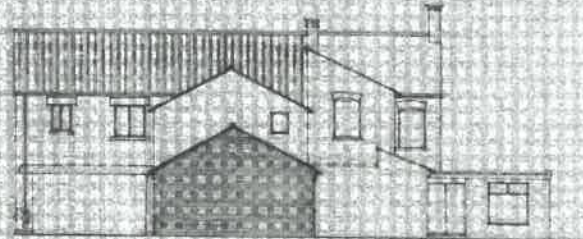
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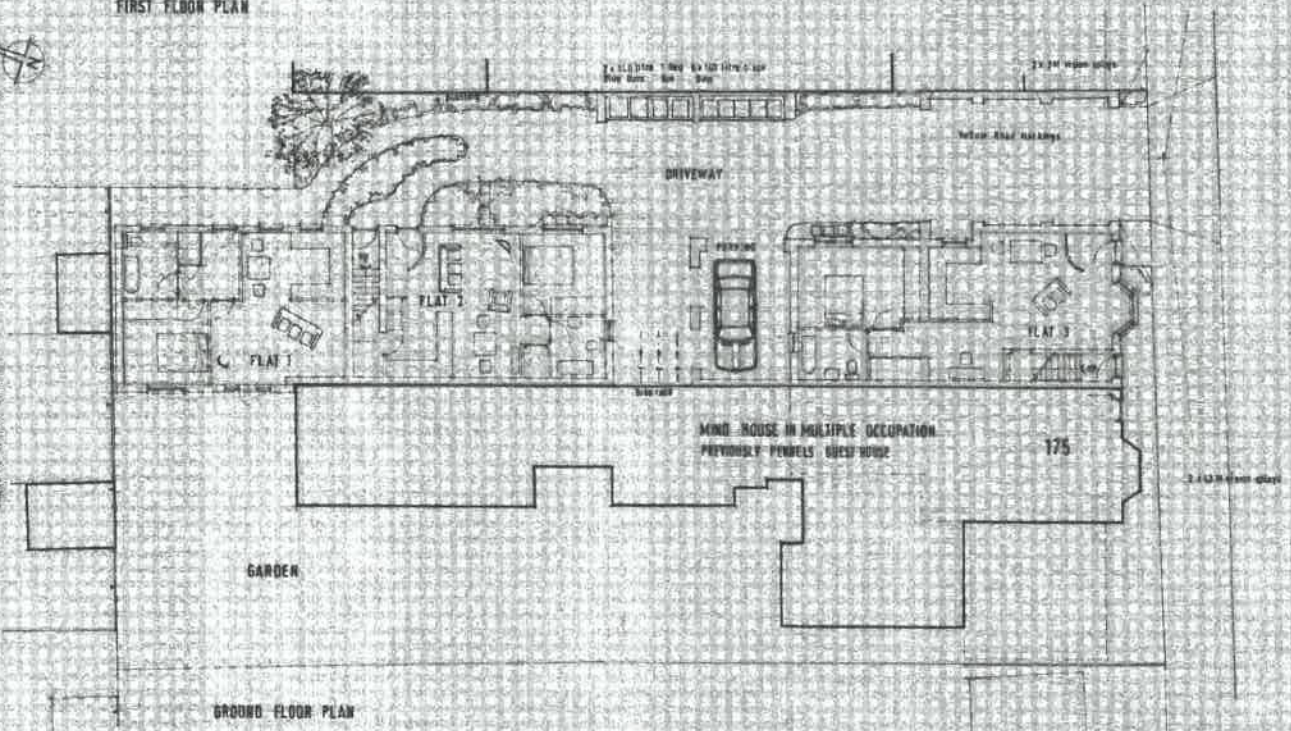
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WEST ELEVATION



NORTH ELEVATION



GROUND FLOOR PLAN

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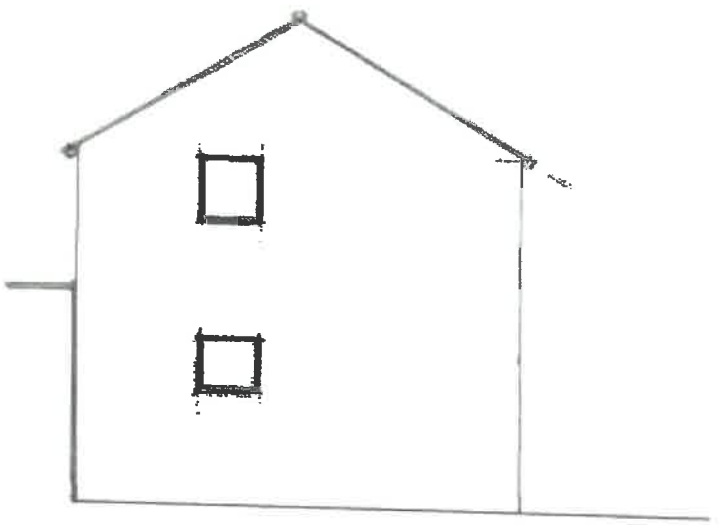
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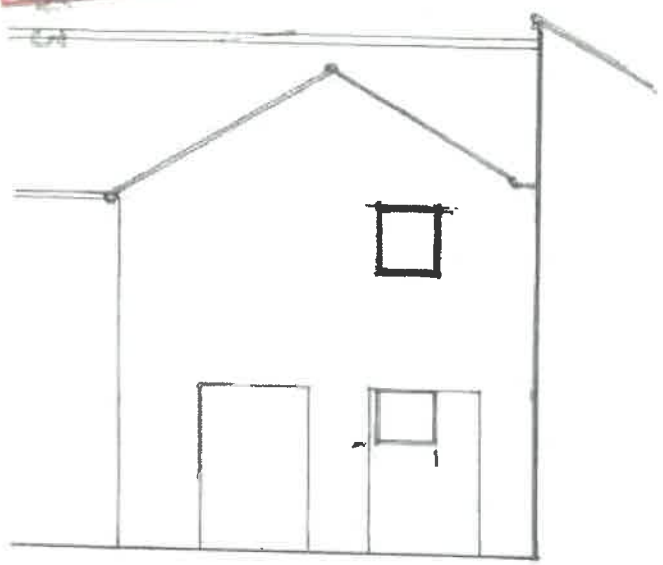
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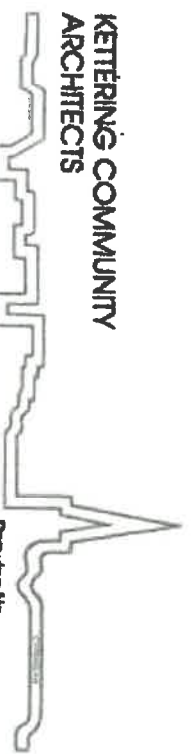
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1 HEADLANDS, KETTERING,  
NORFOLK, NR18 7SR  
Tel: 01493 414922

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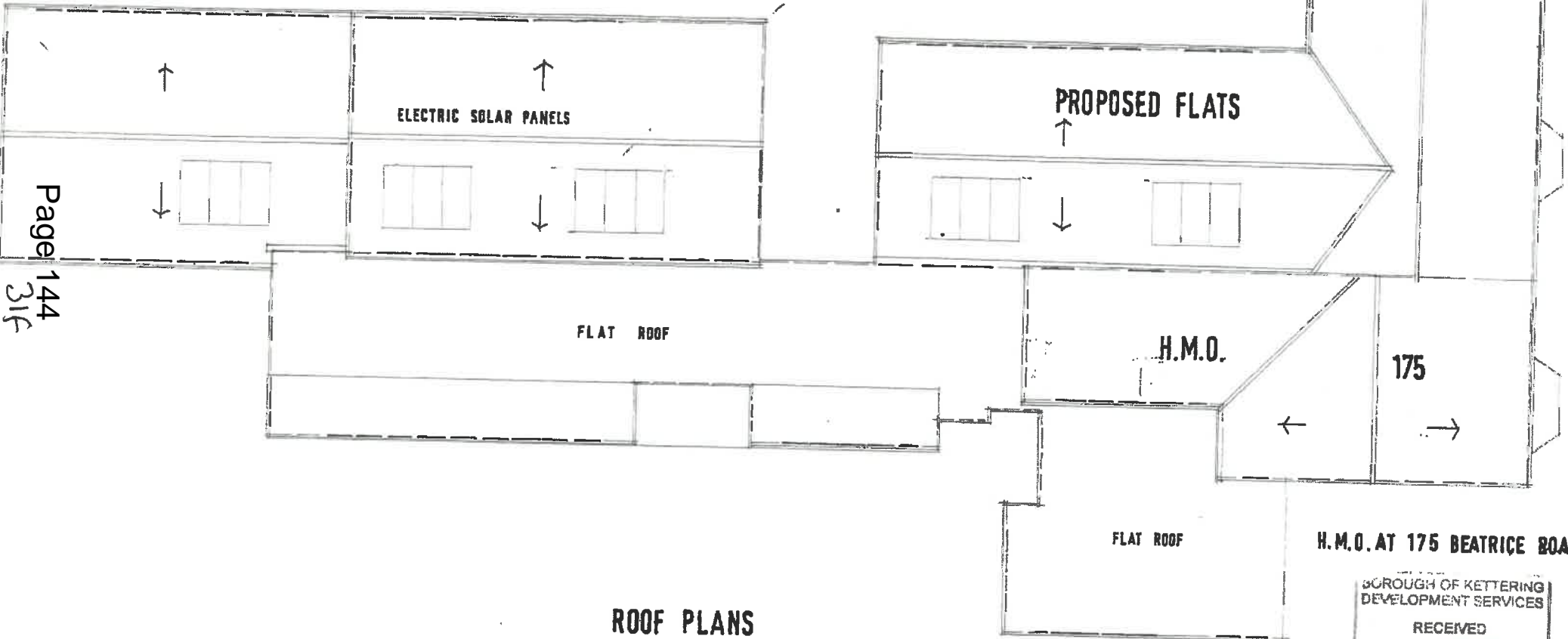
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**ROOF PLANS**

**H.M.O. AT 175 BEATRICE ROAD**

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11 MAPLELAND, KETTERING, NORTHANTS NN16 9EP  
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 Date 12.10.13 3124 13.05A

**BOROUGH OF KETTERING**

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>         | <b>Item No: 5.5</b>                      |
| <b>Report Originator</b> | <b>Jonathan Pavey-Smith<br/>Development Officer</b> | <b>Application No:<br/>KET/2020/0060</b> |
| <b>Wards Affected</b>    | <b>Welland</b>                                      |  |
| <b>Location</b>          | <b>The Paddocks, Rushton Road, Pipewell</b>         |  |
| <b>Proposal</b>          | <b>Full Application: Creation of swimming pool.</b> |  |
| <b>Applicant</b>         | <b>Mr Nelson, C/O Mr M Collins</b>                  |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. No development above building slab level shall commence on site until details of the types and colours of all external materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## Officers Report for KET/2020/0060

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### 3.0 Information

#### **Relevant Planning History**

KET/2007/0589- CLR, Conversion of barns into 2no. dwellings Approved 2007  
KET/2017/0089 - Single storey extension to east elevation and boundary wall.  
APPROVED 06/04/17  
KET/2017/0600 - Agricultural building and alterations to existing agricultural track.  
APPROVED 03/11/17  
KET/2018/0480 - Construction of greenhouse / potting shed. APPROVED 20/08/17  
KET/2018/0478 - Variation of condition no. 2 of KET/2017/0600, in respect of  
approved plans. APPROVED. 20/08/17  
KET/2019/0124 - Single storey extension to east elevation. APPROVED. 18/06/19.

#### **Site Visit**

Officer's site inspection was carried out on 20/02/2020.

#### **Site Description**

The Paddocks is a converted barn at White Lodge Farm, about 750 metres south west of Pipewell along the Pipewell to Rushton road. White Lodge Farmhouse and the two converted barns (known as "The Old Stables" and "The Paddocks") are located in open countryside surrounded by farmland with no other residential properties nearby.

In May 2008, planning permission reference KET/2007/0589 was granted for the conversion of the barns at White Lodge Farm into two dwellings, with extensions and alterations to suit, new and altered windows and door openings. This permission is subject to a planning condition removing various permitted development rights for development within the curtilage of a dwellinghouse and for minor operations granted under the Town and Country Planning (General Permitted Development) Order 1995.

The two converted barns consist of a shared two storey building in east-west orientation flanked by two single storey side wings in north-south orientation. The buildings are arranged along the northern, western and eastern side of an open space which is shared between the two properties. The western part of the main building and associated side wing is known as The Old Stables, whereas the eastern part and associated side wing is referred to as The Paddocks. White Lodge Farmhouse is located directly to the south.

External materials of the converted barns comprise stone walls, timber doors and window frames and slate roof tiles.

The main vehicle access is on the south side of the three properties, from a single track rural road which joins the Pipewell to Rushton road. The two converted barns

share one access while the farmhouse has a separate access about 30 metres to the east.

In addition, an access track leads from the application property east towards the Pipewell to Rushton road, where it is enclosed by an agricultural five-bar gate. A wooden post and rail fence runs along the southern side of the track, separating it from a piece of land to the south which forms part of the landholding associated with White Lodge Farmhouse. The land on the north side of the access track is shown on the application drawings to be in the control of the applicant.

### **Proposed Development**

It is proposed to construct a swimming pool on the eastern elevation of the property 10 metres in length by 5m in width. Any external Pump House equipment will be house next the existing greenhouse. The proposed Gazebo has been removed.

### **Any Constraints Affecting the Site**

PD Removed  
Outside village boundary

## **4.0 Consultation and Customer Impact**

**Rushton Parish Council:** Supportive of the application. From the maps the pool is within the residential curtilage and will not be seen any neighbouring properties.

**Neighbour:** 1 objection has been received: The objections have shown summarised below:

- The amended application notes the removal of a proposed gazebo. This is very much appreciated and I am thankful consideration regarding the impact on myself as a direct neighbour has been acknowledged. However, without any conditions imposed to ensure a similar structure is not erected, I am certain the owners will proceed at a later date. Planning policy should ensure decisions are made to protect current and future residents/situations.
- No indication has been provided in terms of whether the pool will have an external cover/roof or the landscaping around the pool. I note the application now includes a pump/plant housing unit, but absolutely no detail has been given regarding the size, design or materials to be used. The property has an article 4 directive and is a barn conversion in the open countryside, therefore it is important to ensure any design of the swimming pool and plant unit are not too domestic or imposing.
- The proposed location of the swimming pool will be directly visible to the public from the road between Pipewell and Rushton and as such, the visual impact on the open countryside will be adversely affected. The proposal is to site the pool in front of the porch and bang on a section of the agricultural track. Siting the pool between the porch and track, absolutely ruins the current rural scene, which was carefully designed within the application for the porch in 2017 and the upgraded track in 2018. I attach a photo of the scene, which the applicant designed, whereby the track leads up to a porch. Now the applicant wants to site a pool right across

the path of this track. I suggest the pool is sited away from this area - perhaps towards the area which was going to be used for a gazebo and centred to where the pump/plant house is proposed. Ideally, preference would be to site the pool to the north of the property - in residential land.

- Given the above concerns regarding design and location, there remains the fact the proposal is to build on land outside of the residential border

- The Pipewell Village Committee voted against the application, citing that allowing development on agricultural land may set a precedence. This is already evident nearby, as buildings and tracks seem to be appearing in fields without any planning permission. I believe the Chair of the Pipewell Village Committee has already forwarded comments relating to this issue.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

The NPPF sets out (at paragraph 17) a set of core land-use planning principles which should underpin both plan-making and decision-taking. These include the principle that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Section 7 Requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

### **Development Plan Policies**

North Northamptonshire Joint Core Strategy

Policy 1 – Presumption in favour of Sustainable Development

Policy 8 – North Northamptonshire Place Shaping Principles

Policy 11 – The Network of Urban and Rural Areas

Saved Policies in the Local Plan for Kettering Borough

Saved Policy 7 – Protection of the Open Countryside

Saved Policy RA4 – Housing in Restraint and Scattered Villages

## **6.0 Financial/Resource Implications**

None

## **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so,



local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and Visual Appearance and Residential Amenity
3. Residential Amenity
4. Other Impacts

### 1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan, unless material planning considerations indicate otherwise. Paragraph 2 of the National Planning Policy Framework (NPPF) reiterates this.

The application site is located within the defined residential curtilage of the dwellinghouse, beyond which is open countryside.

The principle of residential development has been previously established at this location by KET/2007/0589. The removal of permitted development rights originally was to ensure that any proposed structures could be considered by the Council to assess whether they would be acceptable or not in this rural location, rather than meaning that no ancillary residential can ever occur.

### 2. Design and Visual Appearance and Residential Amenity

The objections received on the grounds that the proposed swimming pool would be too large and would be a form of oppressive overdevelopment which would harm the character of the eastern side of the barn. The objector states that the swimming pool should be viewed cumulative with the greenhouse and porch extensions to the eastern elevation of the barn.

The proposed Gazebo has been removed given this reduction in the built form, it is considered that the proposal would not be unduly oppressive and would not form an overdevelopment of the site. It is considered that the proposed location of the swimming pool close to the existing barn is in a secluded location which will be in keeping with the existing barn. Whilst it is acknowledged that the proposed swimming pool would form an important alteration to the eastern elevation of the barn complex, it is considered that the scale at 10m x 5m would not be out of proportion and would not dominant the existing dwelling.

The nearest public place to view the swimming is 60m away along the main road to Pipewell down the existing farm track. It should be noted that there is a hedgerow along this road which helps to obscure the view of the eastern elevation

It should also be noted that the permitted development will still be restricted on the site to control any future development.

To control the aesthetic of the proposal swimming pool a condition is recommended requiring the submission of colour samples of materials, this will ensure that the pool is constructed of appropriate materials to match the existing farm complex.

### 3. Residential Amenity

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

The nearest residential occupiers are to the west at The Old Stables and to the southwest at White Lodge Farmhouse.

Due to the scale of the proposal and its location, then the amenities of the neighbouring properties are considered to be unaffected by the development.

Overall, it is considered that the proposal responds to its immediate setting and has an appearance that is opined not to adversely harm the neighbour's outlook.

As such, the proposal is considered to accord with Policy 8 of the North Northamptonshire Joint Core Strategy.

### 4. Other Impacts

In regard to the accuracy of the red line on the location and block plans; a plan provided by the owner of The Paddocks, shows the same red line position as the most recent approved application KET/2017/0089. However, it is not for the council to make decisions over boundary disputes and as we have no clear evidence that the red line is incorrect, it is considered that we must accept the location plan provided by the applicant.

It should be noted to the applicant that any encroachment of residential curtilage into open countryside requires planning consent.

Rushton Parish Council is the statutory consultee for the consultation on planning applications in this area and not The Pipewell Village Committee.

**Conclusion**

For these reasons it is recommended that planning permission be granted subject to conditions requiring adherence with the approved plans and the materials to be used in the construction of the extension match those of the existing building.

**Background Papers**

Title of Document:

Date:

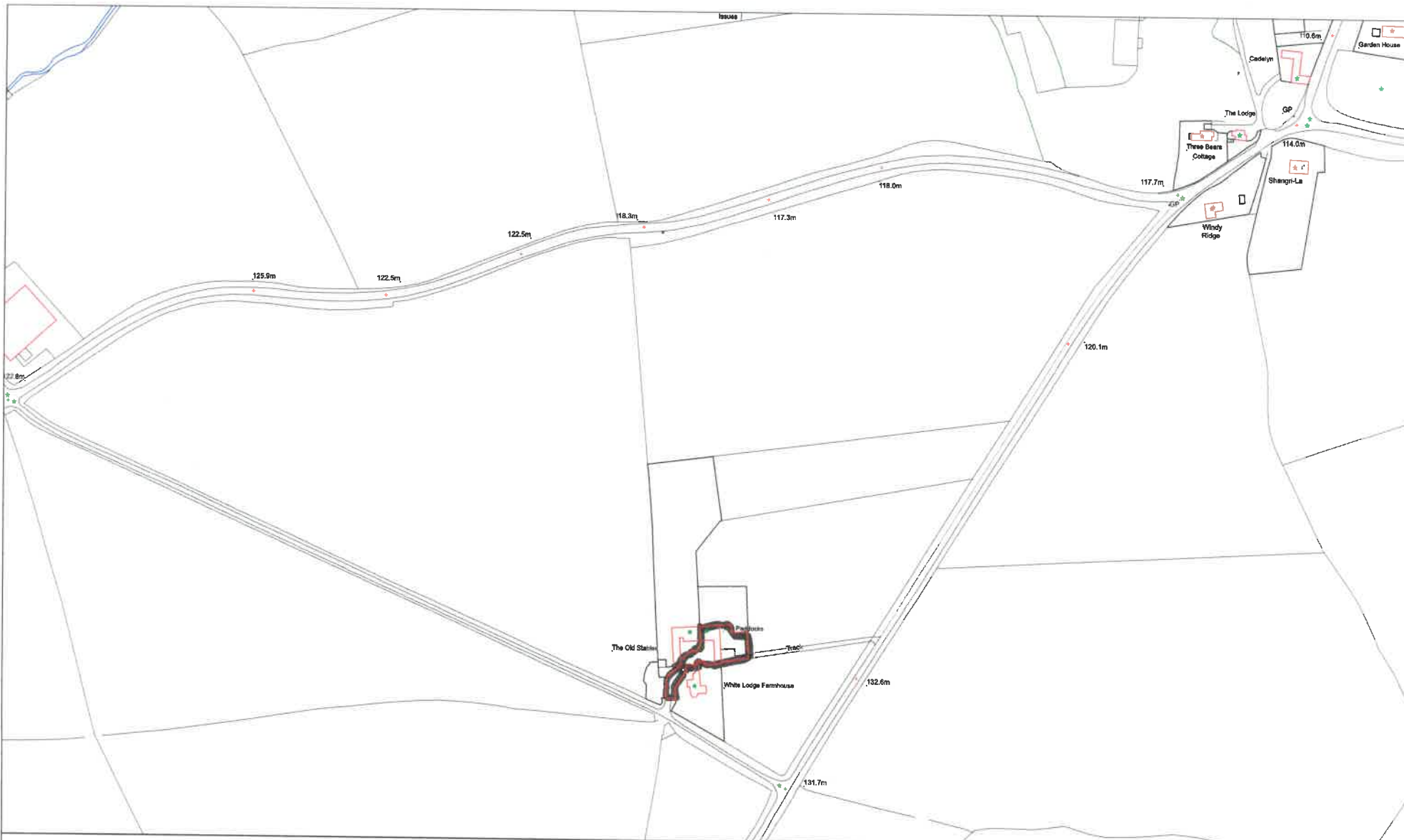
Contact Officer:

Jonathan Pavey-Smith, Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date:



Title: The Paddocks, Pipewell

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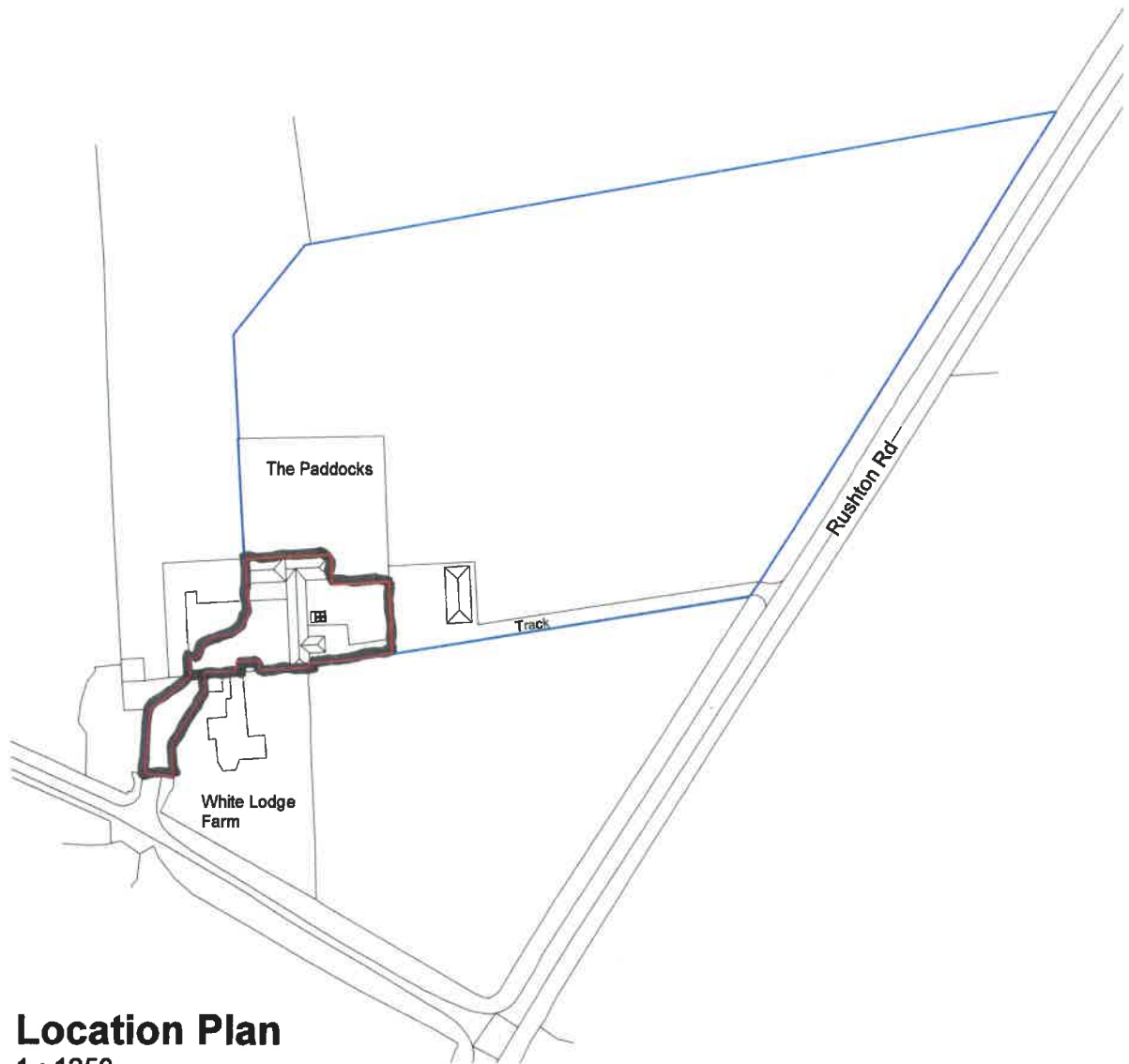
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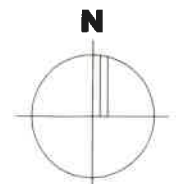
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Drawn by: Drawn by:

**Kettering**  
Borough Council



**Location Plan**  
1 : 1250



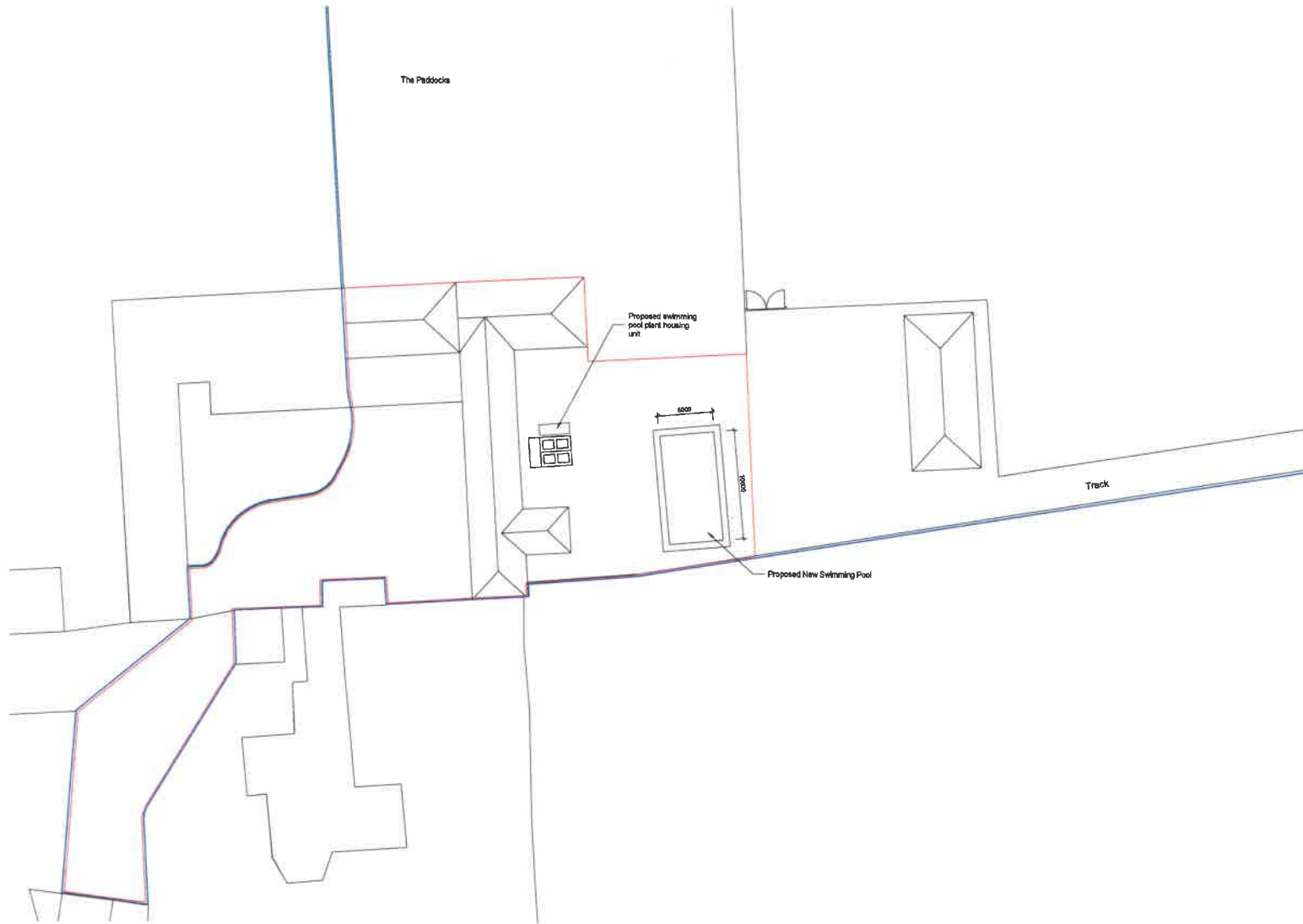
**PLANNING ISSUE**

A 03/02/20 SS Updates made after Council comments

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|--|--|--------------------|--|--------------------------|---|
|  | <b>Project Title:</b><br>Proposed New Swimming & Gazebo at The Paddocks Pipewell |                    | <b>Drawing Title:</b><br>Location Plan |                          | <b>Notes</b><br>This drawing remains the property of Welland Design and Build Ltd and may not be reproduced or amended except by written permission. No liability will be accepted for any amendments made by others. The Contractor is responsible for checking all site dimensions, site levels, sewer inverts at connection points before commencing any works. All work by the contractor must comply with all current relevant legislation, regulation standards guidance and law whether or not specified on this drawing. The contractor is responsible for checking this drawing against all other relevant architect and engineers details and drawings prior to commencement of site works. |
|  | <b>Client:</b><br>Mr & Mrs Nelson  |                    | <b>Drawn By:</b><br>SS                 | <b>Checked By:</b><br>MC |   |
|  | <b>Project No:</b><br>11-5   | <b>House Type:</b> | <b>Dwg No:</b><br>SK-100               | <b>Rev:</b><br>A         |   |





Site plan  
1 : 200



| Rev. | Date     | Drawn | Check | Description                         |
|------|----------|-------|-------|-------------------------------------|
| C    | 30/03/20 | MC    | MC    | Swimming pool plant housing added   |
| B    | 30/03/20 | MR    | MC    | Gazebos removed                     |
| A    | 09/02/20 | SS    |       | Updates made after Council comments |

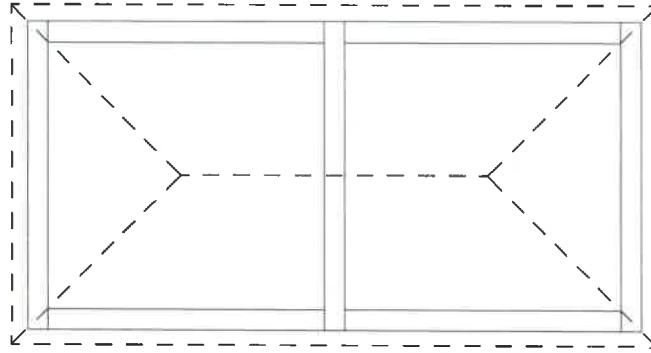
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|---|----------------------|----------------|------------------|
| Project Title<br>Proposed New Swimming & Gazebos at The Paddocks Pipewell |                      |                |                  |
| Client<br>Mr & Mrs Nelson   |                      |                |                  |
| Project Number<br>11-5  | House Type<br>SK-101 | Drawn By<br>SS | Checked By<br>MC |
| Drawing Title<br>Proposed Site Plan                                       |                      |                |                  |
| Scale(s)<br>1 : 200   | Date<br>24/01/20     | Rev<br>C       |                  |

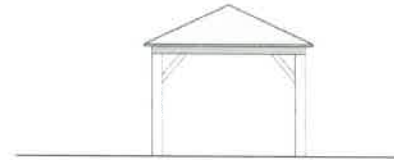




**Ground FFL**  
1: 50



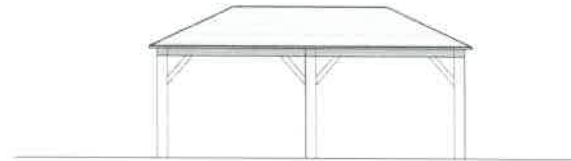
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**Side Elevation 1**  
1: 100



**Side Elevation 2**  
1: 100



**Front Elevation**  
1: 100

| Rev. | Date     | Drawn | Check | Description         |
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| A    | 06/02/20 | SS    |       | Issue stamp changed |

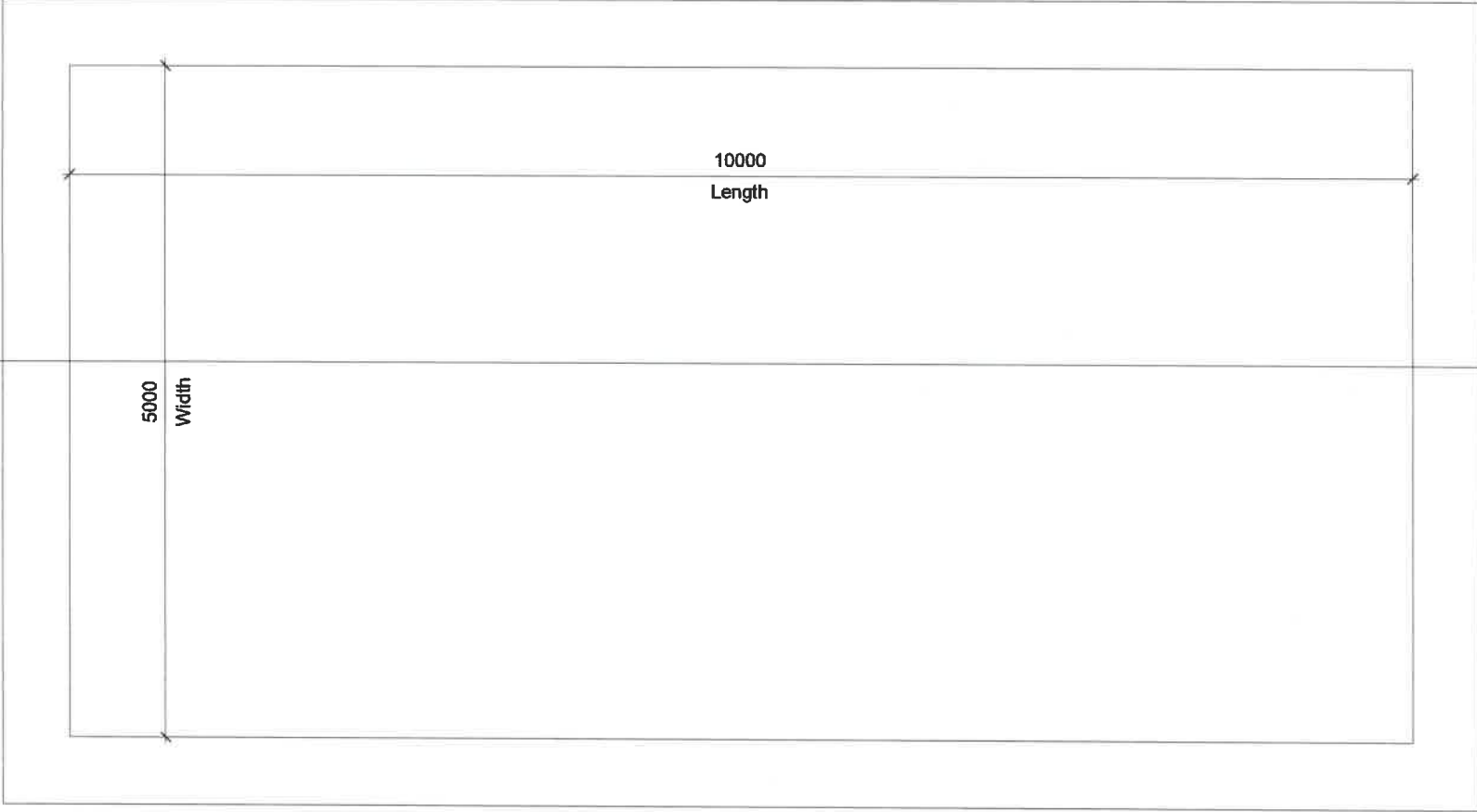
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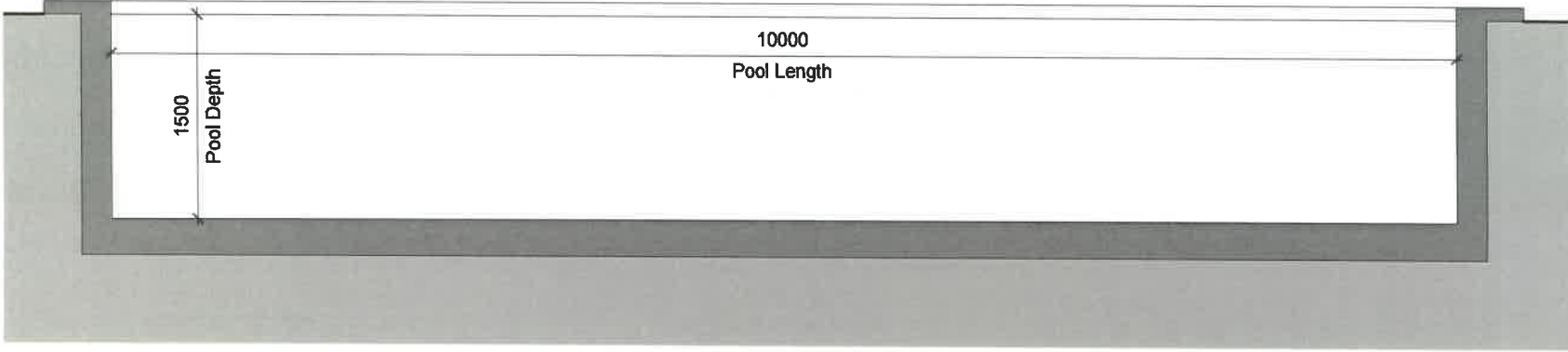
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| <b>Project Title:</b><br>Proposed New Swimming & Gazebo at The Paddock's Pipewell | <b>Drawing Title:</b><br>Floor Plans & Elevations |                            | <b>Checked By:</b><br>MR         | <b>Date:</b><br>03/02/20 |
|   | <b>Client:</b><br>Mr & Mrs Nelson                 | <b>Drawn By:</b><br>SS     | <b>Scale@A3:</b><br>As indicated | <b>Rev:</b><br>A         |
| <b>Project No:</b><br>11 - 5  | <b>House Type:</b><br>-                           | <b>Dwg No:</b><br>SK - 102 |                                  |                          |





**Swimming Pool Base**

1 : 50



**A-A**

1 : 50

**PLANNING ISSUE**

Rev. Date Drawn Check Description

**Welland**  
Tel : 01536 601735  
Email : info@wellandgroup.co.uk

**Project Title:**  
Proposed New Swimming & Gazebo at The Paddocks Pipewell

**Client:**  
Mr & Mrs Neilson

**Project Number:**  
11 - 5

**Dwg No:**  
SK - 103

**Drawing Title:**  
Swimming Pool Cross Section

**Drawn By:**  
SS

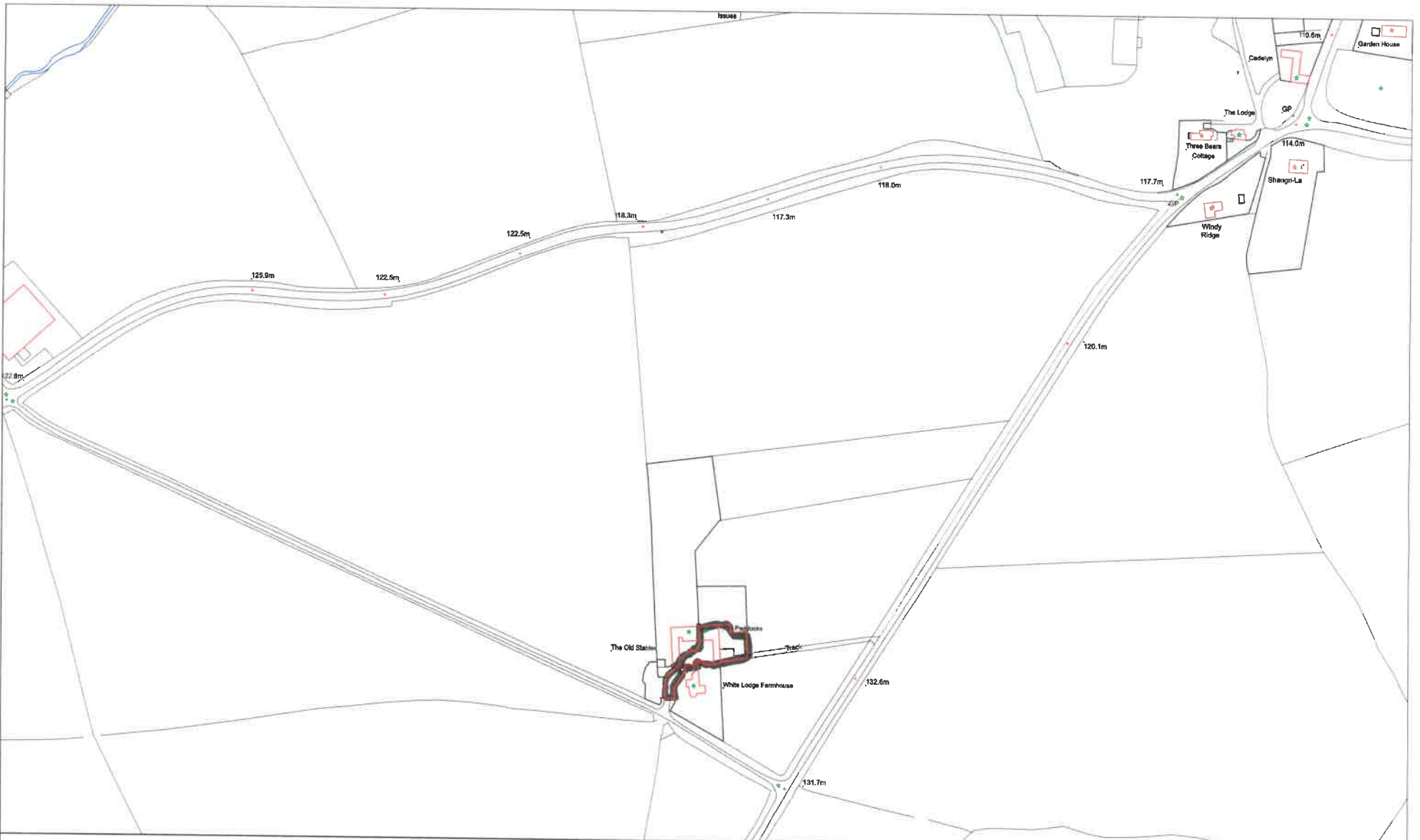
**Checked By:**  
MR

**Rev:**

**Scale@A4:**  
1 : 50

**Date:**  
03/02/20

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Title: The Paddocks, Pipewell

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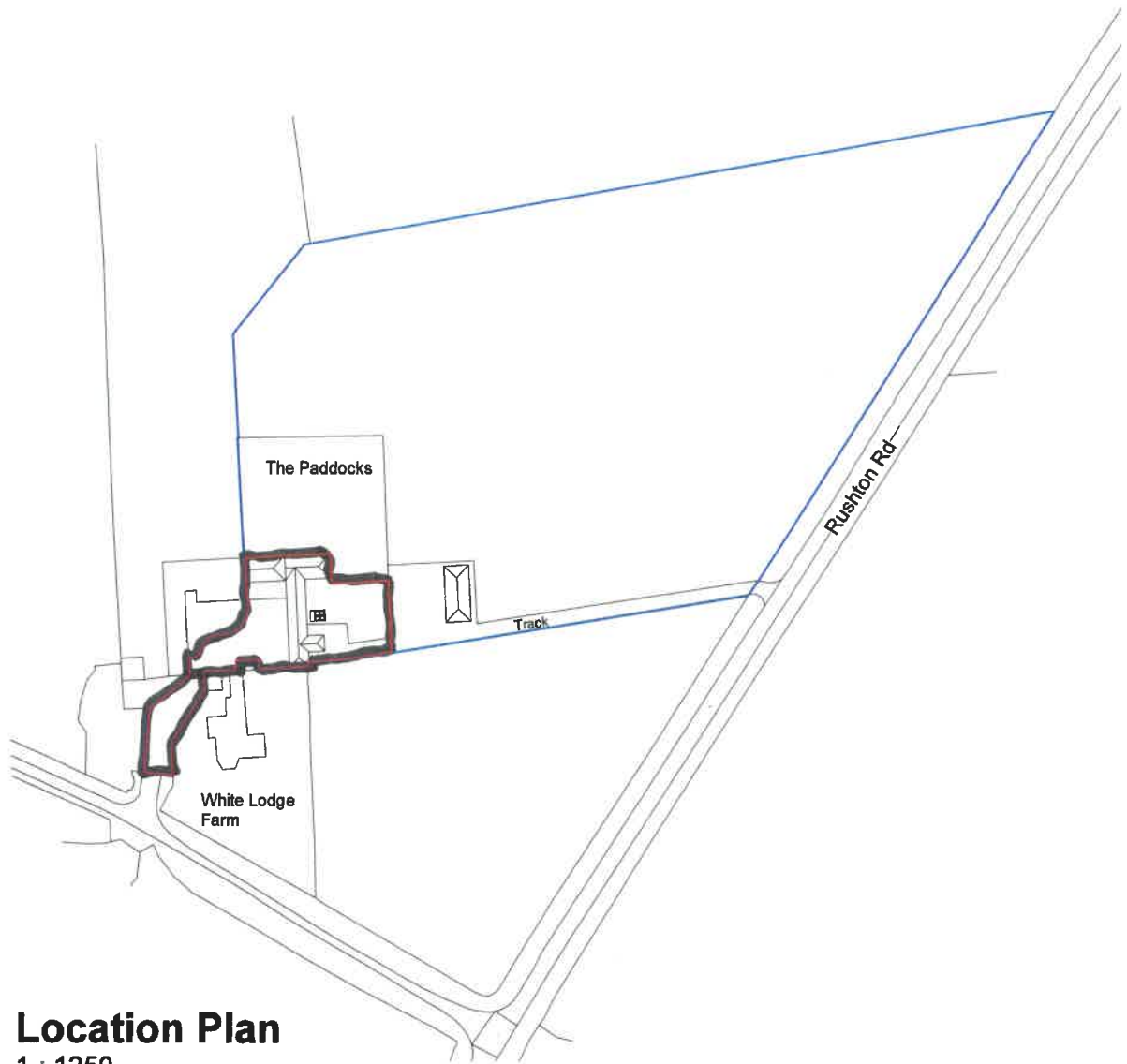
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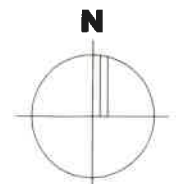
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**Kettering**  
Borough Council



**Location Plan**  
1 : 1250



**PLANNING ISSUE**

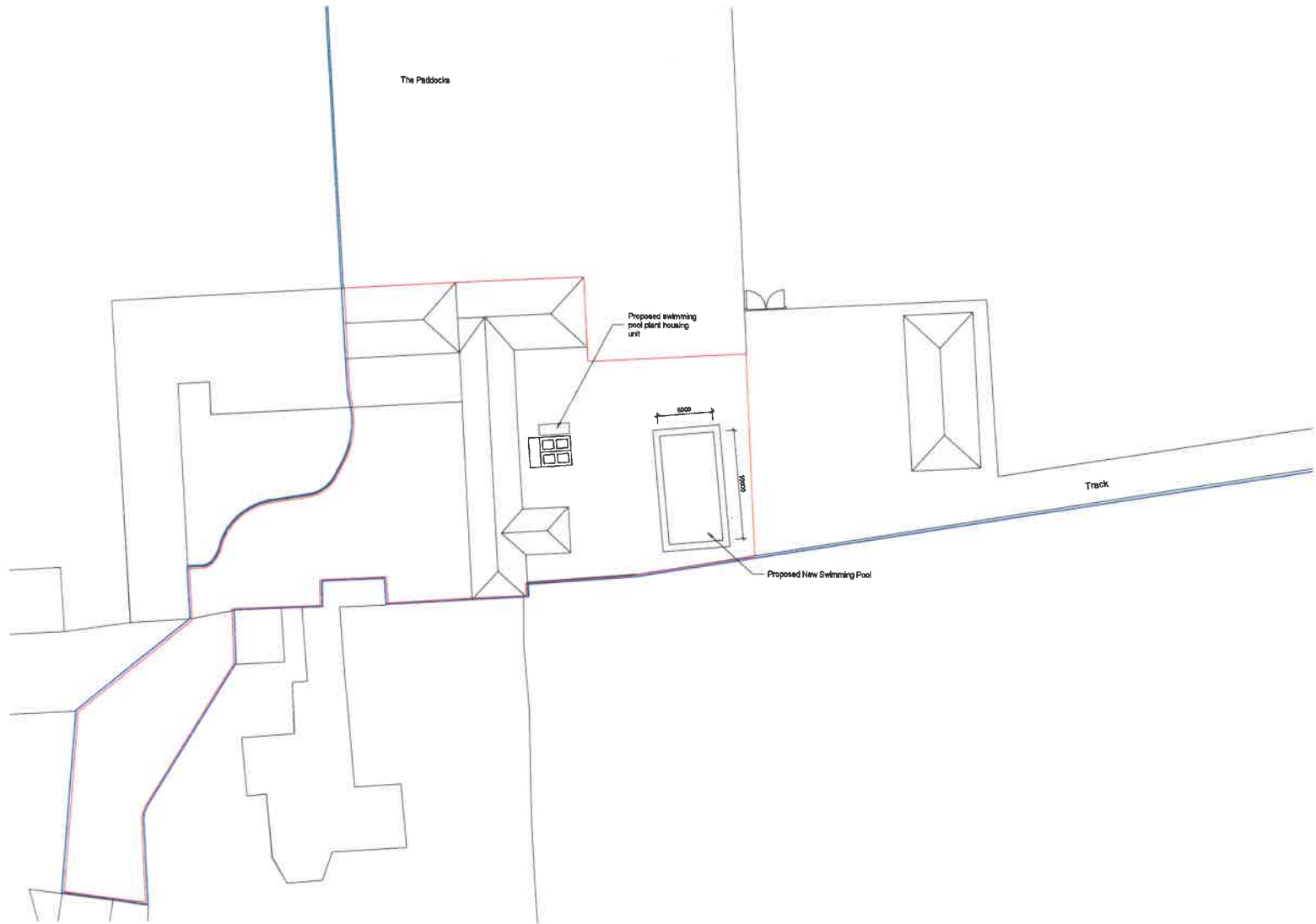
A 03/02/20 SS Updates made after Council comments

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| <b>Project Title:</b><br>Proposed New Swimming & Gazebo at The Paddocks Pipewell |                    | <b>Drawing Title:</b><br>Location Plan |                          | <b>Notes</b><br>This drawing remains the property of Welland Design and Build Ltd and may not be reproduced or amended except by written permission. No liability will be accepted for any amendments made by others. The Contractor is responsible for checking all site dimensions, site levels, sewer inverts at connection points before commencing any works. All work by the contractor must comply with all current relevant legislation, regulation standards guidance and law whether or not specified on this drawing. The contractor is responsible for checking this drawing against all other relevant architect and engineers details and drawings prior to commencement of site works. |  |
| <b>Client:</b><br>Mr & Mrs Nelson  |                    | <b>Drawn By:</b><br>SS                 | <b>Checked By:</b><br>MC |   |  |
| <b>Project No:</b><br>11-5   | <b>House Type:</b> | <b>Dwg No:</b><br>SK-100               | <b>Rev:</b><br>A         |   |  |







Site plan  
1 : 200



| Rev. | Date     | Drawn | Check | Description                         |
|------|----------|-------|-------|-------------------------------------|
| C    | 30/03/20 | MC    | MC    | Swimming pool plant housing added   |
| B    | 30/03/20 | MR    | MC    | Gazebos removed                     |
| A    | 09/02/20 | SS    |       | Updates made after Council comments |

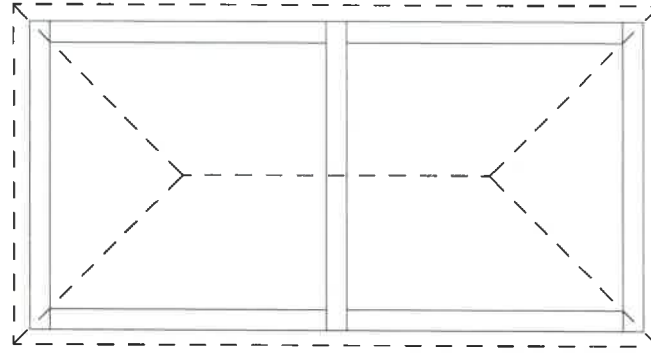
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| Project Title<br>Proposed New Swimming & Gazebos at The Paddocks Pipewell |                  |                   |                  |
| Client<br>Mr & Mrs Nelson   |                  |                   |                  |
| Project Number<br>11-5  | House Type       | Reg Ref<br>SK-101 | Drawn By<br>SS   |
| Drawing Title<br>Proposed Site Plan                                       |                  |                   | Checked By<br>MC |
| Scale(s)<br>1 : 200   | Date<br>24/01/20 | Rev<br>C          |                  |

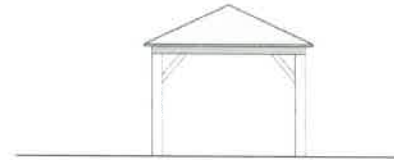




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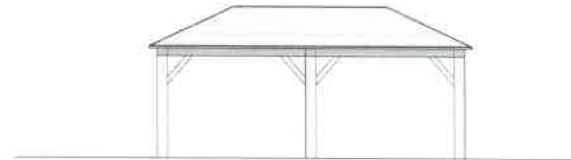
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Side Elevation 1  
1: 100



Side Elevation 2  
1: 100



Front Elevation  
1: 100

| Rev. | Date     | Drawn | Check | Description         |
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| A    | 06/02/20 | SS    |       | Issue stamp changed |

**PLANNING ISSUE**

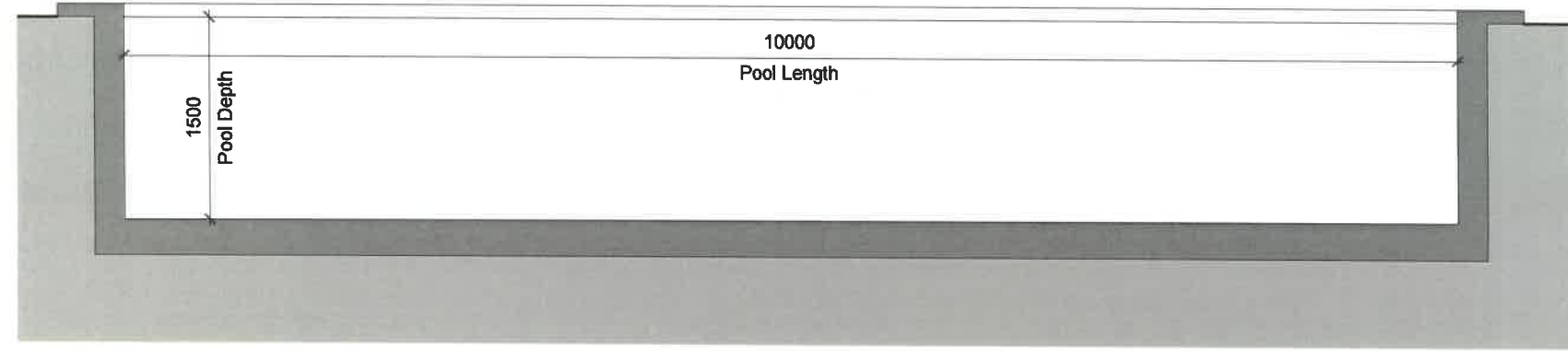
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| <b>Project Title:</b><br>Proposed New Swimming & Gazebo at The Paddock's Pipewell | <b>Drawing Title:</b><br>Floor Plans & Elevations |                            | <b>Checked By:</b><br>MR         | <b>Date:</b><br>03/02/20 |
|   | <b>Client:</b><br>Mr & Mrs Nelson                 | <b>Drawn By:</b><br>SS     | <b>Scale@A3:</b><br>As indicated | <b>Rev:</b><br>A         |
| <b>Project No:</b><br>11 - 5  | <b>House Type:</b><br>-                           | <b>Dwg No:</b><br>SK - 102 |                                  |                          |



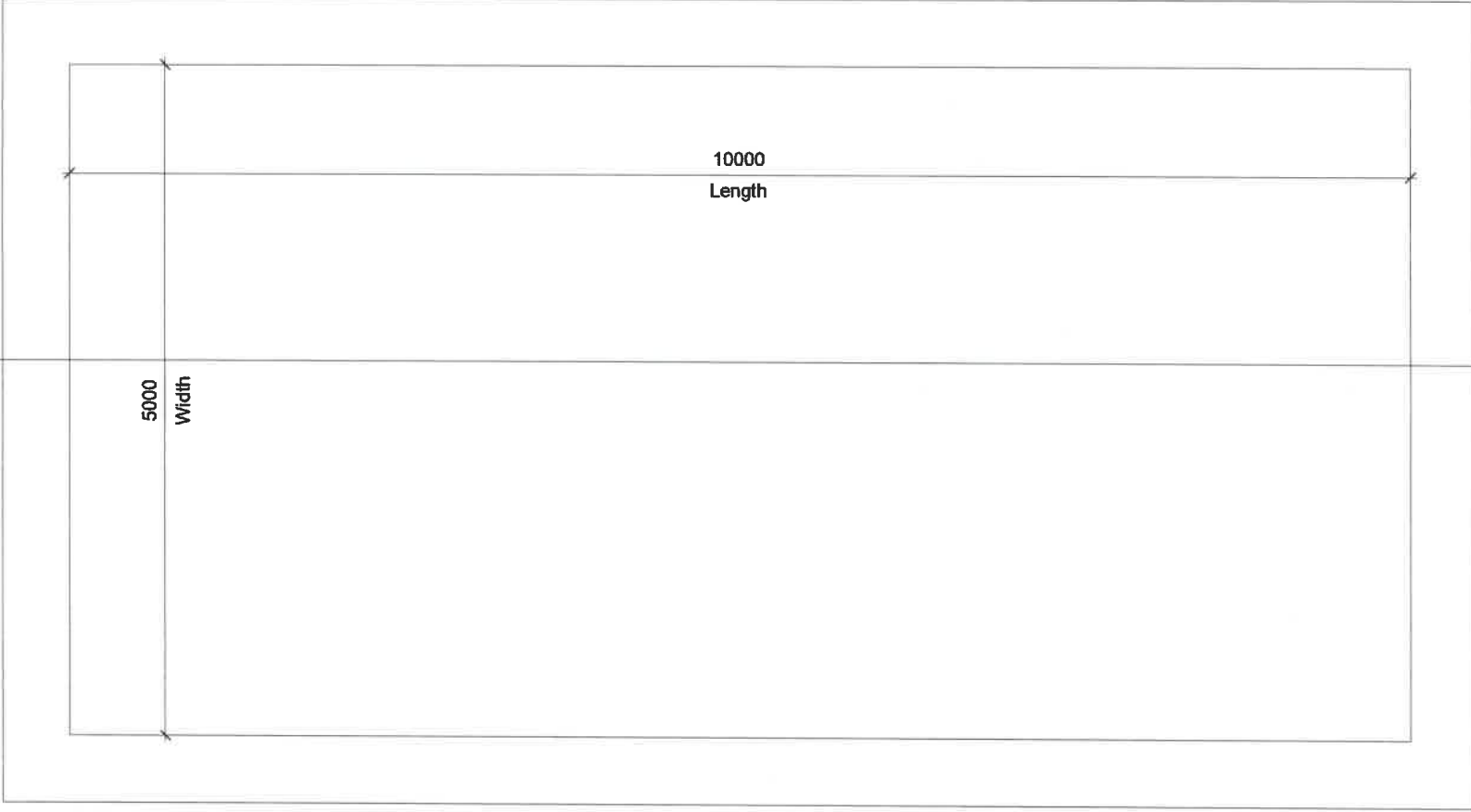
38e Page 161



**A-A**  
1 : 50

**Swimming Pool Base**

1 : 50



10000  
Length

5000  
Width

Rev. Date Drawn Check Description

**Welland**  
Tel : 01536 601735  
Email : info@wellandgroup.co.uk

**Project Title:**  
Proposed New Swimming & Gazebo at The Paddocks Pipewell

**Client:**  
Mr & Mrs Neilson

**Project Number:**  
11 - 5

**Dwg No:**  
SK - 103

**Drawing Title:**  
Swimming Pool Cross Section

**Drawn By:**  
SS

**Checked By:**  
MR

**Rev:**

**Scale@A4:**  
1 : 50

**Date:**  
03/02/20

**PLANNING ISSUE**

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**BOROUGH OF KETTERING**

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>                                       | <b>Item No: 5.6</b>                      |
| <b>Report Originator</b> | <b>Louisa Johnson<br/>Development Officer</b>                                     | <b>Application No:<br/>KET/2020/0074</b> |
| <b>Wards Affected</b>    | <b>William Knibb</b>  |  |
| <b>Location</b>          | <b>Jasper's Bar, Meeting Lane, Kettering</b>                                      |  |
| <b>Proposal</b>          | <b>Full Application: Conversion of ground and first floor club to 5 no. flats</b> |  |
| <b>Applicant</b>         | <b>Mrs C Craig</b>  |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.



5. Prior to the commencement of development a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and therefore maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: Details are required prior to the commencement of development because any noise measures required are likely to be an integral part of the design and in the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to the first occupation of the development hereby approved, details of the refuse storage and collection facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection point shall be provided before the occupation of any of the dwellings affected and retained as approved thereafter.

REASON: In the interest of public health and safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development shall take place until a scheme and timetable detailing the provision of fire hydrants (where required), sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **Officers Report for KET/2020/0074**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

KET/2019/0251 - Conversion of club and 2 bedroomed flat into 8 no. flats with retention of 2 bedroomed flat – Withdrawn 06/06/2019

#### **Site Visit**

Officer's site inspection was carried out on 17 February 2020.

#### **Site Description**

The application site is Jasper's Bar on Meeting Lane (also known previously as the USF Club and Institute). The site sits on the west side of meeting lane and is a red brick building, comprised of three floors with the bar on the ground and first floors and a flat on the second floor.

The site sits opposite the Toller Chapel and behind properties on the High Street, the site falls within the Kettering Town Centre Conservation Area.

#### **Proposed Development**

The proposal is to convert the existing property to provide five flats with the flat on the second floor being retained, the proposal would include an internal bin store and cycle stores.

#### **Any Constraints Affecting the Site**

Kettering Town Centre Conservation Area

### **4.0 Consultation and Customer Impact**

#### **Neighbours**

One letter of objection has been received from the Toller Reunited Reformed Church on the following grounds:

- Meeting Lane is a single access road which has no turning areas meaning that vehicles have to reverse back up Meeting Lane and Jobs Yard. The proposal would increase traffic from deliveries etc making this situation worse.
- There is no parking for the flats and as such the risk of people using the disabled parking on Dalkeith Place or parking on double yellow lines is considerable. There are already parking problems in the area

with people parking to visit shops and the proposal would worsen the situation.

- The increase in traffic from the development and potential parking issues would cause highway safety issues which would be detrimental to pedestrian safety.

## **Highways**

The Local Highways Authority have objected on the grounds that there is insufficient car parking facilities

As per Northamptonshire Highway Parking Standards (2016). The following parking spaces are required:

- a. Car parking for a 1 Bedroomed dwelling = 1 Space.
- b. Car parking for a 2 Bedroomed dwelling = 2 Spaces.
- c. Visitor parking provision is at 0.25 spaces/dwelling.
- d. Cycle parking should be supplied at one space per bedroom. The proposed 5 spaces are insufficient. Flats 1, 2 & 3 require 1 space each. Flats 4 & 5 require 2 spaces each. (Total of 7 spaces required).

Cycle parking should be covered, secure, overlooked and easy to use, laid out in accordance with the diagram below, with a minimum 1.2m clear access including gate widths. No cycle lifting should be required.

Flat 6 (existing) has two-bedrooms. It requires 2 residential car parking spaces and 2 cycle parking spaces.

The LHA require the applicant to submit a Parking Beat Survey, to evidence where on-street parking may be available.

## **Environmental Health**

No objection subject to conditions regarding: Working hours for construction, Protection from noise, Acoustic Separation and Refuse (flats).

## **Crime Prevention Design Advisor**

The Bin store doors should be certified to LPS1175 SR 2 (suitable fire doors that meet this security rating are available) or equivalent security rating. This is to help prevent damage and habitation.

Where external doors give access to communal hallways/stairwells mail delivery should be into a secure lobby area. This will prevent ease of access into these areas via trades entrance.

The entrance door for Flat one is set back, which creates an overhang which will potentially prevent the resident from seeing the door from the alleyway (it is behind a 'planted' area). It would be preferable for this door to be as far forward as possible preferably in-line with the building frontage.

## **5.0 Planning Policy**

### **National Planning Policy Framework 2019**

Policy 12: Achieving well designed places

Policy 16: Conserving and enhancing the historic environment

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy**

Policy 1: Presumption in favour of Sustainable Development

Policy 2: Historic Environment

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 11: The Network of Urban and Rural Areas

Policy 22: Delivering Economic Prosperity

Policy 28: Housing Requirements

Policy 29: Distribution of New Homes

Policy 30: Housing Mix and Tenure

#### **Saved Local Plan Policies**

Policy 35: Housing – Within Towns

#### **Kettering Town Centre Area Action Plan 2011 (TCAAP)**

Policy 6: Residential

Policy 12: Heritage Conservation and Archaeology

## **6.0 Financial/Resource Implications**

None

## **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Impact on the character and appearance of the area
3. Amenity of future occupiers
4. Amenity of Neighbouring Properties
5. Highway Safety, Parking and Cycle Storage
6. Bin Storage

### 1. Principle of Development

The application seeks the conversion of an existing building currently in use as a bar to three one-bed flats and two two-bed flats. The application site is located within an established built up area of Kettering, which historically had a mix of commercial uses with some residential, but over the years more residential has been introduced.

Policy 8 of the adopted NNJCS (July 2016) seeks a high standard of design which respects and enhances the character and visual amenity of the surrounding area. Paragraphs 56, 58 and 64 of the National Planning Policy Framework also recognise that good design is a key aspect of sustainable development and supports development which establishes a strong sense of place and responds to the local character, reflecting the identity of local surroundings and materials.

Policy 6 (Residential) of the TCAAP states that:

The focus for residential-led regeneration will be the New Residential Quarter where densities of between 40dph and 75dph will be appropriate – including the provision of family homes. Throughout the Plan Area higher densities may



be acceptable, providing that proposals conform to other policies within this Plan.

It goes onto state that 'Developments comprising solely of flats should be focused on sites where space is at a premium, where proposals involve the conversion of an existing building or where they form part of a vertical mix of uses. Provision of 1 bedroom flats (the least flexible option) will be limited.'

Subject to detailed consideration of the impact of the conversion, having an acceptable impact on the character and appearance of the area, residential amenity and parking, the development is considered acceptable in principle

## 2. Impact on the character and appearance of the area

Policy 2 of the NNJCS requires proposals to conserve and where possible, enhance the heritage significance and setting of an asset or a group of heritage assets in a manner commensurate to its significance.

Policy 12 of the TCAAP requires that new development will preserve or enhance the existing historic environment in terms of a number of criteria including buildings which form an integral part of the designated Kettering Conservation Area and their settings.

The site is located on Meeting Lane a narrow lane off Jobs Yard which comes out at the junction of the High Street and Gold Street. Meeting Lane has mix of commercial, residential and other uses including the Toller United Reformed Church.

Jasper's Bar is a bar over the ground and first floor with a two bed flat on the second floor and the site has no external space.

The proposal would involve creating a small courtyard by demolishing an existing ground floor lobby, stores and stairs which are currently part of an extension to the main building. This would allow a small courtyard to be created which would provide flats 1 and 2 with their own cycle storage and small courtyard area.

The only other external changes would be to create some additional openings –

East Elevation

Changing a window to an entrance door at ground floor level

Creating two new windows at first floor level

## West Elevation

Creating two new doors at ground floor level for flats 1 and 2 to access the courtyard

Creating four new windows at first floor level

The demolition of the rear extension is considered to be acceptable as this is a more modern addition to the building and is not visible from the public realm. The other proposed external changes are minor and would preserve the original character of the building as required by Policy 12 of the TCAAP, and as such it is considered that the proposal would have a neutral impact on the character and appearance of the conservation area.

Overall the proposal will have an acceptable impact on the character and appearance of the conservation area and accords with the relevant parts of Policies 12 and 16 (NPPF), Policies 2 and 8 (NNJCS) and Policy 12 (TCAAP).

### 3. Amenity of future occupiers

Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The proposal is for three one-bed flats and two two-bed flats all of which meet the minimum floorspace standard required for the relevant dwelling and which meet the required standard for bedroom sizes. Therefore the proposed flats comply with the requirements of the Technical Housing Standards – nationally described space standards, March 2015.

The proposal does not provide any meaningful amenity space, however it is considered that in this town centre location this would be considered acceptable.

The proposal would be acceptable in terms of the amenity of future occupiers and in accordance with policy 8 e(i) of the NNJCS.

### 4. Amenity of Neighbouring Properties

Policy 8 of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The site shares a boundary with 1 – 45 Jobs Court, a block of flats. Given that the proposed external changes would be minor it is considered that the proposal is unlikely to have a detrimental impact on the flats at Jobs Court. Furthermore, the replacement of a bar with a residential use is likely to result

in less noise and disturbance in the evenings and during the night which is likely to be an improvement for residents of the flats. Therefore the proposal is likely to improve the existing situation for the flats at Jobs Court.

The site backs onto 68 - 70, 72 - 76 and 78 High Street, these properties are commercial / retail on the ground floor and some have residential uses on the upper floors. The site is separated from these properties by an area of green space, approximately 19m deep. It is considered that this separation distance is sufficient to protect both the site and properties on the High street from overlooking and as such the proposal is unlikely to have a detrimental impact on 68 - 70, 72 - 76 and 78 High Street.

The site is opposite the Toller Chapel and adjacent to the Toller Reunited Reformed Church. An objection has been received from the church on the grounds that the proposal would cause parking and highway safety issues, these are dealt with below. In terms of the impact on the church and its buildings, it is considered given the relatively minor external changes are such that it is unlikely to have a detrimental impact on the Toller Reunited Reformed Church.

Therefore it is considered that there will be no unacceptable impact on the amenity of neighbouring residents through this proposal in accordance with policy 8 of the NNJCS.

#### 5. Highway Safety, Parking and Cycle Storage

Policy 6 (Residential) of the TCAAP states that: Residential parking provision in the Plan Area will be determined in accordance with the Northamptonshire Place and Movement Guide (2009), or any subsequent adopted guidance, on a case by case basis. Low or zero parking residential developments may be acceptable on sites in close proximity to services, amenities and public transport where it can be demonstrated that sustainable travel alternatives (walking, cycling and public transport) are accessible and are integrated into travel plans. All residential development will provide a minimum of 1 secure cycle storage space per unit.

The Local Highways Authority (LHA) has stated that they object to the proposal on the grounds that there are insufficient car parking facilities. They state that parking should be provided in line with the Northamptonshire Highway Parking Standards (2016) at 7 space and that cycle parking should be provided. The LHA require the applicant to submit a Parking Beat Survey, to evidence where on-street parking may be available.

The LHA also require parking for the existing two-bed flat (flat 6), stating that 2 residential car parking spaces and 2 cycle parking spaces are required.

The site has no on-site parking and it is considered that it is unlikely that there will be any nearby on-street parking due to the location of the site in the town centre. It is considered that it would be unreasonable to require the applicant to submit a parking beat survey given this.

Furthermore, it is considered that the site's town centre location is such it is in close proximity to services, amenities and public transport and sustainable travel alternatives (walking, cycling and public transport) are accessible to occupants as required by Policy 6 of the TCAAP. In addition, the development provides one cycle storage space per dwelling, which can be secured by condition. Therefore it is considered that zero parking can be justified in this case in accordance with the requirements of Policy 6 of the TCAAP.

An objection was received on the grounds that the lack of parking would result in residents parking illegally in other areas, however this is not a planning matter and would be for the relevant parking enforcement authority to deal with.

An objection was also received on the grounds that the Meeting Lane is a single carriageway road with no turning space which result in vehicles reversing back onto the main road and is dangerous for pedestrians. Whilst it is acknowledged this may be an existing problem, there are already 45 flats and the church as well as several businesses using Meeting Lane; as such it is considered unlikely that the addition of five flats would significantly worsen this existing situation to such an extent that it would make the scheme unacceptable.

The Northamptonshire Fire and Rescue service require vehicle access for a pump appliance to within 45m of all points within the dwelling house/s, this includes the furthest / highest point of the top flat.

The Northamptonshire Fire and Rescue service require accesses to be a minimum of 3.7m wide for its whole length to accommodate a fire appliance and such accesses to accommodate a fire appliance with a 15 Ton axle loading with appropriate turning space. Where this cannot be met, the Fire and Rescue service recommends that a sprinkler or suppression system is installed.

Meeting Lane can either be accessed via Jobs Court or Gold Street / High Street, both routes are single carriageway and are approximately 2.6m wide at the narrowest point. As both routes to the site fall below the standard required by the Fire Service for a fire appliance to reach the site; it is considered that a condition requiring the provision of a sprinkler or fire suppression system and fire hydrant would be appropriate in this case.

Therefore it is considered that subject to conditions regarding a fire hydrant and sprinkler / fire suppression system and cycle storage the proposal is acceptable in terms of cycle storage, parking and highway safety in accordance with policy 8 of the NNJCS.

**6. Bin Storage**

The proposal includes an internal bin store with space for two 1100 litre bins and doors opening out onto the street for easy access for refuse collectors, the details of which can be secured by condition.

Therefore subject to an appropriate condition, the proposal is acceptable in terms of bin storage in accordance with policy 8 of the NNJCS.

**Conclusion**

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area, residential amenity, highway safety, parking and bin storage. Subject to conditions the proposed development is acceptable and recommended for approval.

**Background Papers**

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Date:

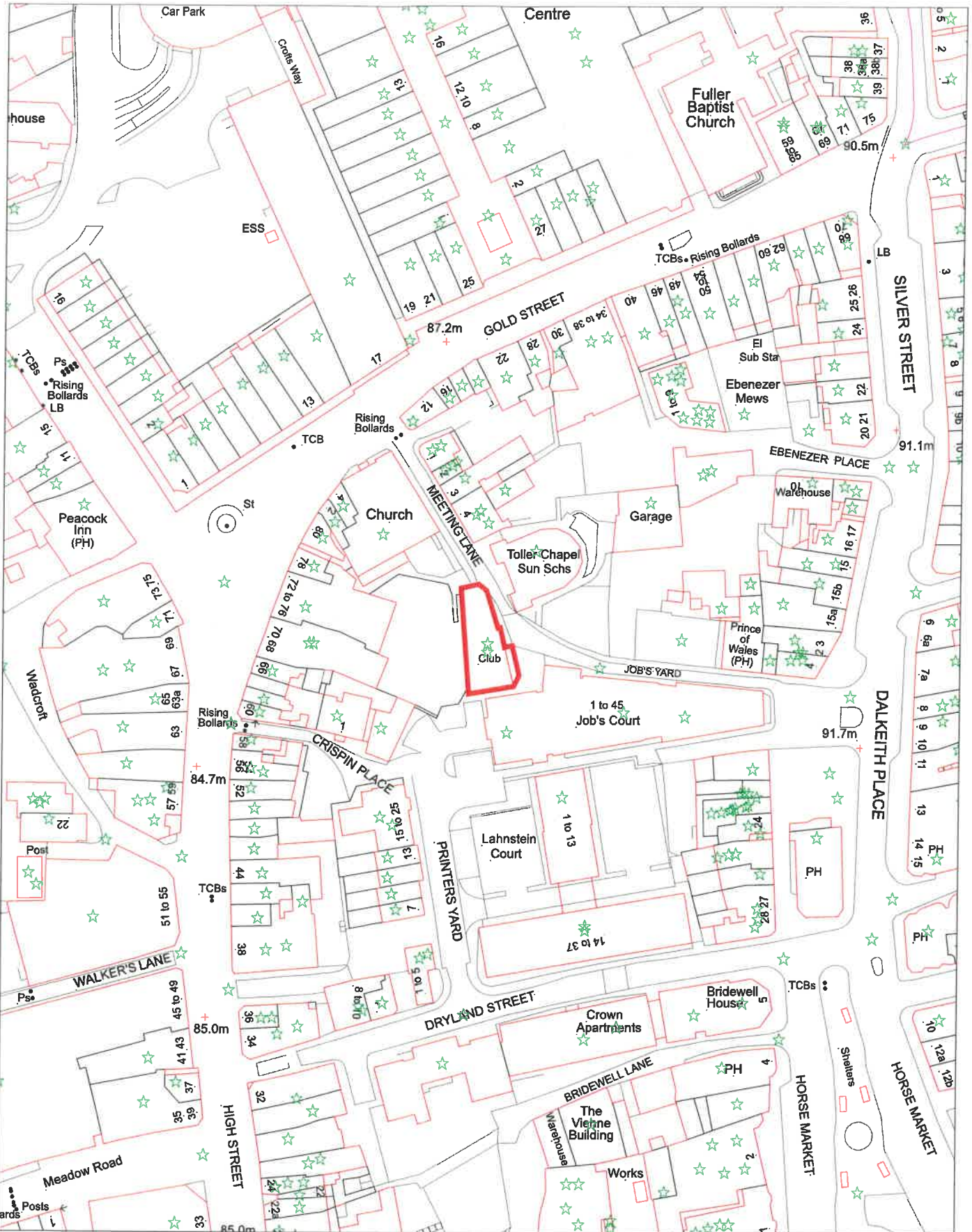
Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date:



Title: Jaspers Bar, Meeting Lane

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**Kettering**  
Borough Council

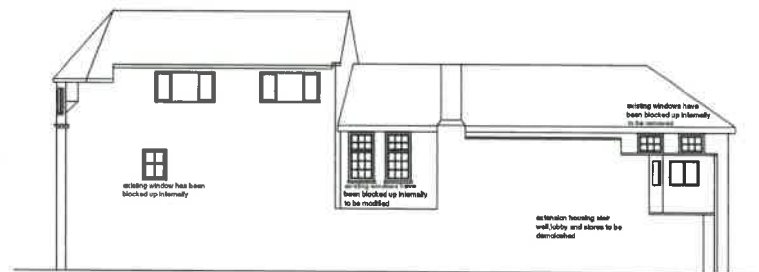





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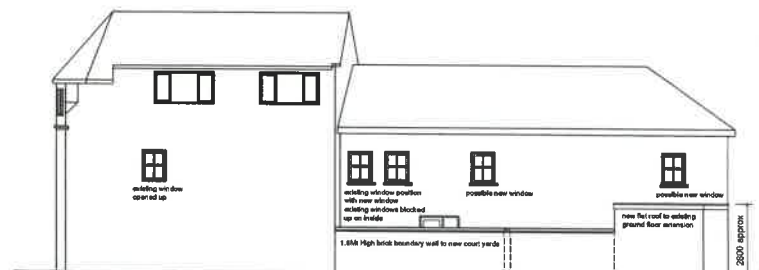
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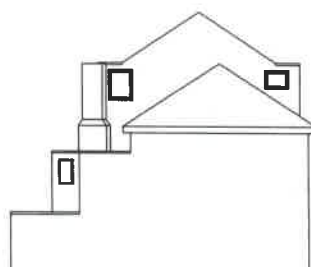


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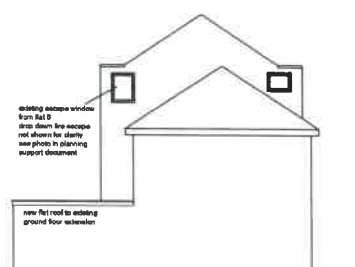
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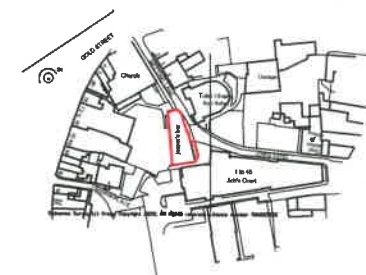
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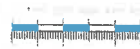
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LOCATION PLAN  
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| DATE:  | NOV 2019    | DRAWN BY:   | R.MITCHELL | SHT.    | TITLE  |
| DATE:  |             | CHECKED BY: |            | OF.     | PROPOSED CONVERSION TO FLATS AT JASPER'S B&F MEETING LANE, KETTERING FOR MRS C.CRAIG |
| SCALE: | 1/100, 1/50 | ISSUE       |            | DRG No. | 19014/01   |

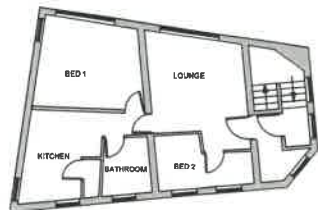


**THE CONTRACTOR :-**  
Must ensure that all building work shall be carried out with adequate and proper materials which :-  
(1) are appropriate for the circumstances in which they are used,  
(2) are adequately mixed or prepared, and  
(3) are applied, used or laid in an adequately to perform the functions for which they are designed; and  
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All works and dimensions to be verified on site by contractor prior to development.  
All workmanship to comply with all relevant codes of practice British Standards and current legislation.

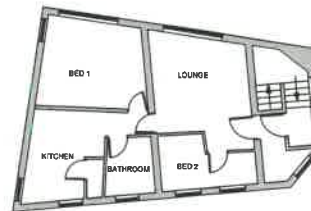
**D.R.M. Design & Drafting**

R.MITCHELL  
Tel:- 01538 506870  
Mob:-  
email:- bob.jr@drmdesignanddrafting.com

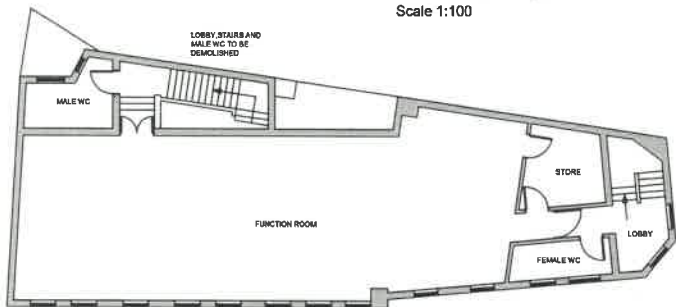
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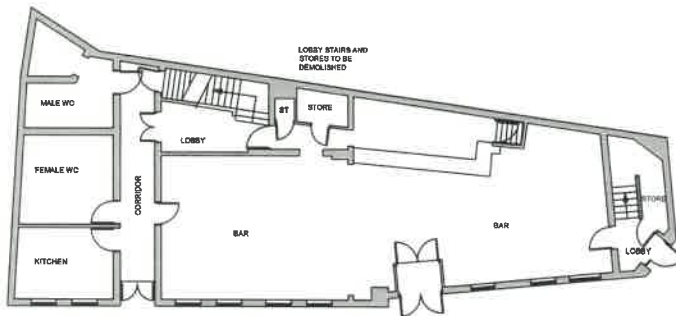


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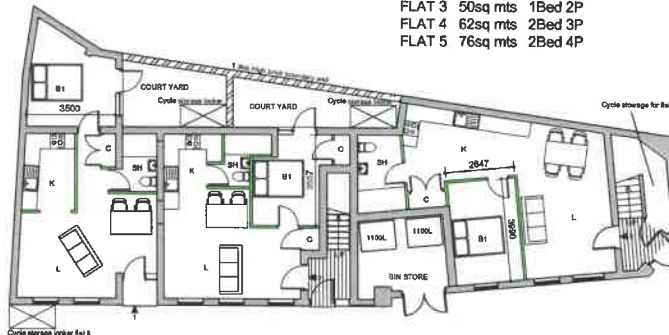
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- FLAT 4 62sq mts 2Bed 3P
- FLAT 5 76sq mts 2Bed 4P



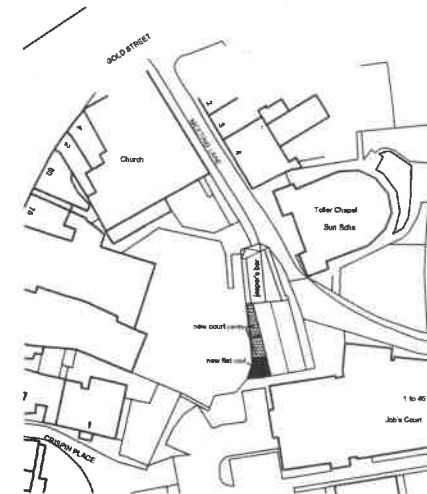
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MEETING LANE



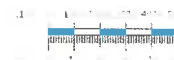
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MEETING LANE



SITE PLAN  
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Page 177  
4-9d



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 ISSUE

TITLE: PROPOSED CONVERSION TO FLATS AT JASPER'S BAR  
 MEETING LANE, KETTERING  
 FOR MRS C.CRAIG  
 DRG No. 19014/02

THE CONTRACTOR :-  
 Must ensure that all building work shall be carried out with adequate and proper materials which  
 (a) (1) are appropriate for the circumstances in which they are used,  
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 All work and dimensions to be verified on site by contractor prior to development.  
 All workmanship to comply with all relevant codes of practice (British Standards and current legislation)

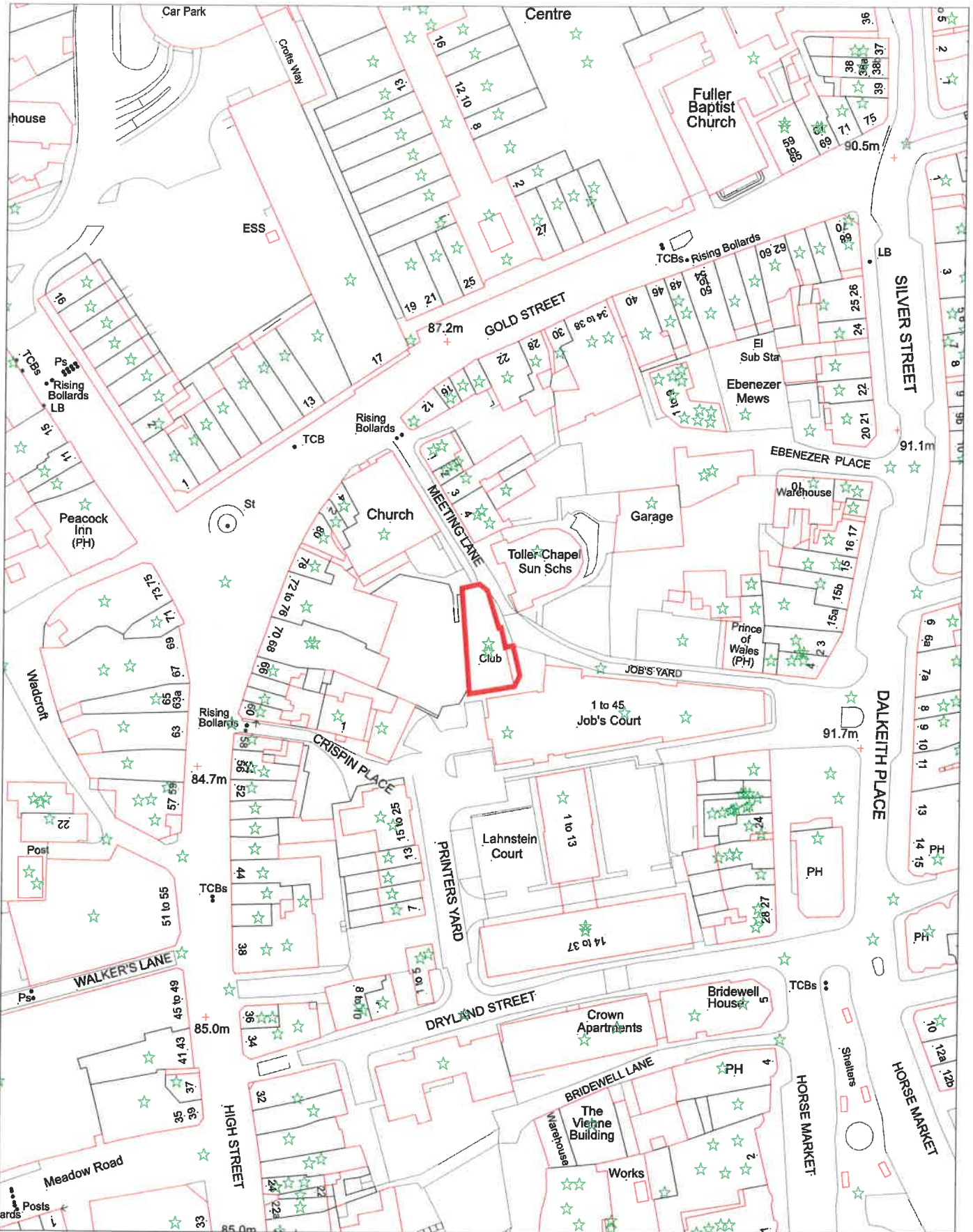
**D.R.M. Design & Drafting**  
 R.MITCHELL  
 Tel:- 01536 506870  
 Mobile:- 07823 200700  
 email:- bob.mitchell@drmdesign.co.uk

7, Gladstone Street  
 Dinsborough,  
 Kettering  
 Northants,  
 NN14 2QR

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# Appendix A



Title: Jaspers Bar, Meeting Lane

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**SITE PLAN**  
**SCALE 1:500**





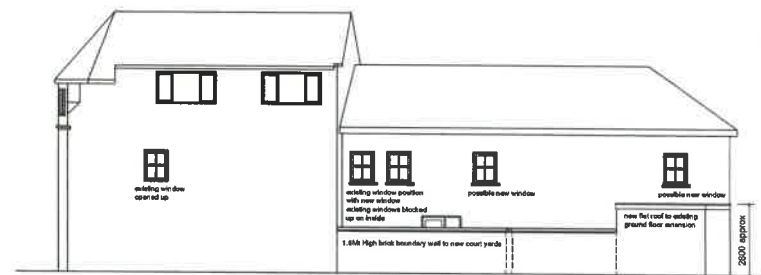
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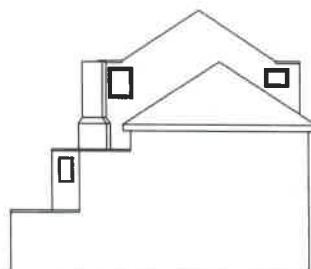
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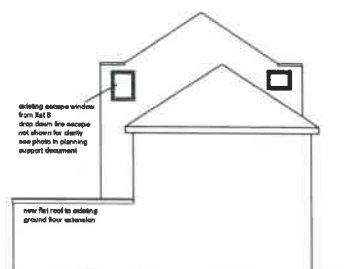
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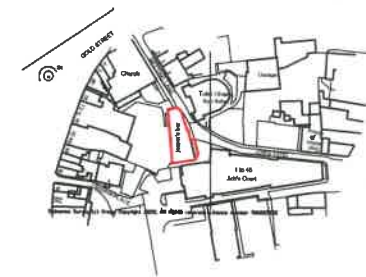
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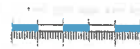
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| DATE:  | NOV 2019    | DRAWN BY:   | R.MITCHELL | SHT.    | TITLE  |
| DATE:  |             | CHECKED BY: |            | OF.     | PROPOSED CONVERSION TO FLATS AT JASPER'S BAR MEETING LANE, KETTERING FOR MRS C.CRAIG |
| SCALE: | 1/100, 1/50 | ISSUE       |            | DRG No. | 19014/01   |

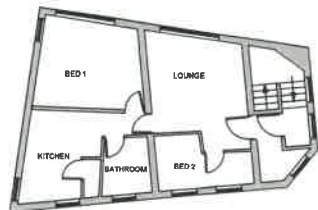


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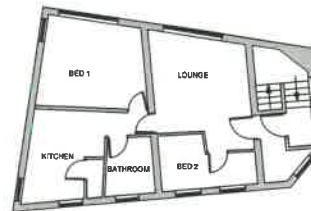
### D.R.M. Design & Drafting

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 Tel:- 01538 506870  
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 email:- bob.jr@drmdesignanddrafting.com

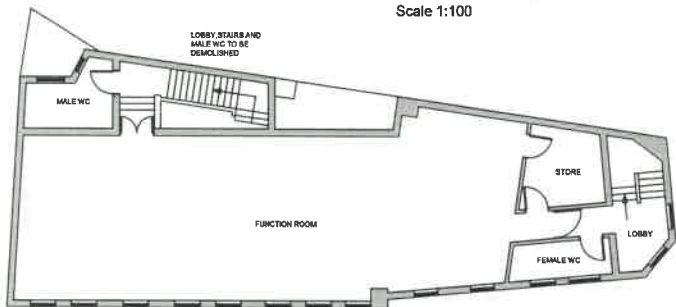
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 NN14 2GT



SECOND FLOOR EXISTING  
TO REMAIN NO CHANGE  
Scale 1:100



SECOND FLOOR EXISTING  
TO REMAIN NO CHANGE  
Scale 1:100

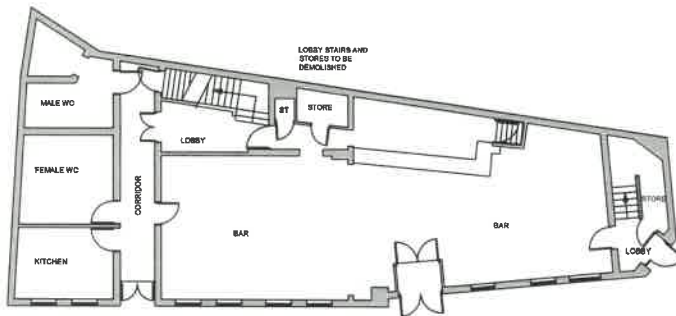


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Scale 1:100



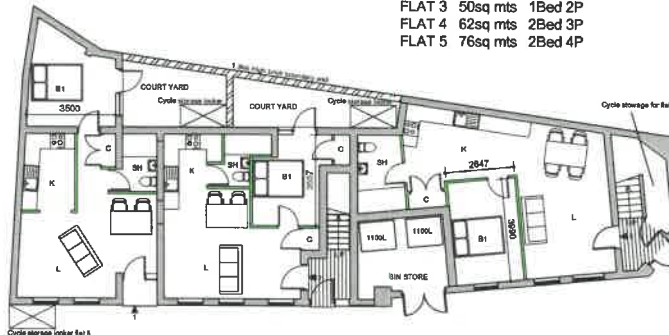
FIRST FLOOR PROPOSED  
Scale 1:100

- FLAT 1 46sq mts 1Bed 1P
- FLAT 2 39sq mts 1Bed 1P
- FLAT 3 50sq mts 1Bed 2P
- FLAT 4 62sq mts 2Bed 3P
- FLAT 5 76sq mts 2Bed 4P



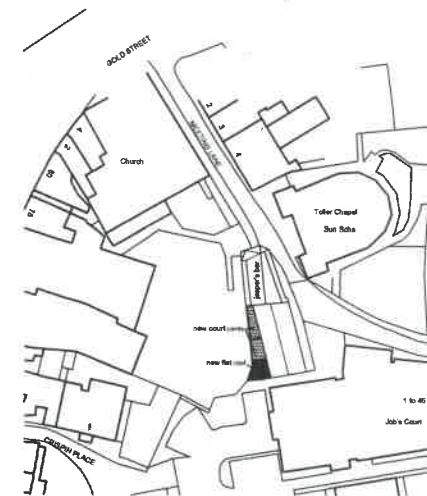
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Scale 1:100

MEETING LANE



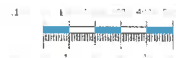
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Scale 1:100

MEETING LANE



SITE PLAN  
SCALE 1:500

Page 182  
4-9-21



DATE: NOV 2019  
 DATE: NOV 2019  
 SCALE: 1/100, 1/50

DRAWN BY: R.MITCHELL  
 CHECKED BY: OF.  
 ISSUE

TITLE: PROPOSED CONVERSION TO FLATS AT JASPER'S BAR  
 MEETING LANE, KETTERING  
 FOR MRS C.C.RAG  
 DRG No. 19014/02

THE CONTRACTOR :-  
 Must ensure that all building work shall be carried out with adequate and proper materials which  
 (a) (1) are appropriate for the circumstances in which they are used,  
 (2) are adequately moved or prepared, and  
 (3) are applied, used or laid in an adequate manner to perform the functions for which they are designed; and  
 in a workmanlike manner.  
 All work and dimensions to be verified on site by contractor prior to development.  
 All workmanship to comply with all relevant codes of practice (British Standards and current legislation)

**D.R.M. Design & Drafting**  
 R.MITCHELL  
 Tel:- 01536 506870  
 Mob:- 07821 500710  
 email:- bob.mitchell@drmdesign.co.uk

7, Gladstone Street  
 Dinsborough,  
 Kettering  
 Northants,  
 NN14 2DT

**BOROUGH OF KETTERING**

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>   | <b>Item No: 5.7</b>                      |
| <b>Report Originator</b> | <b>Louisa Johnson<br/>Development Officer</b>   | <b>Application No:<br/>KET/2020/0167</b> |
| <b>Wards Affected</b>    | <b>Pipers Hill</b>  |  |
| <b>Location</b>          | <b>149 London Road, Kettering</b>   |  |
| <b>Proposal</b>          | <b>Full Application: Change of use from dwelling (C3) to 7 bedroom 7 person HMO (sui generis)</b> |  |
| <b>Applicant</b>         | <b>Mr P Ambler</b>  |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Prior to the first occupation of the use hereby permitted a detailed plan showing cycle store(s) with space for at least one cycle per bedroom shall be submitted to and approved in writing by the Local Planning Authority. The cycle store(s) shall be provided prior to first occupation of the use hereby approved. The development shall not be carried out other than in accordance with the approved details and such provision shall be permanently retained at all times thereafter and kept available for such purposes in perpetuity.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the first occupation of the use hereby approved details of the refuse storage area shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and such provision shall be permanently retained and kept available for such purposes in perpetuity.

REASON: In the interests of highway safety and amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

5. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **Officers Report for KET/2020/0167**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

KET/2015/0295 – Householder permitted development: Single storey extension extending beyond the rear wall of the original dwellinghouse by 3.25m, with a maximum height of 2.6m and an eaves height of 2.1m – No objection 08/05/2015

KET/1994/0473 - Change of use of downstairs room to kitchen & bedroom showroom (hours 9-4.30pm) – Approved 08/11/1994

KET/1991/0719 - Change of use of downstairs room to kitchen & bedroom showroom (hours 9-4.30pm) – Approved 12/11/1991

#### **Site Visit**

An officer's site inspection has not been carried out due to the current Coronavirus pandemic, however the site has been viewed on our mapping systems as well as google streetview and it is considered that this is adequate for an assessment of the proposal.

#### **Site Description**

The application site is a terraced house with two stories and rooms in the roof located on London Road, close to the junction with Wallis Road. The site is currently in use as a residential property.

#### **Proposed Development**

The proposal is for the change of use of the building into a 7 bedroom House in Multiple Occupation for the occupation of up to 7 no. persons and comprises 7 no. single occupancy bedrooms. Five of the bedrooms would have en-suite bathrooms and there would be one communal bathroom on the first floor and a communal toilet on the ground floor. The proposal includes a communal kitchen with seating area and a separate communal dining area.

#### **Any Constraints Affecting the Site**

A Road – London Road

## **4.0 Consultation and Customer Impact**

### **Neighbours**

Two letters of objection have been received from neighbours, the following issues were raised:

- There is inadequate parking and residents may park on the pavement in front of the property affecting visibility from Wallis Road which is already a busy road.
- The proposed number of 7 residents would result in increased noise and disturbance.
- The proposal would require additional bins which would worsen the existing rat problem.
- This is a nice area and there is no need for a HMO.

### **Highways**

The Local Highways Authority (LHA) states that they cannot accept the application and require further information to support the proposals.

There are no on-site car parking facilities however considerations have been made for the use/proximity of sustainable transport methods, as detailed in the 'Local Amenities Travel Distance' document.

Given these considerations and claims in the Cover Letter of 'plenty on road parking on London Road, Wallis Road and opposite on Silverwood Road', the LHA request the LPA take a view as to whether a parking beat survey is necessary to ensure the below-mentioned parking numbers are available. If so, the LHA's requirements of the survey are stated at the end of this document.

As per Northamptonshire Parking Standards (2016) the proposal requires:

7 residential car parking spaces

7 cycle parking spaces

1 visitor car parking space

The cover letter mentions the existing covered and secure area to the rear of the development will be converted to store 7 bicycles. Cycle parking should be covered, secure, overlooked and easy to use, with a minimum 1.2m clear access including gate widths. No lifting of cycles should be required.

### **Environmental Health**

No comments received at date of writing

### **Private Sector Housing**

No comments received at date of writing



## **5.0 Planning Policy**

### **National Planning Policy Framework (NPPF) 2018:**

Policy 2: Achieving a sustainable development

Policy 5: Delivering a sufficient supply of homes

Policy 12: Achieving well-designed places

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy**

Policy 1: Presumption in favour of Sustainable Development

Policy 8: North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

Policy 30. Housing Mix and Tenure

#### **Other Guidance**

Amenities and Spaces Standards for Houses in Multiple Occupation – A Landlord’s Guide

## **6.0 Financial/Resource Implications**

None

## **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate

change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are:-

1. The Principle of Development
2. Character and Appearance
3. Residential Amenity
4. Amenity of Future Occupiers
5. Parking and Highway Safety
6. Refuse collection and storage

### 1. Principle of Development

The application is in an established residential area close to Kettering Town Centre.

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Kettering is a 'Growth Town' and, therefore, should provide a focal point for development.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of residential development provided there is no adverse impact on character and appearance, residential amenity and the highway network.

The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

### 2. Impact on the character and appearance of the area

Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

There are no external changes proposed to the building as the proposal would utilise existing windows and doors within the building. As such it is considered that the proposal would not have a detrimental impact on the appearance of the host building and the surrounding area.

It is noted that comments from neighbours include reference to the impact of the proposed HMO on the area.

The Council's Public Register of Licenced HMO's January 2019, shows two existing HMO's on London Road, one is for 6 people and so does not require planning permission and the other is for 7 people. There are a number of larger houses on London Road which can accommodate 6 or more people and as such it is considered that it would not be unreasonable to expect that some properties on London Road would accommodate a large household. Given this it is considered that the proposed HMO would not result in a detrimental change to the character of the area.

Overall the proposal will have an acceptable impact on the character and appearance of the area and accords with the relevant parts of Policy 12 (NPPF) and Policy 8 (NNJCS).

### 3. Residential Amenity

Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.

Objections have been received from surrounding neighbours in terms of noise and disturbance from the site due to the number of occupants.

Under Class C4 of the Town and Country Planning (Use Classes) Order 1987, as amended, (the UCO), six people or fewer can occupy a dwellinghouse as a House in Multiple Occupation (HMO) without requiring planning permission. This application is for the change of use of the dwellinghouse to an HMO for up to 7 occupants, and as such, it falls to consider the impact of one additional person, over and above the permitted six, on the amenities of surrounding properties and occupiers.

It is considered that one additional person would not result in noise and disturbance over and above that which could be expected from a six person HMO or a large family home – which could exceed more than six people – both of which do not need to apply for planning permission.

It is considered that the proposal would not give rise to an increase in noise over and above that which you would reasonably expect in an established residential area.

As discussed above the proposal does include any changes to the external elevations of the property. Therefore the impact on neighbours would not change in this respect.

As such, it is considered the proposal would not lead to an adverse impact on the amenities of neighbouring residents in accordance with Policies 8 and 30 of the North Northamptonshire Joint Core Strategy.

#### 4. Amenity of Future Occupiers

The proposal is for a House in Multiple Occupation for the occupation of up to 7 no. persons and comprises 7 no. single occupancy bedrooms, 5 of which would be en-suite.

The Council's Private Sector Housing guidance 'Amenities and Spaces Standards for Houses in Multiple Occupation – A Landlord's Guide' requires two toilets and two showers / baths for between 6 – 10 occupiers and 16sqm of kitchen space for 8 occupiers.

The proposal includes one communal kitchen/dining area and a separate communal dining area both on the ground floor. There would be one communal bathroom on the first floor and one communal toilet on the ground floor.

Six of the bedrooms meet the minimum floorspace requirements of 8sqm for one person where adequate lounge or dining space is provided elsewhere and cooking facilities are not provided in the bedroom. Bedroom 6 is approximately 7.8sqm and so meets the minimum legal requirement for a 1 person room of 6.51sqm, this room has some space that is restricted height (1.5m or below) and including this space would be 10.9sqm.

Therefore the proposed accommodation complies with the minimum requirements as set out by the Council's Private Sector Housing guidance on Houses in Multiple Occupation; and is considered to be acceptable in terms of the amenity of future occupiers in accordance with policy 8 of the NNJCS.

#### 5. Parking and Highway Safety

Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

The Northamptonshire Parking Standards September 2016 states that HMO's should have one parking space per bedroom and one cycle space per bedroom. The standards have not been adopted by the LPA and do not form part of Development Plan policy.

The application site is on London Road close to the corner with Wallis Road and has no on site car parking. Both London Road and Wallis Road have some on-street and some off road parking. The site is within walking distance of the town centre and the train station and is on a main bus route with a number of bus stops within a short distance of the site.

The Local Highways Authority has advised that they cannot support the application and require further information. They have advised that a Parking Beat survey may be required.

Objections have also been received in relation to the parking provision for the proposal and concerns that this would result in occupants parking on Wallis Road or on the pavement outside the property.

The site has no on-site car parking, however it has space for cycle parking to the rear of the property details of which can be secured by condition.

It is considered that the site's location on the edge of the town centre, close to shops, bus stops and the train station means that the site is in a highly sustainable location. As such it is considered that while parking is limited, this is mitigated by the location of the site. Given this it is considered that the site is in a sustainable location and the lack on-site parking can be justified in this case.

In regard to the parking beat survey recommended by the LHA, it is considered given the sustainable location of the site that would be unreasonable to require the applicant to submit a parking beat survey.

An objection was received on the grounds that the lack of parking would result in residents parking on Wallis Road, however this is public road with no restrictions on parking; and illegally in other areas, however this is not a planning matter and would be for the relevant parking enforcement authority to deal with.

Therefore it is considered that subject to a condition regarding cycle storage the proposal is acceptable in terms of cycle storage, parking and highway safety in accordance with policy 8 of the NNJCS.

## 6. Refuse collection and storage

With respect to the refuse storage facilities at the site, there is space to store the bins in the rear garden and so the bins will be stored on site, out of the public realm. The putting out and bringing in of bins is the responsibility of the residents.

Comments have been received regarding waste at the site. As an HMO is billed by Council Tax as a single household, they are only entitled to the same refuse and recycling facilities as a dwelling house which is 3 no. 240 litre plastic wheeled bins for general waste, dry recycling and garden waste and a 55 litre plastic box for paper.

It is considered prudent and necessary in this case to impose a planning condition to require details of the refuse storage area on site.

## Conclusion

The proposal is acceptable in principle and in terms of its impact on the character and appearance of the area, residential amenity, standard of accommodation, highway safety and parking and refuse storage and /collection. Subject to conditions the proposed development is acceptable and recommended for approval.

### **Background Papers**

Title of Document:

Date:

Contact Officer:

Louisa Johnson, Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date:





Title: 149 London Road

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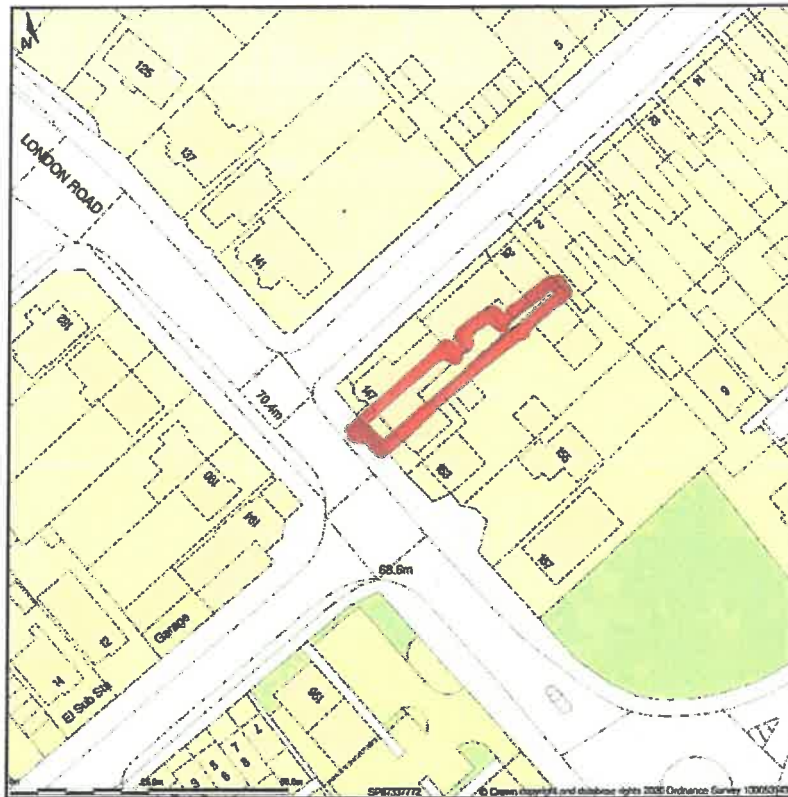
**Kettering**  
Borough Council

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149, London Road, Kettering, Northamptonshire, NN15 6NQ



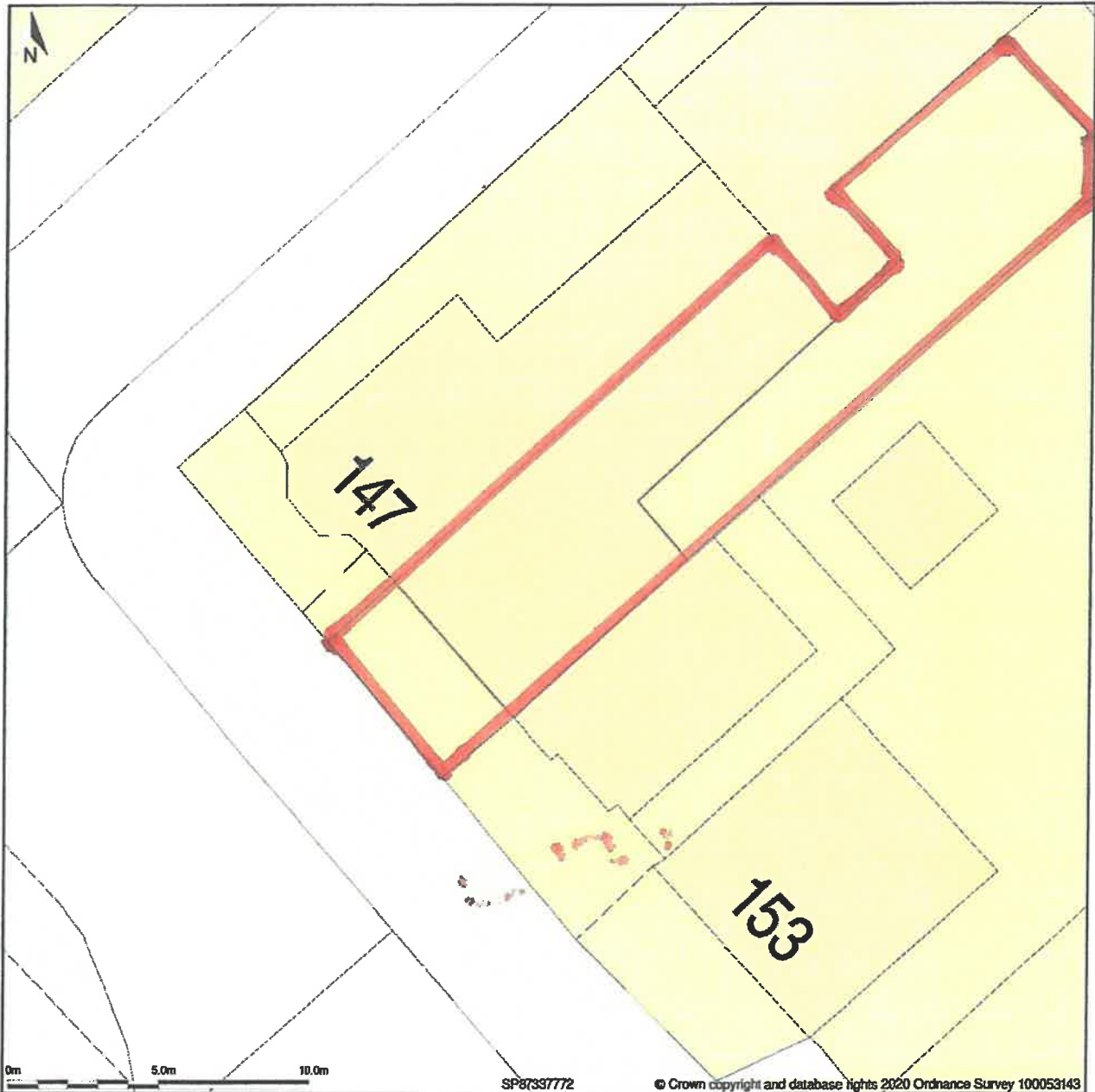
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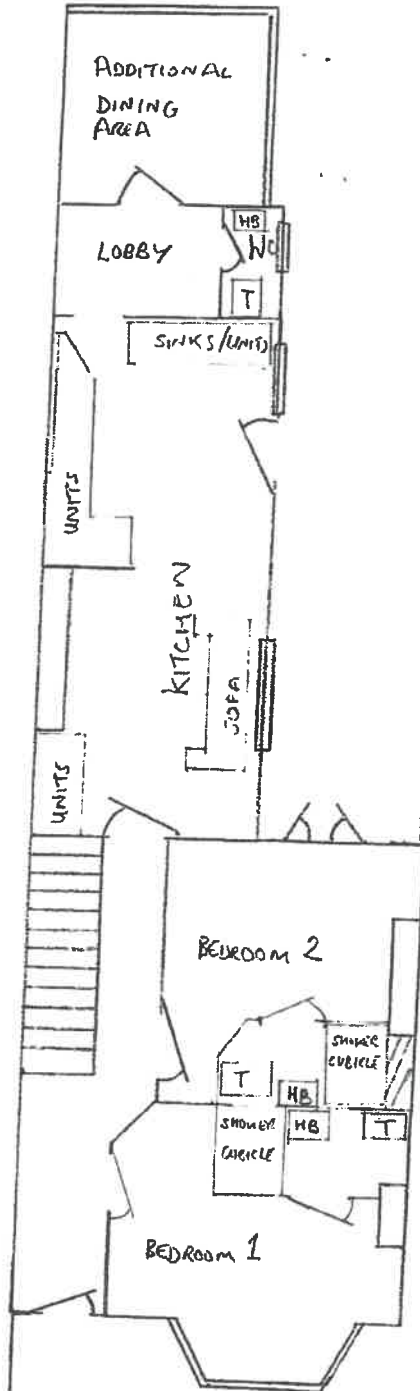
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SCALE 1:100



149 LONDON ROAD

NN15 6NQ

GROUND FLOOR

75 SQ METRES

PROPOSED LAYOUT

T = TOILET

HB = HAND BASIN

SCALE 1:100

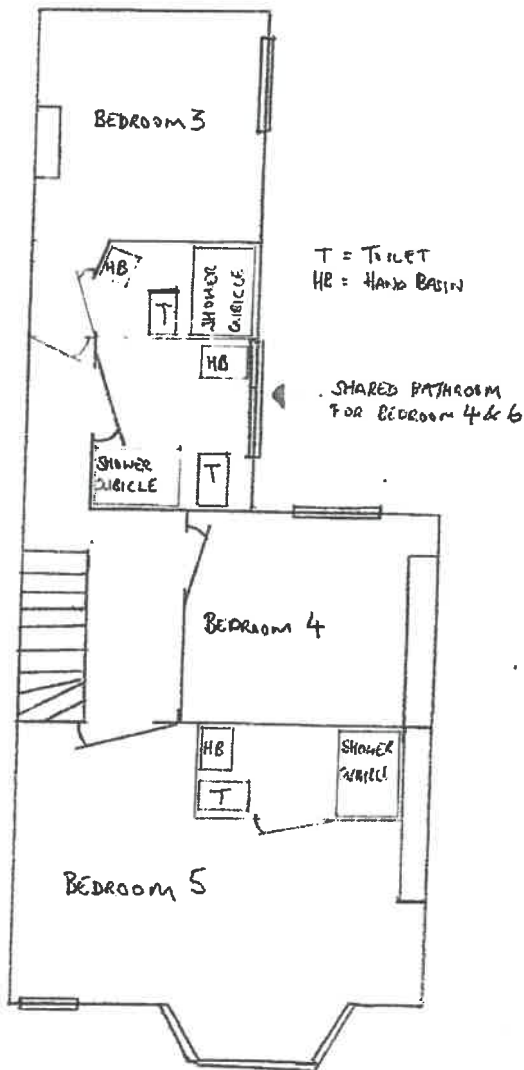
149 LONDON ROAD

NN15 6NQ

FIRST FLOOR

62 SQ METRES

PROPOSED LAYOUT



SCALE 1:100

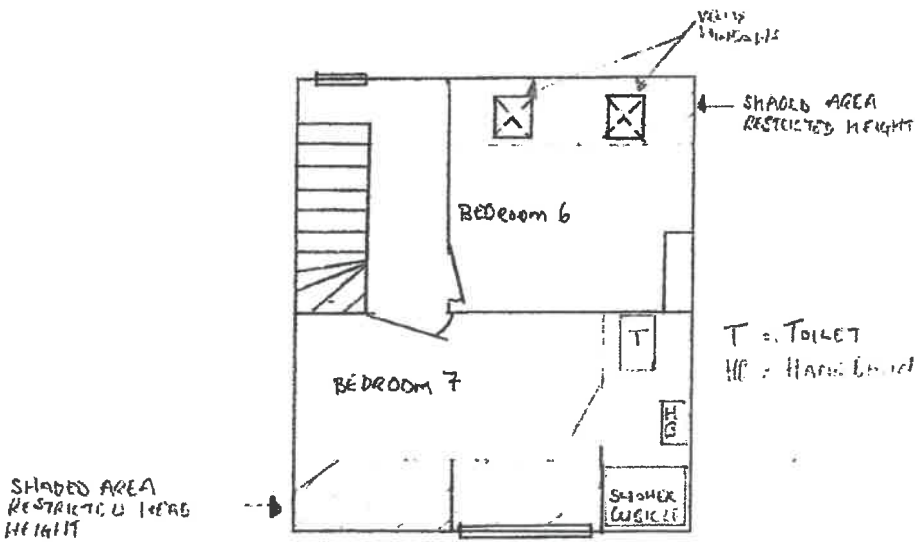
149 LONDON ROAD

NN15 6NQ

SECOND FLOOR

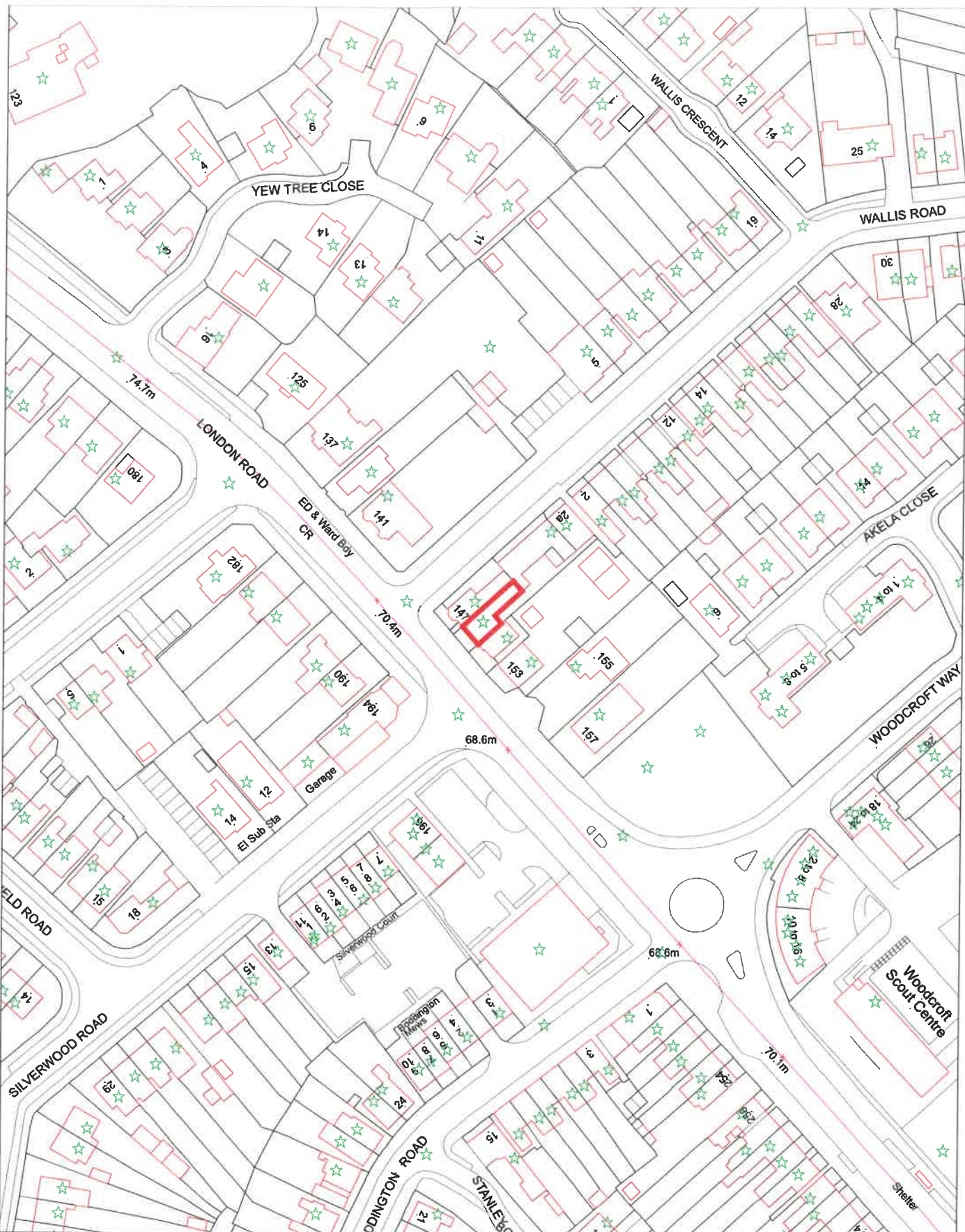
33 SQ METRES

PROPOSED LAYOUT





# Appendix A



Title: 149 London Road

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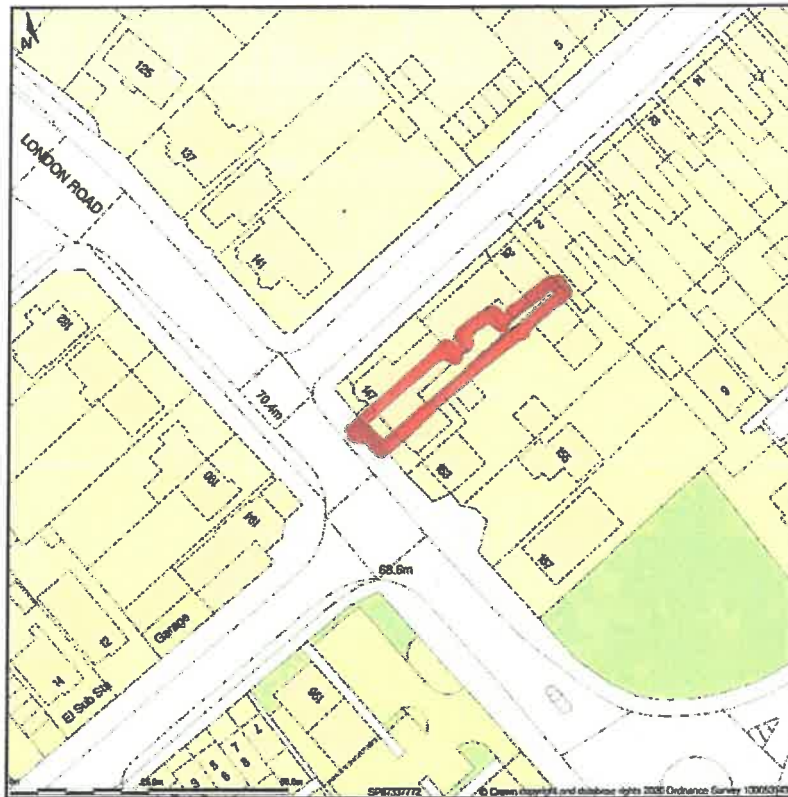
**Kettering**  
Borough Council

Date: 14:07:20

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149, London Road, Kettering, Northamptonshire, NN15 6NQ



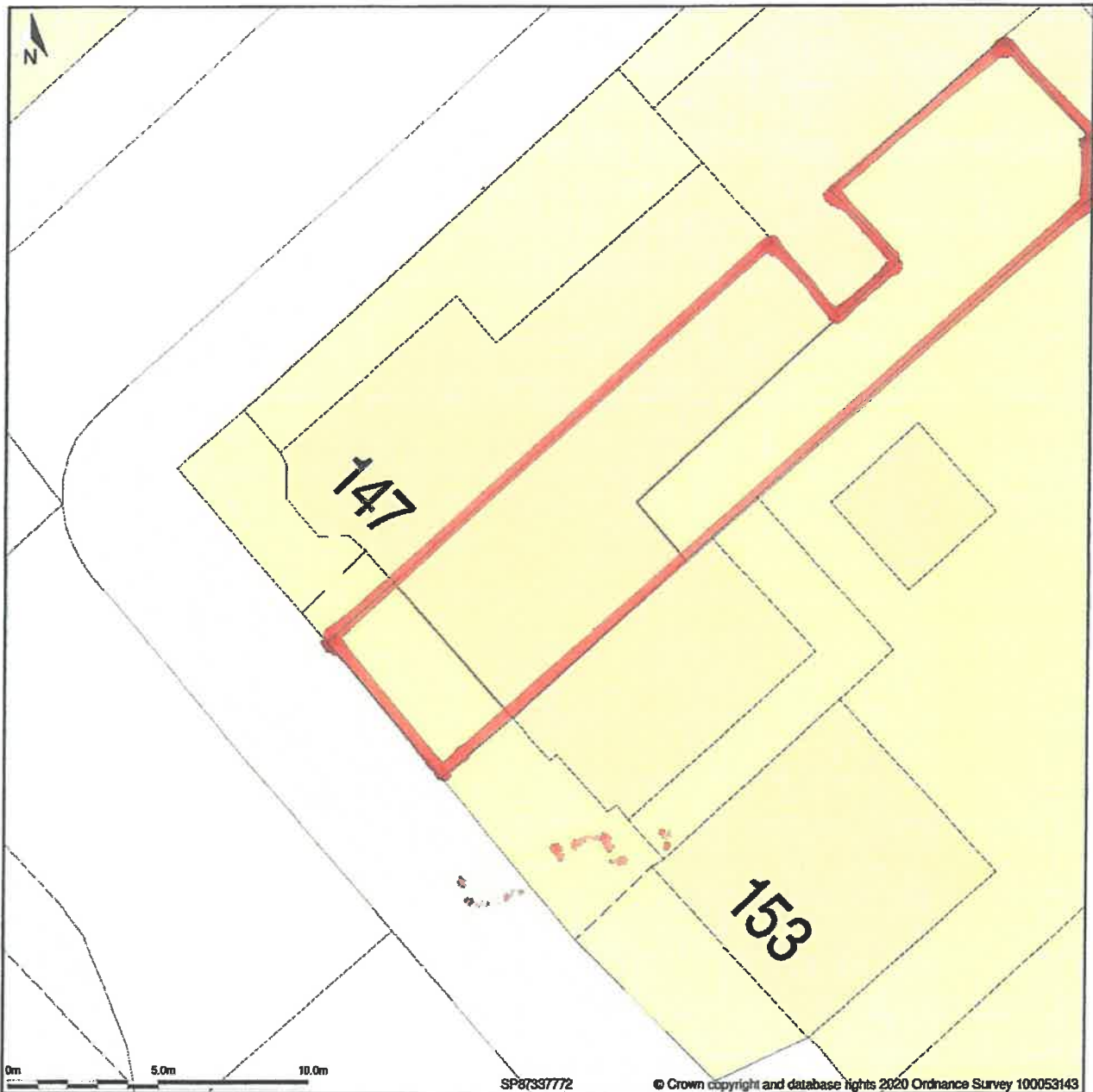
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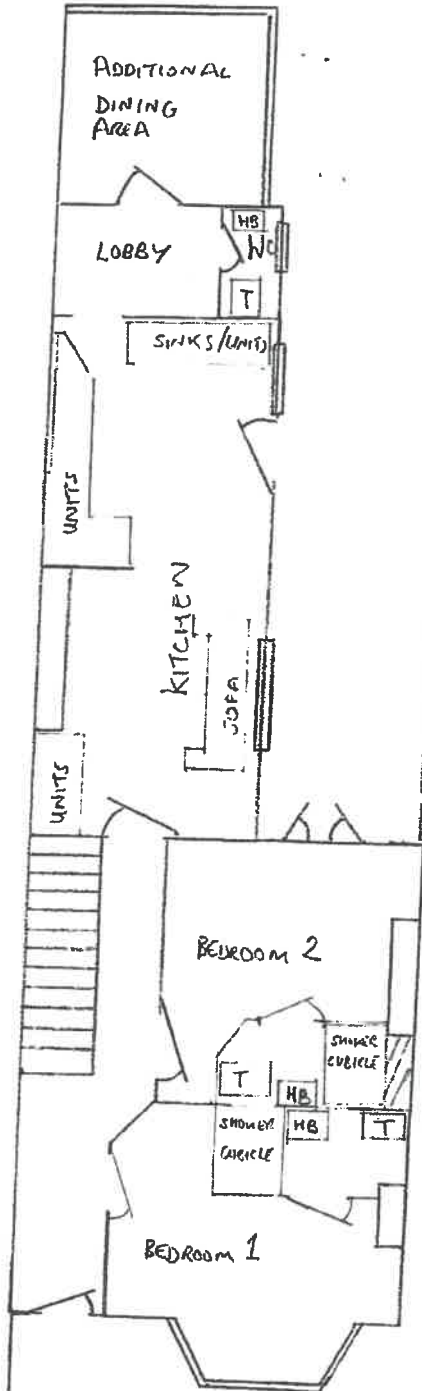
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Bin/BIKE  
STORE  
SECURE

SCALE 1:100



149 LONDON ROAD

NN15 6NQ

GROUND FLOOR

75 SQ METRES

PROPOSED LAYOUT

T = TOILET  
HB = HAND BASIN

SCALE 1:100

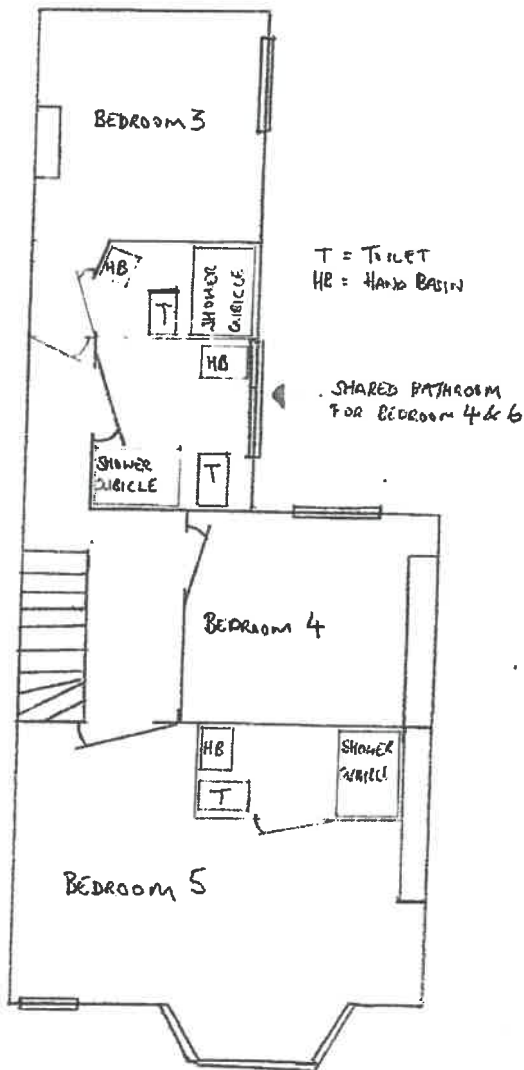
149 LONDON ROAD

NN15 6NQ

FIRST FLOOR

62 SQ METRES

PROPOSED LAYOUT



SCALE 1:100

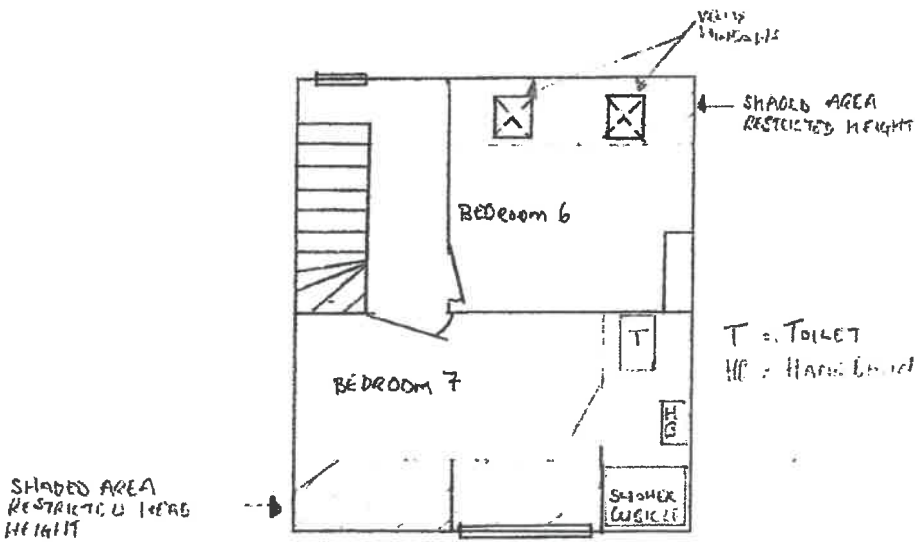
149 LONDON ROAD

NN15 6NQ

SECOND FLOOR

33 SQ METRES

PROPOSED LAYOUT





**BOROUGH OF KETTERING**

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>   | <b>Item No: 5.8</b>                      |
| <b>Report Originator</b> | <b>Sean Bennett<br/>Senior Development Officer</b>  | <b>Application No:<br/>KET/2020/0255</b> |
| <b>Wards Affected</b>    | <b>Barton</b>   |  |
| <b>Location</b>          | <b>135 Barton Road (land to rear), Barton Seagrave</b>                                      |  |
| <b>Proposal</b>          | <b>Full Application: One carbon neutral dwelling with garage and associated landscaping</b> |  |
| <b>Applicant</b>         | <b>Mr M Telford</b>   |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be REFUSED for the following reason(s):-

1. By reason of the height, design and expansive mass of its north elevation the proposal would result in the provision of an incongruous, discordant and prominent feature in the Grendon Drive streetscape and thereby would harm the character and appearance of the area. Therefore, the application is contrary to Policy 8(d) of the North Northamptonshire Joint Core Strategy and is inconsistent with paragraph 127 of the NPPF.

2. By reason of the height, mass, expanse, orientation, proximity and blank northern elevation of the proposal in relation to 23 Grendon Drive and the relationship between the first floor bedroom window in the east elevation of the proposal and private garden space to 135a Barton Road the development would harm the living conditions of occupiers of these neighbouring properties as a result of loss of light, outlook and have an overbearing impact. As such the proposal is contrary to policy 8 of the North Northamptonshire Joint Core Strategy and is inconsistent with paragraph 127(f) of the NPPF.

## Officers Report for KET/2020/0255

This application is reported for Committee decision because a ward member has asked for it to be considered

### 3.0 Information

#### Relevant Planning History

KET/2020/0053 - 1 no. dwelling and garage with associated landscaping – REFUSED for the following reasons:

- 1. The proposal, by virtue of its form, layout and density, presents a new dwelling set on a small and cramped plot which would result in a disproportionately sized dwellinghouse and plot when read in conjunction with the surrounding context. The type and pallet of materials proposed are not relative to surrounding development and their prominent visibility within the public realm is considered to present new development at odds with its surroundings with no features to aid a coherent appearance within the street scene. Furthermore, the height, design and proportions of the building do not respect the site surroundings and would result in an incongruous building that does not respect the existing design principles. As a result, the proposed development would jar with the host dwelling and the wider street scene and is therefore considered to be inappropriate for the context of the application site and the wider public realm. Therefore, the proposed development is contrary to Policy 8(d) and 8(b) of the North Northamptonshire Joint Core Strategy in that the proposed development does not respond to the site's immediate and wider context and local character.*
- 2. A combination of the positioning of the building in relation to neighbouring properties and the resulting relationship between windows on the east elevation of the proposed dwellinghouse and both habitable windows and private garden space to neighbouring properties at 20-23 Grendon Drive and 135a Barton Road would result in a detrimental relationship imposing harmful implications to the living conditions of occupiers of these neighbouring properties. As such the proposal is contrary to policy 8 of the North Northamptonshire Joint Core Strategy in that it does not protect neighbour amenity.*

#### Land to the south

KET/2019/0475 – 1 no. dwelling with associated landscaping – APPROVED - 25/09/2019

#### **Site Visit**

Officer's site inspection was carried out on 27/05/2020

### **Site Description**

The 0.04ha site is within an established residential area accessed via a 65m long private driveway served off the eastern side of Barton Road which currently provides access for two existing dwellings and would also serve the dwelling approved in 2019 and parking associated with 135 Barton Road. The land is enclosed by fencing and has the general appearance of a poorly maintained garden.

### **Proposed Development**

The application seeks full planning permission for a single two storey 4-bed dwelling with render to the ground floor external walls and the first-floor clad in a fibre cement vertical board system under a mono-pitched steel profiled roof and solar panels. A matching garage is also proposed.

The application has been supported by 'Passivhaus Options Report' which outlines the thermal and energy efficiency credentials that the proposal could achieve.

The proposal has been described as a 'carbon neutral "EcoHaus"' on the application form. Based on the information provided it is not clear whether this is the case, as whilst the proposed dwelling may be more energy and thermal efficient than a standard dwelling, whether it meets the high thresholds to be badged as being 'carbon neutral' is doubtful and in any respect has not been proven in the submission. Indeed the 'Passivhaus Options Report' does not make such a claim.

Nevertheless, the application is considered based on the information submitted and amounts to a near identical submission as the proposal considered in the recent refusal. Essentially, therefore the applicant is effectively seeking a different Officers view as to the planning merits of the proposal.

### **Any Constraints Affecting the Site**

Access of a classified A-road (A6003)

## **4.0 Consultation and Customer Impact**

**Barton Seagrave Parish Council:** Say that eco-friendly designs should be encouraged however question the size of the dwelling in comparison with the size of the plot.

**KBC – Environmental Protection:** No objections subject to the imposition of conditions with respect to construction working hours and unexpected contamination

### **Neighbours**

None received at the time of writing this report.

## **5.0 Planning Policy**

### **National Planning Policy Framework (NPPF):**

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities

- 9. Promoting sustainable transport
- 11: Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy (JCS):**

- 1. Presumption in favour of Sustainable Development
- 4. Biodiversity
- 8. North Northamptonshire Place Shaping Principles
- 9. Sustainable Buildings
- 11. The Network of Urban and Rural Areas
- 28. Housing Requirements
- 29. Distribution of new homes
- 30. Housing Mix and Tenure

#### **Saved Policies in the Local Plan (LP) for Kettering Borough**

- 35. Housing with Towns

### **6.0 Financial/Resource Implications**

None

### **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site-Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change.

## 8.0 Planning Considerations

The key issues for consideration in this application are: -

1. The principle of development
2. Impact on character and appearance
3. Impact on residential amenity
4. Impact on highway safety
5. Other matters

### 1. The principle of development

The site is located within the Town Boundary defined by Saved Policy 35 of the Local Plan. As such the proposal is consistent with Policies 11 and 29 of the North Northamptonshire Joint Core Strategy (JCS) which directs development to existing urban areas in order to secure a sustainable pattern of development and protection of the countryside.

However, as the site consists of 'greenfield' land, there is no immediate encouragement for its development.

### 2. Impact on character and appearance

Policy 8 (d) of the JCS, consistent with chapter 12 of the NPPF requires development to be *well-designed* and *safe, healthy, inclusive* environments.

The site is in a rear area approximately 60m from Barton Road. The established pattern of Barton Road is linear in nature consisting of a variety of detached dwellings with generous rear gardens. Development behind the Barton Road dwellings is however also a character of the area including at Grendon Drive to the north and in the immediate locality which consists of two existing large modern stone dwellings. Planning permission has also recently been granted on land to the immediate south for a flat-roofed single storey eco-haus. The two existing stone dwellings and the dwelling recently permitted would share the same access as the proposal. The basic tenet therefore of back-land development within the area is acceptable.

The site has the character of garden-land enclosed with closed-board fencing and a stone pillar wall with railings and provides an openness to its immediate surroundings. Whilst the site does not form a significant part of the Barton Road streetscape it is evident along the access and contributes to the southern openness experienced in Grendon Drive.

Whilst the proposition of a two-storey dwelling with a modern design typology may be appropriate its mono-pitched two storey design would result in the provision of a blank 7.5m high by 12.5m long wall close to the boundary with Grendon Drive. This would create a poor streetscape as experienced from Grendon Drive, incongruous with its traditional design approach and be a discordant feature in the locality.

Consequently, the proposal harms the character and appearance of the area contrary to Policy 8(d) of the JCS.

### 3. Impact on residential amenity

Policy 8(e) of the North Northamptonshire Joint Core Strategy, consistent with paragraph 127 of the NPPF seeks to protect *quality of life and safer healthier communities by ensuring new development does not result in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.*

The proposed dwelling would be sited to the approximately 12.5m to the south/rear elevation of 23 Grendon Drive. This orientation means that it would be directly in the sun's arc of movement for a long period of the day, particularly in the seasons when the sun is low in the sky. 12.5m separation distance between a rear facing elevation and a side elevation (of the proposed building) may be acceptable in some circumstances. However, in this case its orientation and the effective provision of a 7.5m high by 12.5m long blank wall in close proximity to the rear boundary of 23 Grendon Drive would create an unwelcome arrangement. This impact would harm the living conditions experienced by occupiers of 23 Grendon Drive as a result of loss of light and overbearing as a result of the height, mass, proximity and orientation of the proposal.

Further, the first-floor bedroom window proposed in the east (rear) elevation of the proposed dwellinghouse would directly overlook the garden of 135A 'Barton House', Barton Road at a distance of 5m. This matter may have been addressed through the provision of a condition requiring the window to be non-opening and obscure, however the applicant refused to have the prospect of this condition added in the event that the proposal was found unacceptable for the other laid out reasons. Thereby, the proposal would result in unacceptable overlooking and loss of privacy to the garden of 135A Barton Road which would detrimentally compromise the living conditions of occupants.

As such, The height and position of the proposed building combined with the proposed window arrangement means that the application is contrary to Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy and paragraph 127 of the NPPF as the development would result in an unacceptable impact upon amenity to neighbouring properties.

### 4. Impact on highway safety

Policy 8(b) of the North Northamptonshire Joint Core Strategy requires new development to have a *satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards*, and not to have an adverse impact on the highway network nor *prejudice highway safety*.

The proposal provides off-street parking for at least four cars off-street (including the access driveway). This is sufficient provision. The driveway access has an overtaking place adjacent to Barton Road and appears to operate safely. The provision of one additional dwelling being served by the access and driveway (five in total) would not harm highway safety. The proposal therefore is acceptable in this regard.

### 5. Other matters

There is no reason to believe that the proposal would give rise to adverse flooding or biodiversity issues.



Policy 6 of the JCS seeks development consider impacts of contamination. The Council's Environmental Protection Department recommends the imposition of an unexpected contamination condition to deal with this matter. As such subject to the imposition of that condition the proposal has the appropriate safeguards in place and is acceptable in this regard.

Policy 9 of the JCS seeks development to incorporate measures to ensure high standards of resource and energy efficiency. Policy 30(c) of the JCS requires new dwellings to meet Category 2 of the National Accessibility Standards as a minimum.

Subject to the imposition of appropriate conditions to ensure that the dwelling employ measures to limit water use to no more than 105 litres per person per day and to comply with the mentioned Accessibility Standards the proposal therefore, together with its' 'Passivhaus' aspirations, is considered to be acceptable in this regard.

### **Conclusion**

The benefits associated with the proposal include those relating to spend associated with the build and by future occupiers in the area and benefits associated with the provision of an energy and thermal efficient dwelling. Those benefits, however, should not be provided at any cost and are outweighed by the harm identified above.

Consequently, the application conflicts with Development Plan policy and NPPF guidance and with no material planning considerations that would justify coming to a different conclusion, is recommended for refusal.

### **Background Papers**

Title of Document:

Date:

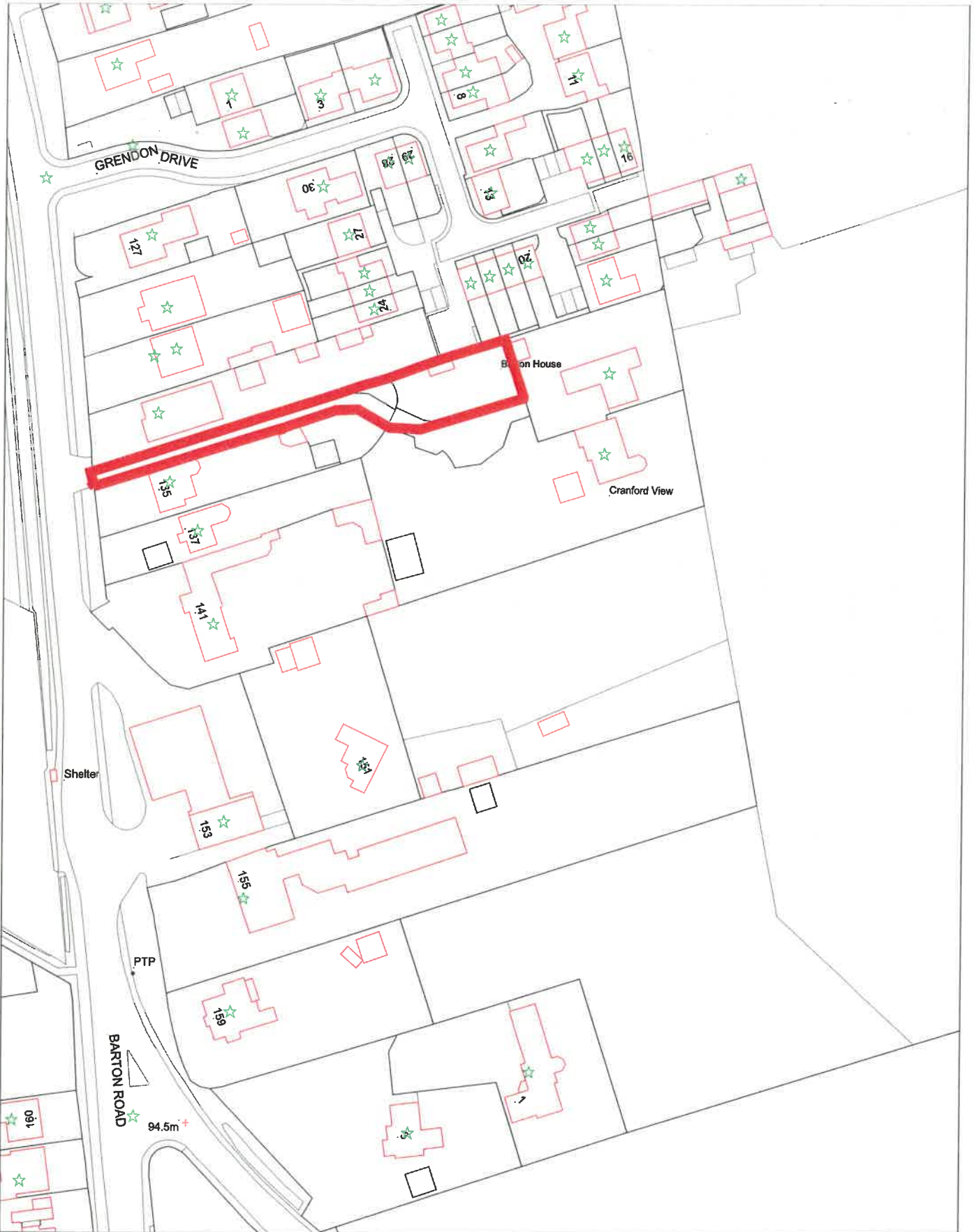
Contact Officer:

Sean Bennett, Senior Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date:



Title: 135 Barton Road

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Borough Council

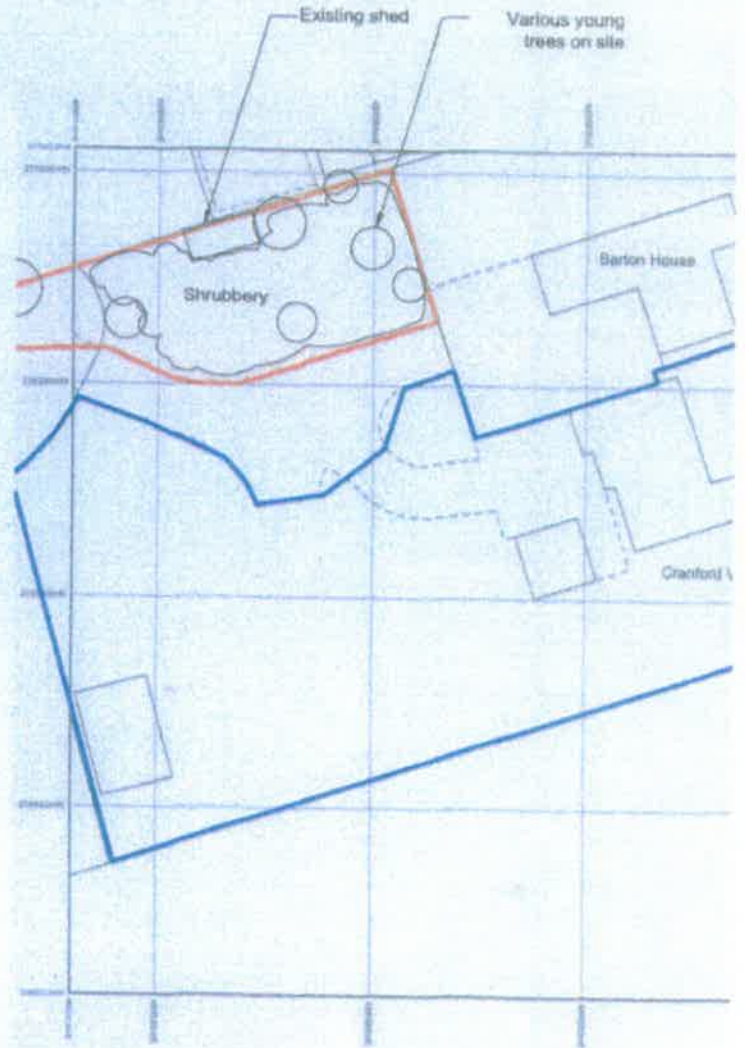
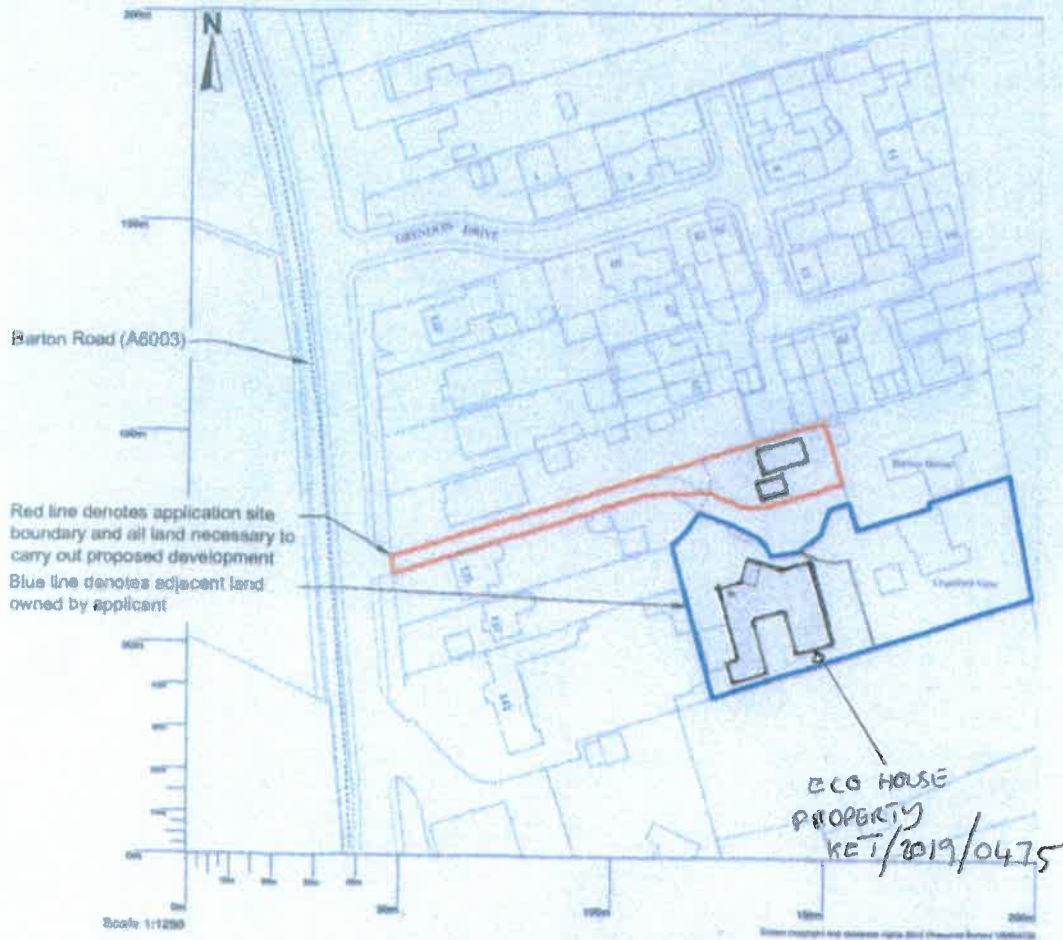
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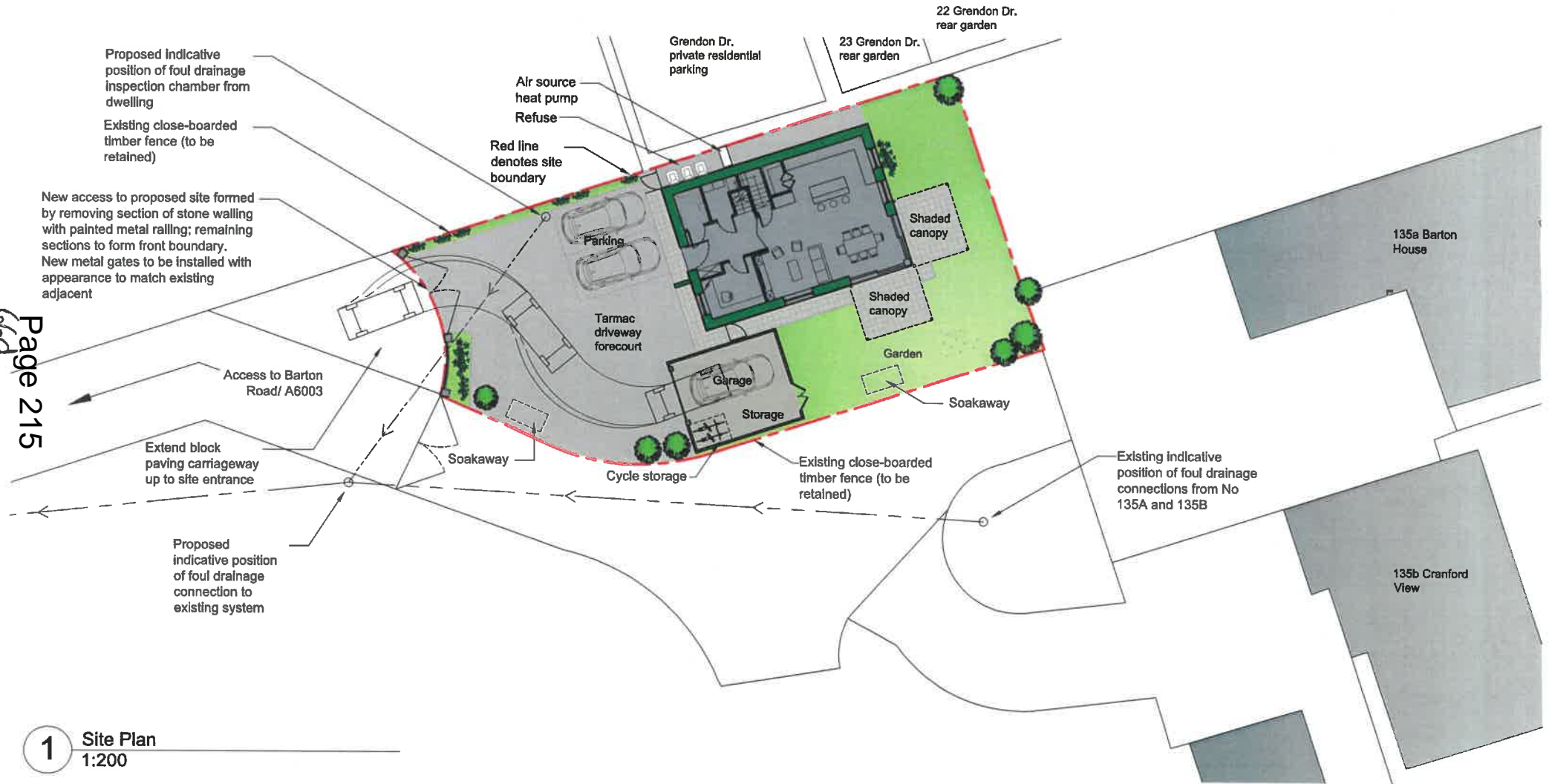
1 Location plan PLAN SHOWING PROPOSED BUILDING ON SITE & ECO HOUSE PROPERTY ON LAND EDGED BLUE, ADJACENT

2 Block plan



|                     |   |           |            |
|---------------------|---|-----------|------------|
| Project             | Land adjacent to 135b Barton Rd Kettering | Applicant | [Redacted] |
| Client              | Mike Telford                              | App No    | E 2378     |
| Project location    | [Redacted]                                | Scale     | 002 A      |
| Project description | [Redacted]                                | Project   | Planning   |

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**1** Site Plan  
1:200



| REV. | DATE     | NOTES                   | BY  | CHECKED | PROJECT   | DRAWING TITLE             |          |          |
|------|----------|-------------------------|-----|---------|---|---------------------------|----------|----------|
| A    | 23.10.19 | Garage position amended | KJM | JSE     | Land adjacent to 135b Barton Rd Kettering   | <b>Proposed site plan</b> |          |          |
| B    | 19.12.19 | Site plan amended       | AC  | JW      |   | JOB NO.                   | DWG. NO. | STATUS   |
| C    | 08.01.20 | Drainage added          | AC  | JW      |   | E2378                     | 001      | Planning |
|      |          |                         |     |         | CUSTOMER  | SCALE                     | DWG. SCS | REV.     |
|      |          |                         |     |         | Mike Telford  | 1: 200                    | A3       | C        |
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1 West elevation  
1:100



2 South elevation  
1:100

**MATERIALS**

**Features:**  
Metal overhang to west entrance

Patio canopy shading device to cover sliding doors on south and east facades

**Walls**  
Ground floor:  
Weber Pral render finish;  
Colour: White, on blue engineering brick plinth course

First floor:  
Marley Cedral board cladding (smooth finish); fixed vertically;  
Colour: slate grey

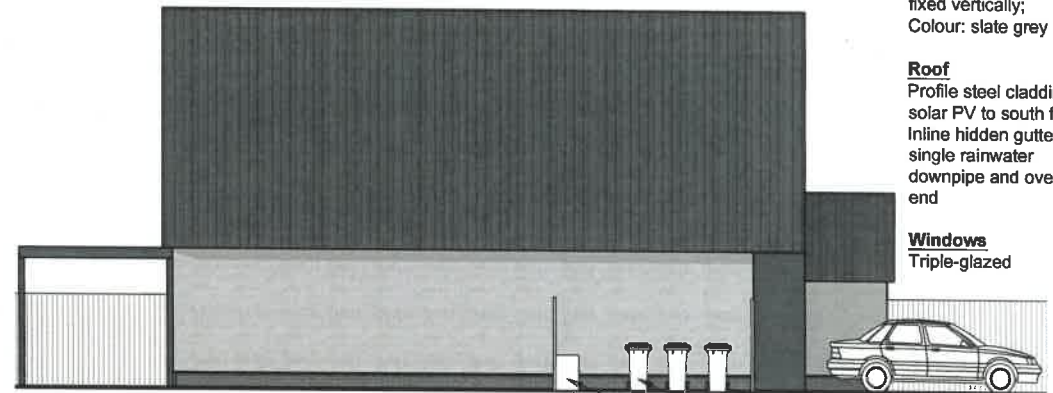
**Roof**  
Profile steel cladding with solar PV to south face; Inline hidden gutter with single rainwater downpipe and overflow end

**Windows**  
Triple-glazed

Page 216



3 East elevation  
1:100



4 North elevation  
1:100

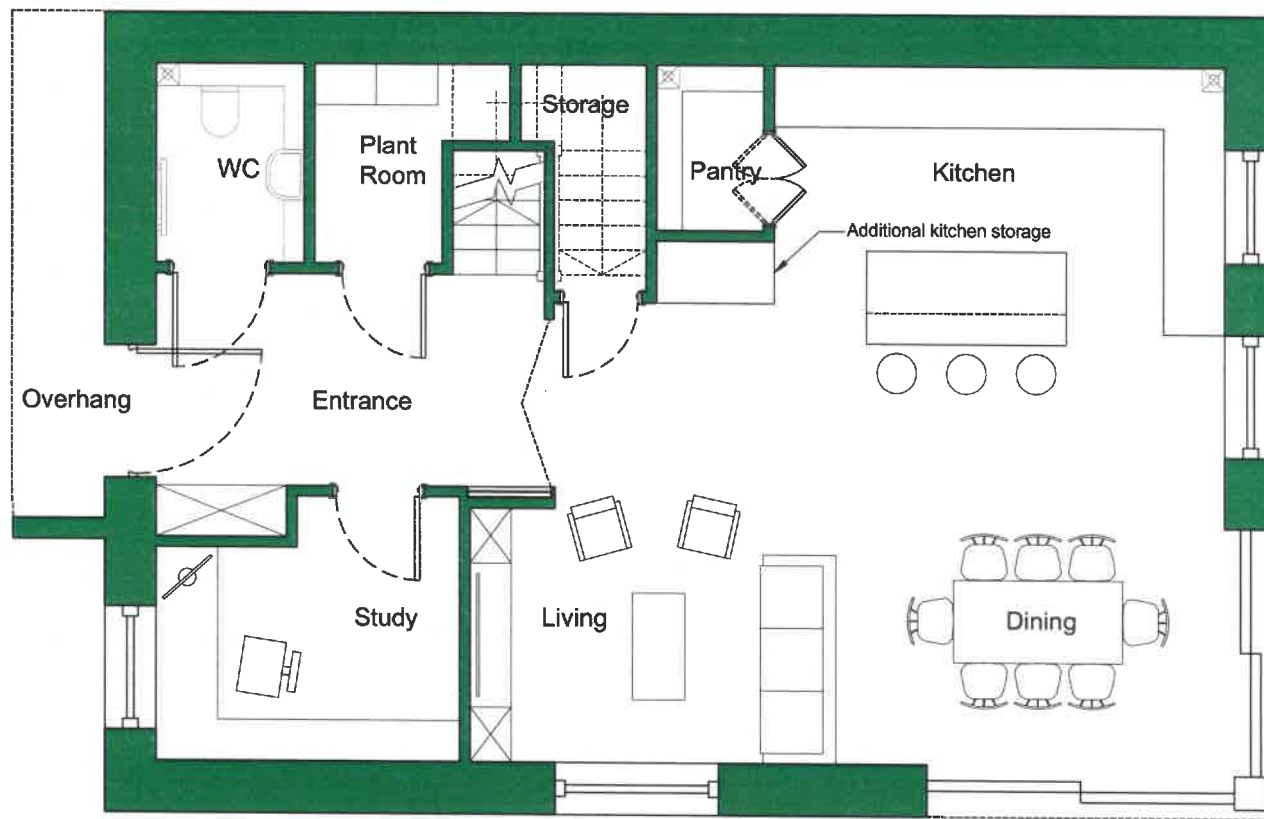
Refuse  
Air source heat pump

Scale 1:100

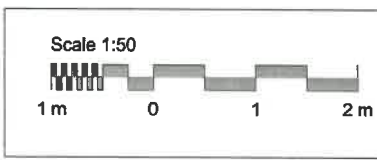


| REV.  | DATE     | NOTES                                | BY | CHECKED | PROJECT  | DRAWING TITLE  | STATUS   |
|---|----------|--------------------------------------|----|---------|--|--|----------|
| -   | 03/12/19 | Final Issue                          | AC | JW      | Land adjacent to 135b Barton Rd Kettering  | Proposed elevations  | Planning |
| A   | 19/12/19 | This amended end extreme adjustments | AC | JW      | CLIENT: Mike Telford   | JOB NO: E2378<br>DWG. NO: 005<br>SCALE: 1:100<br>DWG. SIZE: A3 | REV. A   |
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**1** Ground Floor Plan  
1:50



| REV. | DATE     | NOTES   | BY  | CHECKED |
|------|----------|---|-----|---------|
| -    | 17/7/19  | 1st Issue   | KBM | AC      |
| A    | 23/10/19 | WC made 1.85m <sup>2</sup> to allow for enlargement of plant room | KBM | JW      |
| B    | 14/11/19 | Window savings updated following review                           | AC  | JW      |
| C    | 19/12/19 | Title amended   | AC  | JW      |

PROJECT  
Land adjacent to 135b Barton Rd Kettering

CLIENT  
Mike Telford

| DRAWING TITLE             |                  |                    |
|---------------------------|------------------|--------------------|
| Proposed Ground Floorplan |                  |                    |
| JOB NO.<br>E2378          | DRWG. NO.<br>003 | STATUS<br>Planning |
| SCALE<br>1:50             | DRWG. SIZE<br>A3 | REV.<br>C          |

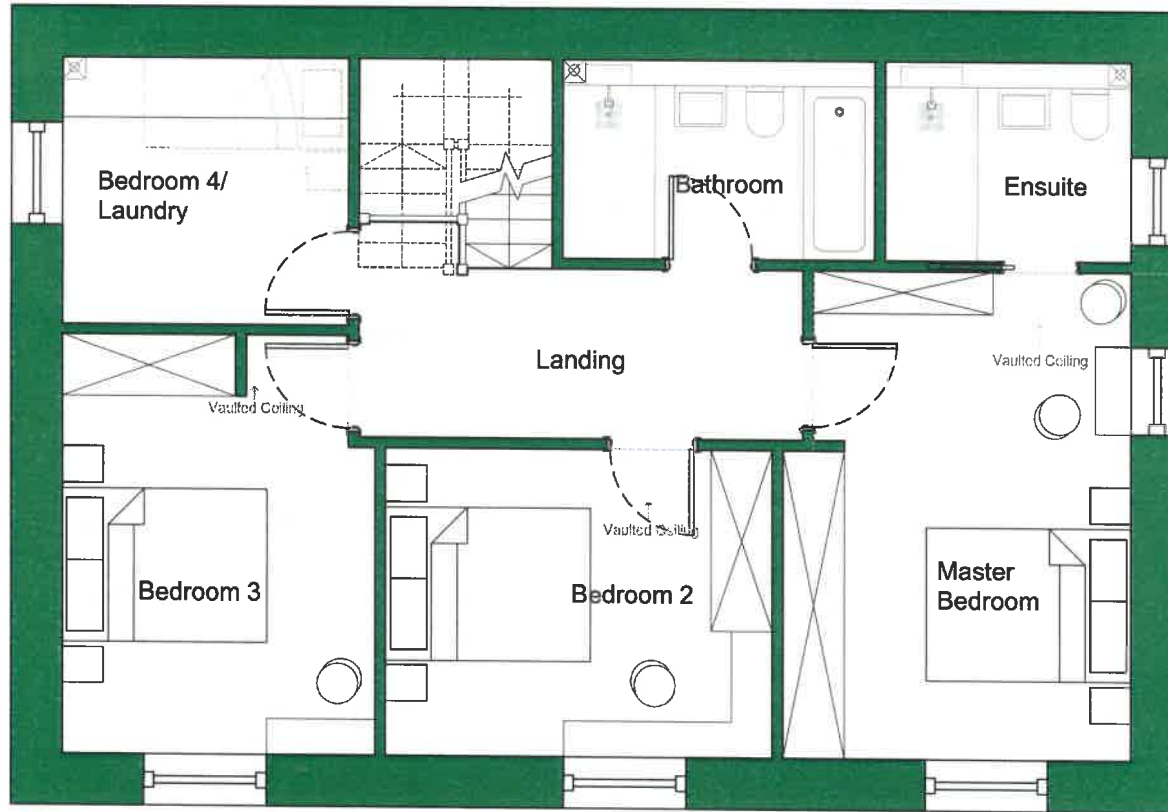
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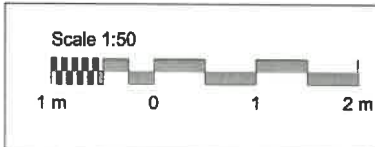
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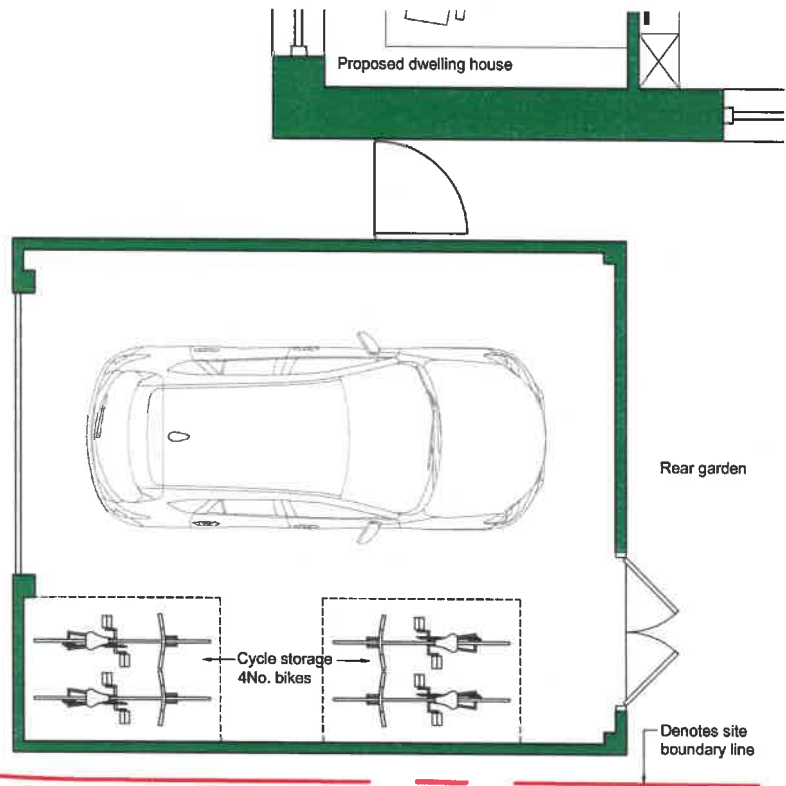
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**1** First Floor Plan  
1:50



| REV.  | DATE     | NOTES  | BY   | CHECKED | PROJECT  | DRAWING TITLE   |                 |                    |
|---|----------|--|------|---------|--|---|-----------------|--------------------|
| A   | 17/12/19 | Final Issue  | NBSR | AS      | Land adjacent to 135b<br>Barton Rd<br>Kettering  | Proposed First Floorplan  |                 |                    |
| B   | 23/10/19 | Stair window and high-level bathroom glazing removed | KBM  | JW      |  | JOB NO.<br>E2378  | DWG. NO.<br>004 | STATUS<br>Planning |
| C   | 14/11/19 | Window signage updated following review              | AC   | JW      |  | SCALE<br>1:50   | DWG. SIZE<br>A3 | REV.<br>D          |
| D   | 19/12/19 | Minor amendment to vaulted ceiling                   | AC   | JW      |  | Any discrepancies must be reported to the architect / contract administrator. |                 |                    |
| CLIENT<br>Mike Telford  |          |  |      |         | DRAWING INFORMATION  |   |                 |                    |
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1 GA Floor Plan - Garage  
1:50

**CDM regulations 2015**

For notifiable projects the building contractor must produce a Construction Phase Plan, which will include :- a statement of methods of construction, hazards, risks and how the works are to be controlled.

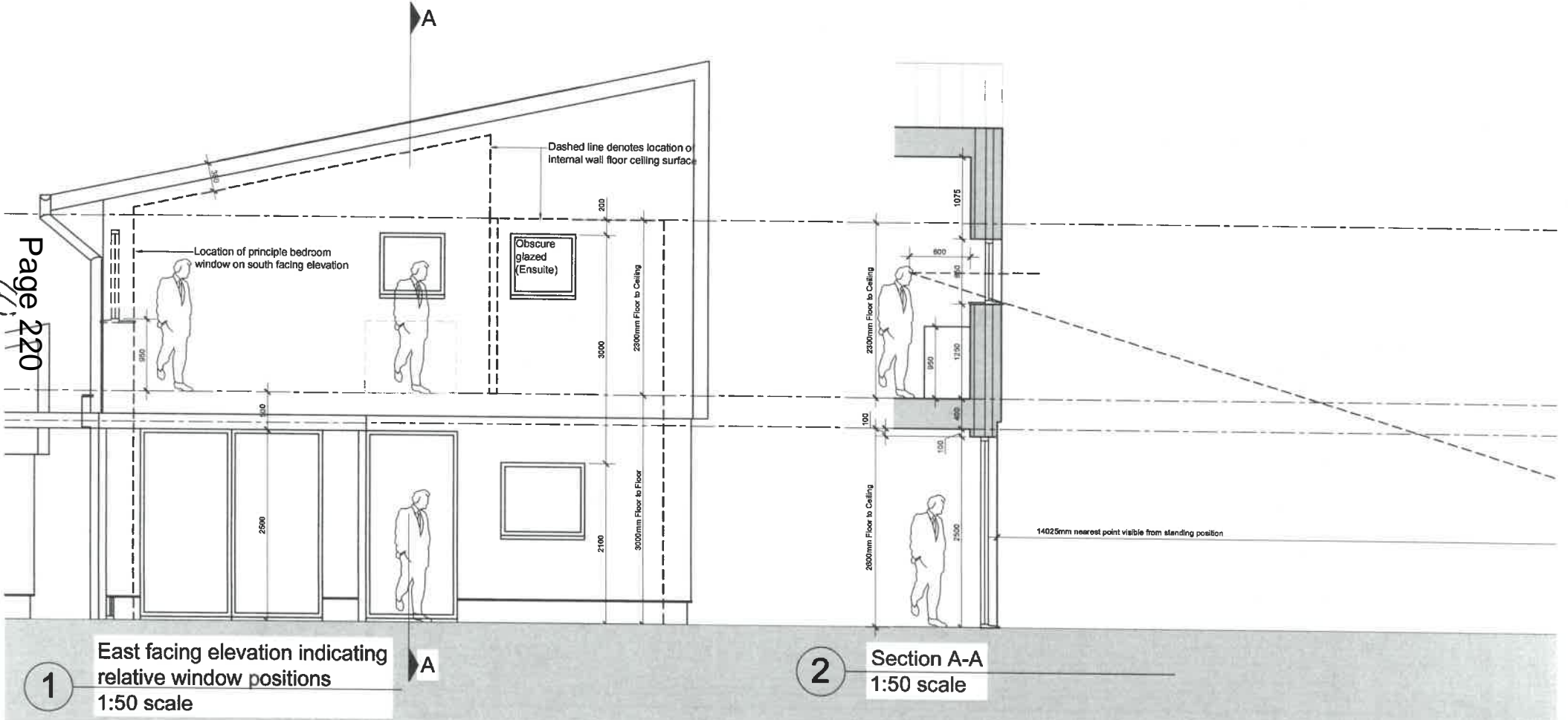
A notifiable project is defined as works that are 30 working days long, with 20 workers at any point in the project or exceeds 500 working person days - this includes domestic projects. To be read in conjunction with all CDM and HSE regulations.



Scale 1:50

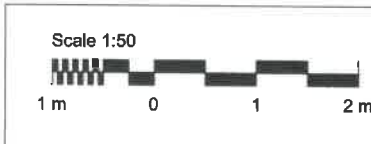


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|  |      |       |    |         | 135d Orchard House<br>Barton Road<br>Kettering | PROPOSED FLOOR PLAN (Garage)   |                 |                    |
|  |      |       |    |         | CLIENT<br>Mike Telford                         | JOB NO<br>E2378  | DWG. NO.<br>006 | STATUS<br>Planning |
|  |      |       |    |         | DWG INFORMATION                                | SCALE<br>1:50  | DWG. SIZE<br>A3 | REV.<br>-          |
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**1** East facing elevation indicating relative window positions  
1:50 scale

**2** Section A-A  
1:50 scale



| REV.   | DATE | NOTES | BY | CHECKED | PROJECT                                   | DRAWING TITLE   |           |          |
|--|------|-------|----|---------|---|---|-----------|----------|
|  |      |       | JW | AG      | Land adjacent to 135b Barton Rd Kettering | Proposed section A-A  |           |          |
|  |      |       |    |         | CLIENT                                    | JOB NO.   | DWG. NO.  | STATUS   |
|  |      |       |    |         | Mike Telford                              | E2378   | 007       | Planning |
|  |      |       |    |         | DWG. INFORMATION                          | SCALE   | DWG. SIZE | REV.     |
|  |      |       |    |         |   | 1: 50   | A3        | -        |
| <small>© Licensed 2010. Created 14/02/2010 14:00:00. All rights reserved. 0. Drawing/Printing Date: 02/12/10. Proposed Section A-A.dwg</small> |      |       |    |         |   | <small>All dimensions to be checked on site, before work commences. Any discrepancies are to be reported to the architect / contract administrator.</small><br><small>COPYRIGHT © This drawing is copyright and reserved to you as licensee. It must not be copied, used or disclosed, in whole or in part, to third parties. It remains the property of eco design consultants. Read in conjunction with all relevant structural, mechanical and electrical drawings and specifications.</small> |           |          |
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66j  
Page 221





661k  
Page 222





Title: 135 Barton Road

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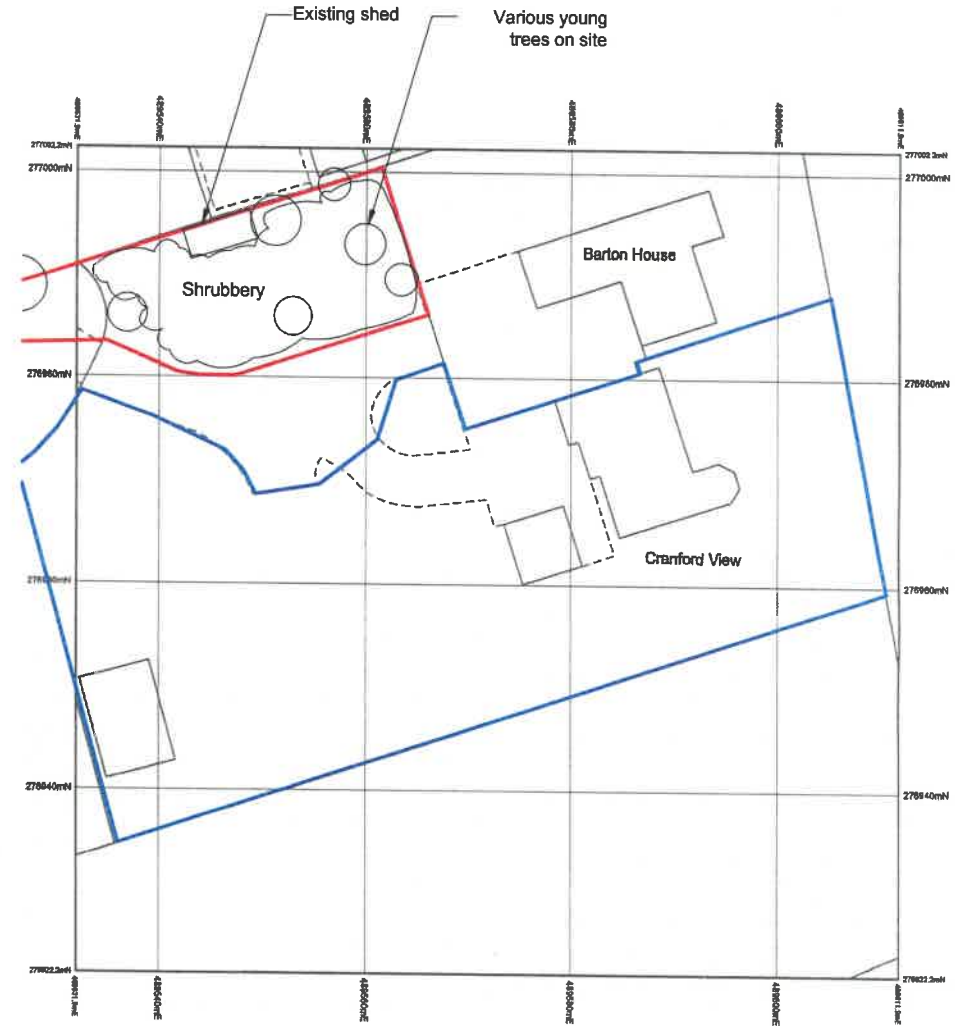
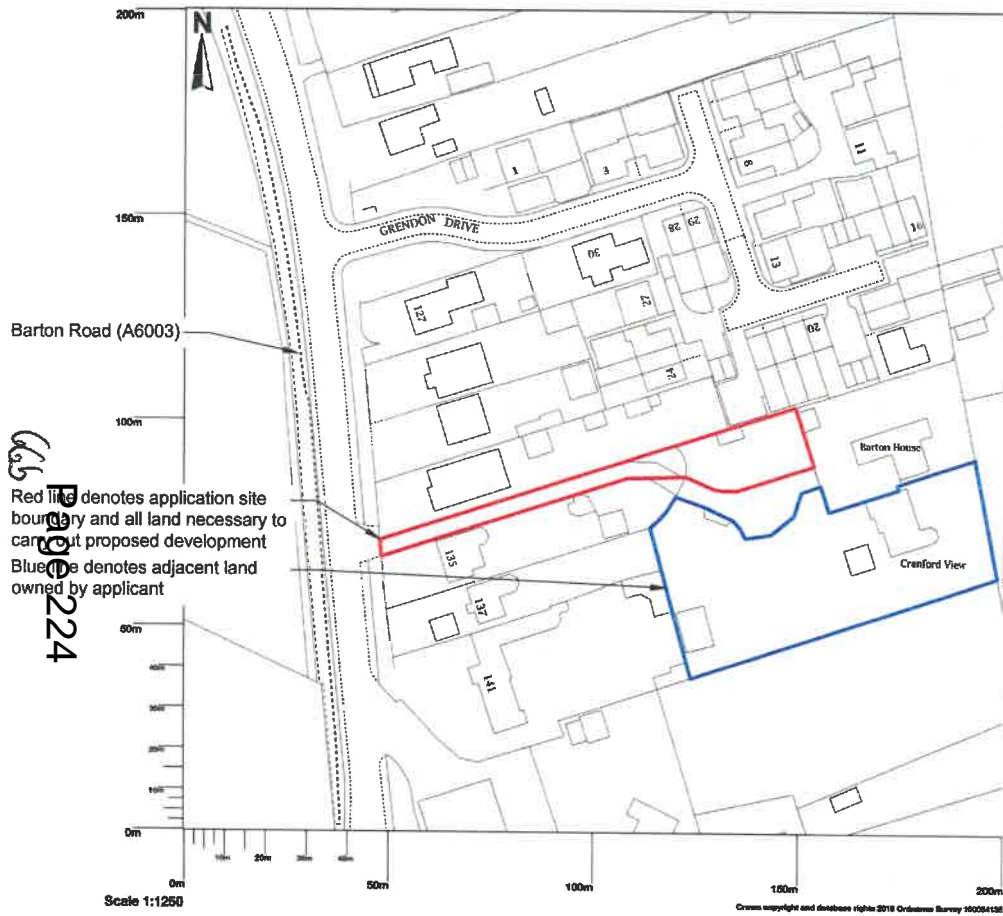
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Borough Council

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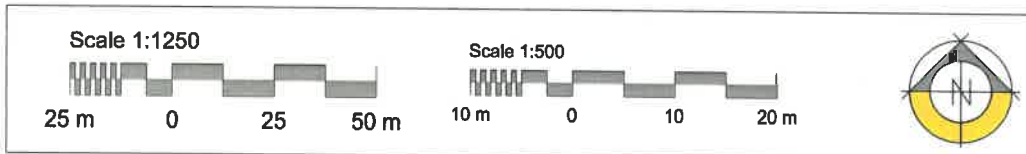
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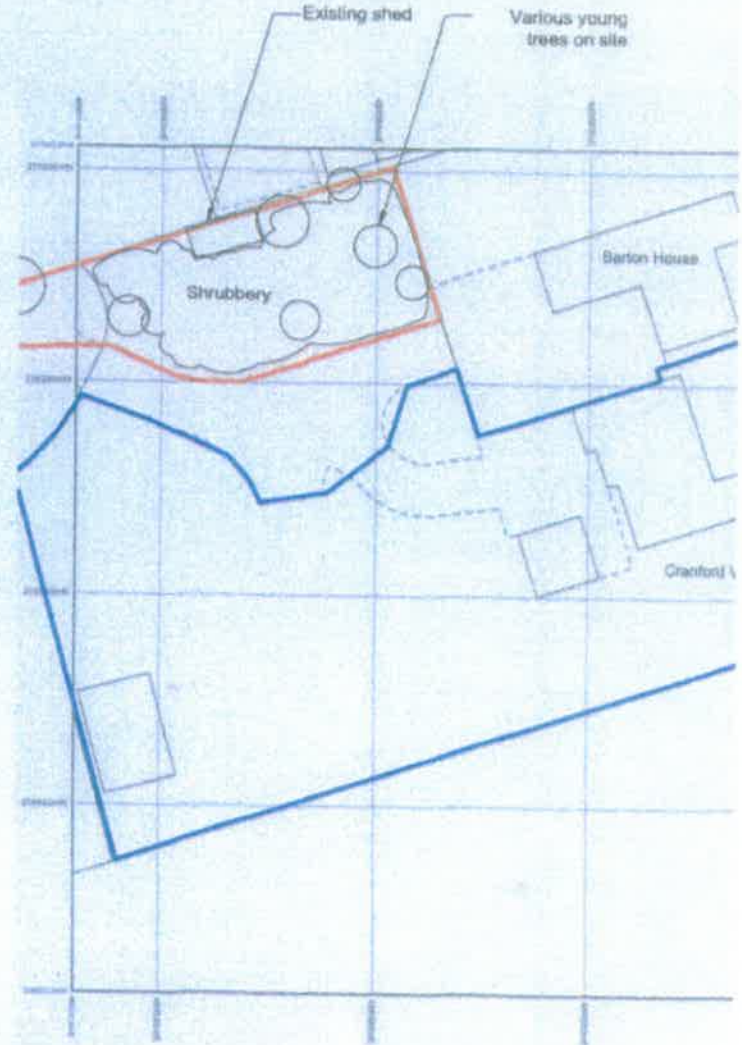
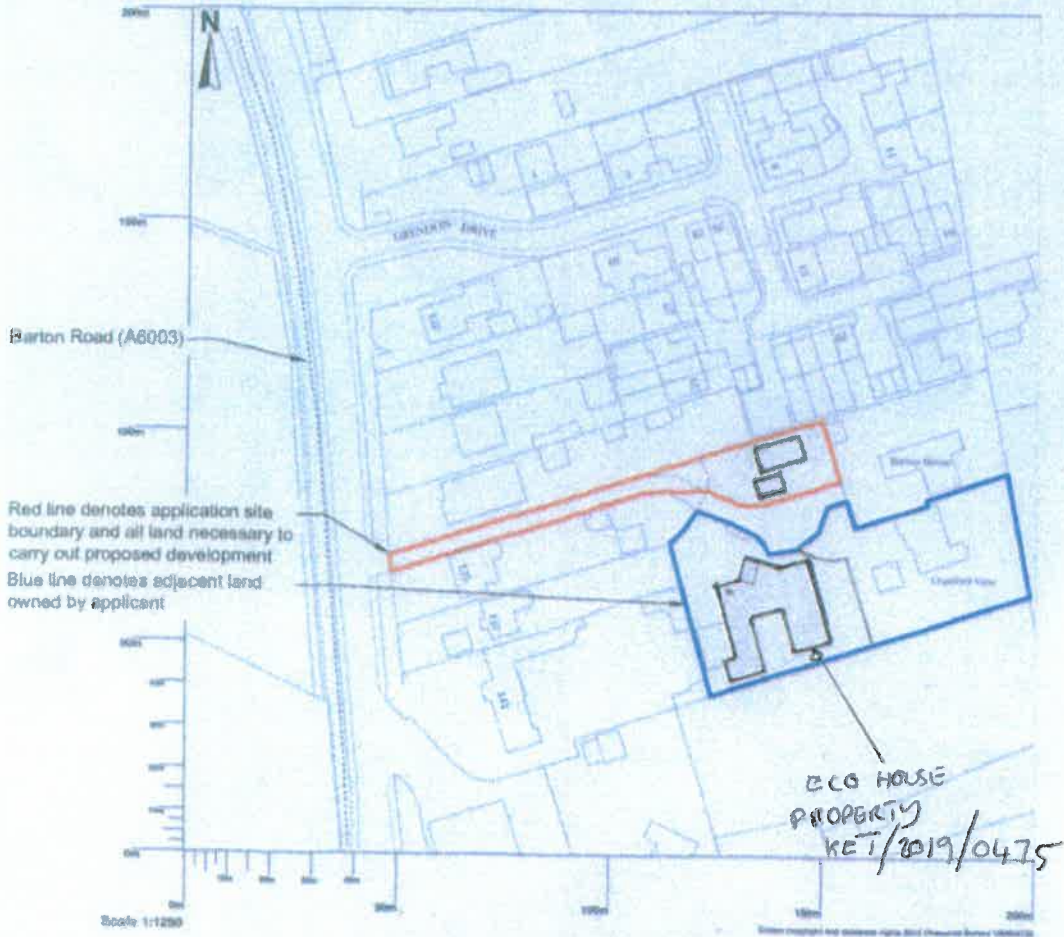
1 Location plan  
 1:1250

2 Block plan  
 1:500



| REV.  | DATE     | NOTES       | BY | CHECKED | PROJECT                                   | DRAWING TITLE   |           |          |
|---|----------|-------------|----|---------|---|---|-----------|----------|
|   | 19.12.19 | First Issue | AC | JW      | Land adjacent to 135b Barton Rd Kettering | Location and Block Plan   |           |          |
|   |          |             |    |         | CLIENT                                    | JOB NO.   | DWG. NO.  | STATUS   |
|   |          |             |    |         | Mike Telford                              | E 2378  | 002       | Planning |
|   |          |             |    |         |   | SCALE   | DWG. SIZE | REV.     |
|   |          |             |    |         |   | 1: 1250/500   | A3        | -        |
| DWG INFORMATION   |          |             |    |         |   | <small>All dimensions to be checked on site, before work commences. Any discrepancies must be reported to the architect / chartered architect.</small><br><small>COPYRIGHT © This drawing is copyright and issued to you in confidence. It must not be copied, used or enclosed, in whole or in part, to third parties. It remains the property of eco design consultants. Read in conjunction with all relevant structural, mechanical and electrical drawings and specifications.</small> |           |          |
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1 Location plan PLAN SHOWING PROPOSED BUILDING ON SITE & ECO-HOUSE PROPERTY ON LAND EDGED BLUE, ADJACENT

2 Block plan



|                 |   |            |            |
|-----------------|---|------------|------------|
| Project         | Land adjacent to 135b Barton Rd Kettering | Applicant  | [Redacted] |
| Client          | Mike Telford                              | App No.    | E 2378     |
| Project Manager | [Redacted]                                | Scale      | 002 A      |
| Author          | [Redacted]                                | Date       | [Redacted] |
| Checked         | [Redacted]                                | Discipline | Planning   |

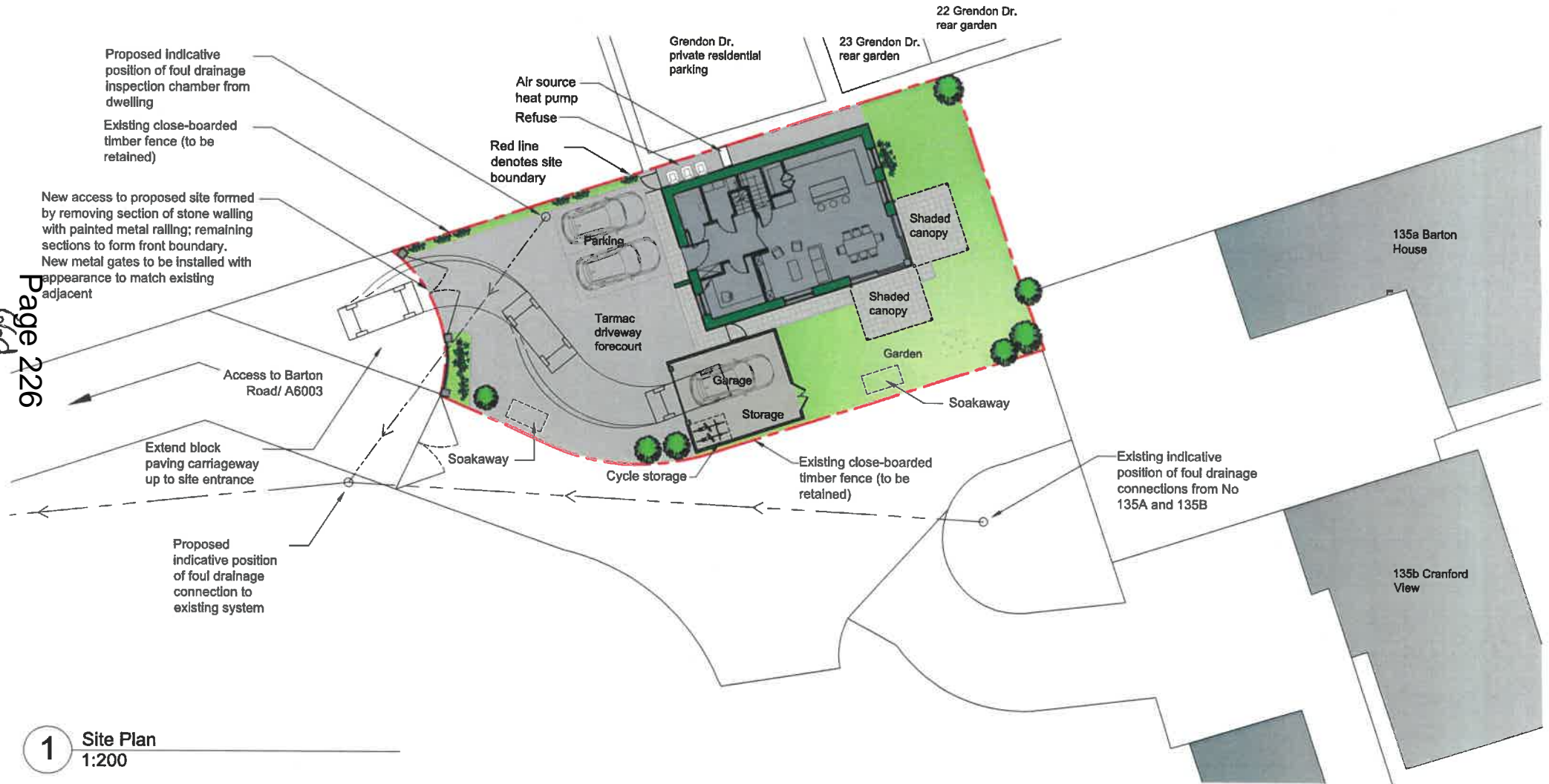
Approved on [Redacted] at [Redacted]

Approved on [Redacted] at [Redacted]

Approved on [Redacted] at [Redacted]

Approved on [Redacted] at [Redacted]

Page 226  
6/6d



**1** Site Plan  
1:200



| REV.  | DATE     | NOTES                   | BY  | CHECKED | PROJECT  | DRAWING TITLE      |          |          |
|---|----------|-------------------------|-----|---------|--|--------------------|----------|----------|
| A   | 23.05.19 | Garage position amended | KJM | JSE     | Land adjacent to 135b Barton Rd Kettering  | Proposed site plan |          |          |
| B   | 19.12.19 | Site plan amended       | AC  | JW      |  | JOB NO.            | DWG. NO. | STATUS   |
| C   | 08.01.20 | Drainage added          | AC  | JW      |  | E2378              | 001      | Planning |
|   |          |                         |     |         | CUSTOMER   | SCALE              | DWG. SCS | REV.     |
|   |          |                         |     |         | Mike Telford   | 1: 200             | A3       | C        |
| DWG INFORMATION   |          |                         |     |         | Any discrepancies must be reported to the architect / contract administrator.<br>All dimensions to be checked on site, before work commences.<br>COPYRIGHT © This drawing is copyright and issued to you in confidence. It must not be copied, used or disclosed, in whole or in part, to third parties. It remains the property of eco design consultants. Read in conjunction with all relevant structural, mechanical and electrical engineering and landscaping. |                    |          |          |
| PROJECT<br>Land adjacent to 135b Barton Rd Kettering<br>CLIENT<br>Mike Telford<br>DWG INFORMATION |          |                         |     |         | eco design consultants<br>Architects & Environmental Consultants<br>The Mansions, Bletchley Park, Milton Keynes, MK3 8EB<br>T: 01600 363490<br>E: studio@ecodesignconsultants.co.uk<br>W: www.ecodesignconsultants.co.uk   |                    |          |          |





1 West elevation  
1:100



2 South elevation  
1:100

**MATERIALS**

**Features:**  
Metal overhang to west entrance

Patio canopy shading device to cover sliding doors on south and east facades

**Walls**  
Ground floor:  
Weber Pral render finish;  
Colour: White, on blue engineering brick plinth course

First floor:  
Marley Cedral board cladding (smooth finish); fixed vertically;  
Colour: slate grey

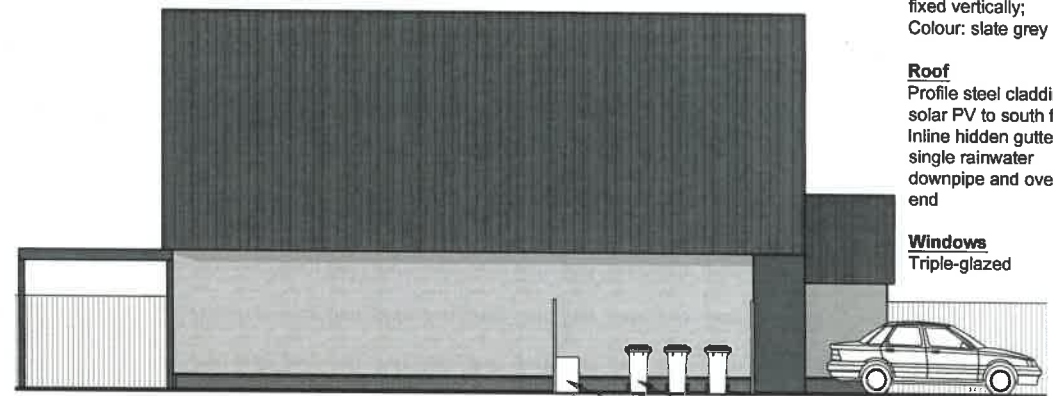
**Roof**  
Profile steel cladding with solar PV to south face; Inline hidden gutter with single rainwater downpipe and overflow end

**Windows**  
Triple-glazed

Page 227



3 East elevation  
1:100

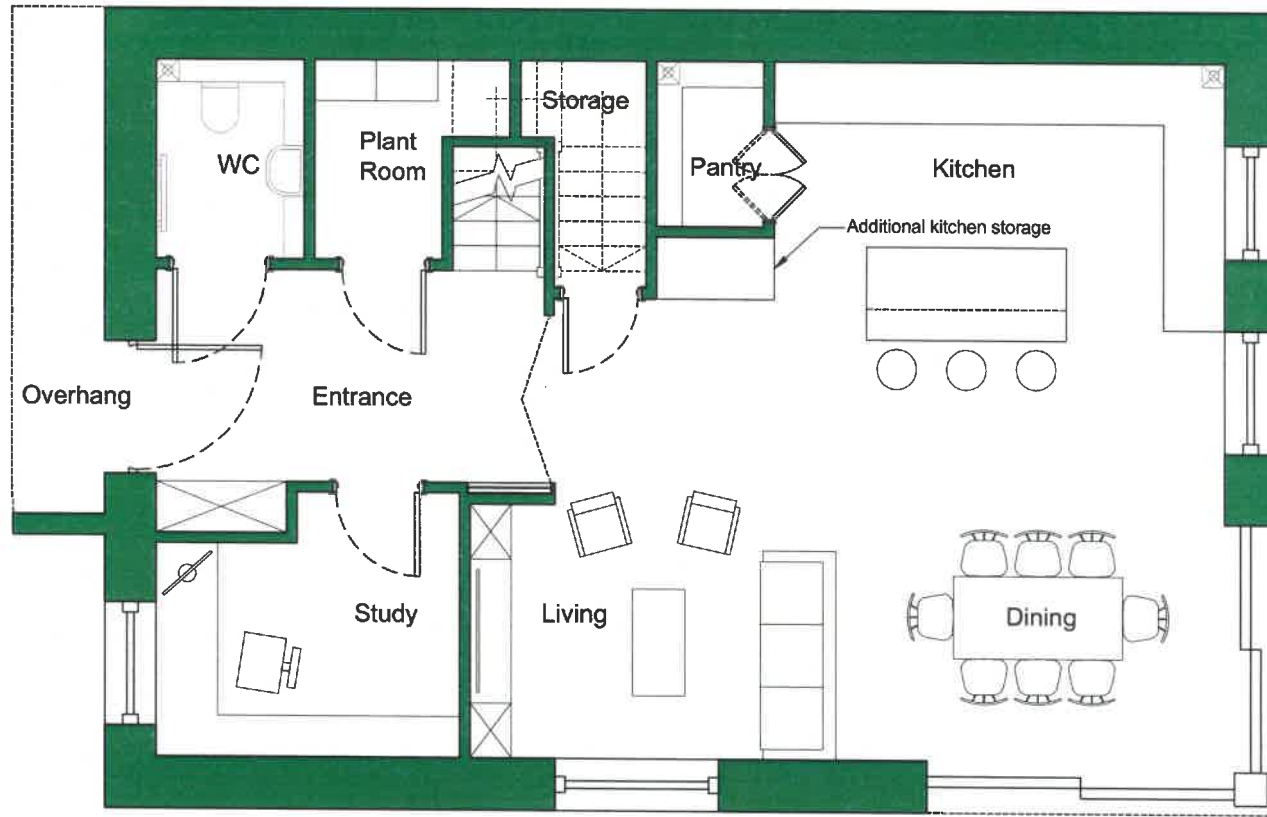


4 North elevation  
1:100

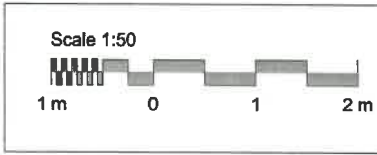
Scale 1:100



| REV.            | DATE     | NOTES                                | BY | CHECKED | PROJECT   | DRAWING TITLE  | STATUS   |
|-----------------|----------|--------------------------------------|----|---------|---|--|----------|
| -               | 03/12/19 | Final Issue                          | AC | JW      | Land adjacent to 135b Barton Rd Kettering   | Proposed elevations  | Planning |
| A               | 19/12/19 | This amended end extreme adjustments | AC | JW      | CLIENT: Mike Telford  | JOB NO: E2378<br>DWG. NO: 005<br>SCALE: 1:100<br>DWG. SIZE: A3 | REV. A   |
| DWO INFORMATION |          |                                      |    |         | All dimensions to be checked on site, before work commences.<br>Any discrepancies must be reported to the architect / contract administrator.<br>COPYRIGHT © This drawing is copyright and handed to you in confidence. It must not be copied, used or disclosed, in whole or in part, as third parties. It remains the property of eco design consultants. Read in conjunction with all relevant structural, mechanical and electrical specifications and schedules. |  |          |
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**1** Ground Floor Plan  
1:50



| REV. | DATE     | NOTES   | BY  | CHECKED |
|------|----------|---|-----|---------|
| -    | 17/7/19  | 1st Issue   | KBM | AJE     |
| A    | 23/10/19 | WC made 1.85m <sup>2</sup> to allow for enlargement of plant room | KBM | JW      |
| B    | 14/11/19 | Window savings updated following review                           | AC  | JW      |
| C    | 19/12/19 | Title amended   | AC  | JW      |

PROJECT  
Land adjacent to 135b Barton Rd  
Kettering

CLIENT  
Mike Telford

| DRAWING TITLE             |                  |                    |
|---------------------------|------------------|--------------------|
| Proposed Ground Floorplan |                  |                    |
| JOB NO.<br>E2378          | DRWG. NO.<br>003 | STATUS<br>Planning |
| SCALE<br>1:50             | DRWG. SIZE<br>A3 | REV.<br>C          |

Any discrepancies must be reported to the architect / contract administrator.

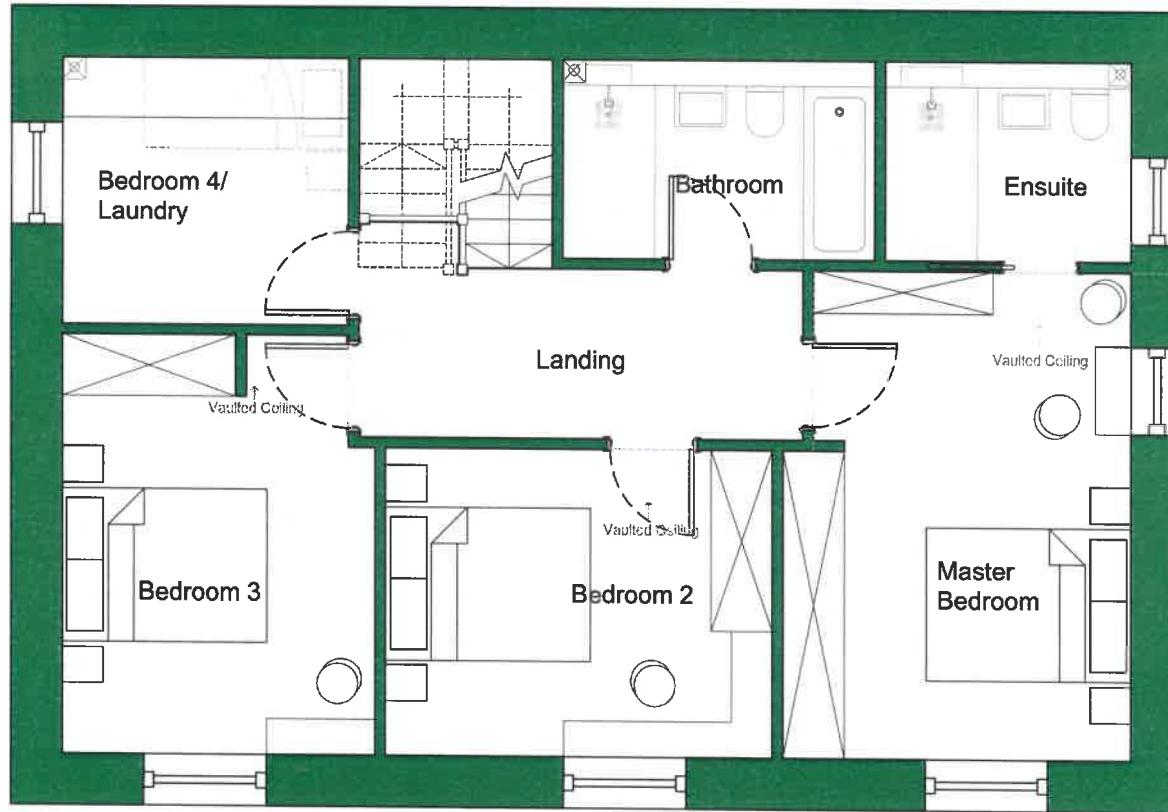
All dimensions to be checked on site, before work commences.

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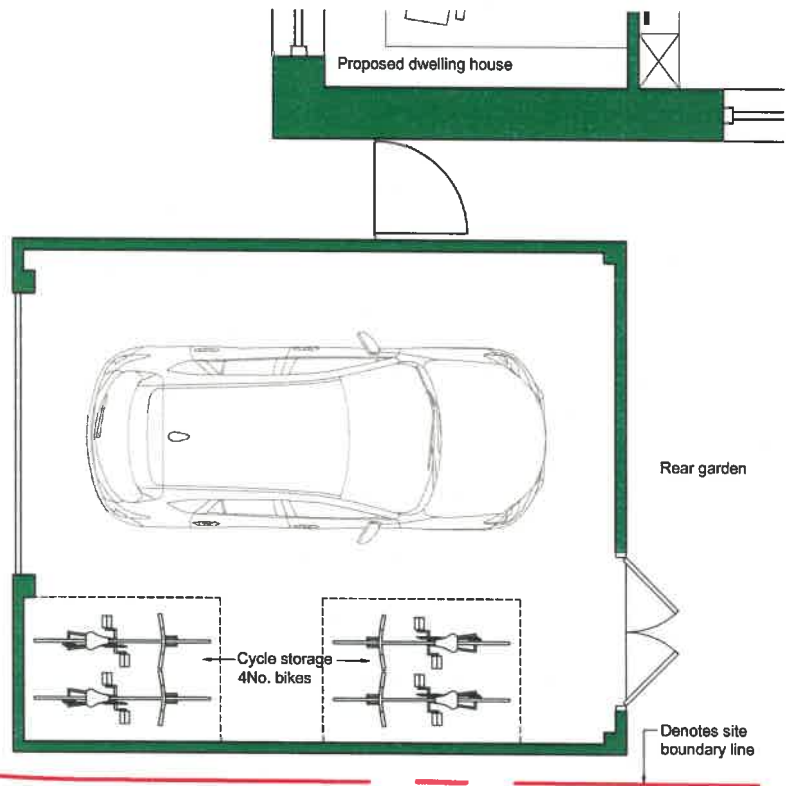




**1** First Floor Plan  
1:50



| REV.   | DATE     | NOTES  | BY   | CHECKED | PROJECT  | DRAWING TITLE            |           |          |
|--|----------|--|------|---------|--|--------------------------|-----------|----------|
|  |          |  |      |         | Land adjacent to 135b<br>Barton Rd<br>Kettering<br>CLIENT<br>Mike Telford  | Proposed First Floorplan |           |          |
| A  | 23/10/18 | First Issue  | NBSR | AS      |  | JOB NO                   | DWG. NO.  | STATUS   |
| B  | 14/11/18 | Stair window and high-level bathroom glazing removed | KDM  | JW      |  | E2378                    | 004       | Planning |
| C  | 15/11/18 | Window sills updated following review                | AC   | JW      |  | SCALE                    | DWG. SIZE | REV.     |
| D  | 19/12/18 | Minor amendment to south FF window                   | AC   | JW      | 1:50   | A3                       | D         |          |
| DWG INFORMATION<br>A worded title (max 4 lines) 100 characters. If space is short, abbreviations should be used. |          |  |      |         | Any discrepancies must be reported to the architect / contract administrator.<br>COPYRIGHT © This drawing is copyright and issued to you in confidence. It must not be copied, used or disclosed, in whole or in part, to third parties. It remains the property of eco design consultants. Read in conjunction with all relevant structural, mechanical and electrical engineering and landscaping. |                          |           |          |
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1 GA Floor Plan - Garage  
1:50

**CDM regulations 2015**  
For notifiable projects the building contractor must produce a Construction Phase Plan, which will include :- a statement of methods of construction, hazards, risks and how the works are to be controlled.  
A notifiable project is defined as works that are 30 working days long, with 20 workers at any point in the project or exceeds 500 working person days - this includes domestic projects.  
To be read in conjunction with all CDM and HSE regulations.



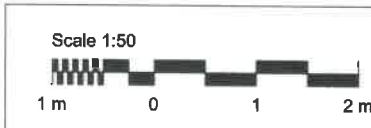
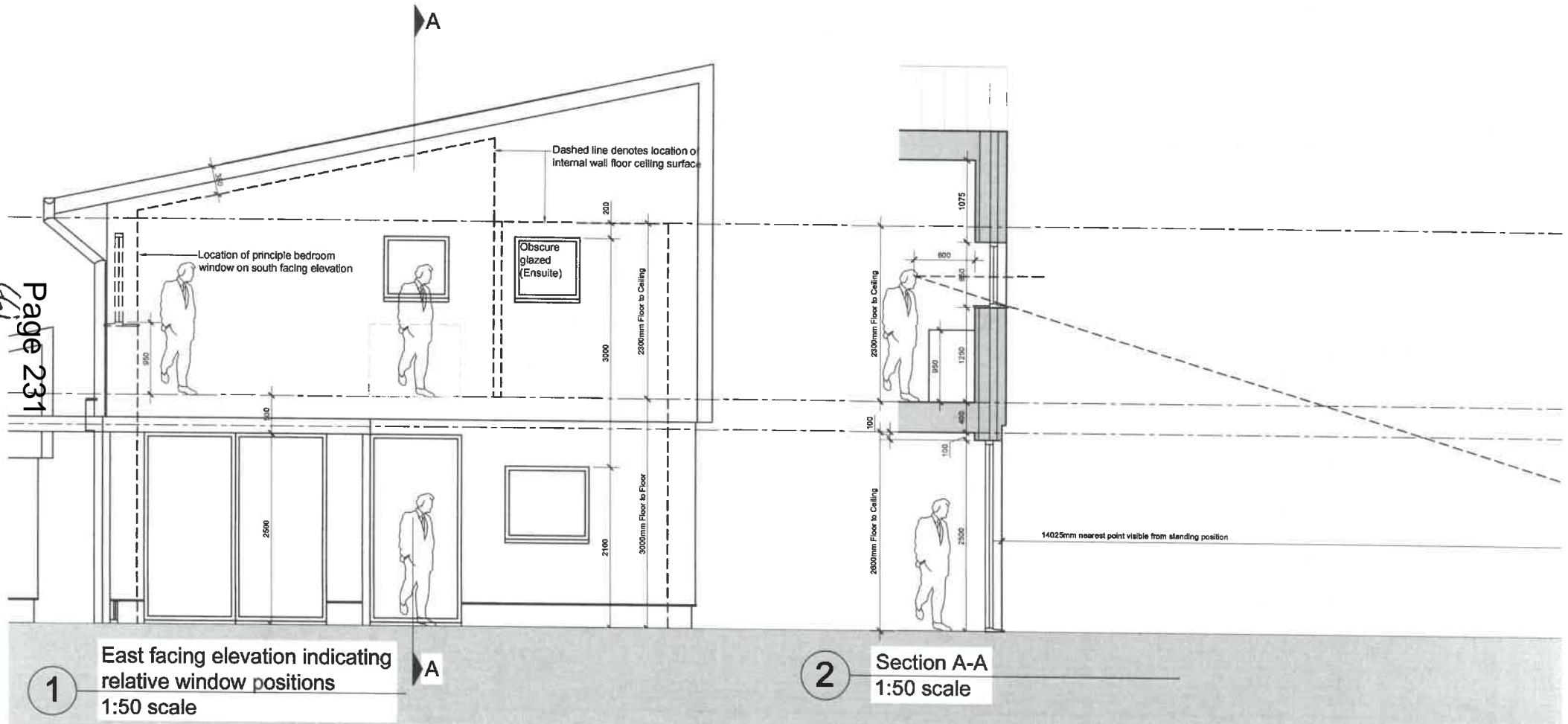
| REV. | DATE | NOTES | BY | CHECKED |
|------|------|-------|----|---------|
|      |      |       |    |         |

|   |  |
|---|--|
| <b>PROJECT</b>  |  |
| 135d Orchard House<br>Barton Road<br>Kettering  |  |
| <b>CLIENT</b>   |  |
| Mike Telford  |  |
| <b>DWG INFORMATION</b>  |  |
| <small>                 T:\client\2015\Orchard House\135d Barton Rd.dwg<br/>                 Drawn: 26/06/2015 10:00 AM<br/>                 Project: Orchard House, Barton Rd             </small> |  |

|   |                  |               |
|---|------------------|---------------|
| <b>DRAWING TITLE</b>  |                  |               |
| PROPOSED FLOOR PLAN (Garage)  |                  |               |
| <b>JOB NO</b>   | <b>DWG. NO.</b>  | <b>STATUS</b> |
| E2378   | 006              | Planning      |
| <b>SCALE</b>  | <b>DWG. SIZE</b> | <b>REV.</b>   |
| 1:50  | A3               | -             |
| <b>NOTES</b>  |                  |               |
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| REV.   | DATE     | NOTES       | BY | CHECKED | PROJECT  | DRAWING TITLE        | STATUS   |
|--|----------|-------------|----|---------|--|----------------------|----------|
|  | 03/12/16 | Final Issue | JW | AG      | Land adjacent to 135b Barton Rd Kettering  | Proposed section A-A | Planning |
| JOB NO.  |          | DWG. NO.    |    | REV.    |  |                      |          |
| E2378  |          | 007         |    | -       |  |                      |          |
| SCALE  |          | DWG. SIZE   |    | REV.    |  |                      |          |
| 1: 50  |          | A3          |    | -       |  |                      |          |
| DWG INFORMATION  |          |             |    |         | All dimensions to be checked on site, before work commences.<br>Any discrepancies are to be reported to the architect / contract administrator.<br>COPYRIGHT © This drawing is copyright and reserved to you as licensee. It must not be copied, used or disclosed, in whole or in part, to third parties. It remains the property of eco design consultants. Read in conjunction with all relevant structural, mechanical and electrical drawings and specifications. |                      |          |
| PROJECT<br>Land adjacent to 135b Barton Rd Kettering<br>CLIENT<br>Mike Telford<br>DWG INFORMATION  |          |             |    |         | DRAWING TITLE<br>Proposed section A-A<br>JOB NO.<br>E2378<br>SCALE<br>1: 50<br>DWG. NO.<br>007<br>DWG. SIZE<br>A3<br>STATUS<br>Planning<br>REV.<br>-   |                      |          |
| DRAWING TITLE<br>Proposed section A-A<br>JOB NO.<br>E2378<br>SCALE<br>1: 50<br>DWG. NO.<br>007<br>DWG. SIZE<br>A3<br>STATUS<br>Planning<br>REV.<br>- |          |             |    |         | eco design consultants<br>Architects & Environmental Consultants<br>The Marston, Blatchley Park, Milton Keynes, MK3 6EB<br>T: 01900 363400<br>E: studio@ecodesignconsultants.co.uk<br>W: www.ecodesignconsultants.co.uk  |                      |          |









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**BOROUGH OF KETTERING**

|                          |   |  |
|--------------------------|---|--|
| <b>Committee</b>         | <b>Full Planning Committee - 29/07/2020</b>   | <b>Item No: 5.9</b>                      |
| <b>Report Originator</b> | <b>Ruth James<br/>Assistant Development Officer</b>                                       | <b>Application No:<br/>KET/2020/0326</b> |
| <b>Wards Affected</b>    | <b>Desborough St. Giles</b>   |  |
| <b>Location</b>          | <b>69 Queen Street, Desborough</b>  |  |
| <b>Proposal</b>          | <b>Full Application: Single storey rear extension with pitched roof and velux windows</b> |  |
| <b>Applicant</b>         | <b>Mrs C Owen</b>   |  |

**1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

**2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match, in type, colour and texture, those on the existing building.

REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **Officers Report for KET/2020/0326**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

None

#### **Site Visit**

Officer's site inspection was carried out on 10/06/2020

#### **Site Description**

The application site is located to the east of Desborough town centre, within the settlement boundary and an established residential area. Opposite to the site is an old corset factory that has been recently converted to residential flats. Queen Street is archetypical of a Victorian residential street with terraced housing and connects Union Street to the south with Rushton Road to the northern end.

No. 69 is a two-storey mid-terraced house with a painted render finish to the walls and brown pantile gable roof. The windows and doors are white replacement uPVC and the shallow front amenity area is enclosed by a low brick wall.

To the northern side a ginnel provides access to the rear of the property, entering to an area which is enclosed by outbuildings to the east and a single storey rear extension to the west. Beyond the outbuildings there is a good sized garden with a length of approximately 15 metres, which backs onto the rear garden of no.42 Regent Street. The land is level and the boundary treatments are mixed with 1.8 metre high fencing to the sides and a red brick wall of similar height across the rear.

#### **Proposed Development**

The application seeks consent for a single storey rear extension to provide a larger kitchen.

#### **Any Constraints Affecting the Site**

None

### **4.0 Consultation and Customer Impact**

#### **Desborough Town Council**

No comments received.

#### **Neighbours**

Notifications were sent out to neighbouring occupiers and a site notice was erected. A response from one address was received.

Comments received from the occupants of no. 71 Queen Street:

- Objection: Increased height and width will cause loss of light to the kitchen and dining room at no.71

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 12. Achieving well-designed places

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy**

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

#### **Saved Policies in the Local Plan for Kettering Borough**

Saved Policy 35. Housing: Within Towns

## **6.0 Financial/Resource Implications**

None

## **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

## **8.0 Planning Considerations**

The key issues for consideration in this application are: -

1. Principle of development
2. Design, character and appearance
3. Residential amenity

### 1. Principle of Development

The application seeks the erection of a single-storey rear extension.

The site is located within the designated town boundary; the scheme would therefore strengthen the network of settlements within the borough in compliance with Policy 11 of the North Northamptonshire Joint Core Strategy.

Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character, appearance and residential amenity.

Subject to detailed consideration being given to the impact of the proposed scheme, having an acceptable impact on the character and appearance of the area and residential amenity, and ensuring it complies with national and local policies detailed above, the principle of development is considered acceptable.

### 2. Design, character and appearance

Policy 8(d) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.

The existing rear arrangement consists of a single storey extension comprising the kitchen with pantry, that has a width of 2.5 metres and a depth of 4.2 metres. Set back from this by 2.3 metres on the southeast side, is a rear uPVC porch, which has a width of 1.5 metres.

The porch would be demolished along with most of the existing rear extension; the northwest wall would be retained and insulated. The new extension would be built across the rear elevation of the host dwelling, retaining the current 4.2 metre depth.

The proposed extension would be single storey to the rear and extend out from the host dwelling by 4.2 metres, with a width of 3.8 metres, an eaves height of 2.4 metres and have maximum height of 3.9 metres, where the mono-pitched roof joins with the main dwelling. The windows would be orientated to the northeast looking towards the outbuildings and the rear garden. The design would infill an area to the rear of the host dwelling, between the rear elevation and the outbuildings, and would be built up to the boundary with southeast neighbour no.71 Queen Street.

The addition of a single storey rear projection is a common feature of the properties along Queen Street, and the proposed extension would not be visually prominent and is considered appropriate in design terms. Materials would match with the existing and can be secured by condition.



The extension is considered to respond to the site's immediate and wider context and local character. As such it accords with Policies 12 of the National Planning Policy Framework and 8(d) of the North Northamptonshire Joint Core Strategy.

### 3. Residential Amenity

In addition to seeking development to respect the character of an area, Policy 8(e) of the North Northamptonshire Joint Core Strategy seeks to ensure that development prevents harm to the residential amenities of neighbouring properties, such as by reason of overbearing, loss of light or overlooking.

The proposal seeks consent for a single storey rear extension which would enlarge the kitchen. It would be to the rear of the property and therefore would not impact neighbouring properties to the front of the application site. The design would infill an area to the rear of the host dwelling, between the rear elevation and the outbuildings, and would be built up to the boundary with southeast neighbour no.71 Queen Street.

The occupier of no. 71 has objected and provided comments raising concerns in regard to the potential loss of light to their kitchen and dining room. Notwithstanding this objection, the proposed extension would extend from the rear wall of no.69 by 4.2 metres, with a width of 3.8 metres, an eaves height of 2.4 metres and overall height of 3.9 metres where the mono-pitched roof joins with the main dwelling. However as a terraced property, a single-storey extension length of up to 3 metres, with a maximum height of 4 metres and eaves height of 3 metres (when the enlarged part of the dwellinghouse is within 2 metres of the boundary) is permitted under Schedule 2 Part 1 and Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

In the instance of this application for no. 69, it misses falling within permitted development rights by way of an additional length of 1.2 metres. The impacts upon neighbouring residents from the proposal need to be considered in this context. Given the small size and single storey height of the proposed extension, along with the orientation of the site, it is considered that any potential loss of light would only be small and at the end of the day, and that this would not be unduly increased by the additional 1.2 metre depth, beyond the depth that could be achieved utilising permitted development rights.

The extension includes 2 no. roof lights and consideration has been given to potential views into these from neighbouring first floor windows. However, these windows would be at an oblique angle to the roof lights and therefore there would be no undue overlooking in this regard.

The proposed development is therefore in accordance with Policy 8(e) of the North Northamptonshire Joint Core Strategy in that the new development appropriately safeguards the amenities of neighbouring occupants.

**Conclusion**

Subject to conditions relating to materials it is considered that the proposal complies with policies within the Development Plan and is recommended for approval.

**Background Papers**

Title of Document:

Date: 09/07/2020

Contact Officer:

Ruth James, Assistant Development Officer on 01536 534316

**Previous Reports/Minutes**

Ref:

Date:



Title: 69 Queen Street, Desborough

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Date: 17:07:20

Scale: 1:1250

Drawn by: Drawn by:

**Kettering**  
Borough Council



**Construction Notes**

**PITCHED ROOF:** U-value 0.16W/m<sup>2</sup>K  
 Hybrid roof:  
 Min Pitch 17.5° to be confirmed. Concrete tile to suit pitch or 50x200mm treated sawtimbers gauged to suit line on Tyvek universal underlay/tiled with taped joints and 10mm drapes between rafters and lapped to Tyvek plastic vapour barrier (fixed to fascia/soffit) on 170 x 60 D16 rafters at max 450 centres, double up rafters around Valux windows.  
 1 layer of 120mm Kingspan TP10 insulation between joists, and 37.5mm Kingspan K18 insulated plasterboard below.  
 800 gauge polythene vapour barrier with taped joints stapled to underside of rafters.  
 Rafters securely tied down with proprietary brass clips on 100x75mm wall plate at eaves. Wall plates in turn stapled to external wall with 300x30mm galvanised steel restraint straps at 2.0m centres. Lateral support at roof level by 30x20mm galvanised steel straps built into gable wall and fixed to underside of m.c. so, rafters with 60x50mm noggin and pecking. Rafters and bracing to comply with I.T.P.A. requirements.  
 100mm PVC half round guttering on 25x150 timber baffle with 60mm dia PVC downpipes to existing system or to new soakaway main drains from any foundations to be inspected and approved by Building Inspector prior to install.

**WALLS:** U-value 0.26W/m<sup>2</sup>K  
 300mm External rendered cavity wall:  
 To consist of 2 coat K rend Silosona RT or similar colour tbe on 100mm blockwork to accept render with 60mm nominal cavity containing DriTherm full fill cavity insulation, 100mm Herculite 3.5M block inner leaf. Internal finish of 12.5mm Gyproc Wallboard on 10mm adhesive slabs. All joints to be taped & filled.  
 Stainless steel cavity ties at 750mm horizontal and 450mm vertical centres. Additional vertical row of wall ties at eaves. 300mm vertical spacing set max. 225mm from edges of openings in cavity walls.  
 Wall base DPC minimum 150mm above finished ground level.  
 DPM to be continued across cavity and sealed with DPC, with continuous cavity tray over and weep holes at 450mm centres.  
 YBS Insulation Thermacore insulated cavity closers, incorporated to all opening surrounds.

Cavity tray with slop ends incorporated over all lintels with concealed weep holes at min 450mm centres, min 20x, per opening.  
 Lintels as noted.  
 Windows and external doors:  
 PVC windows & external doors to be fully drained & vented double glazed units with trickle vents (equivalent to 800mm<sup>2</sup>vent to habitable rooms, 400mm<sup>2</sup>/vent elsewhere) and lockable handles. Glazing to comply with Part K of Building Regulations, and achieve average U-value of 1.8W/m<sup>2</sup>K (windows) and 1.8W/m<sup>2</sup>K (doors). Windows to be set with centreline of opening aligned with inner face of outer leaf framework, and sealed inside and outside with 10mm mastic pointing.

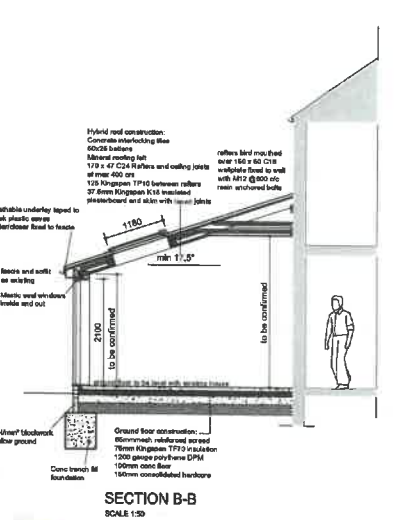
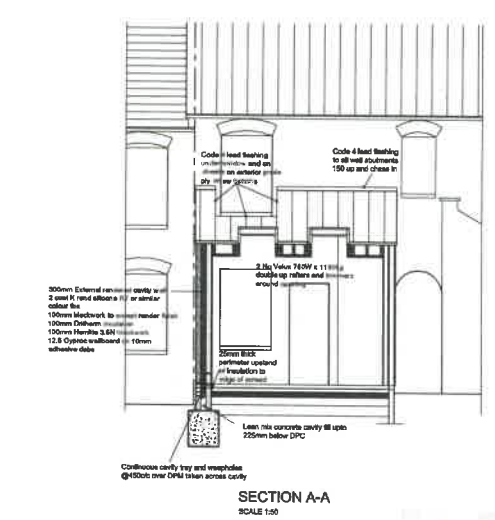
**FOUNDATIONS/ FLOORS:**  
 Foundations:  
 300mm wide x 1.0m minimum deep concrete trench fill foundations or reinforced concrete sleepers dependent on ground conditions and geotechnical determined on site, and all to agreement of Building Inspector.  
 Ground floor: U-value 0.22W/m<sup>2</sup>K  
 200mm screed on 500 gauge polythene vapour barrier  
 120mm Kingspan TFD insulation on 1200 gauge polythene DPM/rafters on 100mm concrete on 150mm consolidated hardcore.  
 Floor joists and service penetrations through DPM to be sealed with lapped top hat sections, and DPM continued across cavity around perimeter and lapped and sealed with DPC. All joints to be sealed with two rows of Monobond or similar gas resistant tape.

**INTERNAL DRAINAGE:**  
 NO CHANGE  
**EXTERNAL DRAINAGE:**  
 50mm drainage  
 110mm pre pipes laid min 1 in 80 with min 450mm cover. 60mm downpipes connected to existing system or new soakaway main drains from any foundations and to be inspected and approved by Building Inspector prior to install.

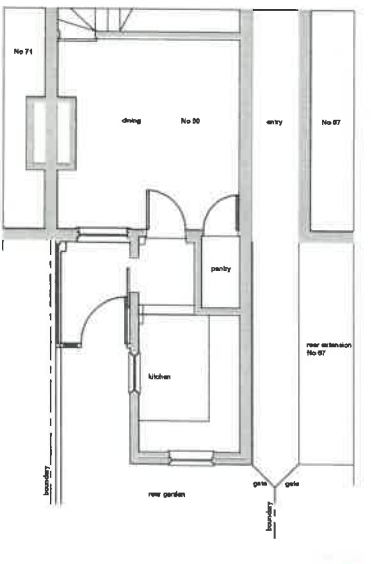
**ALL DRAINAGE TO BE TESTED AND APPROVED TO THE SATISFACTION OF THE BUILDING INSPECTOR BEFORE BACKFILLING AND ON COMPLETION.**

**SERVICES:**  
 Notches and holes in joists to be in accordance with paragraph 3.2.3 of TRADA Span tables for solid timber members.  
**ELECTRICAL:**  
 All electrical work to be undertaken and certified by a competent person registered with an electrical self-certification scheme in accordance with Part P of Building Regulations.  
 Sockets, switches and power outlets to be positioned between 450 and 1200mm from finished floor level in accordance with Part M of Building Regulations.  
 At least 75% of the lights to be low energy.

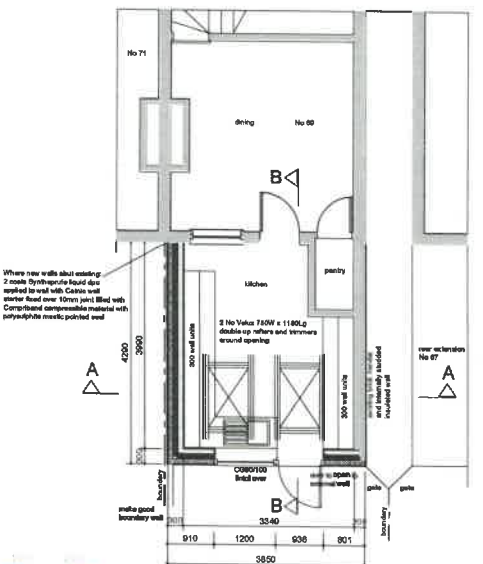
**DETAILS OF ALL STRUCTURAL STEELS (WHERE REQUIRED) BY STRUCTURAL ENGINEER TO BE SUBMITTED TO BUILDING INSPECTOR FOR APPROVAL PRIOR TO THE COMMENCEMENT OF ANY WORKS BEING UNDERTAKEN**



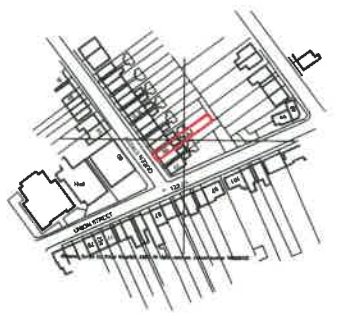
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**GROUND FLOOR PLAN EXISTING**  
SCALE 1:50



**GROUND FLOOR PLAN PROPOSED**  
SCALE 1:50



**LOCATION PLAN**  
SCALE 1:1250



**BLOCK PLAN**  
SCALE 1:500

|                    |                        |  |
|--------------------|------------------------|--|
| DATE: APRIL 2020   | DRAWN BY: RMITCHELL    | SHT. OF: SINGLE STOREY REAR EXTENSION TO REPLACE EXISTING AT No 66 QUEEN STREET DESBOROUGH FOR MRS CAROL OWEN NN14 |
| DATE:              | CHECKED BY:            |  |
| SCALE: 1/50, 1/100 | ISSUE DRG No. 20003/01 |  |

**THE CONTRACTOR :-**  
 Most drawings that all building work shall be carried out with adequate and proper materials which:  
 (a) are appropriate for the circumstances in which they are used,  
 (b) are adequately fixed or supported,  
 (c) are applied, used or fixed up as adequately to perform the functions for which they are designed; and  
 (d) are workmanlike manner.  
 All works and drawings to be carried on site by contractor prior to development.  
 All workmanship to comply with all relevant codes of practice British Standards and current legislation.

**D.R.M. Design & Drafting**  
 R.MITCHELL  
 Tel:- 01538 806870  
 Mob:-  
 email:- bob.mitchell80@btinternet.com  
 7, Gladstone Street  
 Desborough,  
 Northants,  
 NN14 9QT



# Appendix A



Title: 69 Queen Street, Desborough

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Licence 100017647

Date: 17:07:20

Scale: 1:1250

Drawn by: Drawn by:

**Kettering**  
Borough Council



**Construction Notes**  
**PITCHED ROOF:** U-value 0.16W/m<sup>2</sup>K  
 Hybrid roof:  
 Min Pitch 17.5° to be confirmed, Concrete tile to suit pitch or 50x200mm treated saw battens gauged to suit tile on Tyvek universal underlay/tiled with taped joints and 10mm drapes between rafters and lapped to Tyvek plastic vapour barrier (fixed to fascia/soffit) on 170 x 60 C16 rafters at max 450 centres, double up rafters around Valux windows.  
 1 layer of 120mm Kingspan TP10 insulation between joists, and 37.5mm Kingspan K18 insulated plasterboard below.  
 800 gauge polythene vapour barrier with taped joints stapled to underside of rafters.  
 Rafters securely tied down with proprietary tie clips on 100x75mm wall plate at eaves. Wall plates in turn stapled to external wall with 300x20mm galvanised steel restraint straps at 2.0m centres. Lateral support at roof level by 300x20mm galvanised steel straps built into gable wall and fixed to underside of m. conc. rafters with 60x50mm noggin and packing. Rafters and bracing to comply with I.T.P.A. requirements.  
 100mm PVC half round gutting on 25x150 timber batten with 60mm dia PVC downpipes to existing system or to new soakaway main drains from any foundations to be inspected and approved by Building Inspector prior to install.

**WALLS:** U-value 0.20W/m<sup>2</sup>K  
 300mm External rendered cavity wall:  
 To consist of 2 coat K rend Silosona RT or similar colour tbe on 100mm blockwork to accept render with 60mm nominal cavity containing DriTherm full fill cavity insulation, 100mm Herculite 3.5M block inner leaf. Internal finish of 12.5mm Gyproc Wallboard on 10mm adhesive slabs. All joints to be taped & filled.  
 Stainless steel cavity ties at 750mm horizontal and 450mm vertical centres. Additional vertical row of wall ties at eaves. 300mm vertical spacing set max. 225mm from edges of openings in cavity walls.  
 Wall base DPC minimum 150mm above finished ground level.  
 DPM to be continued across cavity and sealed with DPC, with continuous cavity tray over and weep holes at 450mm centres.  
 YBS Insulation Thermacore insulated cavity closers, incorporated to all opening surrounds.

Cavity tray with stop ends incorporated over all lintels with concealed weep holes at min 450mm centres, min 2no. per opening.  
 Lintels as noted.  
 Windows and external doors:  
 PVC windows & external doors to be fully drained & vented double glazed units with trickle vents (equivalent to 800mm<sup>2</sup>vent to habitable rooms, 400mm<sup>2</sup>/vent elsewhere) and lockable handles. Glazing to comply with Part K of Building Regulations, and achieve average U-value of 1.8W/m<sup>2</sup>K (windows) and 1.0W/m<sup>2</sup>K (doors). Windows to be set with centreline of opening aligned with inner face of outer leaf framework, and sealed inside and out with 10mm mastic pointing.

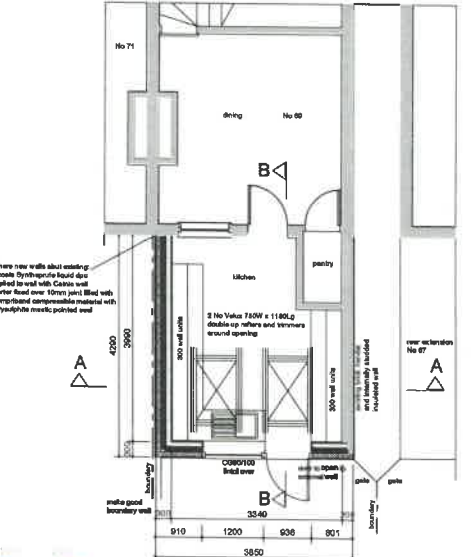
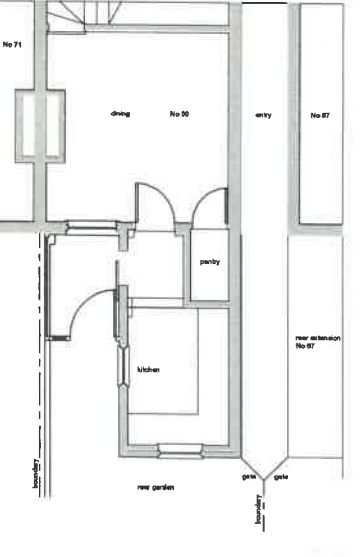
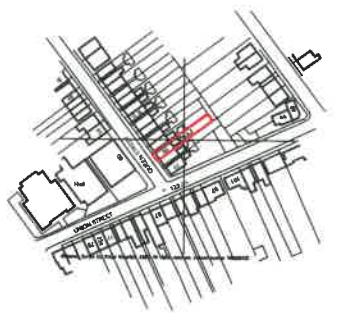
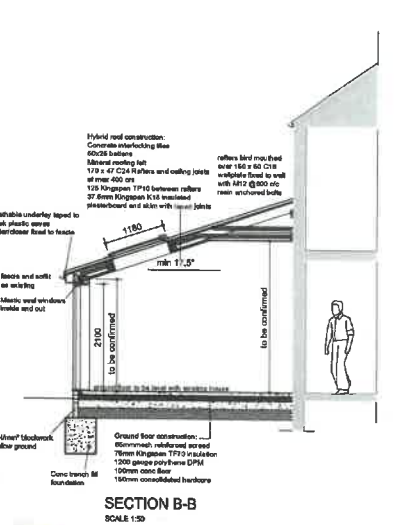
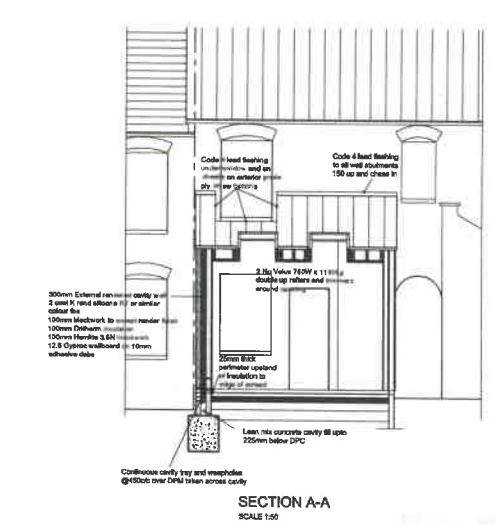
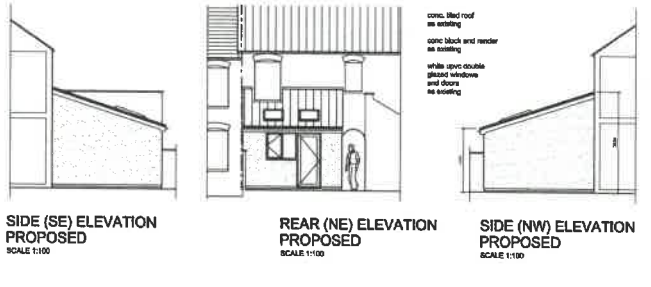
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 Screed on 500 gauge polythene vapour barrier  
 120mm Kingspan TFD insulation on 1200 gauge polythene DPM/rafton layer on 100mm conc on 150mm consolidated hardcore.  
 Doors and service penetrations through DPM to be sealed with the formed top hat sections, and DPM continued across cavity around perimeter and lapped and sealed with DPC. All joints to be sealed with two rows of Monobond or similar gas resistant tape.

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 NO CHANGE  
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GROUND FLOOR PLAN EXISTING  
SCALE 1:50

GROUND FLOOR PLAN PROPOSED  
SCALE 1:50

LOCATION PLAN  
SCALE 1:1250

BLOCK PLAN  
SCALE 1:500

DATE: APRIL 2020  
 DRAWN BY: R MITCHELL  
 CHECKED BY: OF.  
 SCALE: 1/50, 1/100  
 ISSUE DRG No. 20003/01

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**D.R.M. Design & Drafting**  
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 Email:- bob.mitchell80@btworld.com  
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 NN14 9QT

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