



North Planning Committee

A meeting of the North Planning Committee will be held at the The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Wednesday 10 January 2024 at 6.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 8) To confirm the Minutes of the Meeting of the Committee held on 6 th December 2023.
4.	Chair's Announcements To receive communications from the Chair.
5.	Applications for Determination
a)	20236454MAF The erection of retirement living apartments Daventry (Pages 9 - 34)
b)	20237469FULL Variation of condition Boughton (Pages 35 - 42)
c)	WND20220245 Construction of 15 specialist supported living apartments Moulton (Pages 43 - 54)
d)	WND20230187 Proposed first floor extension Preston Capes (Pages 55 - 70)
6.	Urgent Business The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.

7.	<p>Exclusion of Public and Press</p> <p>In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: “That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them”</p>
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Catherine Whitehead
Proper Officer
2 January 2024

North Planning Committee Members:

Councillor Jamie Lane (Chair)

Councillor Peter Matten (Vice-Chair)

Councillor Sally Beardsworth

Councillor Daniel Cribbin

Councillor Penelope Flavell

Councillor Rupert Frost

Councillor James Hill

Councillor Cecile Irving-Swift

Councillor Paul Joyce

Councillor Anna King

Councillor Cathrine Russell

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves Page 2

setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

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Queries Regarding this Agenda

If you have any queries about this agenda please contact Ed Bostock, Democratic Services via the following:

Tel: 07775036776

Email: publicspeaking@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
The Guildhall
St Giles Street
Northampton
NN1 1DE

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North Planning Committee

Minutes of a meeting of the North Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Wednesday 6 December 2023 at 6.00 pm.

Present:

Councillor Jamie Lane (Chair)
 Councillor Peter Matten (Vice-Chair)
 Councillor Daniel Cribbin
 Councillor Penelope Flavell
 Councillor Rupert Frost
 Councillor James Hill
 Councillor Paul Joyce

Also Present:

Councillor Rosie Humphreys

Apologies for Absence:

Councillor Sally Beardsworth
 Councillor Cecile Irving-Swift
 Councillor Anna King
 Councillor Cathrine Russell

Officers:

Shaun Robson, Development Manager
 Theresa Boyd, Senior Planning Solicitor
 Erica Buchanan, Principal Planning Officer
 Eamon McDowell, Area Planning Officer
 Maisie McInnes, Democratic Services Officer

27. **Declarations of Interest**

Councillor Rupert Frost declared a non-pecuniary interest on item 5b and would leave the meeting at this juncture.

28. **Minutes**

RESOLVED: That the minutes of the previous meeting held on 8 November were agreed and signed by the Chair as an accurate record of the meeting.

29. **Chair's Announcements**

The Chair welcomed everyone to the meeting and made the following announcements:

- Members of the public were permitted to film, broadcast, and report on the meeting, subject to the efficient running of the meeting not being affected.

- Only those people who had registered, in line with the North Planning Committee's speaking procedure, were able to address the meeting.
- Members of the public were requested not to call out during the North Planning Committee's discussions on any item.
- The meeting was being webcast on the Council's corporate YouTube channel, therefore all those speaking were asked to please utilise their microphones when doing so.
- There were no planned fire drills so in the event of an alarm sounding, evacuation instructions would be given by officers.
- That it be requested that any devices be switched off or onto silent mode

The Chair then asked members and officers to introduce themselves for the members of public present and observing online.

30. **2023/5560/MAF - Residential Development of 52 no. dwellings. Arnex House, London Road, Daventry**

The case officer presented the proposal for the demolition of the existing commercial buildings and erection of 52 dwellings. She highlighted the main planning considerations in the report and highlighted that the proposed dwellings were of mixed size to meet the varying housing needs with 25% affordable. The site would be accessed from a single junction with the existing accesses closed off. The application would address market need for housing and the case officer reported the site was accessibility friendly and water efficient. With the proposed new access, National Highways had been consulted and had no objection.

Tina Walker, a local resident, addressed the Committee in objection to the application and expressed concerns from residents who lived on Abbot Close as the road was unadopted and residents would be liable for any damage that occurred as part of the building development work. Concerns were raised regarding consideration for how the site was accessed; trees and greenery; wastewater; traffic and parking near the site; hours of working; and the removal of asbestos. Residents also asked if the road could be adopted by the council and if a 6ft fence would be instated following the removal of the trees.

Matthew Moore, the agent for the application, addressed the Committee in support of the application and emphasised that the attractive housing development had been sensitively designed and they had collaborated with key consultees. The site would be wheelchair accessible, and the homes would be energy efficient and have EV charging points and promote sustainable building. The development also responded to local housing need.

Members heard the public addresses, asked questions, and made comments. on the proposed application. Members considered the application, and it was proposed by Councillor James Hill and seconded by Councillor Daniel Cribbin that the application 2023/5560/MAF be approved as set out in the recommendations. Upon a vote, five members voted in favour of the application and two members abstained.

RESOLVED:

That the application be **APPROVED** subject to the conditions set out in the report and subject to the completion of a Section 106 Agreement to secure planning obligations in respect of affordable housing provision, education financial contribution, travel plan monitoring fee and the Council's monitoring fee and delegated authority is given to the Assistant Director Planning and Development to approve an amendment to conditions as deemed necessary.

Councillor Rupert Frost left the North Planning Committee meeting at this juncture.

31. **WND/2023/0235 - Outline application for construction of 29 dwellings with associated landscaping, open space, vehicular access and parking provision (all matters reserved aside from access). Land off Barby Road, Braunston**

The case officer presented the proposal and highlighted the main planning considerations relating to the residential amenities and heritage of the area which was detailed in the addendum. In line with the Local Plan and building regulations policy RA2 (ii) the proposal had been put forward to address the need for both market and affordable housing as identified in the Braunston Housing Needs Survey. The Section 106 contribution would allow for 31% on-site provision and 9% off-site contribution to support the delivery of affordable housing at Maple Close or 40% provision on-site. Following consultations there had been no objections raised. There would be no adverse impact in regard to heritage and the design of the site would be considered in line with the aesthetic of the village.

Councillor Rosie Humphreys, speaking as the local ward member for Braunston and Crick, addressed the North Planning Committee in objection to the application and on behalf of objections received from fellow ward councillors and residents. The concerns related to protecting the heritage and character of the village, and its historic landmarks. They were conscious that the proposal was to meet affordable housing need but there were also several phases of development at Maple Close. There were concerns that large scale development would harm the character of the village in the countryside.

Philip Durham, a local resident, addressed the Committee in objection to the application as he felt there was no requirement for the application meeting housing need with the development at Maple Close, and the report did not take this into consideration. He was concerned the development would compromise the look of the village and expressed concerns regarding the safety of children with the increase in traffic the development would bring.

Gordon Kemp, a representative from Braunston Parish Council, addressed the Committee in objection to the application on the grounds that the need for affordable housing had already been met with the development at Maple Close and as detailed in the Braunston Neighbourhood plan, all developments were to be in line with the character of the village. There had been 54 objections from local residents.

David Jones, the agent for the application, addressed the Committee in support of the application which boasted high quality and environmentally friendly construction and the development aimed to protect the local character and responded to the housing survey which took place in 2021 and dictated that there was a need for a variety of mixed housing with a proportion of bungalows, houses and affordability options with two houses offering shared ownership. There would also be one plot which would allow for a potential buyer to design and build their own home. As part of the section 106 contributions, additional parking would be provided outside the school and footways provided. The development would increase biodiversity in the area and was in accordance with the RA ii) policy.

The case officer responded that the housing scheme at Maple Close did not meet the housing need as the boundary was outside the confines of Braunston village. Members heard the public addresses, asked questions, and made comments. on the proposed application. Members considered the application, and it was proposed by Councillor Jamie Lane and seconded by Councillor Penelope Flavell that the application WND/2023/0235 be approved as set out in the recommendations. Upon a vote, three members voted in favour and three members abstained from the vote.

RESOLVED:

That the application be **APPROVED** subject to the conditions set out in the report and subject to the completion of a Section 106 Agreement to secure planning obligations in respect of affordable housing provision, travel plan monitoring fee, education contributions and the Council's monitoring fee with delegated authority given to the Assistant Director Planning and Development to approve an amendment to conditions as deemed necessary.

32. **Urgent Business**

There were no items of urgent business.

The meeting closed at 6.55 pm

Chair: _____

Date: _____



Planning Committee Report

Application Number: 2023/6454/MAF

Location: Former site of Vineyard Community Church, Warwick Street, Daventry, NN11 4AL

Development: The erection of retirement living apartments with associated access, car parking, landscaping, ancillary facilities and associated works

Applicant: McCarthy and Stone Retirement Lifestyles Ltd

Agent: The Planning Bureau

Case Officer: Rebecca Grant

Ward: Daventry East

Reason for Referral: Major application

Committee Date: 10th January 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary and subject to:

- Confirmation from the Lead Local Flood Authority (LLFA) that the submitted Flood Risk Assessment (FRA) is acceptable. Comment to be verbally reported to Members.

Proposal

The proposed development is for a retirement living scheme which comprises of accommodation for people of retirement age and above. The scheme will comprise of 47 apartments (26 one bedroom and 21 two-bedroom units) within a single apartment building.

The building will be 3-4 storeys in height as there are significant level changes across the site.

Access to the site will be taken from the existing access on Belmont Road. Resident and visitor car parking will provide a total of 25 parking spaces within the development.

Consultations

The following consultees have raised **objections** to the application:

- Daventry Town Council

The following consultees have raised **no objections** to the application:

- Local Highway Authority, WNC Conservation and Heritage Officer, WNC Archaeology Officer, WNC Environmental Health, Anglian Water, Development Management, Crime Prevention Design Officer and WNC Landscape Officer

The following consultees are **in support** of the application:

- Environment Agency

10 letters of objection have been received and 9 letters of support have been received. 8 letters have also been received providing comments on the proposal, neither objecting or in full support.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Affordable housing/housing mix
- Design and impact on character of the area and adjacent Conservation Area
- Impact on residential amenity
- Open space
- Flood risk
- Ecology
- Other considerations

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site measures approximately 0.3 hectares forming a rectangular area of land. The site is bounded between Waterloo to the east, Warwick Street to the south and Belmont Road to the west. A footpath runs along the northern boundary of the site, with a public park located beyond it.
- 1.2 The site is currently vacant and has recently been cleared. There are a number of low category trees along Warwick Street and Belmont Road. Just outside of the site boundary, to the northwest, there are a cluster of trees that are of visual significance.
- 1.3 The ground levels fall steeply south to north by approximately 6-7m, from Warwick Road on the southern boundary to the public park to the northern boundary

- 1.4 The immediate surroundings of the site consist of a mix of residential and commercial properties. The commercial element is largely focussed towards the east within the town centre with residential to the south and west. The buildings surrounding the site are predominately 2 and 3 storeys.
- 1.5 The site was previously occupied by a cluster of mechanic garages that occupied the southern portion, fronting Warwick Street. These buildings were demolished, leaving the site vacant since 2010.
- 1.6 An existing dropped kerb on Belmont Road indicates the previous vehicular access into the site.
- 1.7 The site is situated just outside of Daventry Town Centre Conservation Area. The Town Centre Conservation Area is characterised by the continuous built frontage of high quality, high density buildings along its main streets, with predominately Victorian and Georgian facades.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposed development is for a retirement living scheme which comprises of accommodation for people of retirement age and above. The scheme will comprise of 47 apartments (26 one-bedroom and 21 two-bedroom units) within a single apartment building. The building will include a communal homeowners lounge, guest suite, reception area, refuse storey, mobility scooter storeroom with charging points and communal external landscaped gardens.
- 2.2 The building will be 3-4 storeys in height as there are significant level changes across the site. The design of the building on the site has sought to make most efficient use of land available and work with the change in levels of the site by using split-level building with a lower ground floor being incorporated into the sites of the site at a lower level increasing the overall height of the building.
- 2.3 Access to the site will be taken from the existing access on Belmont Road. Resident and visitor car parking will provide a total of 25 parking spaces within the development.
- 2.4 Private amenity space, in the form of balconies for above ground apartments and patio areas for ground/lower ground apartments will be provided to 31 of 47 apartments. The remaining 16 apartments will have Juliet balconies. In addition, all residents will have access to private shared outside amenity space within the communal gardens.
- 2.5 Pedestrian access points (in addition to the main building entrance) have been designed into the building on the Warwick Street and Waterloo frontages to create direct access from the development to the high street and surrounding amenities.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:

DA/1992/0688 – Showroom and workshop at Danetre Garage. Approved 10/08/1992

DA/2009/0257 – Change of use from garage to place of public worship and religious instruction. Approved 20/05/2009

DA/2012/0936 – Outline application for demolition of existing buildings &

structures on site and the construction of retail floorspace (Use Class A1), non-food (bulky goods) retail floorspace and new petrol filling station (sui generis), together with all associated areas of hardstanding, car parking, engineering and landscaping works (access not reserved). Approved 06/06/2014

DA/2014/0667 – Prior notification for the demolition of buildings. Approved 27/08/2014

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

West Northamptonshire Joint Core Strategy (2014) (Part 1) (LLP1)

Policy SA – Presumption in favour of sustainable development
Policy S1 – The distribution of development
Policy S2 – Hierarchy of centre
Policy S3 – Scale and distribution of housing development
Policy S10 – Sustainable development principles
Policy S11 – Low carbon and renewable energy
Policy C1 – Changing behaviour and achieving modal shift
Policy C2 – New developments
Policy RC2 – Community needs
Policy H1 – Housing density and mix and type of dwellings
Policy H2 – Affordable housing
Policy H4 – Sustainable Housing
Policy BN2 – Biodiversity
Policy BN5 – The historic environment and landscape
Policy BN7a – Water supply, quality and wastewater infrastructure
Policy BN7 – Flood risk
Policy BN9 – Planning for pollution control
Policy INF1 – Approach to infrastructure delivery

Policy INF2 – Contributions to infrastructure delivery
 Policy D1 – The regeneration of Daventry Town

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LLP2)

Policy SP1 – Daventry District spatial planning
 Policy H08 – Housing mix and type
 Policy EC3 – Daventry, land to the North and West of the town centre (Site 3 and 5)
 Policy ST1 – Sustainable Transport Infrastructure
 Policy ENV1 – Landscape
 Policy ENV5 – Biodiversity
 Policy ENV7 – Historic environment
 Policy ENV9 – Renewable energy and low carbon development
 Policy ENV10 – Design
 Policy ENV11 – Local flood risk management
 Policy CW1 – Health and wellbeing
 Policy CW2 – Open space requirements

4.4 Material Considerations

National Planning Policy Framework (NPPF)

Northamptonshire Parking Standards (adopted 2016)
 Biodiversity SPD (adopted 2017)
 Infrastructure and Developer Contributions SPD (adopted 2013)
 Daventry Design Code SPD (adopted 2005)
 Planning out Crime in Northampton SPG (adopted 2004)
 Daventry 2040 Masterplan (adopted July 2012)

5 RESPONSE TO CONSULTATION

5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website.

Consultee Name	Position	Comment
Daventry Town Council	Object	Whilst supportive of the redevelopment of the site and the provision of retirement living apartments objects for the following reasons. Density too high, sufficient parking not provided and displacement of vehicles on Belmont Road.
LLFA		At the time of drafting the report no response has been received on the updated information.
Environment Agency	Support	Site is a low risk to controlled waters. Suggest a condition.
Local Highway Authority (LHA)	No objection - previous objection removed	Parking standards do allow for a relaxation of the minimum requirements in exceptional circumstances. LHA agree that the

		location of the development in respect of public transport and the proximity to local services by foot weighs in favour of there being less reliance on car ownership and journeys. LHA recommend a parking beat survey be undertaken to establish what capacity is available in the vicinity of the site for parking.
WNC Conservation and Heritage	No objection	No objection however recommend that the scale, height and design is revised so that it responds more sensitively to the site's close proximity to the Daventry Conservation Area.
Archaeology	No objection	Site was levelled and redeveloped for a group of industrial/commercial buildings in late 20 th century. These were levelled after 2010 and the site has been derelict since. Do not anticipate any sub-structure archaeological remains.
Environmental Health	No objection	Support the application subject to conditions in relation to noise, external plant, construction phase, air quality, lighting, waste and land quality
Anglian Water	No objection	The foul drainage from this development is in the catchment of Whilton Water Recycling Centre that will have availability for these flows. Confirm that the surface water disposal strategy is acceptable.
Development Management	No objection subject to a contribution	No requirement for an education contribution due to the facility proposed. Libraries - £6,530 contribution
Crime Prevention Design Advisor	No objection	Provide comments on the layout of the site
WNC Ecology		No response received at the time of drafting the report
WNC Strategic Housing		No objection to the proposal
WNC Landscape	No objection	

6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 10 representations have been received raising the following objections to the proposal:

- The trees along Belmont Road will be removed.
- Access to the site during construction and when built as Bemont Road is unadopted.
- Highway safety.
- Height of building is out of context.
- Close proximity of the building to the boundary could obstruct vision splays.
- More parking is required for staff and residents.
- Already sufficient elderly accommodation in the town.

8 representations have been received raising the following observations:

- Concerned over length of time for construction and impact upon highway safety.
- Access to the site should be on the other side.
- Potential for residents to complain about noise from late night bars in town centre.

9 representations have been received in support of the proposal, raising the following points:

- Much needed development for this age group.
- The closeness to shops would enhance independent living.
- Sensible plans for a redundant site.
- The plans would support the shop owners in the town centre.

7 APPRAISAL

Principle of Development

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan to the extent that development plan policies are material to the application unless material considerations indicate otherwise.
- 7.2 The development plan for Northampton consists of policies within the WNJCS and the Local Plan (Part 2).
- 7.3 Policy S1 of the WNJCS sets out how development will be distributed. Daventry town is classified as the sub-regional centre in West Northamptonshire, behind the principle urban area of Northampton and as such, should take an appropriate level of development in line with its hierarchical status. Policy S1 gives priority to making best of previously developed land (PDL) and vacant and under-used buildings in urban or other sustainable locations with a target to achieve 30% of additional dwellings on PDL. The redevelopment of this site within Daventry town would present an appropriate scale of development given its sustainable location within the sub-regional centre of the area and contribute towards the 30% target on PDL.
- 7.4 Policy H1 of the WNJCS states that new housing development will provide a mix of housing types, sizes and tenures to accommodate needs. The policy requires new housing developments to make efficient use of land and to provide for a mix of types, sizes and tenure. The proposal is for specialist older persons housing to meet

specific needs of an increasingly aging population within West Northamptonshire with a range of tenures available. Policy H08 of the Daventry LPP2 also identifies the importance of providing housing for needs based on current and demographic trends to create sustainable, inclusive and mixed communities.

- 7.5 Policy EC3 of Daventry LPP2 relates to land to the north and west of Daventry town centre and allocates land for residential, office, hotel, leisure, restaurant or health provision. Part C of the policies sets out the following requirements for proposals.
- i. Provide suitable and legible pedestrian and cycle links that accommodate the distinct needs of different users linking to the town centre, Daventry Country Park, Daventry North East SUE and the Learning Quarter (site 6), including those passing through the site, through design and layout and by utilising public realm; and
 - ii. Respond positively to and respect its setting including the provision of on-site open space and having due regard to the findings of the Heritage Impact Assessment; and
 - iii. Ensure that siting, configuration and orientation of the buildings optimise key views into and out of the site; and
 - iv. Develop the tourism potential of the area through the addition of quality public space; and
 - v. Provide an active frontage on to Eastern Way; and
 - vi. Have no adverse impact on the vitality and viability of the centre or other centres;
 - vii. Retain areas of open and green character;
 - viii. Integrate with any agreed masterplan for Site EC2, North of High Street; and
 - ix. Be accompanied by a transport strategy; and
 - x. Mitigate all flood risk arising as a result of development of the site including through the provision of sustainable drainage; and
 - xi. Set out further details of any required mitigation relating to water and water recycling infrastructure and any necessary phasing arrangements.
- 7.6 The site forms a small portion of the larger allocation under Policy EC1. Whilst it is appreciated that a masterplan has not been submitted for this site, it is considered that redevelopment of the application site would not prejudice development of the wider allocation. The application site can be viewed in isolation given its proximity to the town centre and the natural boundaries of the site with the open space to the north and the boundary of the allocation to the south, east and west.

Overall conclusion on the relationship of the development to the development plan

- 7.7 This application proposes to deliver 47 apartments for elderly persons on a site allocated for mixed uses, including residential as set out in Policy EC1 of Daventry LPP2. In the context of the presumption in favour of sustainable development set out within the NPPF, it is considered that, on balance, the proposal (subject to conditions) would result in a sustainable development and any harm as set out in the sections below would be outweighed by the benefits of granting consent. Having regards to the matters set out above, officers are firmly of the opinion that the application accords with the development plan as a whole. Having considered the principle of development, in terms of the policy context, it is necessary to consider a number of specific elements, as set out below.

Highways and Access

- 7.8 Policy C1 of the JCS states that priority will be given to proposed transport schemes that will contribute towards behavioural change by, inter alia, providing access by walking, cycling and public transport, maximising the use of existing capacity within the transport infrastructure and managing the demand for car-based travel within urban areas. Policy C2 expects new development to achieve modal shift targets set out in the JCS by maximising travel choice from non-car modes.
- 7.9 The NPPF promotes sustainable development and states that there is to be a "presumption in favour of sustainable development" when making plans and decisions. In respect of considering development proposals, paragraph 108 states: "In assessing sites...specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."
- 7.10 A Transport Statement has been submitted with the application. Various discussions have taken place over the course of the application between the LHA and the applicant. Access to the site is via an existing crossover on Belmont Road measuring 5m in width.
- 7.11 Northamptonshire's Parking Standards (2016) document provides a standard for C3 retirement development of 1 space per dwelling plus 0.5 visitor spaces per dwelling. For the 47unit scheme this would equate to 70.5 spaces.
- 7.12 The applicants have carried out research of comparable sites to calculate the average parking demand of site users. The research identified a far lower demand for car parking than the LHA's guidance. Average parking demand is shown to be 0.45 spaces per apartment for residents with a further 0.1 spaces per apartment by visitors, resulting in the overall average of 0.55 spaces per apartment.
- 7.13 For the proposed development, the applicants have calculated that 26 car parking spaces would be suitable to accommodate demand. This is based on sites that are typically in locations that are not as highly sustainable as the current application, where residents would be in short walking distance from local amenities in the High Street and nearby bus stop. As a result, the proposed provision of 25 spaces for the 47 apartments is considered to meet the demand by the future residents.
- 7.14 The applicants have referred to a number of schemes in their Transport Statement within Northamptonshire whereby data on parking demand at existing retirement schemes has been accepted to justify a reduction from the adopted standards, including Towcester town centre. It is also noted that there are a number of car parks within close proximity of the site which could accommodate parking.
- 7.15 In the LHA's initial response, an objection was made on grounds of the proposal failing to meet the minimum parking provision standards for the proposed use class. Whilst this remains the case, it is important to acknowledge precedents that have been set elsewhere within West Northamptonshire for very similar developments in recent years. Of particular relevance are S/2019/1723/MAF (Bickerstaffes Road, Towcester) and WNS/2021/0957/MAF (Halse Road, Brackley) both comparable in size and location in terms of access to local services and public transport. Both developments proposed parking ratios slightly less than that currently proposed for this development and the

LHA accepted a first principles approach to parking provision based on submitted evidence of similar sites.

- 7.16 The parking standards do allow for a relaxation of the minimum requirements in exceptional circumstances. The LHA agree that the location of the development in respect of public transport and the proximity to local services by foot weighs in favour of there being less reliance on car ownership and journeys. The LHA however note that the surrounding area is already heavily parking??? Needs to be reworded as does not make sense at certain times, roads subject to parking restrictions and there may be limited capacity in surrounding road and public car parks should a greater parking demand present itself when the site is fully occupied. For this reason, the LHA have recommended that a parking beat survey be undertaken to establish what capacity is available in the vicinity of the site in order to provide a robust assessment. The scope of this survey has been agreed with the LHA.
- 7.17 At the time of drafting this report, the parking beat survey is not available. An update will be provided at the Committee meeting.
- 7.18 Secure mobility scooter storage is provided within the building adjacent to the parking court.
- 7.19 Refuse collection will occur on-street in keeping with other properties along Warwick Street. The refuse store is located adjacent to the public highway.

Overall conclusion on the impact of the development upon highway safety

- 7.20 Subject to the parking beat survey being submitted and it not highlighting any issues with parking within the immediate surroundings, it is considered that access, traffic and transport impact of the proposed development is in accordance the requirements of Policies C1, C2, S1 and S10 of the West Northamptonshire Joint Core Strategy, Policy EC1 of the Daventry LPP2 and guidance contained within the NPPF and do not result in any significant harm upon highway safety.

Affordable housing/housing mix

- 7.21 Housing applications are considered in the context of the NPPF's presumption in favour of sustainable development. Within the NPPF there is a requirement to deliver a wide choice of homes and create sustainable, inclusive and mixed communities. Local Planning Authorities should plan for mixed housing recognising the needs of different groups in the community and identify a range of housing and tenure types. Where there is an identified need for affordable housing, the NPPF states this need can be met on site or off site if it can be robustly justified. The NPPF states that the supply of new houses can be achieved through planning for larger scale developments, including extensions to existing villages or towns.
- 7.22 Policy H1 of the JCS seeks to ensure that an appropriate mix of housing is provided which reflects the needs of existing and future households having regard to the evidence provided by the West Northamptonshire Strategic Housing Market Assessment (SHMA). It is noted that within the policy justification text that whilst the SHMA provides the starting point for the consideration of size and mix, it is also necessary to have regard to specific local circumstances and needs. Policy H1 advises that across Northamptonshire, new housing development will provide for a mix of house types, sizes and tenures to cater for different accommodation needs, including the needs of older people and vulnerable groups.

- 7.23 Policy H2 sets out the proportions of affordable housing provision that will apply across the plan area. In respect of Daventry, policy H2 states that 25% affordable housing is required on sites of 5 or more dwellings. The proposals will provide a mix of housing tenures to meet the needs for older persons housing for the open market. As the proposal is not in accordance with Policy H2, the application is supported by a financial viability appraisal to demonstrate a policy compliant provision on-site would not be viable. The viability of the proposal is reviewed in a separate section of the report.
- 7.24 WNC Affordable Housing Officer and an independent viability assessor accept the findings of the viability appraisal. The appraisal was reviewed by an independent assessor and then a further assessment was undertaken to answer questions raised. The results of which confirm that the scheme is unable to secure any affordable housing provision.

Overall conclusion of acceptability of the affordable housing provision

- 7.38 Both WNC's Housing Strategy Officer and our Independent Viability Assessor accept the finding of the viability assessment and as such it is considered that the proposed development, whilst not wholly compliant with policies in the development plan in relation to affordable dwellings, would on balance be acceptable based on the viability of the scheme.

Design and impact on the character of the area and adjacent Conservation Area and Listed Buildings

- 7.25 Policy H1 of the WNJCS advises that housing development will be expected to have regard to (a) the location and setting of the site and (b) the existing character and density of the local area.
- 7.26 The requirement to consider the character of the locality is reiterated within Daventry's Local Plan policy ENV10 which seeks to ensure that new development is of a scale, type and design in keeping with the locality and enhances local distinctiveness.
- 7.27 Part iii. of Policy ENV10 seeks to ensure that 'the scale, density, massing, height, layout and access of the proposal combine to ensure development blends well within the site and with its surroundings.
- 7.28 Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 193 of the NPPF states that, 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.
- 7.29 Policy ENV7 (historic environment) requires any proposals affecting the historic environment to demonstrate any potential impact on the significance of heritage assets and their settings. High quality proposals that respond positively to their context by reinforcing local distinctiveness and proposals that make a positive contribution to the significance of designated heritage assets will be supported.
- 7.30 The application is supported by a Built Heritage Assessment (prepared by Cotswold Archaeology) due to the site's proximity to the Daventry town centre Conservation Area and Listed buildings within the town centre and the site being located within a significant view that looks down St James Street (NCC, 2017) from a heritage perspective.

- 7.31 The Design and Access Statement states “that the design has been taken from the surrounding vernacular, with the materials pallet and detailing selected to reflect the local architecture. Red brick and render have been chosen as the principal materials due to their prominence in the area, creating a cohesive and visually appealing aesthetic that is in keeping with the surrounding buildings. Additionally, the design incorporates local detailing, such as flat brick arches, splayed stone heads and keystone, Flemish bond brick banding and chimneys. These elements reinforce the local character, creating a building that is both visually appealing and respectful of its surroundings”.
- 7.32 The site is situated within the setting of several designated heritage assets, including several Listed Buildings and the Town Centre Conservation Area. Proposed development within the site has the potential to result in change within the setting of these assets. As such, the design, massing and scale of the building is critical to how the site responds to its surrounds.
- 7.33 Officers originally had concerns in relation to the overall scale of the building. WNC’s Conservation Officer whilst has no objection to the proposal, does still have concerns in relation to the scale and massing of the building. It is however considered that views of the site are relatively constrained by existing features, for example natural features such as landscaping and built features such as buildings. The massing of the building has been designed around ground levels and a number of design features have been used to minimise the impact of the building within the street scene.
- 7.34 To create visual interest and add depth to the façade, sections of increased depth have been incorporated, along with feature gables that create an interesting roofscape. These design elements help to create a perception of terracing within the linear built form, adding visual interest to the building. This is accentuated further by alternating sections of red brick and render.
- 7.35 A number of apartments are provided with a Juliet balcony or a walk-on balcony which also adds some articulation to the facades of the building.
- 7.36 The proposed development would re-instate roadside built form within the site, helping to restore a semblance of the enclosed street scale that was historically on the site up to mid-20th century and is of an appropriate scale in context. The proposed development is not considered to result in harm to any identified designated heritage assets through alterations to their setting and it is considered that the proposed development would enhance the significance of the Town Centre Conservation Area through the reinstatement of built form within a significant view.
- 7.37 WNC’s Archaeologist has confirmed that site was levelled and redeveloped for a group of industrial/commercial buildings in late 20th century. These were levelled after 2010 and the site has been derelict since. It is therefore not anticipated any sub-structure archaeological remains and there is therefore no requirement for archaeological evaluation or investigation.

Overall conclusion on the impact of the development upon the character of the area and adjacent Conservation and Listed Buildings

- 7.38 Paragraph 196 of the NPPF clearly states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. It is considered that the harm to significance will be less than substantial in NPPF terms. It is considered there are no overriding heritage constraints to the proposals that have been identified. It is considered that the overall scale, massing and design of the building respects the character of the surrounding area and adjacent Conservation Area. As such, the proposals are therefore in accordance with Policy H1 of the WNJCS and Policy ENV10 of Daventry LPP2 and the overarching intentions of the NPPF

Impact on residential amenity

- 7.39 Policy ENV10 of the Daventry LPP2 requires development proposals to provide acceptable standard of amenity through their impact on existing occupiers and their internal layouts by ensuring that development proposal do not cause unacceptable harm through a loss of privacy, loss of light or by being overbearing.
- 7.40 With regards to impact on existing properties, the application site is boarded by residential properties along its south boundary to Warwick Street. These properties are set on the opposite side of Warwick Street and would meet the accepted front to front relationship between residential units.
- 7.41 To the west of the application site fronting Warwick Street are two storey dwellings. The closest one of which has a landing window in the gable facing the application site. There are consequently no issues of overlooking. To the rear of this corner property is a further retirement complex. The entrance (both pedestrian and vehicular) is from Belmont Road. This complex of buildings has been designed around the varying ground levels which fall from south to north and comprises a building ranging in height from 2 to 3 ½ storey.
- 7.42 The side elevation of this complex has 3 windows facing Belmont Road. There is a minimum of over 30m between these windows and the side elevation of the proposed development. Given the separation distance, it is considered that there would not be an unacceptable loss of light or harmful overlooking between properties.

Overall conclusion of impact on residential amenity

- 7.43 It is considered the proposed layout and design respects the amenity of existing dwellings and will provide a satisfactory standard of amenity for future residents. It is not considered that the development will have any adverse impact with regards to overlooking or loss of light to existing residents. As a result, it is considered the development is in accordance with Policy ENV10 of the Daventry LPP2.

Flood Risk

- 7.44 The NPPF at paragraph 163 advises that Local Planning Authorities should, when determining planning applications, ensure that flood risk is not increased elsewhere. Paragraph 165 advises that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

- 7.45 Policy BN7 of the WNJCS sets out general development principles and requires that development proposal includes adequate provisions for foul and surface water drainage, incorporating allowances for climate change.
- 7.46 Policy ENV11 of the Daventry LPP2 requires all development to assist in the management of flood risk, ensure flood risk is not increased elsewhere and provide flood risk reduction/betterment.
- 7.47 A Drainage SuDS Strategy has been undertaken and supports the application. The site is proposed to have 2 outfalls, one for surface water and one for foul water. The outfalls will drain to the existing Severn Trent Water (STW) sewers located in Waterloo Road to the east of the site. Each surface water network has been designed to accommodate surface water flows from 1 in 100 year storm + 40% allowance for climate change. A flow control device limiting the discharge rate has been provided at the outlet of the attenuation storage to optimise storage upstream of the network.
- 7.48 All hardstanding area including housing roofs will drain to the attenuation tank and discharged to the STW surface water sewer delivering a 96% betterment from the peak pre-development runoff from the site.
- 7.49 Following the submission of additional information, the Lead Local Flood Authority (LLFA) has advised that they are satisfied with the proposal. The LLFA have however requested a FRA to be submitted due to the size of the proposal. At the time of drafting the report, no comments have been received from the LLFA on the FRA. An update will be provided at committee.
- 7.50 The Environment Agency supports the proposal subject to conditions as the site poses a low risk to controlled waters.

Overall conclusion on flood risk

- 7.51 Subject to satisfying the issues raised by the LLFA, it is considered that the details are acceptable and in accordance with policy BN7 of the WNJCS, policy ENV11 of the Daventry LPP2 and the guidance contained within the NPPF.

Ecology

- 7.52 Policy BN2 of the JCS requires development to maintain and enhance existing designations and assets or deliver a net gain in biodiversity. It states that 'development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate; the methods used to conserve biodiversity in its design and construction and operation; how habitat conservation, enhancement and creation can be achieved through linking habitats; and how designated sites, protected species and priority habitats will be safeguarded'.
- 7.53 Policy ENV5 of the Daventry Local Plan Part support and enhance biodiversity and requires development to protect, maintain and enhance biodiversity and geodiversity. Specifically, policy part C. of Policy ENV5 states that 'proposal should seek to achieve a net gain for biodiversity, including the creation and management of new habitats, strengthening existing networks of habitats, avoiding the fragmentation of habitats and links and addressing the Northamptonshire Biodiversity Action Plan local priorities for habitats and species'.
- 7.54 The application is accompanied with a Preliminary Ecological Appraisal (PEA). The PEA sets out that the site has recently been cleared. Rubble, debris and litter were

present with soil underneath. Areas along the northern and eastern boundaries had some ephemeral growth encroaching since the vegetation clearance.

- 7.55 The Ecological Assessment concludes that a number of safeguarding measures need to be utilised to minimise adverse effects on biodiversity and ensure compliance with UK wildlife legislation, for example in relation to common amphibians, hedgehogs, nesting birds, terrestrial mammals and invasive plant species. It is therefore recommended that a Landscape and Ecology Management Plan (LEMP) be prepared and submitted to the LPA which sets out the detailed establishment and management of all on site compensation and enhancement measures. The LEMP should cover a period of 30 years from the date of commencement with provisions for long-term monitoring and contingency actions linked to the BNG objectives of the project. A condition is therefore proposed to secure a LEMP.
- 7.56 A Biodiversity Net Gain (BNG) assessment has been carried out which sets out that the development will deliver a biodiversity net loss of in relation to habitat units and river units but will deliver a net gain in relation to hedgerow units. This net gain exceeds the 10% net gain in hedgerow value. It should however be noted that the net gain in hedgerows cannot be used to counterbalance the net losses in habitats.
- 7.57 The BNG assessment concludes that the projected onsite habitat values given in the BNG assessment are based on the assumption that an appropriate management plan will be implemented to ensure that the habitats and hedgerows will be established and maintained to fulfil their intended biodiversity value. This will be secured by a LEMP condition as set out above.

Overall conclusion on ecology

- 7.58 At the time of drafting the report, no comments have been received from WNC's Ecology Officer. Whilst this is not ideal, given the history of this site and noting that the site has been cleared, it not considered that this is a reason to hold up the determination of this application. The Ecological Assessment concludes that a LEMP should be prepared setting out the detailed establishment and management of all on site compensation and enhancement measures. The LEMP should cover a period of 30 years from the date of commencement with provisions for long-term monitoring and contingency actions linked to the BNG objectives of the project. A condition is therefore proposed to secure a LEMP.
- 7.59 It is noted that the proposed development will not achieve a net gain in biodiversity in accordance with Policy ENV5 of the Daventry LPP2 however this needs to be weighed against the redevelopment of this brownfield site positioned in a sustainable location adjacent to Daventry town centre, providing a much needed supply of specialised housing. It should also be noted that the site forms part of a larger allocation for policy EC3 of the Daventry LPP2.

Other considerations

Noise

- 7.60 Policy S10 of the WNJCS and Policy ENV10 of the Daventry LPP2 requires new development to minimise pollution from noise and protects the amenity of new and existing dwellings.
- 7.61 The proposed design will use mechanical ventilation with heat recovery for all habitable

rooms. The mechanical ventilation system is ducted within the buildings and to individual apartments with their own air vent. It extracts stale air, warm air from the building and the system recycles the heat within that airflow and is used to warm up fresh clear air back into the building/apartments. It has the benefit of providing background heat to reduce the need for heating systems to be on whilst also purifying and cleaning the air. The windows and openings will be completely unaffected by this system.

WNC's Environmental Health Officer supports the proposal and has suggested a number of conditions which require assessments to be carried out prior to occupation of the development.

Air Quality

- 7.62 Policy BN9 of the WNJCS sets out the criteria for the control of pollution from new development including;
- Maintaining and improving air quality, particularly in poor quality areas, in accordance with the national air quality standards and best practice.
- 7.63 WNC Environmental Health Officer have sought clarification on the number of electric vehicle charging points and recommend a condition to secure cycle storage. A condition is proposed to address EV charging.

Land Contamination

- 7.64 Policy BN9 of the JCS requires that proposals for new development which are likely to cause pollutant for results in exposure to sources of pollution must demonstrate that they propose opportunities to minimise and where possible reduce pollution issues.
- 7.65 A Phase 1 desk study and provisional preliminary site conceptual model has been submitted and is accepted by WNC's Environmental Health Officer. Based on the findings of the Site Investigation, a number of conditions are recommended.

Renewable Energy

- 7.66 One of the core planning principles as outlined in the NPPF is for planning to support a transition to a low carbon future in a changing climate and through this is the encouragement of the use of renewable resources. The NPPF identifies the role planning plays in helping to shape places to secure reductions in greenhouse gas emissions, providing resilience to the impact of climate change and supporting the delivery of renewable and low carbon energy associated infrastructure.
- 7.67 Policy S10 of the JCS seeks to reduce the impact of climate change through reducing carbon emissions by the application of sustainable design principles. Policy S11 of the JCS seeks greater energy efficiencies in building construction and use and through the increased use of low carbon and renewable energy. The policy identifies key considerations in the assessment of development proposals for renewables, which include sensitively locating proposals to minimise the impact on people as well as the built, natural and heritage environment.
- 7.68 Policy ENV9 of the Daventry LPP2 requires developments, where appropriate and viable, to utilise the availability of any local energy networks or generate their own energy from low carbon technology.

- 7.69 An Energy Sustainability Statement has been submitted to support the application. Whilst the solar PV and listed water sanitaryware flows are the preferred specification at this present time, the strategy and required contribution may be subject to change as the design develops further. As such, a condition is proposed to address this.

8 FINANCIAL CONSIDERATIONS

- 8.1 Policy INF 1 and INF2 of the WNJCS and the Planning Obligations SPD sets out the requirements for development proposals to mitigate the impacts they have on a local area through providing planning obligations, where necessary and where developments exceed the provision of 15 units. Policy H2 of the WNJCS sets out that developments of 15 or more residential homes are required to provide a minimum of 25% on-site affordable housing.
- 8.2 The applicant has provided a financial viability appraisal which has been reviewed by an independent viability advisor on behalf of the Local Planning Authority. The review has confirmed that the scheme as presented would be unviable in relation to a policy compliant scheme. The advisor sets out that the scheme cannot provide any financial contributions.
- 8.3 Following further negotiations and assessment, officers accept the findings of the independent viability assessment and are of the view that the redevelopment of the site to provide residential accommodation, without any planning obligations, is acceptable in this case because of the findings of the viability review. Officers therefore consider that the proposed development would be acceptable, despite not being able to accord with Policies INF 1, INF 2 and H2 of the WNJCS.
- 8.4 The development is CIL liable.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed development represents an acceptable land use that would have an acceptable impact upon the character and appearance of the surrounding area, the highway network, drainage and flood risk, ecology and provide an acceptable housing proposal.
- 9.2 It is considered that the design, massing and scale of the development is acceptable and respects the character of the adjacent Conservation Area and Listed Building.
- 9.3 It is accepted that following the independent review of the viability assessment, the development is not capable of providing any financial contributions which mitigate the impacts of the development. In this case, as the assessment has been independently assessed, this position is accepted.
- 9.4 Whilst it is noted that the proposed development will not result in a net gain in biodiversity, it should be noted that the requirement for a 10% net gain is not mandatory for applications which have been submitted prior to legislation coming into force. It is also noted that the site is a brown field site within Daventry Town Centre and therefore located within a highly sustainable position. Conditions are proposed to ensure that mitigation for biodiversity enhancement is secured.
- 9.5 Officers consider that on balance, the proposed development would be acceptable.

10 RECOMMENDATION

GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary and subject to:

- Confirmation from the LLFA that the submitted FRA is acceptable.

11 CONDITIONS

Time limit

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

Site Layout Plan – MI-2864-03-AC-001 Rev A
Elevation 1– MI-2864-03-AC-004 Rev A
Elevations 2 – MI-2864-03-AC-005 Rev A
Lower Ground Floor Plan– MI-2864-03-AC-007
Ground Floor Plan – MI-2864-03-AC-008 Rev A
First Floor Plan– MI-2864-03-AC-009 Rev A
Second Floor Plan– MI-2864-03-AC-010 Rev A
Roof Plan – MI-2864-03-AC-011
Planting Plan– MI-2864-03-LA-0002 Rev A
Drainage Strategy– MI-2864-03-DE-501 Rev P3
Levels Strategy– MI-2864-03-DE-601 Rev P1

Reason: To clarify the permission and for the avoidance of doubt

Access and Parking

3. The parking spaces and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than garaging/parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway in accordance with Policies C1 and C2 of the West Northamptonshire Joint Core Strategy.

4. Prior to the occupation of the development hereby approved, details of the storage for cycles to be provided serving the apartments and staff shall be submitted and approved

by the Local Planning Authority. The cycle storage shall thereafter be implemented prior to the first occupation of the building.

Reason: To ensure the proposed development satisfactory provides sufficient cycle parking in accordance with Policies C1 and C2 of the West Northamptonshire Joint Core Strategy.

Materials

5. A schedule of materials and finishes to be used in the external walls and roof(s) of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies ENV7 and ENV10 of the Daventry LPP2.

6. Details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The approved boundary treatment shall thereafter be implemented prior to the occupation of the building.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies ENV7 and ENV10 of the Daventry LPP2.

7. Full details of the siting, appearance and colour of any electricity or gas supply meter housing to be located on the external elevations of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the area in accordance with Policies ENV7 and ENV10 of the Daventry LPP2.

Construction Management Plan

8. Prior to the Commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The Statement required to discharge the Construction Management Plan of this consent is expected to cover the following matters;
 - Demolition management plan
 - Demolition management plan
 - The parking and turning of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in constructing the development;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Details of measures to prevent mud and other such materials migrating onto the highway from construction vehicles;
 - Wheel washing facilities;

- Measures to control the emission of dust and dirt during construction;
- A scheme for waste minimisation and recycling/disposing of waste resulting from the construction works;
- Design of construction access;
- Hours of construction;
- Measures to control overspill of light from security lighting;

The construction of the development shall thereafter be carried out in accordance with the approved Construction Management Plan unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in the interests of residential amenity in accordance with Policy H01 of the Daventry LPP2 and (2) To protect and prevent the pollution of controlled waters in accordance with Policy ENV11 of the Daventry LPP2.

Landscaping

9. Notwithstanding drawing MI 2864 03 LA 0001A, a scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-
- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with policy Q1 and ENV6 of the Northampton LPP2 and Government guidance contained within the National Planning Policy Framework.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity

and to accord with Policy ENV4 of the Daventry LPP2 and Government guidance contained within the National Planning Policy Framework.

Renewable Energy

11. Notwithstanding the submitted Energy Sustainability Statement, no construction of development above damp-proof course level shall take place until a Renewable Energy report is submitted to and agreed by the Local Planning Authority. This report should include details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained.

Reason: To ensure that the development is sustainable and complies with policies S11, S10, BN9 and C2 of the West Northamptonshire Joint Core Strategy.

External Illumination

12. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the level of illumination, angling and cowling of the light sources, an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact in accordance with The Institution of Lighting Professionals Guidance Note GN01/21 The Reduction of Obtrusive Light. Any lighting shall thereafter be operated and maintained in accordance with the approved details at all times.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Noise

13. Prior to the occupation of development, a scheme for achieving the noise levels contained within BS8233:2014 (or any standard revoking and replacing that standard with or without modification) with regards to the residential units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented prior to first occupation of the residential units and a post installation report shall be submitted to and approved in writing by the Local Planning Authority and thereafter maintained in the approved state. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers without prior written approval from the Local Planning Authority.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

14. Prior to use a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014 (+A1:2019). Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Occupancy

15. The development hereby approved shall be occupied only by person(s) over the age of 60 (with or without a partner over 55 years of age).

Reason: To ensure adequate parking is provision on site in accordance with SPG Northamptonshire Parking Standards (adopted 2016)

Drainage

16. The development hereby approved shall be carried out in accordance with the approved Drainage Strategy MI-2864-03-DE-501 P1 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN9 of the WNCJS and Policy ENV11 Daventry LPP2 by ensuring the satisfactory means of surface water attenuation and discharge from the site.

Contaminated Land

17. 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 'Land Contamination Risk Management (LCRM)'

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 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy

Refuse

18. Prior to the first occupation of the development hereby approved, refuse storage and collection facilities shall be made available for use. The refuse storage area shall be in a separate room not connected to any habitable area. These facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Landscape and Ecology Management Plan

19. A landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g) Details of the body or organisation responsible for implementation of the plan
 - h) Ongoing monitoring and remedial measures

Reason: In the interest of securing biodiversity in accordance with Policy ENV5 of the Daventry LPP2.

Electric vehicle charging points

20. Prior to the first occupation of the development hereby approved, a scheme for the provision of the necessary infrastructure to enable the provision of points for the charging of electric vehicles has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be installed and retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Water efficiency

21. The approved scheme shall be designed in accordance with water efficiency measures to comply with a limit of 110 litres per person per day. The development

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Planning Committee Report

Application Number: 2023/7469/FULL

Location: Monkton Cottage Moulton Lane Boughton NN2 8RF

Development: Variation of condition 2 (plans) of WND/2022/0494 (Demolition of existing dwelling. Construction of dwelling, detached garage and detached outbuilding) revised plans.

Applicant: Mr and Mrs Benson

Agent: Archi-tec Architectural Design

Case Officer: Rebecca Bates

Ward: Moulton

Reason for Referral: Called in by Councillor Shephard proposed is excessive and detrimental to the amenity of the adjoining property and neighbourhood

Committee Date: 10th January 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

Proposal

Variation of condition 2 (plans) of WND/2022/0494 (Demolition of existing dwelling. Construction of dwelling, detached garage and detached outbuilding) revised plans.

Consultations

The following consultees have raised **objections** to the application:

- None

The following consultees have raised **no objections** to the application:

- None

The following consultees are **in support** of the application:

- None

One letter of objection has been received and one letter of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- The impact on the character and appearance of the surrounding area/landscape, and
- Impact on neighbouring amenity.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a detached two storey dwelling with living accommodation over three floors. The dwelling has recently been approved and therefore is under construction. The dwelling is set within a large plot with a deep rear garden and front driveway area.
- 1.2 The dwellinghouse has red brick elevations with a slate tiled pitched roof and black framed windows and doors with a rear elevation balcony and Juliette balconies.
- 1.3 The application site is situated upon the eastern edge of Boughton village, a residential area mostly comprising of large dwellinghouses of varying designs which have been redeveloped or rebuilt over the years. Due to being situated on the edge of the village, the application site is surrounded by neighbouring residential dwellings and their associated gardens and driveways to the east and west, with open countryside to the north and south.

2 CONSTRAINTS

- 2.1 The application site is not situated in a Conservation Area nor is it a Listed Building.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for alterations to the roof of the dwellinghouse. The alterations proposed under this application include the roof pitch increasing, removing the top section of the roof and adding a flat roof section with hipped sections to the side to conceal the flat roof section and to reduce the impact on the neighbouring occupiers.
- 3.2 As the dwellinghouse is currently under construction, this application is part retrospective. The alterations proposed under this application will reduce the height of the roof which is currently built so it is the same height as what was approved, which measures approximately 10.5m high.
- 3.3 The roof pitch has increased from 34 degrees to 40 degrees.

4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

DA/1993/0054 – Porch at front (approved with conditions)

WND/2021/0854 – Demolition of existing dwelling. Construction of dwelling, detached garage and detached outbuilding (approved with conditions)

WND/2022/0494 – Variation of Condition 2 of planning permission WND/2021/0854 (Demolition of existing dwelling. Construction of dwelling, detached garage and detached outbuilding.) Alterations to external materials, doors and windows, internal alterations and increase dwelling footprint (approved with conditions)

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

5.2 The Development Plan comprises: the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; and the adopted Settlements and Countryside Local Plan (Part 2) (2020). The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LLP1)

Policy SA – Presumption in Favour of Sustainable Development

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

Policy RA2 – Secondary Service Villages

Policy ENV1 – Landscape

Policy ENV10 – Design

Material Considerations

National Planning Policy Framework (NPPF)

Supplementary Planning Guidance (SPG)

Designing House Extensions

Village Design Statement (VDS)

Boughton Village

6 RESPONSE TO CONSULTATION

6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Boughton Parish Council	No response received	N/A

7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

- 7.1 There have one letter of objection and one letter of support raising the following comments:
- In full support;
 - Too dominant and overbearing;
 - Drawings lacking crucial information;
 - Roof pitch increase unnecessary;
 - Cropped gable will be out of character;
 - Much greater harm to neighbours.
- 7.2 The neighbours' comments have been redacted in accordance with Council procedure for publishing responses on planning applications.

8 APPRAISAL

Principle of Development

- 8.1 The relevant policies are policy SA of the West Northamptonshire Joint Core Strategy and policy RA2 of the Daventry District Settlements and Countryside Local Plan (Part 2). Policy SA has a presumption in favour of sustainable development. Policy RA2 relates to development within the Secondary Service Villages, in which Boughton is defined as.
- 8.2 The application site is situated within an established residential area upon the eastern edge of the village of Boughton and the proposal comprises domestic alterations to an existing residential use. Therefore, the principle of the development is considered acceptable subject to detail, as assessed in the following sections.

Impact on Character and Appearance of the Area/Landscape

- 8.3 The relevant policies and material considerations are policies RA2, ENV1 and ENV10 of the Daventry District Settlements and Countryside Local Plan (Part 2), paragraph 130 of the National Planning Policy Framework, the Boughton Village Design Statement and the Supplementary Planning Guidance Designing House Extensions. These all require development to respect the character of the local area, the pattern of development and should reinforce local distinctiveness.
- 8.4 Concerns have been raised in regards to the appropriateness of the proposal and the impact this would have on the immediate area. This area of Boughton predominantly consists of large scale dwellinghouses, in large plots, which have been redeveloped or rebuilt and are of an individual design. There is a lack of uniformity with a mix of size of dwellinghouses promoting a variety of styles and materials.

- 8.5 It is noted that this dwellinghouse will be of a slightly taller design than some of the others, however the dwellinghouse still blends positively with the street scene in terms of its individual design of a large scale dwellinghouse, which is a common feature within this immediate area. It is also noted that many of the dwellinghouses along this section of Moulton Lane extend to the full width of their plot. This proposal will ensure the roof height of the dwellinghouse is built in accordance to what has already approved under application WND/2022/0494, where the roof height was considered acceptable in terms of the impact on the plot itself, neighbouring occupiers and local area.
- 8.6 However, this immediate area is lined with mature trees along the highway boundary on the same side of the highway as the dwellinghouse. This provides natural screening to the dwellinghouse when travelling along Moulton Lane. This screening reduces the impact of the dwellinghouse from the street scene and softens the development, similar to the other dwellinghouses of a similar scale.
- 8.7 The hipped ends of the roof conceal the proposed flat roof element and also reduce the height of the proposal at the point closest to the neighbours. The hipped ends are of an appropriate scale and are more appropriate than visuals of the flat roof within the street scene. They have been incorporated into the design of the dwellinghouse and will not be seen as unduly, prominent features. The mature landscaping mentioned above will also reduce their visibility along the highway. As the roof height would be the same height as to what was previously approved, these amendments are considered of an appropriate scale and do not significantly alter the proposal.

Impact on Neighbouring Amenity

- 8.8 The relevant policies are policy RA2 and ENV10 of the Daventry District Settlements and Countryside Local Plan (Part 2), The National Planning Policy Framework, the Boughton Village Design Statement and the Designing House Extensions Supplementary Planning Guidance. These all contain policies and guidance on protecting residential amenity.
- 8.9 One neighbouring occupier has stated their full support for the proposal, whilst another neighbouring occupier has raised concerns and objections.
- 8.10 The only alterations proposed under this application relate to the roof of the dwellinghouse only. The alterations proposed include the removing the top section of the roof and replacing with a flat roof section and hipped ends. These alterations will ensure the height of the dwellinghouse is built in accordance to what was approved on the previous application, which sought to make amendments on the original application, which was considered acceptable at the time.
- 8.11 The dwellings footprint is relatively in line with one of the neighbouring occupiers, in terms of depth within the plot. Therefore, the roof is contained and does not extend past the building line creating an adverse impact on that neighbouring occupier through overbearing. It is appreciated that one neighbouring occupier does not extend as far back into their plot, however on balance, the dwellings are detached with tree planting situated along this boundary. These elements collectively reduce the impact for this neighbouring occupier.
- 8.12 The proposed hipped ends reduce the impact on the neighbour by lowering the section of the roof closest to the adjoining neighbouring occupiers with a flat roof along the ridge line.

9 FINANCIAL CONSIDERATIONS

- 9.1 Due to the nature of what is proposed, this application is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The alterations to the roof are considered to be acceptable changes to the existing dwellinghouse and are in keeping with the character and appearance of the dwelling. As the proposal will ensure the roof height is constructed in accordance with details already approved, there would be a limited impact on the appearance of the street scene and surrounding landscape. Furthermore, it is considered the existing landscaping within the immediate area will reduce its impact and visibility. The impact on the neighbouring occupier's residential amenity has been fully considered and it is concluded the proposal will not adversely impact their residential amenity. Consideration has been given to all relevant planning policies and guidance, such as the Boughton Village Design Statement which is area specific.
- 10.2 As such, it is considered that the proposal should be approved in line with the principle of sustainable development as it accords with the relevant policy and guidance explored above.

11 RECOMMENDATION

- 11.1 It is recommended that the application be APPROVED subject to the conditions as set out below with delegated authority to the Assistant Director for Planning and Development to approve any amendments to those conditions as deemed necessary.

12 CONDITIONS

Time limit

1. The roof alterations hereby permitted shall be implemented within three months of the date of this permission, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is built strictly in accordance with the approved details.

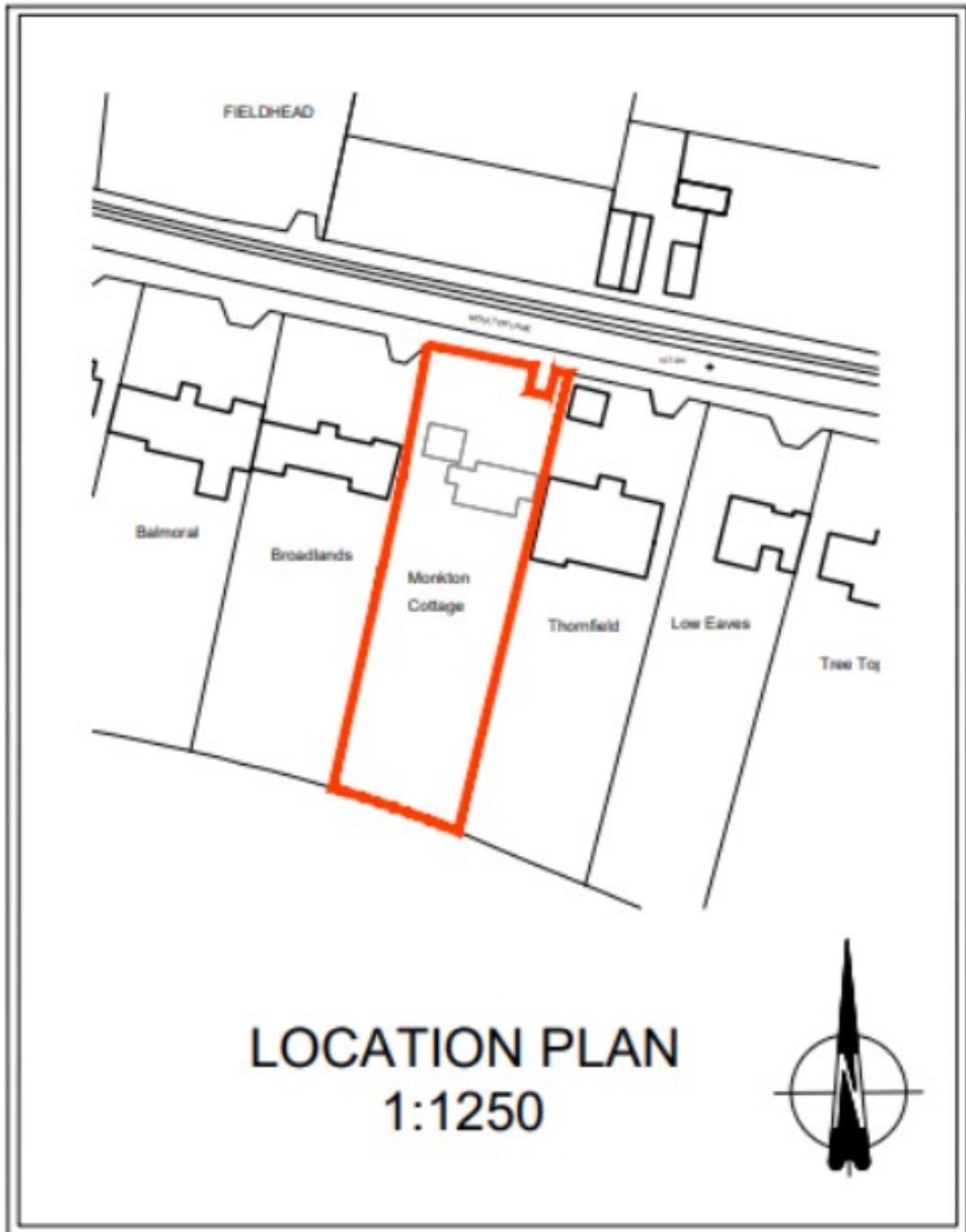
Approved plans

2. The development hereby permitted shall be carried out strictly in accordance with drawing number B102-4B 'Plans and Elevations as Proposed' registered valid 24 October 2023 and in accordance with amended plan number B102-4C 'Plans and Elevations as Proposed' deposited with the Local Planning Authority on the 7 November 2023.

Reason: To ensure that the development is carried out in accordance with the approved drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved drawings.

3. The materials to be used in the external surfaces of the works hereby permitted shall be as specified in the application.

Reason: In the interests of visual amenity and to ensure that the materials are appropriate to the appearance of the dwelling and the surrounding area.



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Planning Committee Report

Application Number: WND/2022/0245
Location: Land West of Sandy Hill Lane Moulton Northamptonshire
Development: Construction of 15 specialist supported living apartments.

Applicant: SSL CO 1 Ltd
Agent: rg&p Ltd
Case Officer: Chuong Phillips

Ward: Moulton

Reason for Referral: Major application requiring a Section 106 Agreement
Committee Date: 10th January 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

And SUBJECT TO THE COMPLETION IF A SECTION 106 AGREEMENT to secure the following planning obligation:

- Secure the affordable housing provision and tenure in perpetuity.

Proposal

Construction of 15 specialist supported living apartments.

Consultations

The following consultees have raised **objections** to the application:

The following consultees have raised **no objections** to the application:

- WNC EHO subject to conditions
- WNC LLFA require more information on SWD

The following consultees are **in support** of the application:

- Moulton Parish Council
- Policy & Housing Strategy

4 letters of objection have been received

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 9 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on Residential Amenity
- Impacts on Visual Amenity
- Highway Safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to the following conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is a vacant area of land sitting within a predominantly modern residential development which lies to the eastern side of Moulton village off Sandy Hill Lane. Sandy Hill Lane serves a recently completed residential development and offers access to Overstone Road which forms the main road into and out of the eastern side of the village.
- 1.2 The existing residential properties are sited to the east and west of the application. To the north is a vacant plot the subject of an approved separate application for commercial development. To the south open space including surface water attenuation pond and sub-station.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is for the construction of a single building 3 storey in height with hipped roof to provide 15 apartments under Use Class C3b where specialist care is provided in support of independent living. All 15 apartments are to be affordable rented with the properties being managed by a social housing provider.
- 2.2 The building will be constructed of brick with tiled roof over and set along the southern edge of the plot. Access is from the existing turning head. A parking area providing up 7 parking spaces and 2 accessibility parking spaces and a cycle store is to be sited to the north and western edge of the site. This access will also serve the commercial development to the north. An amenity area will be provided in the south west corner of the site and the building will sit within a landscaped plot.

3 RELEVANT PLANNING HISTORY

- 3.1 WND/2023/0241 -Construction of 894 square metres of class E (commercial, business and service) floor space split between two buildings and four individual units – approved with conditions

WND/2022/0246- Construction of two commercial office buildings (use Class E) - approved with conditions

DA/2012/0578 -145 dwellings, open space and associated road layout, drainage and parking – approved with conditions

DA/2009/0995 – Outline application for mixed use development comprising 150 dwellings, employment, open space and land for community uses with associated parking and access. The residential element will consist of a mix of 2, 3 and 4 bedroom dwellings with affordable housing provision. – refused – allowed on appeal

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (LPP1)

Policy SA – Presumption in favour of sustainable development

Policy S1 – The distribution of development

Policy S3- Scale and distribution of housing development

Policy C2 – New Developments

Policy RC2 – Community needs

Policy H1 – Housing density and mix and type of dwellings

Policy H2 – Affordable housing

Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

Policy SP1 – Daventry District Spatial Strategy

Policy RA1 – Primary service villages

Policy HO8 – Housing mix and type

Policy ENV10 – Design

Moulton Neighbourhood Plan

Policy H1 – Housing

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG) (as revised)

5.0 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Moulton Parish Council	Support	
WNC EHO	No Objections	Subject to conditions in respect of CMP, contamination, lighting
WNC LHA	No objections	Request conditions in respect of travel plan and same as attached to WND/2022/0246
WNC Planning Policy & Housing Strategy	Support	<p>Policy H2 of the West Northants JCS (WNJCS) sets out the requirement for affordable housing, which for the Daventry rural area is 40% and applies to sites of 5 or more dwellings. This application is for 100% affordable rented accommodation and therefore meets this requirement. The homes will be managed by a registered provider of social housing. The affordable rented dwellings should be secured via a S106 agreement or a Unilateral Undertaking as affordable in perpetuity and as defined in the NPPF.</p> <p>Part D of policy HO8 of the Daventry Local Plan Part 2 supports specialised accommodation that promotes independent living, subject to the proposal meeting all five criteria.</p> <p>Policy HO8 part C iii) requires that all dwellings should meet the national space standards.</p>
Crime Prevention Design Adviser	No comments received	

6.0 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 There have four objections received citing the following:

- More traffic into a one entrance/exit street;
- Overlooking;
- Occupation of the units;
- Do we get a say into who is housed in these apartments;
- If old people housed sounds of emergency services though out the night if taken ill;
- Increased crime;
- Parking;
- Need;
- Impact on the open space;

- If it was to go ahead a permanent fence needs putting up to stop access from Sandhills estate, more specifically Silverthorn Drive.

7.0 APPRAISAL

Principle of Development

- 7.1 The site lies within an established residential development within the confines of Moulton village which is identified as a Primary Service Village. The above Development Plan policies support both affordable and residential development within the confines subject to the criteria as set out within RA1 of the Settlements and Countryside Local Plan and as such its use as a residential use under Class C3B is judged acceptable in principle.

Impacts on Residential Amenity

- 7.2 Following discussions with officers, the building has been redesigned to reduce its height and therefore impact on the amenity of direct neighbours. The siting of the building is relatively central between existing residential development to the east and west with some 17.9 m building to building distances to nearest easterly buildings and some 29m to the nearest west buildings. There are no properties immediately to the south affected and commercial development to the north is at an acceptable distance.
- 7.3 The side windows to the first and second floor apartments on the east elevation could be secured as obscured glazed to minimise any potential for loss of privacy to existing residential units to the east. This is because although a side elevation, the windows serve living spaces and as such the distance between building elevations at 17.9m is below normal standard of 22m from elevation to main elevation. In any case these windows are secondary with the apartments livings spaces being served by primary windows on the front and rear elevations of the building.
- 7.4 Having regard to the above, it is considered that the impacts on residential amenity are acceptable.

Impact on Visual Amenity

- 7.5 At 3 storeys the apartment building may not be wholly reflective of the predominantly residential character of the area which is derived mainly from modern detached, semi detached and terraced properties. However, the cross sections demonstrate that the proposed building would be sited against the background of commercial building which would be of comparable height and would not significantly higher than the dwellings to the east.
- 7.6 The proposed use of brick with tiled roof would reinforce the materials used amongst the existing properties. It is considered that this together with the scale and height of the proposed building, the proposal would blend well and provide a gentle transition from the residential to commercial development beyond. The proposal would therefore accord with the above Development Plan policies which seek to reinforce local character and enhance surroundings.

Highways

- 7.7 The Development Plan policies as supported by the NPPF seeks ensure that safe and suitable access be provided for all proposals. It is noted that a number of concerns have been raised regarding the additional traffic generated by the proposal.

However, the application has been subject of consideration by WNC Local Highway Authority, and no objections are raised subject to the imposition of appropriate conditions. The impacts on highway safety and traffic are therefor considered to be satisfied.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 CIL is payable on the residential units. However, as the units are affordable, social housing exemption will be applied resulting in zero liability.

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposed application for 15 residential units would allow the provision of much need affordable specialist care provision within the confines of Moulton village without detriment to the visual amenity of the area, residential amenity of nearby neighbours or compromise to highway safety in accordance with the Development Plan policies as cited within the preceding chapters of his report.

10 RECOMMENDATION

- 10.1 Approve, subject to conditions and S.106 Agreement to secure the following:
- The affordable housing provision and tenure in perpetuity.

11 CONDITIONS

Time

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

Reason: To comply with Section 91 of the Town & Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

Approved Plans

2. The development shall be carried out strictly in accordance with drawings;

21-047 01 Rev A Location Plan SSL A2
21 047 03 Rev E Proposed Supported Living Units
21 047 02 Rev G Planning Layout Ssl A1
21 047 07 Rev A Street Scene and Site Cross Section A1
21-047 03 Rev A Proposed Apartments Floor Plans and Elevations
registered valid under application ref: WND/2022/0245.

Reason: To ensure development is in accordance with the submitted drawings and to enable the Local Planning Authority to consider the impact of any changes to the approved plans.

Materials

3. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.

Landscape

4. The submitted and approved landscape scheme shall be implemented prior to the development, or any phase of the development, being first occupied/used, or in accordance with a programme approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the visual amenity of the area.

PD Rights

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed.

Reason: To safeguard the amenities of nearby residents.

6. Before the eastern units are first occupied the window/s on the first and second floor, east side elevation shall be fitted with obscure glass which shall not be removed without the prior express consent in writing of the Local Planning Authority (Replacement of the glass with glass of an identical type would not necessitate the Council being notified).

Reason: To avoid overlooking of the adjoining property.

Highways

7. The parking space and turning areas shown on the approved plan(s) shall be constructed/laid out and surfaced in accordance with the approved drawings before the dwelling is first occupied and shall not thereafter be used for any purpose other than parking of private motor vehicles.

Reason: In the interests of residential amenity and the safety and convenience of users of the adjoining highway.

Construction Management Plan

8. Prior to the commencement a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution.

Lighting

9. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact. Any floodlighting shall be operated in accordance with the approved details at all times.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution.

Contamination

10. 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,
- Groundwater's 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 'Land Contamination Risk Management (LCRM)'

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 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution.

Drainage

11. Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- i) Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep(if necessary).
- iii) Cross sections of the control chambers (including site specific levels

mAOD) and manufacturers' hydraulic curves should be submitted for all hydro-brakes and other flow control devices.

iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.

v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN9 of the WNJCS by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

12. Before any above ground works commence a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

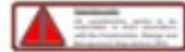
The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

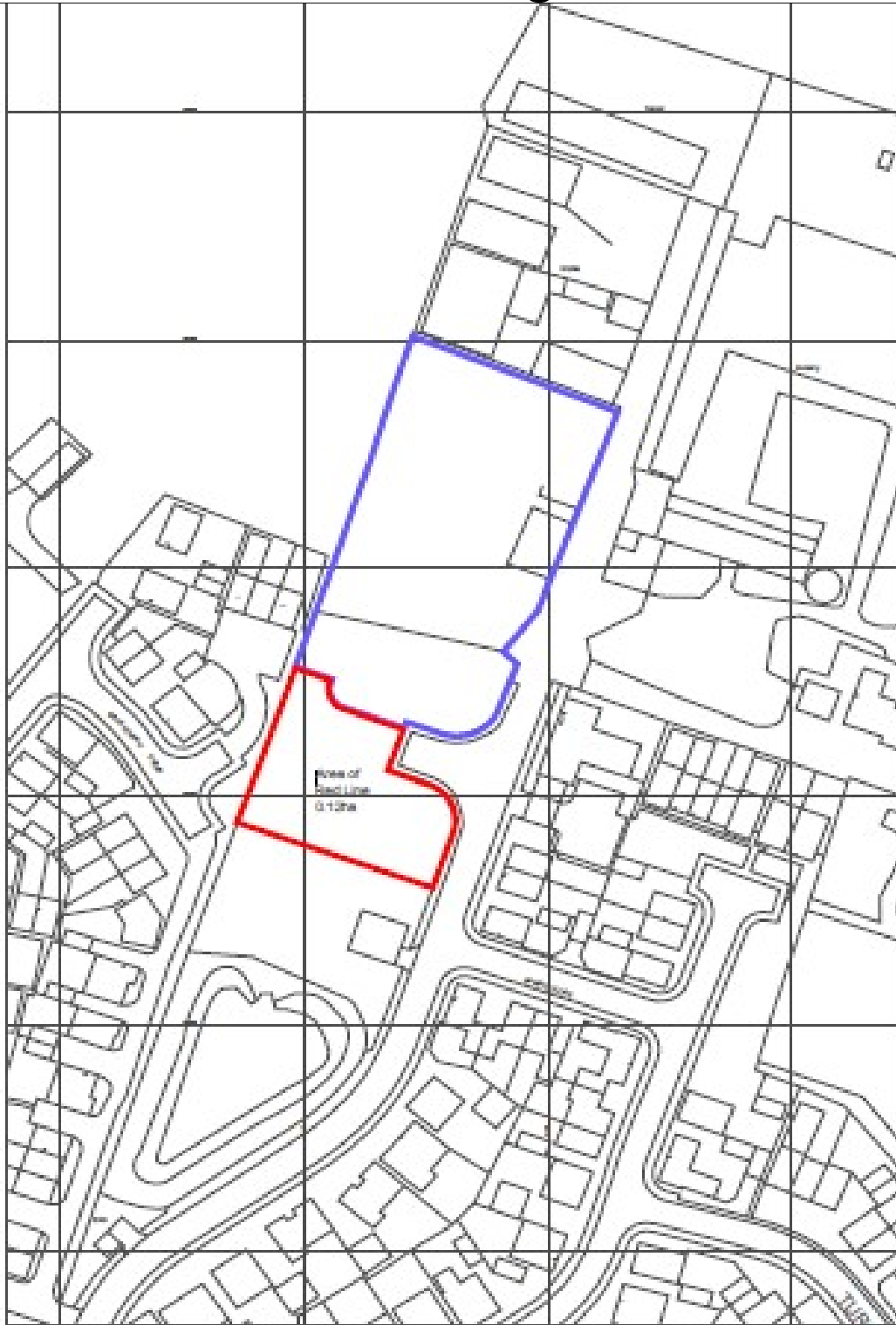
Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development.





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<u>Application Number:</u>	WND/2023/0187
Location:	The Folly, Old Forge Lane, Preston Capes
Development:	Proposed first floor extension to existing garage to create habitable accommodation to be used ancillary to main dwelling (Revised scheme)
<hr/>	
Applicant:	Mr Moysen & Miss Lewis
Agent:	Archi-tec Architectural Design
Case Officer:	Nisar Mogul
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Ward:	Woodford & Weedon
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Reason for Referral:	Called in by Councillor Frost on the grounds of loss of amenity to neighbouring properties.
Committee Date:	10th January 2024
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary.

Proposal

This full application seeks permission for the construction of a first floor extension above the existing detached flat roofed garage to create a home office and habitable accommodation to be used as an ancillary annex to the main residence at The Folly.

This is a revised proposal following the previous refusal under planning application reference number WND/2021/0689 for a similar proposal which included a first floor balcony area to the rear elevation. That application was refused on the grounds that *'the proposal would be out of character with the principal dwellinghouse and would detract from the character, form and setting of main dwellinghouse and, in turn, would fail to conserve, enhance or make a positive contribution to the character and appearance of the Preston Capes Conservation Area'*.

That application was subject to an appeal under reference number APP/W2845/D/22/3303301 where the Inspector concluded *'that the principle of altering the existing flat roof to one of a pitched roof would not cause harm to the historic environment. The proposal would preserve, or slightly enhance, the character and appearance of the Conservation Area from its current situation. With regards to the balcony to the rear of the building, it is of a relatively large scale and would contrast sharply with the more simplistic*

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cottage aesthetic of the rest of the village. I therefore consider that although the proposed change from the flat roof to pitched roof are acceptable in principle and meet the Policy requirements of the Local Plan and the CAAMP, the overall design and execution of the rear balcony feature area would represent a poor design response that would overly domesticate this elevation of the building and appear at odds with its surrounding sensitive context and thereby cause some harm to the character and appearance of the Preston Capes Conservation Area of which this site forms a part'.

The current application initially proposed a Juliet Balcony to the rear first floor elevation, however, through negotiations with the Agent, the scheme was amended to remove the Juliet Balcony and the inward opening doors to a more traditional type of window.

It is therefore considered that the proposed development now addresses all the concerns raised by the Inspectorate and therefore the proposal is considered to be acceptable in terms of design and impact on the character and appearance of the Conservation Area and amenity of adjoining residential properties.

Consultations:

The following consultees have raised **objections** to the final proposed application:

Preston Capes Parish Council

The following consultees have raised **no objections** to the final proposed application:

WNC Local Highway Authority

WNC Conservation Area Officer concerns raised but concedes that the changes proposed with omission of the balcony has overcome the Inspectors findings.

2 letters of objection have been received.

0 letters of support have been received.

Conclusion:

The application has been assessed against the relevant policies in the NPPF, the adopted Development Plan and other relevant guidance as listed in detail below in the report.

The key issues arising from the application details are on:

- Principle of the development
- Impact on the Conservation Area and the surrounding Listed Buildings.
- Impact on highway safety

The report looks into the key planning issues in detail below, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and the key issues contained in the main report below provide full details of all consultation responses, planning policies, the Officer's assessment and recommendations. Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises an existing detached double garage positioned within the curtilage of The Folly – a two storey dwelling dating back to the 18th century and with the neighbouring property, Arch Cottage, form a pair of historic structures that echo a Medieval Castle. The main dwelling and enclosed gardens are located to the immediate west. The existing garage has a flat roof set behind a simple coped parapet wall that blends in with the rest of the boundary walling that encloses the garden from the public realm. The garage provides storage for the existing residence and is positioned behind a gravelled area which provides parking for the existing property (two spaces). The site is mainly surrounded by historic properties of a mixture of character and styles, but predominantly 18th Century development.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The proposal consists of the construction of a first floor pitch roofed extension above the existing flat roofed detached garage to create habitable accommodation to be used ancillary to the main residence at The Folly. The pitch of the proposal would be built from the same level as the existing parapet/eaves of the existing garage.
- 2.2 The height to the eaves is circa 2.5 metres and the height to the pitch of the roof is circa 6 metres. The proposal will provide a home office and a garage space to the ground floor and habitable accommodation to the first floor.
- 2.3 The external facing materials to be used on the extension are red facing bricks to the external walls and slate tiles to the roof slopes, both to match the materials to the existing house.
- 2.4 The initial plan proposed a Juliet Balcony to the first floor rear elevation, however, this was removed and replaced with a traditional style window and a oculus type window is proposed to the first floor front elevation facing Old Forge Lane.

3 RELEVANT PLANNING HISTORY

The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
DA/1982/0571	Front porch/ detached double garage and store.	Approved
DA/2021/0164	Proposed first floor extension to existing garage to create habitable accommodation to be used ancillary to main dwelling and construction of external balcony on rear elevation.	Refused

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WND/2021/0689	Proposed first floor extension to existing garage to create habitable accommodation to be used ancillary to main dwelling and construction of external balcony on rear elevation (resubmission of DA/2021/0164)	Refused
APP/W2845/D/22/3303301	Appeal for WND/2021/0689	Dismissed

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty upon Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of listed buildings and conservation areas.

Development Plan

- 4.3 The Development Plan comprises: the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029; and the adopted Settlements and Countryside Local Plan (Part 2) (2020). The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (2014) (Part 1) (LPP1)

Policy SA – Presumption in Favour of Sustainable Development
 Policy S1 – The distribution of development
 Policy S10 – Sustainable Development Principles
 Policy BN5 – Historic environment and landscape
 Policy R1 – Spatial Strategy for the rural areas



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Daventry District Settlements and Countryside (Part 2) Local Plan (2019) (LPP2)

Policy SP1 – Daventry District Spatial Strategy

Policy RA3 – Other Villages

Policy ENV7 – Historic environment

Policy RA5 – Renovation and Conversion of Existing Buildings within Settlements

Policy ENV2 – Special Landscape Area

Material Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG) (as revised)

SPG on Designing House Extensions (1997)

National Design Guide (2019)

Local Highway Authority Standing Advice (2016)

Northamptonshire Parking Standards (2016) (as revised)

5 RESPONSE TO CONSULTATION

5.1 Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
Preston Capes Parish Council	Objection	The application is essentially the same as the previously refused applications with the viewing balcony replaced with double glass doors and a juliette balcony. The property is on the Local List as a Heritage Asset. The Archyard - this and the adjoining cottage - was designed as an 'eyecatcher' c1815 by Thomas Cundy, the idea being that when viewed from Fawsley it would appear as a castle on the brow of the hill. It is a prominent feature when approaching the village on the Knightley Way, with this and the Church being the only obvious buildings – the pitched roofs of neighbouring cottages are not noticeable due to the undulations of the hill. The current flat roof garage is fairly unobtrusive, but raising it to 2 storeys with a pitched roof



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		<p>would have an affect on the skyline when approached from the Knightley Way impacting on the original intention of the castle design.</p> <p>The proposal will have a negative impact on the range of neighbouring pre-1742 ironstone cottages: Despite being set back from the lane, the larger expanse of red brick on the boundary line with Rosebank's aged ironstone will be jarring and out of character. The building would be much more dominant in its setting. The 'coachhouse' design not in keeping with either the historic Archyard or surrounding ironstone cottages, some of which are listed, as all of them were originally humble farmworkers cottages. A coachhouse would never be found in such a setting. The double glass doors and juliette balcony on the upper floor are not in keeping with the surrounding traditional workers cottages, and will overlook and be intrusive to neighbouring gardens. It will not blend into or be sympathetic to the overall village design when viewed from Old Forge Lane, the Churchyard, or the approach from the Knightley Way - noted picturesque views. This additional development detracts from rather than adds to the heritage asset, its setting and the surrounding cottages. The Heritage Impact Statement incorrectly claims that Church Wood now obscures the view from Fawsley and that the trees in the Folly garden, which currently partially obscure the proposed development, all have Tree Preservation Orders. The trees of Church Wood, being an ancient woodland, are as mature now as when the cottages were built. The area the wood occupies has not increased. If the Archyard could be seen from Fawsley when it was built, it more than likely still is. It can be clearly seen on the approach to the village from Fawsley along the Knightley Way.</p> <p>None of the trees within The Folly garden or the neighbouring area has a TPO. These could be reduced or removed making the proposed development even more noticeable from the northerly aspect. It would also increase the intrusion felt by the private residential gardens of Rosebank, Evenlode, Danecot and Medlars.</p> <p>We have concerns regarding parking. With the existing 2 garages and short drive space, the applicants currently park vehicles in the vicinity of</p>
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		the village hall. There is no provision for guests/ clients at this additional office and living space, and limited available parking around the village due to its narrow lanes.
Highways	No objection	<p>Work to convert the double garage would retain a single garage as well as the 2 existing off-road parking spaces to the front. The main dwelling would therefore retain the required amount of off road parking for this dwelling as a result of these proposals.</p> <p>Should the Local Planning Authority (LPA) be minded to grant Planning Consent for this application, the LHA would ask the LPA that a suitably worded planning condition be attached to that consent tying the annexe to the existing dwelling; that is that the development is to be made ancillary to the main dwelling only.</p>
Heritage Officer	Concerns	Given the proportions of the proposed garage remodelling as a whole, I think the upper window is too large. Taken together, the two windows dominate the gable in a way not reflected elsewhere in the village. However, this does overcome the concerns raised by the Planning Inspectorate.

6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received on the amended plans removing the Juliet Balcony:

There has been 1 objection raising the following comments:

- There appears to be little material change from the previously refused scheme, compared to the current scheme.
- Arch Cottage will still remain adversely affected.
- The circular window is not the same construction or shape as any other windows on The Folly.
- There is a need to demonstrate an adequate parking plan for both the ancillary dwelling and the main dwelling.
- Impact additional loading may have on tree roots and foul drainage.

7 APPRAISAL

Principle of Development

- 7.1 Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Daventry District consists of the policies within the WNJCS and Daventry District Council Settlement and Countryside (Part 2) Local Plan as well as the Preston Capes Conservation Area Appraisal and Management Plan.
- 7.2 Annex 1 of the National Planning Policy Framework (NPPF) makes reference to due weight being given to relevant policies in existing plans according to their degree of consistency with the Framework and that the closer the policies in the plan are to the policies in the Framework, the greater the weight that may be given. The development plan policies relevant to the determination of this application are considered to be consistent with the NPPF and should be given full weight.
- 7.3 Policy R1 of the JCS sets out that development within rural areas will be guided by a rural settlement hierarchy taking into consideration “the role, scale and character of the settlement” (5) and should “protect and enhance the character and quality of the rural area’s historic buildings and areas of historic or environmental importance” (9). Policy S10 (i) requires development to protect, conserve and enhance the natural and built environment and heritage assets and their settings. Policy BN5 seeks to conserve and enhance designated and non-designated assets and their settings in recognition of the individual and cumulative significance and their contribution to local distinctiveness and sense of place.
- 7.4 Preston Capes is defined as an ‘Other Village’ in the Part 2 Local Plan. Policy RA3 seeks to direct development within the confines of the village (Criteria A), be small in scale (Ci), “protect the form, character and setting of the village and areas of historic or environmental importance including those identified in conservation area appraisals and village design statements”, (Cii), “protect the integrity of garden or other open land that makes an important contribution to the form, character and setting of the settlement” (Civ), and protect the amenity of existing residents (Cvi). Policy SP1 (G) seeks to protect and enhance the built and natural environment and the District’s heritage assets.
- 7.5 The adopted Designing House Extensions SPG design guide advises that extensions/ alterations should seek to protect the character of the existing house and that of the area, as well as the residential amenity of neighbouring occupiers.
- 7.6 Therefore, while the principle of extending and converting an existing building to bring the building into living accommodation to be used ancillary to the main residence located inside the confines of the village is considered to be acceptable in principle, the Council will need to be satisfied that the proposal could be carried out without harming the character and setting of The Folly as a locally listed building (building of local interest and as identified on the ‘Local List’ in the CAAMP) and the character and



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appearance of the Conservation Area, and all other material considerations would need to be satisfied.

Impact on heritage assets (including character and appearance of the conservation area and character and setting of locally listed building)

- 7.7 Policy ENV2 states that the Council will protect the special quality of Special Landscape Areas, consider the cumulative impacts and will resist proposals which would have a harmful effect which cannot be successfully mitigated.
- 7.8 Policies BN5, ENV7 and Paragraphs 194, 199, 200, 202 of the NPPF require consideration to be given to the impact of a proposed development on the significance of a designated heritage asset and their setting, where any harm to the significance of the asset(s) should require clear and convincing justification and the harm should be weighed against the public benefits of the proposal.

Specifically, Policy ENV7 requires:

- A) Proposals affecting the historic environment must demonstrate a clear understanding of any potential impact on the significance of heritage assets and their setting; any description of significance and the contribution of setting should be proportionate to the asset's importance;
- B) In decision making, great weight should be given to the conservation of heritage assets irrespective of the level harm. The more important the asset, the greater the weight will be;
- C) Any harm to a designated heritage asset requires clear and convincing justification and would be judged against the tests in the NPPF;
- D) The Council will seek to sustain and enhance the historic environment by supporting
 - i) High quality proposals that respond positively to their context by reinforcing local distinctiveness including street pattern, siting, form, scale, mass, use, materials and architectural features;
 - ii) Proposals that make a positive contribution to, or which better reveal the significance of designated heritage assets;
 - iii) Proposals affecting conservation areas that would sustain or enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area. Proposals that respond positively to the opportunity to enhance neutral or detracting elements of the conservation area, as identified through conservation area appraisals and management plans, will be particularly supported;
 - iv) proposals that sustain or enhance key views of heritage assets and key views into and out of conservation areas identified in conservation area appraisals, landscape characterisation, neighbourhood development plans and village design statements; and



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- v) Proposals that are sympathetic to non-designated heritage assets (identified through a conservation area appraisal or other method) and their setting including their retention and re-use. In doing so, the impact of the scale of any harm or loss on the significance of the assets will be taken into consideration.
- 7.9 Policy ENV10 A) supports development that is of a high quality and which “reflects and integrates with the surrounding area and creates a strong sense of place”. This sets out a criteria for achieving high quality development and seeks to “Promote or reinforce local distinctiveness and enhance its surroundings” (i); “Ensure that the scale, density, massing, height, layout and access of the proposal combine to ensure development blends well within the site and with its surroundings” (iii); and “respond to the wider landscape context”(vii).
- 7.10 The proposed first floor extension and garage alterations affect a building located inside the village, which is visually associated with the existing established built-form. Therefore, due to the limited nature of the proposal it is considered that it would not have a significant impact on the wider surrounding landscape and Special Landscape Area.
- 7.11 In addition to the site being located in a Conservation Area (a designated heritage asset where harm to character must be justified and weighed against public benefits), The Folly is also identified as a building of local interest in the Preston Capes Conservation Area Appraisal and Management Plan (2021). While not a nationally listed building, it is a non-designated heritage asset of local importance. Paragraph 203 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account and “In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.
- 7.12 The application proposes to construct a pitched roof first floor extension over the existing flat roofed garage to create an ancillary annex to the main dwelling. This proposal is similar to the previously refused application which was subject to appeal that was dismissed. The main difference between the previously refused application dismissed on appeal and the current application is that the large balcony area to the first floor rear elevation has now been omitted and hence now addresses the reasons for dismissing the appeal.
- 7.13 Therefore, in line with the Inspectorates views, it is considered that the proposal will not cause harm to the historic environment and that due to the untidy nature of the existing garage in situ, that the proposal would preserve, and actually slightly enhance, the character and appearance of the Conservation Area from its current situation.
- 7.14 There are other pitched roof buildings along the lane and planning permission has been granted for other similar pitched roof garages in the area (i.e. at Holly Cottage further to the east, which is a more modern 19th Century pitched-roof house), but the



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Local Planning Authority must consider each application on its own merits. In the case of the current proposal consideration must be given to the historical interest and significance of The Folly (as identified in the CAAMP) and it has been concluded that the proposal would not be out of character and would not cause any undue visually harm to the character and setting of the main building. Moreover, it is considered that the creation of a further pitched-roof garage of the proposed style within the grounds of the existing castellated building would not only conserve but would positively enhance the character and appearance of Old Forge Lane and the Conservation Area as it would sit comfortably alongside other examples of pitch roofed buildings in this part of the Conservation Area . The Council's Senior Conservation Officer acknowledges that the proposal has addressed the Appeal Inspectorates concerns by removing the previously proposed balcony area to the first floor rear elevation, however, would have preferred to see a smaller window to the this area than the one proposed.

- 7.15 With the omission of the rear first floor balcony feature it is considered that the proposal will now not appear at odds with its surrounding sensitive context and thereby will not cause any harm to the character and appearance of the Preston Capes Conservation Area of which this site forms a part and overall the views from the church will now not be considered to be overly prominent.
- 7.16 Any harm arising from this proposal on the character and appearance of the Conservation Area, and setting of the nearby listed buildings, is considered to fall under the category of 'less than substantial harm' according to the terminology used in the NPPF. The proposal involves creating additional ancillary accommodation for the existing dwelling the proposal would overall enhance the visual amenity of the streetscene and the Conservation Area in which it lies and hence there will be a clear public benefit that demonstrably outweighs any harm identified.
- 7.17 The proposal for the reasons outlined above, is considered to cause no harm to the heritage assets and hence the proposal is considered to comply with the aforementioned development plan and national planning policies.

Impact on neighbouring residential amenity

- 7.18 In terms of the impact on neighbour amenity the proposed first floor extension would be relatively modest, particularly as the roof would slope away from the boundary, and it would not lead to undue overbearing on the neighbouring property or immediate adjacent gardens. In order to prevent undue overlooking from the proposed first floor rear window on the immediately adjacent premises and gardens of Rosebank, a condition would be necessary to require that this window and the two roof windows proposed in the east elevation be provided with obscure glazing and thereafter retained.
- 7.19 The proposed first floor rear window would be positioned approximately 50 metres away from the other neighbouring properties to the rear and hence due to the



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separation distances, it is considered that there would be no undue overlooking on the neighbouring premises or gardens that would justify refusal of the application.

- 7.20 The proposed first floor south facing window would be a small opening and the proposed two west facing rooflight windows would face onto the garden of the application property and would be orientated away from the other surrounding properties and gardens. Therefore, no undue overlooking issues would result from these elements of the proposal.

Parking and highway safety

- 7.21 Paragraph 111 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or where the residual cumulative impacts on the road network would be severe.
- 7.22 Notwithstanding the comments made in neighbour representations and by the Parish Council on the proposal, the Highway Authority was consulted on the proposal and were of the opinion that the parking provision for the property following the proposed development (a single garage space and two off-road parking spaces at the front of the garage) would be in line with the parking requirement for a dwelling of this size. Providing the proposed accommodation is ancillary to the existing dwelling (as suggested in the application particulars), there would be no more off-road parking issues than what currently exists at present, and hence the highway safety/ parking issues raised by neighbours and the Parish Council would be insufficient to warrant a refusal of the application on the grounds of highway safety.

Other Matters

Condition Ancillary

- 7.23 A condition would be necessary to ensure that the proposed development be used as an annexe only in connection with the main residence. The development does not comply with the residential standards for a separate residence and in the absence of separate off-road parking, the proposal would not be suitable for use as a separate dwelling.

Flood Risk & Drainage

- 7.24 As the site lies in Flood Zone 1, no significant flood risk issues have been identified. As for any development, it is the owners/ developers responsibility to ensure that adequate measures be put in place to ensure that no undue drainage issues occur, and that the development complies with other statutory requirements, including Building Regulations.



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Biodiversity

- 7.25 No significant issues have been identified given the nature and condition of the existing garage building.

8. FINANCIAL CONSIDERATIONS

- 8.1 As the proposed extension does not exceed 100sqm gross internal area and whilst forming additional accommodation it is not wholly self-contained therefore it is not CiL liable.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 The principle of residential development on the site is acceptable due to the fact that the proposal site lies within the confines of the village. The proposal is considered to have overcome the concerns raised by the Planning Inspectorate following the refusal of the previous planning application for a similar proposal that included a large balcony area to the first floor rear elevation.
- 9.2 The proposal is considered to accord with aforementioned policies in the Joint Core Strategy and Part 2 Local Plan and the other relevant Chapters in the NPPF, which seek to protect, conserve and enhance heritage assets. The proposal is considered to be in keeping with the character of the existing dwelling/ non-designated heritage asset, would not impact on the character and setting of the asset, and would to conserve and enhance the character and appearance of the conservation area (a designated heritage asset). There are some public benefits arising from the proposal due to the visual enhancement of the area which is considered to demonstrably outweigh any harm that may be identified.
- 9.3 The proposal would not result in any more impact on neighbour residential amenity and no significant highway issues or other issues have been identified that would justify refusal of the application.

10 RECOMMENDATION

- 10.1 GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director – Planning and Development to approve an amendment to conditions as deemed necessary:

Time limit

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

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.



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Approved plans

2. Except where expressly stated by other conditions on this planning permission, the development shall be carried out strictly in accordance with the details shown on the following drawings number:

M90-4 Rev J received by the LPA on 24th October 2023.

Reason: To clarify the terms of this planning permission, to ensure that the development is carried out as permitted interest of visual amenity and to ensure the development would not detract from the character and appearance of the application building, adjoining building and the local street scene.

Materials

3. Prior to any construction above slab level and notwithstanding the details shown on the approved plans, full details of all materials and finishes to be used in the construction of the approved dwelling, including representative samples (to be provided on site), shall be submitted to and approved in writing by the local planning authority before being installed anywhere on the site. All works shall then be carried out strictly in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the materials are appropriate to the appearance of the area in which the site lies which is a designated conservation area.

PD rights removal

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which falls within Classes E of Part 1 of Schedule 2 to the Order without the prior express consent of the Local Planning Authority.

Reason: To protect the residential and visual amenity of the area in which the site lies which is a designated conservation area.

Window position

5. The proposed first floor window in the rear elevation in the extension hereby approved shall be obscure glazed below 1.8 metre level from the first floor level and the rooflight windows in the roofslope facing the neighbouring property, Rosebank, shall also be obscure glazed. These windows shall not be glazed or re-glazed other than with obscure glass. (Replacement of the glass with glass of an identical type would not necessitate the Council being notified).

Reason: In the interest of neighbouring residential amenity.

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