



South Planning Committee

A meeting of the South Planning Committee will be held in The Council Chamber at The Forum, Moat Lane, Towcester, NN12 6AD on Thursday 8 February 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 - 10) To confirm the minutes of the meeting of the Committee held on 11 January 2024.
4.	Chair's Announcements To receive communications from the Chair.
5.	Proposed Pre-Committee Site Visits Report of the South Team Leader. This will be included in the Committee Updates published in advance of the meeting.

Applications for Determination

6.	8 Donovan Court, Northampton (Pages 13 - 20)
7.	New Lodge Farm, Bedford Road, Little Houghton (Pages 21 - 34)

8.	Towcester Racecourse, London Road, Towcester (Pages 35 - 50)
9.	<p>Urgent Business</p> <p>The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.</p>

Catherine Whitehead
Proper Officer
31 January 2024

South Planning Committee Members:

Councillor Stephen Clarke (Chair)	Councillor Ken Pritchard (Vice-Chair)
Councillor Anthony S. Bagot-Webb	Councillor Dermot Bambridge
Councillor Harry Barrett	Councillor William Barter
Councillor Maggie Clubley	Councillor Raymond Connolly
Councillor Karen Cooper	Councillor Enam Haque
Councillor Sue Sharps	

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 budget 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.

Evacuation Procedure

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

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If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

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

Tel: 01327 322043

Email: democraticservices@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
The Forum
Moat Lane
Towcester
NN12 6AD

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South Planning Committee

Minutes of a meeting of the South Planning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Thursday 11 January 2024 at 6.00 pm.

Present:

Councillor Stephen Clarke (Chair)
 Councillor Ken Pritchard (Vice-Chair)
 Councillor Anthony S. Bagot-Webb
 Councillor Harry Barrett
 Councillor William Barter
 Councillor Maggie Clubley
 Councillor Raymond Connolly
 Councillor Sue Sharps

Substitute Members:

Councillor Kevin Parker (For Councillor Karen Cooper)

Apologies for Absence:

Councillor Dermot Bambridge
 Councillor Karen Cooper
 Councillor Enam Haque

Officers:

James Rodger, Interim Assistant Director - Planning and Development
 Nathan Lowde, South Area Team Leader
 Jonathan Moore, Senior Planning Officer (For Minute Items 79 and 80)
 James Paterson, Principal Planning Officer (For Minute Item 81)
 Harjit Gill, Planning Solicitor
 Richard Woods, Democratic Services Officer

75. **Declarations of Interest**

There were no declarations of interest.

76. **Minutes**

The minutes of the meeting of the Committee held on 7 December 2023 were agreed as a correct record and signed by the Chair.

77. **Chair's Announcements**

The Chair made the following announcements:

1. 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.
2. Only those people who had registered, in line with the Committee's speaking procedure, were able to address the meeting.
3. Members of the public were requested not to call out during the Committee's discussions on any item.
4. 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.
5. There were no planned fire drills so in the event of an alarm sounding, evacuation instructions would be given by officers.
6. That it be requested that any devices be switched off or onto silent mode.

78. **Proposed Pre-Committee Site Visits**

There were no proposed pre-committee site visits.

79. **2 Clare Street, Northampton**

The Committee considered application WNN/2023/0681 for the conversion and change of use of dance/art and photographic studio into 14 no. flats with alterations to basement windows at 2 Clare Street, Northampton for Stamford Cannon Investments LLP.

Lee Randall, the Agent for the Applicant, was in attendance to answer any questions from the Committee regarding the application.

In response to questions from the Committee regarding the ventilation arrangements for the proposed bin store, the Case Officer drew Members attention to the Committee Updates and explained that an additional condition had been proposed, which set out the requirement that a Waste Management Strategy including the provision of ventilation for the bin store be provided by the applicant, with the strategy to also be agreed in writing by the Council.

It was proposed by Councillor Kevin Parker and seconded by Councillor Anthony Bagot-Webb that Application WNN/2023/0681 be approved in accordance with the Case Officer's recommendation, subject to the addition of the condition detailing the waste management strategy as set out in the Committee Updates. The motion was put to the vote with nine votes cast in favour of the proposal and none cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the Case Officer's report and presentation, and the Committee Updates.

Resolved

(1) That authority be delegated to the Assistant Director – Planning and Development to grant permission to application WNN/2023/0681 subject to:

1. The completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure a contribution of £1,600.00 towards local libraries.
2. The addition of the following condition:

Prior to the first use or occupation of the approved development, a waste management strategy including details of ventilation shall be provided in accordance with details to be first submitted and agreed in writing by the Local Planning Authority. The bins so provided shall thereafter be permanently retained.

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

3. The remaining conditions set out in the Case Officer's report (and any amendments to those conditions as deemed necessary).

80. **17 Towcester Road, Northampton**

The Committee considered application WNN/2023/0013 for the conversion of a three bedroom dwellinghouse (Use Class C) to form a mix of office (Use Class E) with one residential flat (Use Class C3) to include a single storey rear extension, roof alterations and the demolition of an existing shed to the rear at 17 Towcester Road, Northampton for Renaissance Elite Suites.

There were no public speakers on this item.

It was proposed by Councillor Kevin Parker and seconded by Councillor Ken Pritchard that application WNN/2023/0013 be approved in accordance with the Case Officer's recommendations, subject to an amendment to Condition 7 (Hours of Use) to amend the opening hours from 9am until 5pm, to 8am until 6pm, to allow greater flexibility for the end users of the proposed development. The motion was put to the vote with seven votes cast in favour of the proposal and two votes cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the Case Officer's report and presentation, and the Committee Updates.

At the conclusion of the vote, Councillor Ken Pritchard raised a point of order and requested that it be recorded in the minutes that the Call-In originator had not attended the meeting to speak on the application, nor submitted any written address explaining why they had called the application in. In response to this point of order,

the Democratic Services Officer explained that, under the provisions of Paragraph 14.6 of the Council's constitution, Members were expected to attend and speak at a Planning Committee meeting that considers a planning application they have called-in. If a member cannot attend, they should endeavour to ask another member to attend on their behalf or, failing that, submit a written statement to Democratic Services no later than 24 hours before the start of the meeting. In any event, an application that had been called in would still be considered by a Planning Committee if the member did not attend or did not submit a written statement in lieu of attending.

Resolved

- (1) That authority be delegated to the Assistant Director – Planning and Development to grant permission to application WNN/2023/0013 subject to:
1. An amendment to Condition 7 (Hours of Use) to amend the opening hours from 9am until 5pm, to 8am until 6pm.
 2. The remaining conditions set out in the Case Officer's report (and any amendments to those conditions as deemed necessary).

81. Land South East of Stoneway, Hartwell

The Committee considered application WNS/2023/0351/MAO for an outline application (some matters reserved except for access) for the erection of up to 34 affordable homes and the formation of a new vehicular and pedestrian access from Stoneway at Land South East of Stoneway, Hartwell for Grand Union Housing Group.

Judie Kendrick-Symondson, a local resident, addressed the Committee in objection to the application on the grounds that the proposed development could lead to the flooding of adjacent land, and that there was insufficient detail within the proposals as to how surface water runoff would be managed.

Andy Moger, the Agent for the Applicant, addressed the Committee in support of the application, on the grounds that the proposed development would address an acute under delivery of affordable housing in the legacy South Northamptonshire Council area, with 29 individuals on the local housing waiting list having specified a preference for a property in Hartwell. The Agent also specified that technical matters such as drainage and surface water runoff could be resolved by way of conditions should the application be approved.

It was proposed by Councillor Ken Pritchard and seconded by Councillor Kevin Parker that application WNS/2023/0351/MAO be refused in accordance with the Case Officer's recommendation, on the grounds that the proposed development, by reason of its siting outside of the settlement confines of Hartwell, fell within the open countryside and did not meet any of the exception criteria in the Development Plan whereby development beyond the settlement confines would be supported. The motion was put to the vote with nine votes cast in favour of the proposal and none cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the Case Officer's report and presentation, the addresses of the public speakers, and the Committee Updates.

Resolved

(1) That application WNS/2023/0351/MAO be refused for the following reason:

1. The location of the proposed development, by reason of its siting outside of the settlement confines of Hartwell, falls within the open countryside and does not meet any of the exceptions in the Development Plan where development would be supported outside of the settlement confines. The need for such housing has also not been robustly demonstrated as part of this application and the proposal therefore fails to meet the requirements of a rural exception site set out in Policy H3b, which requires the scale of such development to be clearly justified by evidence of need through a local housing needs survey. The proposed development also fails to meet the criteria for an entry-level exception site due to the development extending a Secondary Village (B), contrary to Policy LH3(1) The proposed development has therefore not been adequately justified and represents an unsustainable form of development. This conflict is not outweighed by any material consideration. The proposal is therefore unacceptable in principle and is contrary to Policies SA, S1, R1 and H3 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1), Policies SS1, LH1 and LH3 of the South Northamptonshire Local Plan (Part 2).

82. **Urgent Business**

There were no items of urgent business.

The meeting closed at 7.04 pm

Chair: _____

Date: _____

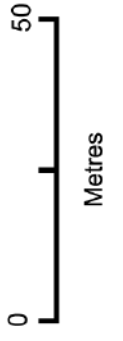
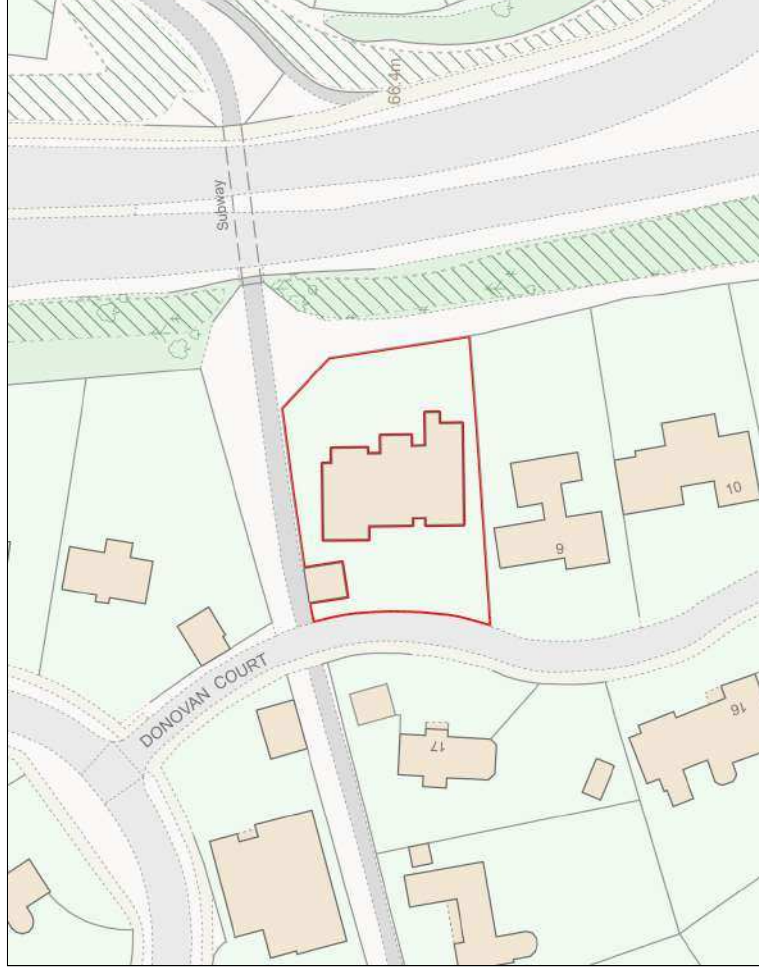
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West Northamptonshire Council
South Planning Committee
Thursday 8 February 2024

Agenda Item	Ward	Application Number	Location	Officer Recommendation	Case Officer
6	Riverside Park	2023/7574/FULL	8 Donovan Court, Northampton	*Grant Permission	Jonathan Moore
7	Hackleton & Grange Park	WNS/2022/1528/FUL	New Lodge Farm, Bedford Road, Little Houghton	*Grant Permission	Rob Burton
8	Deanshanger	WNS/2022/0829/MAF	Towcester Racecourse, London Road, Towcester	*Grant Permission	James Paterson

*Subject to conditions and/or legal agreements

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Planning Committee Report

Application Number: 2023/7574/FULL

Location: 8 Donovan Court Northampton NN3 3DD

Development: Change of use of dwelling (use Class C3) to care home (use Class C2)

Applicant: West Northamptonshire Council

Agent: West Northamptonshire Council

Case Officer: Jonathan Moore

Ward: Riverside Park Unitary Ward

Reason for Referral: Council is applicant

Committee Date: 8 February 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS

Proposal

Permission is sought for the change of use of dwelling (use Class C3) to care home (use Class C2), there are no external works proposed.

The home will be for 24 hour care and to be run by Northamptonshire Children's Trust, the provider of children's social services on behalf of West Northants Council for up to 4 young people with a minimum of 2 staff on site at any one time. The criteria for admission is that children need to be aged between 7 and 17 at time of admission. The home will provide care for children with autism.

Consultations

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

- Highways
- Environmental Health
- Northamptonshire Police

11 letters of objection have been received to the proposal.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the Local Plan , Joint Core Strategy 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
- Impact on residential amenity
- Parking/ Highway safety
- Security

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 is a large single storey detached dwelling set in a generous plot of land in the suburbs of Northampton. The property has a large area of front hardstanding capable of accommodating up to 7 cars as shown on the submitted site plan. The site is not in a conservation area and is not a listed building.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is for conversion of dwelling into care home. The home will be for 24 hour care and to be run by Northamptonshire Children's Trust, the provider of children's social services on behalf of West Northants Council for up to 4 young people with a minimum of 2 staff on site at any one time. There are no external works proposed. The home is for children with autism, and will be Ofsted registered.

3 RELEVANT PLANNING HISTORY

- 3.1 There is no planning history directly relevant to the proposal.

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.

4.3 Development Plan

West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policies S10, BN7, BN9, H1, H5
Northampton Local Plan Part 2 (2011-2029)–Policies Q1, Q2, SD1, M02

4.4 Material Considerations

National Planning Policy Framework (NPPF)

- Paragraph 114 safe access for all
- Paragraph 135 residential amenity

Northampton Parking Standards Supplementary Planning Document
Northamptonshire Parking Standards
Planning out Crime SPG

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	Comment
Highways	No objection, confident will be no impact on local highway network
Environmental Health	Recommend noise assessment is undertaken to allow survey of noise from highway and consideration given to EV chargers
Police	No further comments to make

6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report. There have 11 objections from local residents on the following grounds:

- Parking and access concerns
- Noise
- Neighbour impacts
- Concerns about inappropriate use
- Effect on quiet residential area
- The Council is the applicant
- Need more information on the use
- Impact on community/ neighbourhood
- Maintenance of garden
- Near footpath
- Road too narrow
- Lighting issues
- Safety concerns
- Health impacts from living close to use/ mental well being of neighbours
- Risk of accidents

7 APPRAISAL

Principle of Development

- 7.1 The site is located in an established residential setting where residential uses are considered acceptable in principle subject to adequate parking, highway safety and the effect on neighbouring living conditions.
- 7.2 Due to the scale of the proposed development, the loss of one C3 bungalow unit is unlikely to materially affect or undermine the Council's wider housing strategy to

provide new C3 housing units and therefore would not affect the supply of new homes going forward.

Impact on neighbour amenity

- 7.3 The property is located in a quiet residential street and would generate comings and goings throughout the day in terms of staff, residents and visitors arriving and leaving by the car, residents parking and general activity associated with a use of such a nature being a 24 hour operation.
- 7.4 However it must be remembered that a similar use could be implemented without needing planning permission under class C3 of the Planning Legislation for a dwelling with an element of care with 6 people living together as a single household and therefore a careful comparison should be made with the applicant's apparent fall back position i.e what could be done without needing planning permission. The use would therefore be comparable to a C3 operation as there would be no more than 6 persons residing together including carers. The number of occupants would be secured by condition.
- 7.5 Local residents raise concerns over noise / increase in traffic impacting on residential living conditions however in this instance it is considered that the proposal is relatively minor in scale, is a large detached property with no shared party walls and Environmental Health have not raised objection. For this reason a refusal is not justified on amenity terms.
- 7.5 The proposal is considered to accord with Policy H1 and BN9 of the JCS, Q2 of the Local Plan Part 2 and aims of the NPPF.

Parking and Highways

- 7.6 The site has 7 off road parking spaces in front excluding the existing double garage. A number of residents are concerned that this is not adequate for a use of this nature and that parking may occur on street and cause highway safety conflict. Highways are not objecting and it is considered that the effect on highways is not severe and a refusal is not justified to accord with the aims of the NPPF.
- 7.7 Given that the occupants would not generally be driving age with the exception of staff and visitors it is considered that the existing parking provision is sufficient and parking would be retained by condition in perpetuity.

Crime prevention

- 7.8 Northamptonshire Police have commented on security with respect to the proposal and raise no objections on security.

7.9 Other issues

Environmental Health Officers recommend a condition for protection from traffic noise from the nearby dual carriageway to protect future residents from noise. However in response to this, the intended use would have a similar number of occupiers as the lawful use could have and therefore such a condition would not be reasonable or justified. EV charging is covered by Building Regulations. Concerns over who will maintain the property are a matter for the applicant.

8 FINANCIAL CONSIDERATIONS

CIL is not payable as application is for change of use only.

9 PLANNING BALANCE AND CONCLUSION

Given that the proposal is located in an established residential area the principle is considered acceptable in land use planning terms. The proposal would be similar to what could be undertaken without needing planning permission and this factor bears weight in decision making due to the fall back position open to the applicant. It is considered that the parking is acceptable providing more than adequate number of off road spaces for a use of this nature and scale. In addition, due to the minor scale and relationship to other properties on balance the effect on residential amenity would be acceptable and is recommended for approval with the conditions below given it would accord with local and national policy.

10 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 are: Survey plan 01, Proposed plan 02, site plan

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

Use

3)The use hereby approved shall be care home under class C2 of the Town and Country Planning (Use Classes Order) 1987 as amended and no other use.

Reason; To define the planning permission in accordance with the submitted details.

Parking

4)Car parking shall be implemented in accordance with the approved parking plan and retained as such throughout the lifetime of the development.

Reason: In the interests of highway safety to accord with the Policy M02 of the Northampton Local Plan Part 2

Occupants

5) The total number of occupants including carers shall not exceed 6 at any one time.

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

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Planning Committee Report

Application Number: WNS/2022/1528/FUL

Location: New Lodge Farm, Bedford Road, Little Houghton, NN7 1AA

Development: Demolish existing house and outbuilding and erect a new single-storey stone property with associated parking.

Applicant: Nazim Iftikhar Choudary

Agent: MLA Architecture Ltd

Case Officer: Rob Burton

Ward: Hackleton and Grange Park

Reason for Referral: WNC councillor application

Committee Date: 08 February 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS.

Proposal

Demolish existing house and out building and erect a new single-storey stone property with associated parking.

Consultations

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

- Ecology

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

- Local Highways Authority (LHA),
- Environmental Health
- Crime Prevention Design Adviser
- Archaeology
- Building control

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

- Parish Council

0 letters of objection have been received and 0 letters of support have been received. 1 comment has 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:

- Principle of Development
- Design and impacting on the character and appearance of the area
- Ecology

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

The principle of the replacement dwelling is supported within the development plan whilst the design is acceptable to the context of the site and would be compatible with the appearance, character, layout, scale and design of the area. Adequate levels of occupier amenity can be secured whilst there would be no undue harm to neighbouring amenity. There would be no unacceptable impacts on highway safety whilst conditions can ensure protected species are acceptably safeguarded. Overall officers consider the proposal accords with policies SA, BN2 and R1 of the WNJCS and SS1, SS2, LH4 and NE5 of the SNLP.WNJCS and having regard to the Framework.

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 located south-west of the village of Little Houghton within the open countryside, immediately south of Bedford Road. The site is well screened to the north and accessed via a long narrow farm track which is shared with the adjacent Willow Brook Barns. The site comprises an extended 20th century two-storey detached red-brick dwelling situated within a generous plot with various outbuildings.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The development is to replace the existing dwelling and outbuilding with a new single storey stone dwelling and associated parking. The dwelling would measure c.305sqm and would be positioned centrally within the site with on-site parking to the east.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:
- S/2019/1881/FUL Proposed 2 storey extension to side, single storey link to existing garage, replace existing flat roof of garage to hipped roof. Remove pitched roof over kitchen replace with flat roof terrace. Render to external walls and replace windows. Refused.
 - S/2020/0016/FUL Single storey extension and small first floor addition, changes and additions to existing roofs and render. Approved.
 - P/2020/0160PRM - Demolish existing house and out building and erect a new single storey stone property with associated access road and parking. *Principle*

of replacement dwelling acceptable subject to design. New Access could not be supported,

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 West Northamptonshire Joint Core Strategy (2014) (WNJCS)

SA- Presumption in Favour of Sustainable Development

S10 – Sustainable Development Principles

BN2 – Biodiversity

R1 – Spatial Strategy for the Rural Areas

South Northamptonshire Part 2 Local Plan (SNLP)

POLICY SS1: THE SETTLEMENT HIERARCHY

POLICY SS2: GENERAL DEVELOPMENT AND DESIGN PRINCIPLES

POLICY LH1: RESIDENTIAL DEVELOPMENT INSIDE AND OUTSIDE 37
SETTLEMENT CONFINES

POLICY LH4: SINGLE DWELLINGS IN THE OPEN COUNTRYSIDE

POLICY NE5: BIODIVERSITY AND GEODIVERSITY

National Planning Policy Framework (2023)

Chapter 12 – Achieving well designed places

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – conserving and enhancing the historic environment

National Design Guide (2019)

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
Local Highways Authority	No objection	No issues to raise other than the below bullet point, • The applicant is required to resurface the access to prevent loose materials such as gravel being transferred onto the public highway where it may present a danger to more vulnerable road users. Any cross over of highway must be surfaced in tarmac only, the access must then be hard bound for a distance of 5.5m from the back edge of the highway; which in this instance is the hedgeline.
Environmental Protection	No objection	No adverse comment subject to appropriate safeguarding conditions. (unexpected contamination, insulation against external noise, burning & EV charging.
Little Houghton Parish Council	Support	Support

Crime Prevention Design Adviser	No objection	The following measures are recommended: A fully monitored fit for purpose intruder alarm capable of eliciting a response from a third party if triggered. All new doors and ground floor windows should meet the requirements of a 3rd party accredited recognised security standard such as PAS24:2022 with one pane of laminated glass to P1A standard to reduce opportunities for forced entry. The use of a monitored CCTV system covering the grounds and immediate approach to the house especially the rear. The marking of antiques and other valuables to assist detection in the event of a theft."
Building Control	No objection	Building Control have no objections All surface water to soak away Fire vehicle access to be ascertained
Archaeology	No objection	Consider the site to be of low archaeological potential and have no further comment to make on the proposed development.
WNC Ecology	Object	As we do not have ecology report in line with the SPD, the current application does not appear to be in accordance with the NPPF, or local policy. The information is insufficient for the council to assess the ecological impacts of this development will have on a protected species and its habitat. A preliminary ecology report, including a preliminary roost assessment for bats, all of the above information, measures, mitigations and biodiversity enhancements, needs to be submitted to the council prior to determination of this application.

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 There has been 1 letter received raising the following comments:

- Access insufficient for large delivery vehicles
- Access road and construction management
- Foul sewerage
- Lack of Contamination survey

7 APPRAISAL

Principle of Development

7.1 The application site lies within open countryside outside any village confines. The proposal is to provide a replacement dwelling with on-site parking.

7.2 Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out the spatial strategy for rural areas. The policy specifies that development in rural

areas will be guided by the rural settlement hierarchy and sets out a list of criteria that will be considered when considering development proposals in rural areas. It also lists a set of requirements for residential developments in rural areas.

- 7.3 Policy LH1 of the recently adopted Local Plan Part 2 advises that “Development outside settlement confines is considered to be in the open countryside and will not be acceptable unless it”:
- a) Is allocated within a made neighbourhood plan;
 - b) is for starter homes in accordance with Policy LH2; or
 - c) meets an exception test as set out in Policy LH3; or
 - d) is for a single dwelling in accordance with Policy LH4; or
 - e) is a self or custom build project in accordance with Policy LH5; or
 - f) is a specialist housing and accommodation needs proposal in accordance with Policy LH6
 - g) is a residential/nursing care proposal in accordance with Policy LH7
 - h) is an isolated home in the countryside that meets one of the exceptions set out in the NPPF.
 - i) is otherwise provided for within Policy R1 criteria i-v of the WNJCS Local Plan (Part 1)
- 7.4 Whilst the proposal does not meet any of the above criteria, policy LH4 of Local Plan Part 2 allows for replacement dwellings in the open countryside where;
- I. the residential use of the original dwelling has not been abandoned; and
 - II. the original dwelling because of its design or negative contribution to the landscape is not worthy of retention; and
 - III. the proposal is located within the curtilage of the existing dwelling; and
 - IV. the proposal is of an appropriate scale to the plot and its setting in the landscape; and
 - V. the development enhances its immediate setting
- 7.5 The existing dwelling is currently in residential use and its design does not contribute anything positive to the landscape. The proposed replacement dwelling would be located adjacent to the existing dwelling, within the existing curtilage. Subject to appropriate scale and design, officers are of the view that a replacement dwelling would accord with policy LH4 and is acceptable in principle.

Impact on Character of Area

- 7.6 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out general principles and criteria for high quality development. Policy SS2(1.b.) requires new development to ‘use a design-led approach to demonstrate compatibility and integration with its surroundings and the distinctive local character of the area in terms of type, scale, massing, siting, form, design, materials and details’.
- 7.7 Policy LH4 requires replacement dwellings to be of an appropriate scale to the plot and its setting in the landscape as well as enhancing its immediate setting. Policy R1 requires development to protect and enhance the character and quality of rural areas.
- 7.8 Officers consider the proposed building to be of an appropriate scale relative to the generous plot, particularly when noting the building would be single storey. The existing building is of no special interest and could be described as being tired and disjointed, with its unusual hip/gable roof, various apparent additions and flat roofs. The proposed building would be a blend of contemporary and traditional design

utilising natural materials such as stone and slate with black framed fenestrations. The roof would be hipped with a concealed flat roof and glazed lanterns, keeping the scale to a minimum. Subject to conditions ensuring the external materials are appropriate for the context, officers are content with the design relative to the site and its context whilst it could be argued that the proposal would enhance the immediate setting. Permitted development rights could be removed by condition to ensure any extensions or alterations to the unique design are agreed with by the LPA.

Impact on Residential Amenity

- 7.9 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that developments must not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through noise, odour, vibration, overshadowing or result in loss of privacy, sunlight daylight or outlook, unless adequate mitigation measures are proposed and secured. Policy R1 states development must protect the amenity of existing residents.
- 7.10 The proposed dwelling would replace an existing dwelling in a similar position. The site is surrounded by open countryside with the nearest resident 150 metres south. Given this and the scale of the proposal, officers are content that the development would not adversely impact residential amenity to an unacceptable degree.

Occupier amenity

- 7.11 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that developments must result in a good standard of amenity for its future occupiers in terms of privacy, sunlight, daylight, outlook, natural ventilation, noise, odour and vibration. The SNC design guide sets out standards of amenity that should be afforded to future occupiers of developments.
- 7.12 The dwellings design would allow good availability of natural light. The site would benefit from good levels of privacy and would not be overshadowed by any buildings. The site greatly exceeds the minimum garden size as outlined within South Northamptonshire's Design Guide. Given the proximity to Bedford Road situated immediately north of the site, the suggested condition by WNC's environmental health officer relating to internal noise levels is recommended to ensure a good standard of occupier amenity is secured.

Highway Safety

- 7.13 The application proposes a replacement dwelling utilising an existing access off a private drive. The LHA have been consulted and have no objections or concerns but have requested that the applicant re-surface the access to the private drive on Bedford Road to prevent loose materials such as gravel being transferred onto the public highway. The access already exists and the application would not intensify or alter its use. Officers note the application is not required to resolve any pre-existing issues, rather ensure that the proposal would not present an unacceptable impact to highway safety in line within paragraph 115 of the NPPF. Therefore the re-surfacing of the access would not be required to grant permission and would not meet the tests as outlined in paragraph 55 of the NPPF. Concerns were raised regarding construction management, largely relating to civil matters associated with the private drive. Given the development is situated off a long private drive some distance from

the public highway and any nearby residents, such information is not considered necessary or proportionate to grant permission.

- 7.14 Officers conclude it is likely that the proposal will not result in a detrimental impact on highway safety. The proposal is therefore in accordance with paragraph 115 of the Framework insofar as the proposal would not present an unacceptable impact to highway safety.

Ecology/protected species

- 1.1 The Planning Practice Guidance dated 2014 post dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 1.2 Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:
- present on or near the proposed site, such as protected bats at a proposed barn conversion
 - affected by the development
- 1.3 It also states that LPA's can also ask for:
- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
 - an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')
- 7.15 The council's ecologist has objected to the scheme due to the lack of an ecology report and reasonable likelihood of protected species. An ecology report has since been submitted which found no evidence of bats but concluded that further surveys must be undertaken during mid-May to August due to the low potential for roosting bats as a result of the presence of localised and minimal areas of lifted and damaged tiles. Dependant of findings, further surveys and a licence may be required. The report also recommended various mitigation and compensation measures should bats be found.
- 7.16 Providing the recommendations as set out within the report are properly followed, officers are content the development would not adversely impact protected species. Appropriately worded conditions can ensure this is the case.

8 FINANCIAL CONSIDERATIONS

- 8.1 The proposal is CIL liable. Limited weight is given to these financial considerations, and they do not alter the recommendation of the application which is judged to be compliant with development plan policy.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 The principle of the replacement dwelling is supported within the development plan whilst the design is acceptable to the context of the site and would be compatible with the appearance, character, layout, scale and design of the area. Adequate levels of occupier amenity can be secured whilst there would be no undue harm to neighbouring amenity. There would be no unacceptable impacts on highway safety whilst conditions can ensure protected species are acceptably safeguarded. Overall officers consider the proposal accords with policies SA, BN2 and R1 of the WNJCS and SS1, SS2, LH4 and NE5 of the SNLP.WNJCS and having regard to the Framework.
-

CONDITIONS:

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.

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

- Proposed Plans and Elevations (Registered valid with the LPA on 18 October 2023)
- Proposed Site Layout (Registered valid with the LPA on 18 October 2023)
- Site Location Plan/Site Block Plan (Registered valid with the LPA on 18 October 2023)
- Cherryfield Ecology Report (Deposited with the LPA on 01 December 2023)

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

3. A schedule of materials and finishes to be used in the external walls, roof, windows and doors of the dwelling 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 SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

4. 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 any proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - b. details of the existing trees and hedgerows to be retained as well as those to be felled,
 - c. details of all hard landscaping including hard surface areas, pavements, pedestrian areas and steps,

Such details shall be provided prior to the occupation of the development 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 Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

5. 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 Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

6. No development shall commence until a scheme for protecting the proposed dwelling from traffic noise from the A428 has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall achieve internal levels not exceeding 30dB LAeq (8 hour) and 45dB L_{AmaxF} in all sleeping areas between 2300 hours and 0700 hours. An internal level of 35dB LAeq (16 hour) shall be achieved in all other habitable rooms of the building. Any works which form part of the scheme shall be completed in accordance with the approved details before the permitted dwelling to which the scheme relates is occupied. The dwelling shall thereafter be retained in accordance with these details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise, avoid conflicts with existing business that may generate some noise, and to comply with advice in the National Planning Policy Framework, Planning Practice Guidance on Noise, and Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised 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 Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

8. Notwithstanding the provisions of Classes A-D (inc) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement, alteration or improvement of the dwellinghouse, shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason : Taking into account the unique design of the dwelling, it is considered to be in the public interest to ensure the merits of future changes can be assessed by the Local Planning Authority so that the visual amenity of the area is not adversely affected in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

9. The development hereby permitted shall be carried out in accordance with the Conclusions, recommendations, mitigation and enhancements set out in section 4 of the Ecological Report, by Cherryfield dated 01December 2023, unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

10. Full details of a scheme for the location of bat and bird boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwelling hereby approved. Thereafter and prior to the occupation of any building, the bat and bird boxes/bricks shall be installed on the site in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

11. If the development hereby approved does not commence by 01 December 2025. A revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on bats and breeding birds. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

12. Works shall not in any circumstances commence unless the local planning authority has been provided with either:

- I. A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2019 authorising the specified activity/development to go ahead; or
- II. Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
- III. A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

Reason: To ensure protected species are not disturbed by the proposed development in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

13. Prior to first occupation of the proposed dwelling, the existing dwelling as edged (dashed) in red on the site layout plan shall be demolished in its entirety and all material arising there from permanently removed from the site.

Reason: It is the policy of the Local Planning Authority not to approve new dwellings in the open countryside in the absence of special justification therefore the demolition of the existing dwelling is fundamental to the granting of permission in accordance with policy LH1 and LH4(1b) of the South Northamptonshire Local Plan.

14. Prior to first occupation of the new dwelling, the site of the former dwelling shall be reinstated in accordance with details to be submitted to and approved by the Local Planning Authority prior to first occupation.

Reason: To ensure the site of the demolished dwelling is acceptably reinstated in the interests of visual amenity in accordance with policies SS2, LH1 and LH4(1b) of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

INFORMATIVES:-

1. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered, you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.
2. A Where internal noise levels can only be achieved whilst relying on the attenuation provided by closed windows, any scheme must be supported by an overheating assessment produced in line with the Institute of Acoustics and Association of Noise Consultants - Acoustics, Ventilation and Overheating—Residential Design Guide.
3. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974,

contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working.

4. Due to the type and/or age of the existing buildings onsite there is a potential for asbestos containing materials to be present onsite. The applicant is reminded that the responsibility for securing a safe development rests with the developer and/or landowner.

NOTES:

1. This drawing is a preliminary planning concept for planning purposes only. It is not intended to be used for any other purpose.

2. The Contractor is to check and verify all existing and proposed services, including but not limited to, water, sewer, gas, electricity, telecommunications, and any other services, and to provide a detailed report to the Client before commencing any work.

3. The Contractor is to ensure that all proposed works are in accordance with the relevant planning and building regulations, and to obtain all necessary consents and approvals from the relevant authorities.

4. The Contractor is to ensure that all proposed works are carried out in a safe and sound manner, and to take all necessary precautions to protect the health and safety of all persons on the site.

5. The Contractor is to ensure that all proposed works are completed within the agreed programme of works, and to provide regular progress reports to the Client.

6. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant environmental regulations, and to take all necessary precautions to protect the environment.

7. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant health and safety regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

8. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant fire safety regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

9. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant noise and vibration regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

10. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant air quality regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

11. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant flood risk regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

12. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant climate change regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

13. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant biodiversity regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

14. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant heritage regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

15. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant archaeological regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

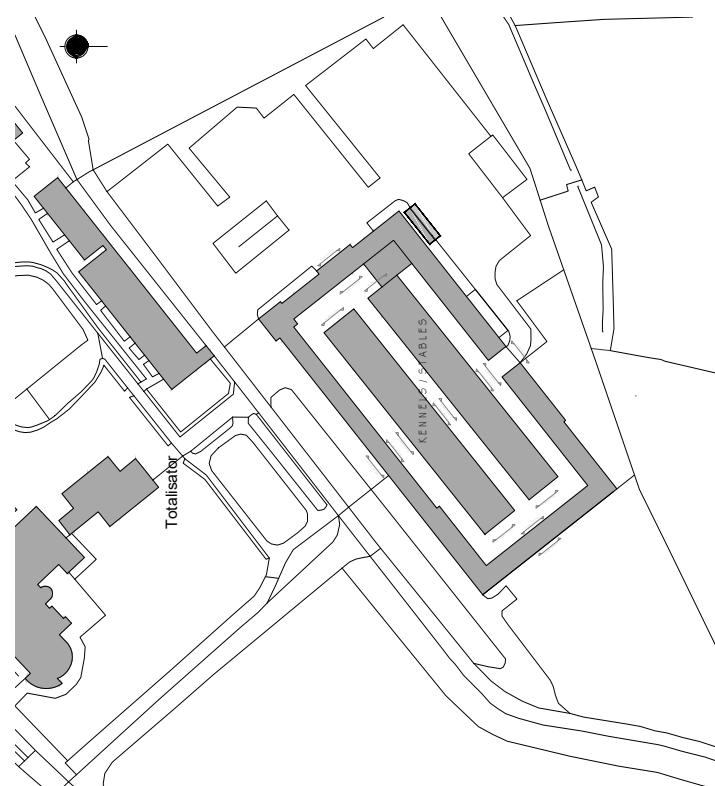
16. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant cultural heritage regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

17. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant landscape regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

18. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant visual amenity regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

19. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant amenity regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.

20. The Contractor is to ensure that all proposed works are carried out in accordance with the relevant quality of life regulations, and to take all necessary precautions to protect the health and safety of all persons on the site.



PLANNING

Rev	Date	Notes	RVP
A	28.04.22	Revised by planning comments.	Initials

niche architecture
ARCHITECTS FOR SUSTAINABLE DEVELOPMENT

PROJECT:
Towersey Racecourse,
London Road,
Towersey,
NN12 6LB

DRAWING TITLE:
Site & Site Location Plan.

SCALE:
1:500 | 1:2500 at A0

DATE:
30.03.22

DWG NO:
21-046 - 101

REV:
A

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Planning Committee Report

Application Number: WNS/2022/0829/MAF
Location: Towcester Racecourse, London Road, Towcester
Development: Change of use of stables to mixed use stables and kennels (retrospective)

Applicant: Fermor Land LLP
Agent: AMPlanning Consultants Limited
Case Officer: James Paterson

Ward: Deanshanger

Reason for Referral: Major Application

Committee Date: 08/02/24

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO GRANT PERMISSION FOR THE DEVELOPMENT SUBJECT TO CONDITIONS

Proposal

Change of use of stables to mixed use stables and kennels. (retrospective)

Consultations

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

- Paulerspury Parish Council

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

- Crime Prevention Officer, Gardens Trust, Historic England, Towcester Town Council, WNC Environmental Health, WNC Heritage Team, WNC Licensing, WNC Local Highways Authority

No consultees are **in support** of the application:

1 letters of objection have been received and no letters 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:

- Principle of Development
- Design

- Heritage
- Neighbouring Amenity
- Highways

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 This application site relates specifically to the former stables (outlined in red on the submitted location plan) which is located within the wider Towcester Racecourse site (outlined in blue on the submitted location plan). The lawful use of the stables are considered to be as such since, although there is no specific site history relating to the stables, it is a historic complex associated with the horse racing which originally took place on the site. The racecourse site is bounded to the south and west by the town of Towcester, to the east by Heathencote and to the north by further parkland associated with Easton Neston House.
- 1.2 The Towcester Racecourse is set within the Grade II* listed Historic Park and Garden associated with Easton Neston House, which is located to the north of the site. The racecourse as a whole occupies approximately a third of the listed parkland and is therefore important in terms of the significance of this heritage asset. The main entrance to the racecourse from the A5 features a Grade I listed gateway which is both very distinctive and an important landmark to the area while also being of national significance due to its heritage value.
- 1.3 The application itself comprises only a small portion of the wider racecourse and includes only the stable complex in the south-eastern corner of the site, as well as the access to the site from Shutlanger Road. The complex itself is a moderately sized structure and is constructed of red brick with a characterful clocktower above the north-west element of the stables.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This applications seeks retrospective planning permission for the change of use of the stable block from use solely for the stabling of horses to a mixed flexible use for the stabling of horses and as kennels for dogs, meaning either dogs or horses could be kept in the existing stables. The change of use would apply to the areas surrounding the stables since some areas external to the stables have been enclosed creating twelve paddocks for the dogs for use during the day. No other alterations are proposed which would require planning permission.
- 2.2 While the number of dogs which are kept on-site naturally fluctuates, at the time of the most recent noise survey (September 2023) there were 173 dogs on site; however it should be noted that the capacity of the kennels would be for up to 250 dogs. The dogs are kept with three or four dogs to a stable (kennel) with some dogs kept separately for

various reasons; the dogs are exercised daily around the racecourse site and on a separate grass gallop. While, therefore, the activities associated with the care of the dogs can take place beyond the red line of the application site, the vast majority of the activities of the dogs, including sleeping, caring, feeding, and to an extent exercising all are confined to within the red line of the application site. Therefore, officers consider that the submitted red line of the submitted location plan is accurate. The wider site, including the racecourse, has to comply with separate standards and codes of practice relating to greyhound racing, via the Greyhound Board of Great Britain.

- 2.3 It should be noted the Council considers that the mixed stable/kennel use began in 2019, following the cessation of horse racing and commencement of greyhound racing on the site, and has been subject to an enforcement investigation since 2020 which led to this application being submitted in early 2022 to regularise this breach in planning control. It should be noted that this use remains unlawful as it would need to operate for ten years before it became immune from enforcement.

3 RELEVANT PLANNING HISTORY

- 3.1 The following planning history is considered relevant to the current proposal:
- 3.2 S/2011/1219/MAF Construction of a greyhound race track & associated infrastructure - Towcester Racecourse London Road Towcester – Approval
- 3.3 S/2015/0758/MAF Surfacing of existing car parking area and erection of 5no. 8metre tubular lighting columns - Towcester Racecourse Road to Easton Neston Estate Easton Neston (Paulerspury Parish) – Withdrawn
- 3.4 S/2015/3063/MAF Variation of condition 2 (plans) of approved application S/2011/1219/MAF (Construction of a greyhound race track & associated infrastructure) To regularise the 2no lighting columns which have been erected and to regularise the luminaries implemented (Retrospective) - Greyhound Racetrack Towcester Racecourse Easton Neston - Approval
- 3.5 S/2016/0316/MAF Temporary surfacing of the existing car park and the erection of 5no 8 metre lighting columns and associated lighting - Towcester Racecourse Co Ltd Towcester Racecourse Road To Easton Neston Estate Easton Neston NN12 7HS - Approval
- 3.6 WNS/2022/1025/FUL Retention of two static caravans and a proposed static caravan overnight staff accommodation - Towcester Racecourse London Road Towcester NN12 6LB - Withdrawn
- 3.7 2023/8031/S73 Variation of condition 8 of WNS/2022/0821/MAF ((Variation of condition 3 (boundary treatments) of Planning Permission Ref. No. WNS/2021/1938/MAF to alter details of fencing. (amended description)) to increase number of operational days from 4 to 6 - Towcester Racecourse London Road Towcester NN12 6LB - Pending

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.
- 4.3 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.
- 4.4 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. F

Development Plan

- 4.5 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, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

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

- 4.6 The relevant policies of the LPP1 are:
- SA – Presumption in Favour of Sustainable Development
 - S1 – Distribution of Development
 - S10 – Sustainable Development Principles
 - R1 – Spatial Strategy for the Rural Areas
 - R2 – Rural Economy
 - BN5 - The Historic Environment and Landscape
 - BN9 - Pollution
 - T5 – Towcester Racecourse

South Northamptonshire Local Plan (Part 2) (LPP2)

- 4.7 The relevant policies of the LPP2 are:
- SS1 - The Settlement Hierarchy
 - SS2 - General Development and Design Principles
 - HE1 - Significance of Heritage Assets
 - HE3 - Historic Parks and Gardens
 - HE5 - Listed Buildings
 - EMP4 – Visitor Economy

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
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Crime Prevention Design Advisor	No Objection	Northamptonshire Police has no objections to the application for COU from stables to mixed use stables and kennels
Gardens Trust	No Comment	
Historic England	No Comment	
Paulerspury Parish Council	Objection	<p>Taking advice from councillors with considerable knowledge of both horses and dogs the council understands that to house them side by side as proposed is totally unacceptable. It is hoped that veterinary advice will be sought prior to this application being considered.</p> <p>Paulerspury Parish Council has considerable concerns regarding this application. Heathencote is part of our parish and the increase in traffic has been significant and gives rise to substantial problems for the residents. Given how close the residences in Heathencote are to the stables the residents have suffered from the noise emanating from the dogs, particularly in the early hours of the morning as they are presumably waiting to be fed. Noise continues to be heard at various times throughout the day which limits how the residents can enjoy outside life in their own grounds. Powerful lighting is another issue with regards to this activity. Their controls do not take into consideration the fact that the huge volume of light pollutes Heathencote. Clarity is required to determine the use of these caravans. If this application is approved the use of the caravans must be so conditioned that they are solely for the use of staff directly employed to manage the greyhounds. Paulerspury Parish Council strongly OBJECTS to this application.</p>
Towcester Town Council	No Objection	
WNC Environmental Protection Team	No Objection	<p>The Environmental Protection team have received complaints of dog barking, the last complaint was in 2020. None of the complaints have been substantiated as a statutory nuisance.</p> <p>Given the history of complaints the Environmental Protection team requested a site visit which took place on 19th July 2023. Following on from the visit additional information in the</p>

		<p>form of an updated Noise Impact Assessment, to consider additional noise sensitive receptors, and a Noise Management Plan were requested.</p> <p>I have now reviewed the updated Noise Impact Assessment dated 28th September 2023 and the updated Noise Management Plan December 2023 V3 and I make no adverse comments however I would recommend that the following condition is attached to any permission given</p>
WNC Heritage Team	No Objection	<p>Thank you for consulting me on the additional information submitted in support of this application. I have now had an opportunity to consider the information submitted and have the following comments. The applicant should be aware that the information provided in the Planning and Heritage Statement does not fulfil the requirements of Para 194 of the NPPF. This requires the significance of the asset to be described which requires a level of analysis of the assets various values preferably by a suitably qualified specialist; this analysis exceeds a factual description of the asset or the repeating of the HE Listing provided. The applicant should ensure all future applications submitted on the site are supported by an appropriate Heritage Statement. Notwithstanding the above comments I have no further comments to make</p>
WNC Licensing	No Objection	<p>No objections, however any stables and kennels will need a relevant animal licence which can be applied for online.</p>
WNC Local Highways Authority	No Objection	<p>Having reviewed the information supplied in relation to this planning application, the local highway authority does not have any comments to make.</p> <p><i>Officer note: The LHA have requested a condition and two informatives which have been included.</i></p>

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 There has been one objection, raising the following comments:

- Noise

7 APPRAISAL

Principle of Development

- 7.1 Policy SA of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out that when considering development proposals the relevant council will take a positive approach that reflects the presumption in favour of sustainable development contained in the national planning policy framework. Policies S1 and S2 deal with the distribution of development and the settlement hierarchy within the district.
- 7.2 Policy SS1 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals for new development will be directed towards the most sustainable locations in accordance with the District's settlement hierarchy. It also states that new development should be within the settlement boundaries of first, second, third and fourth category settlements, as defined on the proposals maps, in accordance with their scale, role and function unless otherwise indicated in the local plan.
- 7.3 Policy R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) sets out the spatial strategy for rural areas. The policy specifies that development in rural areas will be guided by the rural settlement hierarchy and sets out a list of criteria that will be considered when considering development proposals in rural areas. It also lists a set of requirements for residential developments in rural areas.
- 7.4 Policy EMP4 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals for tourism and leisure development, including tourist accommodation, will be acceptable in accordance with Policy SS1 and where the proposal is within settlement confines. Furthermore, proposals outside of the settlement confines, within the open countryside will be acceptable where the proposed location is essential to the business, it does not adversely affect the vitality and viability of nearby settlements and it complements existing tourism service and facility provision in neighbouring settlements and the surrounding area.
- 7.5 Policy R2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals which sustain and enhance the rural economy by creating or safeguarding jobs and businesses will be supported where they are of an appropriate scale for their location, respect the environmental quality and character of the rural area and protect the best and most versatile agricultural land. The policy then sets out which types of developments are acceptable in this regard.
- 7.6 Policy T5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals for the intensification of uses at Towcester Racecourse involving the development of additional leisure, recreational, tourism and exhibition facilities will be supported, subject to proposals meeting all of the criteria set out in the policy relating to transport impacts, landscape, heritage, PROWs and drainage.
- 7.7 It is noted that several policies in the development plan support the provision and enhancement of built form which contributes to the local economy and attracts visitors to the area. In this case, officers note that the proposed change of use effects an existing building on the racecourse site and would bring an otherwise redundant building back into a use in a flexible fashion, which could respond to future market conditions in a more agile manner, which ensures the longevity of the racecourse site and its associated economic benefits.

- 7.8 Officers have had particular regard to the site-specific policy of T5. Officers note this policy generally supports the intensification of the uses at the racecourse, which would be the case here with securing a recent offering of dog racing in place of horse racing. Officers note the criteria contained in Policy T5 with regard to ensuring the proposed development would not adversely impact the highway network, PROWs, heritage assets, drainage and the wider landscape. Some of these matters are dealt with separately in subsequent sections of this report but, in summary, officers consider that the proposed change of use would not give rise to unacceptable adverse impacts in principle and would comply with the criteria set out in Policy T5.
- 7.9 Planning officers therefore consider that the principle of development is acceptable and would comply with Policies SA, S1, S2, S10, SS1, R1, R2, EMP4 and T5 of the development plan.

Design

- 7.10 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out general principles and criteria for high quality development. Where development proposals contravene any of the criteria of relevance to that proposal, they will be refused unless outweighed by other material considerations. The policy also states that the use of design codes, masterplans or planning briefs will be considered for multi-phased developments to ensure consistency of design approach.
- 7.11 The proposed development includes no physical alterations to the stables or the surrounding area. Officers consider that the change of use subject of this application has not altered the character of the area in terms of the functionality and appearance of the site. However, officers also note that the external paddocks are currently enclosed with Heras fencing which detracts from the appearance of the site; officers have therefore included a condition requiring more suitable fencing to be provided.
- 7.12 The proposed development is acceptable in terms of design and Policy SS2.

Heritage

- 7.13 Policy HE1 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that when considering proposals that affect both designated and non-designated heritage assets and their settings including those identified on local lists, the significance of those assets should first be established by the applicant through a proportionate but thorough and systematic heritage assessment. Such an assessment should be sufficient so as to understand the potential impact of the proposal on the significance of the asset
- 7.14 Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that designated and non-designated heritage assets and their settings and landscapes will be conserved and enhanced. The policy sets out requirements for development in areas of landscape sensitivity and/ or known historic or heritage significance in order to ensure they secure and enhance their significance. The policy states that the retention and re-use of disused or underused heritage assets will be supported as will proposals to sustain or enhance the area's understanding of heritage assets.
- 7.15 Policy HE3 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that applications must seek to protect original or significant designed landscapes, their components, built features and those aspects of setting that contribute to significance. Proposals which seek to restore or reinstate historic landscape features to original designs must be supported by appropriate evidence. Such proposals and those to

better reveal the setting of historic parks or gardens will be supported. Proposals which are considered to cause harm to an historic park or garden require clear and convincing justification and will not be supported unless clear public benefits can be demonstrated that outweigh that harm. Where harm is considered to be substantial those benefits must be exceptional. As part of any permission that is granted, the council may seek the adoption of a management plan to ensure the long-term preservation of the asset, to promote good land management and to encourage best use of resources.

- 7.16 Policy HE5 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that proposals to alter or extend a listed building including its change of use or development within its setting will be permitted where they contribute to the preservation of the building and are not detrimental to its special architectural or historic interest or any features that contribute towards it and are of an appropriate scale, form, massing and design and use appropriate materials and methods of construction which are compatible with the character and construction of the building. Proposals must also have regard to the historic layout of the building and other internal features of significance and preserve the setting being mindful that the setting may extend beyond the immediate curtilage of the building.
- 7.17 It is noted that a heritage statement has not been submitted which fully accords with the requirements of the NPPF. However, officers consider that sufficient information is available for officers to fully understand the significance of heritage assets and thereby reach an informed view.
- 7.18 The stables do not comprise a designated heritage asset themselves whilst also being sited away from the Grade I listed gateway to the racecourse as well as being in the extreme south-east corner of the registered parkland. While the stables are clearly of an age and some heritage interest by reason of their communal value, officers do not consider that this constitutes a heritage asset, non-designated or otherwise.
- 7.19 The site lies near to the Grade I listed gateway at the entrance to the site from the A5. The significance of this designated heritage asset is largely derived from its visual interest as well as historic interest by reason of its elaborate and interesting appearance and its serving as a landmark in the town and demarking the historical entrance to the site.
- 7.20 The proposed development would have a neutral impact in this regard since the characteristics of the proposed use would be largely similar to the existing lawful use of the site and would thereby not materially impact its setting.
- 7.21 The site lies in the south-east corner of the Grade II* registered park of Easton Neston. The park retains much of its axial east avenue albeit the section between the house and a 500m long canal have been removed. East of the canal the avenue, now double, survives and extends eastward for a further 1km; this avenue is a key feature of the park and its overall significance. The Shutlanger / Heathencote Road marks the edge of the main part of the registered park although the axial avenue extends further east beyond the extent of this site. Parkland planting survives mainly to the west of the canal with hedgerows and coppices forming the main landscape features in the eastern extent of the park. The setting of the park is largely rural, this has the effect of the designed landscape blending into the wider landscape; this setting makes a limited but positive contribution towards overall significance.
- 7.22 Officers consider that the proposed change of use has had a neutral impact on the setting of this heritage asset since there has been no physical alteration to the site

while the function and appearance of the site remains much the same as when the stables were solely used as such.

- 7.23 Considering the above, officers consider that the proposed development would not give rise to harm to heritage assets and would comply with Policies HE1, HE3, HE5 and BN5 of the development plan, S66 and S72 of the Planning (LBCA) Act 1990 and the requirements of the NPPF.

Neighbouring Amenity

- 7.24 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that developments must not unacceptably harm the amenity of occupiers and users of neighbouring properties and the area through noise, odour, vibration, overshadowing or result in loss of privacy, sunlight daylight or outlook, unless adequate mitigation measures are proposed and secured.
- 7.25 Policy BN9 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities. This includes reducing the adverse impacts of noise
- 7.26 There are no neighbours within the immediate vicinity of the site which have been impacted by the proposed change of use; however, there are dwellings within a moderate distance of the site with dwellings in Towcester being some 130m distant and dwellings at Heathencote being 400m away from the stables. These are sensitive uses which are susceptible to noise and disturbance and officers have therefore carefully considered this issue.
- 7.27 The proposed development has not led to any physical alterations to the site that have affected the amount of daylight neighbours received nor has it given risen to unacceptable overbearing or a loss of privacy.
- 7.28 Officers have had particular regard to the issue of noise. A single dog barking can give rise to a statutory nuisance and officers have therefore carefully considered the impact that kennels on the site may have on nearby sensitive receptors. Planning officers have worked closely with Environmental Health Officers throughout the consideration of this application, given that they are technical experts on such matters.
- 7.29 The Environmental Protection Team have received complaints of dog barking; albeit the last complaint was in 2020. None of the complaints were substantiated at the time or since as being a statutory nuisance.
- 7.30 A noise study has been submitted as part of this application; following several revisions, environmental health officers are satisfied that the study fully assessed potential sources of noise and follows best practice. The study found that the maximum noise level that would likely arise as part of the use of the site as kennels fell below the relevant standards, apart from Sunday mornings where any exceedances were very limited.
- 7.31 Officers note the dogs on site at present largely remain quiet throughout the day, since they reside within the stables, often with the door partially shut for much of the day and fully shut throughout the night, while barking largely only occurs at when they are being

fed or exercised. This is supported by the findings of the noise study as well as through officers' visit to the site.

- 7.32 Officers have carefully considered the findings of this study and consider that the use of the site as kennels in itself is unlikely to give rise or has given rise to an unacceptable level of noise and disturbance that would result in substantiate grounds for refusing the application on these grounds. Officers also note that no noise abatement notice, or similar, has been served on the site since the commencement of the use in 2019. In the interest of ensuring noise levels stay within an acceptable range, officers have included a condition ensuring that the stipulations of the submitted noise management plan are obeyed throughout the lifetime of the development.
- 7.33 It should be noted that should issues arise with regard to noise, the Council would remain in a position to take action to both enforce the terms of the noise management plan as well as through separate regulatory bodies to ensure the use does not give rise to unacceptable nuisance.
- 7.34 Officers have had regard to the potential of the site to give rise to unacceptable odour which could impact the amenity of the surrounding uses. While it is noted that kennels do typically result in some odour impacts resulting from the keeping of so many dogs in close proximity as well as due to their waste, officers consider that this would be no worse than would be possible under the existing lawful use of the site as stables which is comparable in terms of potential odours. Furthermore, the Noise Management Plan includes odour mitigation measures, to minimise odour associated with the kennels.
- 7.35 Officers consider that the proposed development does not give rise to an unacceptable level of noise and disturbance and would therefore accord with Policies SS2 and BN9.

Highways

- 7.36 Policy SS2 of the South Northamptonshire Part 2 Local Plan 2011-2029 states planning permission will be approved where developments include a safe and suitable means of access for all people (including pedestrians, cyclists and those using vehicles). Developments must also take into account existing or planned social and transport infrastructure to ensure development is adequately served by public transport or is in reasonable proximity to a range of local facilities which can be reached without the need for private car journeys.
- 7.37 Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.38 Paragraph 116 of the NPPF states that planning decisions should ensure that appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location, safe and suitable access to the site can be achieved for all users, the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and that d) 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.
- 7.39 The proposed use does not include any alterations to the access to the site or car parking on the site which would remain unaltered. While it is noted that the number of animals on site has increased compared to the when the site lawfully operated as

stables, it is considered that this alone has not led to an increase in car journeys to the site which has placed undue pressure on the local highway network or any other severe impacts or highways safety concerns

- 7.40 The proposed development is therefore acceptable in terms of highways and Policy SS2.

Other Matters

- 7.41 Officers note that the application suggests that dogs are exercised across the wider racecourse site, including areas outside of the red line of the application site. Officers consider that this would not give rise to additional impacts on the character or appearance of the site or on neighbouring land uses, given the enormity of the site and the distance to neighbouring dwellings. Officers therefore consider that this does not need to form part of this application and the red line denoting the application site does not need to be extended to accommodate all areas where dogs may be exercised.

8 FINANCIAL CONSIDERATIONS

- 8.1 CIL is not liable. No financial contributions are being sought.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 Officers consider that the principle of development is supported in the policies of the local plan supporting a vibrant rural economy as well as those economic activities which may attract visitors to the area. This would all be while having an acceptable impact in terms of the visual amenity of the area and in terms of heritage assets. While officers note there are concerns with regard to noise and disturbance resulting from the proposed use, officers are satisfied that these have been robustly assessed by the applicant and by the Council's own technical specialists and are satisfied that the proposal would be acceptable in this regard. Finally, the proposed use would have no additional highways impacts compared to the lawful use. Overall, officers are satisfied that the scheme accords with the relevant national and local policies and guidance and should be approved.

10 RECOMMENDATION AND CONDITIONS

- 10.1 To grant permission subject to conditions as set out below with delegated authority to the Assistant Director for Planning to approve any amendments to those conditions as deemed necessary.

- 10.2 A full list of conditions is provided below:

CONDITIONS:-

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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.

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:

21.046 101b Site Plan & Site Location Plan
21.046 102d Existing Floor Plans
21.046 103a External Elevations
21.046 104c Internal Elevations

All received 22/05/23

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

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

3. The premises must be operated in accordance with the agreed Noise Management Plan December 2023 V3. Any amendments to the agreed Noise Management Plan must be approved by the Local Authority.

Reason: In the interest of safeguarding residential amenity with regard to noise in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014

4. Prior to the commencement of works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted to and gain the approval of the Local Planning Authority and thereafter carried out in accordance with the approved details.

Reason : To ensure the PROW would not be unacceptably impacted by the proposed development in accordance with Policy SS2 of the South Northamptonshire Local Plan Government guidance in Section 12 of the National Planning Policy Framework.

5. Within 6 months of this permission, additional drawings shall be submitted to and approved in writing by the Local Planning Authority showing permanent fencing enclosing the outdoor kennels and associated external areas. The approved fencing shall then be installed within 6 months of the drawings being approved

Reason : To ensure the character and appearance of the racecourse would not be unacceptably impacted by the proposed development in accordance with Policies SS2, HE5 and HE6 of the South Northamptonshire Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy 2014.

INFORMATIVES:-

1. No works affecting any existing public right of way may commence without the express written permission of the local highway authority's Rights of Way or Definitive Map Teams.
2. The developer is reminded to apply to the local planning authority for any proposed permanent diversion of a right of way under Section 257 of the Town and Country Planning act 1990 required to facilitate the development of WNS/2022/0829/MAF . The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.

