



South Northamptonshire Local Area Planning Committee

A meeting of the South Northamptonshire Local Area Planning Committee will be held at The Forum, Moat Lane, Towcester, NN12 6AD on Thursday 9 March 2023 at 2.15 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 - 12) To confirm the Minutes of the meeting of the Committee held on 9 February 2023.
4.	Chair's Announcements To receive communications from the Chair.
5.	Proposed Pre-Committee Site Visits Report of the Development Management Manager. This will be included with the written update published in advance of the meeting.

Planning Applications

6.	Westgate House Nursing Home, Eastcote Road, Gayton (Pages 15 - 40)
7.	Sands Farm, Watling Street, Pattishall (Pages 41 - 70)

8.	Urgent Business The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.
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Catherine Whitehead
Proper Officer
1 March 2023

South Northamptonshire Local Area Planning Committee Members:

Councillor Stephen Clarke (Chair)	Councillor Ken Pritchard (Vice-Chair)
Councillor Anthony S. Bagot-Webb	Councillor Dermot Bambridge
Councillor William Barter	Councillor Maggie Clubley
Councillor Karen Cooper	Councillor Alison Eastwood
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

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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 Northamptonshire Local Area Planning Committee

Minutes of a meeting of the South Northamptonshire Local Area Planning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Thursday 9 February 2023 at 2.15 pm.

Present:

Councillor Stephen Clarke (Chair)
Councillor Ken Pritchard (Vice-Chair)
Councillor Anthony S. Bagot-Webb
Councillor Dermot Bambridge
Councillor William Barter
Councillor Maggie Clubley
Councillor Karen Cooper
Councillor Alison Eastwood
Councillor Sue Sharps

Officers:

James Rodger, Development Management Manager
Forrest Childs, Planning Officer (For Minute Item 39)
James Paterson, Principal Planning Officer (For Minute Items 40, 41, 42 and 43)
Neil Weeks, Planning Solicitor
Richard Woods, Democratic Services Officer

36. Declarations of Interest

There were no declarations of interest.

37. Minutes

The minutes of the meeting of the Committee held on 12 January 2023 were agreed as a correct record and signed by the Chair.

38. 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. Members of the public were requested not to call out during the Committee's discussions on any item.

3. There were no planned fire drills so in the event of an alarm sounding, evacuation instructions would be given by officers.
4. That it be requested that any devices be switched off or onto silent mode.

39. **41 Meadow Lane, Little Houghton**

The Committee considered application WNS/2022/1415/FUL for a two storey rear extension and single storey front extension with roof lights in the front roof pane at 41 Meadow Lane, Little Houghton for Mr and Mrs Mark and Katie Goodwin.

A written statement from Little Houghton Parish Council, objecting to the proposed development, was read out to the Committee setting out the Parish Council's view that the height, scale, and design of the proposed development was inappropriate and out of character in relation to the existing street scene at Meadow Lane, and was contrary to the Little Houghton Conservation Appraisal and Management Plan.

Andrew Langley, a local resident, addressed the Committee in support of the application and expressed the view that the existing property was in need of refurbishment, and that the proposal represented a high quality design and therefore a significant visual improvement on the existing property.

Louise Jelley, the Agent for the Applicant, addressed the Committee in support of the application and reiterated the view that the existing property required modernisation in order to suit the requirements of the occupiers. The proposed development also represented an improvement in design quality over the existing development, accorded with planning policy and did not cause any unacceptable impact on the amenity of neighbouring properties.

It was proposed by Councillor Sue Sharps and seconded by Councillor Tony Bagot-Webb that application WNS/2022/1415/FUL be approved in accordance with the recommendation set out in the officer's report. The motion was put to the vote with six votes cast in favour of the proposal and three votes cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the officer's report and presentation, the addresses of the public speakers, and the written updates.

Resolved

- (1) That authority be delegated to the Head of Planning Delivery to grant permission to application WNS/2022/1415/FUL subject to the conditions set out in the case officer's report (and any amendments to those conditions as deemed necessary).

40. **Land Adjacent to Tesco, Old Tiffield Road, Towcester**

The Committee considered application WNS/2022/0731/MAF for the Erection of 14 no. employment units for a flexible range of employment uses (within Classes

E(g)(iii), B2 and / or B8) including ancillary offices, plus a freestanding pod unit (within Class E) together with new access road, landscaping, and associated works at Land Adjacent to Tesco, Old Tiffield Road, Towcester for IPIF LP c/o Legal & General Investment Management.

Alex Rogerson, the Agent for the Applicant, addressed the Committee in support of the application. David Holdaway, a Transport Consultant acting on behalf of the applicant, was also in attendance to answer questions from the Committee regarding the highways impact of the proposed development.

It was proposed by Councillor Ken Pritchard and seconded by Councillor Alison Eastwood that the application be deferred to a future meeting of the Committee subject to a representative from West Northamptonshire Council's Highways Team being available to answer questions from the Committee on the highways impact assessments and modelling that was undertaken in respect of the proposed development. In response to this proposal, officers explained that West Northamptonshire Council's Highways Team were consulted in full on the proposed development and raised no objections, therefore the proposal was subsequently withdrawn.

In response to questions from the Committee regarding the highways-related elements of the proposal, officers explained that the application site remained subject to the extant planning permission approved in November 2021 for a retail-based scheme on the site, which would likely generate significantly more vehicle movements than the proposed employment use scheme.

It was further proposed by Councillor Tony Bagot-Webb and seconded by Councillor Karen Cooper that the application be approved in accordance with the recommendation set out in the officer's report. The motion was put to the vote with nine votes cast in favour and none cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speaker, and the written updates.

Resolved

- (1) That authority be delegated to the Head of Planning Delivery to grant permission to application WNS/2022/0731/MAF 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 the provision of funds (£15,000) to support sustainable transport (and any amendments as deemed necessary).
 2. The conditions set out in the case officer's report (and any amendments to those conditions as deemed necessary).

41. Land South East of Brackley Road, Silverstone

The Committee considered application WNS/2022/1948/PIP which related to an application for permission in principle for the development of 3-5 houses at Land South East of Brackley Road, Silverstone for Fernhill Estates Ltd.

Councillor Dermot Bambridge, the local ward member for Silverstone, addressed the Committee and provided an overview of the local context behind the proposal.

In response to questions from the Committee regarding noise attenuation from Silverstone Circuit, the Development Management Manager advised that the furthest section of the development plot was 754m from the Circuit, therefore any planning permission should contain an additional informative that noise attenuation would need to be addressed via a technical matters application.

It was proposed by Councillor Dermot Bambridge and seconded by Councillor Tony Bagot-Webb that the application be refused in accordance with the officer's recommendation, subject to the addition of an informative that any future planning permission granted for this site shall contain an additional informative advising that noise attenuation relating to Silverstone Circuit would need to be addressed via a technical matters application. The motion was put to the vote with eight votes cast in favour, one abstention and no votes cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the officer's report and presentation, and the written updates.

Resolved

(1) That application WNS/2022/1948/PIP be refused for the following reason:

1. The proposed development is located in a Special Landscape Area and would be harmful to the character and appearance of that area. The fields between the built form of the village and the A43 serve as a buffer and form an important part of the rural setting of the village and thereby inform a significant part of its special character. The importance of these fields is clear in providing a distinct boundary to the village and preventing its abutting the A43 as well as providing part of the separation of the village from the Silverstone circuit. The development of this parcel of the existing field would disrupt the visual characteristics and fail to conserve the unique character and appearance of the Special Landscape Area as well the rural setting of Silverstone. The proposed development is therefore contrary to Policies NE2 and SS2(1a) of the South Northamptonshire Part 2 Local Plan as well as Policy R1(b) of the West Northamptonshire Joint Core Strategy.

(2) That authority be delegated to the Head of Planning Delivery to identify by means of an Informative that consideration of noise attenuation from nearby Silverstone Circuit would need to be addressed via a technical matters application in the event that planning permission is granted on this site in the future.

42. **Land North of 14 Longcroft Lane, Paulerspury**

The Committee considered application WNS/2022/1947/PIP which related to an application for permission in principle for the development of 2-4 houses at Land to the North of Longcroft Lane, Paulerspury for Fernhill Estates Ltd.

There were no public speakers on this item.

Members of the Committee commented on the current condition of Longcroft Lane, noting that this was a remote and narrow country lane with the potential for difficulties with access for both construction vehicles and future occupiers upon completion of the development.

In outlining the reasons for refusal, the case officer explained that proposed development was unacceptable due to the location of the proposal, and unacceptable in principle because it was contrary to the Development Plan with no material considerations indicating permission should be granted.

It was proposed by Councillor William Barter and seconded by Councillor Dermot Bambridge that the application be refused in accordance with the officer's recommendation. The motion was put to the vote with nine votes cast in favour and no votes cast against, therefore the motion was carried.

Resolved

(1) That application WNS/2022/1947/PIP be refused for the following reason:

1. As a result of its location, the proposed development would give rise to unacceptable impacts on highway safety on Longcroft Lane, due to the potential for the development to intensify the use of this lane, which is very narrow with poor visibility and no passing points. The proposals would cause an intensification of use of an un-signposted substandard access onto a main Trunk Road to the detriment of highway safety. Furthermore, the residual cumulative impacts on the road network as a result of the development would be severe. In addition vehicles could come into conflict with pedestrians attempting to use the public right of way (RU21) which opens out onto the lane and from which there is poor visibility, this would be to the detriment of pedestrian safety. Officers consider that these issues cannot be readily addressed by the submission of additional technical information. The proposed development is therefore contrary to Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy C2 of the West Northamptonshire Joint Core Strategy as well as paragraph 109 of the NPPF.

43. **Land to the North and East of Little Houghton CE Primary School, South of Home Acre and West of Bedford Road, Little Houghton**

The Committee considered application WNS/2022/1396/MAR for outstanding reserved matters (Appearance, Layout, Scale and Landscaping) for new bus pick-up/drop-off and turning area with additional vehicle parking and highways access for Little Houghton CEVA Primary School, plus the erection of 22 Dwellings pursuant to Outline Planning Permission S/2019/1391/MAO. (amended plans) at Land to the North and East of Little Houghton CE Primary School, South of Home Acre and West of Bedford Road, Little Houghton.

Paul Johnson, the Agent for the Applicant, addressed the Committee in support of the application and provided an overview of the reserved matters in the context of the outline planning permission pursuant to S/2019/1391/MAO.

It was proposed by Councillor Alison Eastwood and seconded by Councillor Karen Cooper that the application be approved in accordance with the recommendation set out in the officer's report. The motion was put to the vote with nine votes cast in favour and none cast against, therefore the motion was carried.

In reaching its decision, the Committee considered the officer's report and presentation, the address of the public speaker, and the written updates.

Resolved

- (1) That authority be delegated to the Head of Planning Delivery to grant permission to application WNS/2022/1396/MAR subject to the conditions set out in the case officer's report (and any amendments to those conditions as deemed necessary).

44. **Urgent Business**

The Development Management Manager submitted a report which recommended that the Committee agree to hold pre-Committee site visits for the following applications. It was anticipated that these applications would be brought before the Committee for determination at its next meeting.

Application No: **WNS/2022/2294/MAF**

Proposal Erection of 66-bed care home for elderly people with associated access, car parking and landscaping.

Location Towcester Road, Greens Norton, NN12 8BL

Reason To enable the relationship of the development to the village to be assessed. To consider, in site context, the design merits of the proposals, and to consider highway impacts.

Application No: **WNS/2022/2384/MAF**

Proposal Development of up to 24 First Homes

Location	Land East of Northampton Road, Roade
Reason	To enable the relationship of the development to the village to be assessed.
Application No:	WNS/2022/2442/FUL
Proposal	Retrospective change of use from residential care home (C2) to large HMO/Hostel Accommodation (Sui-Generis)
Location	Westgate House Nursing Home, Eastcote Road, Gayton
Reason	To enable the relationship of the development to the village to be assessed. To enable consideration of site specific factors which may have a bearing on the appropriateness of the development site for the use proposed.

It was proposed by Councillor Dermot Bambridge and seconded by Councillor Karen Cooper that the proposed pre-Committee site visits be approved, subject to the addition of a site visit to Westgate House Nursing Home, Eastcote Road, Gayton for the proposed change of use from residential care home (C2) to large HMO/hostel accommodation (sui-generis). The motion was put to the vote with nine votes cast in favour of the proposal and none against, therefore the motion was carried.

Resolved

(1) That the proposed pre-committee site visits be approved.

The meeting closed at 5.14 pm

Chair: _____

Date: _____

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West Northamptonshire Council
 South Northamptonshire Local Area Planning Committee
 Thursday 9 March 2023

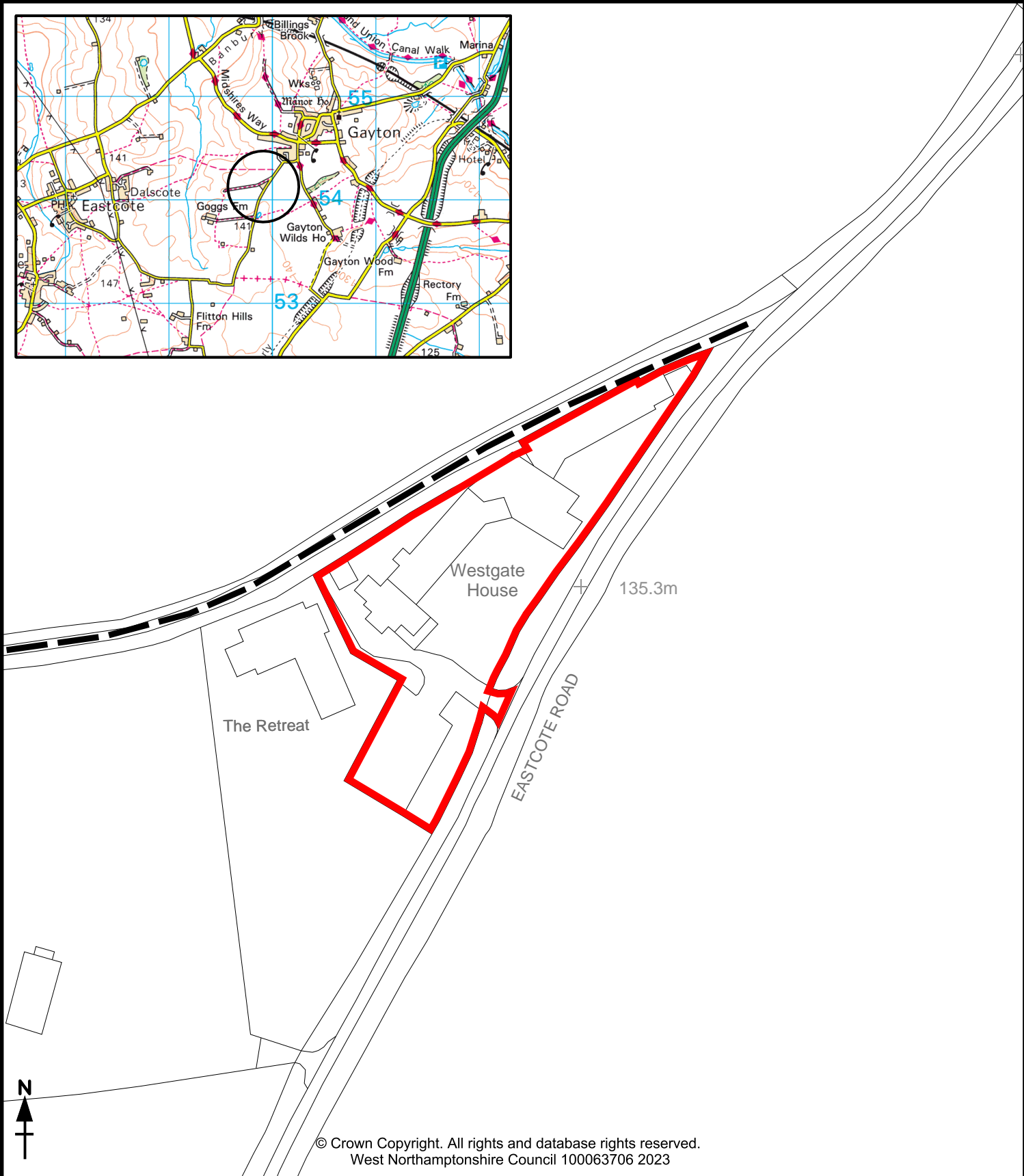
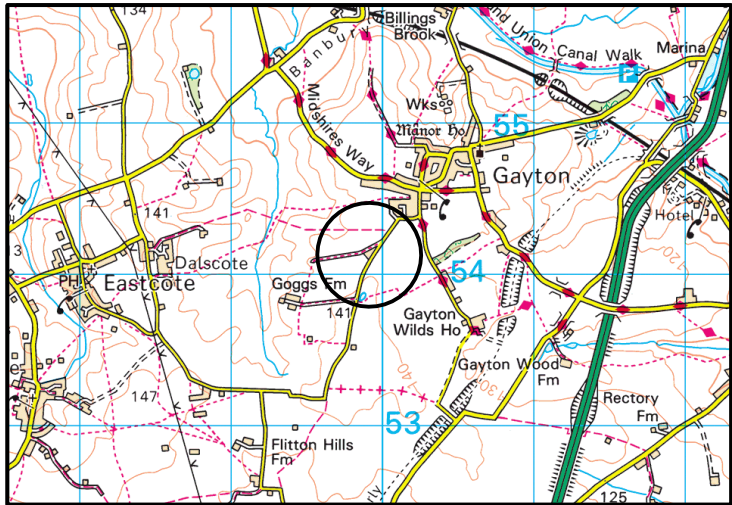
Agenda Item	Ward	Application Number	Location	Officer Recommendation	Case Officer
6	Bugbrooke	WNS/2022/2442/FUL	Westgate House Nursing Home, Eastcote Road, Gayton	Refuse Permission	James Paterson
7	Bugbrooke	WNS/2022/1685/FUL	Sands Farm, Watling Street, Pattishall	*Grant Permission	James Paterson

*Subject to conditions

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Application Number: WNS/2022/2442/FUL

Parish: Gayton CP



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West Northamptonshire Council 100063706 2023

Town/Village: Gayton

 Site

Site Area: 5.611 Ha

 Public Right of Way

Grid Location: SP6717050116

Map Scale: 1:1250

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Application Number: WNS/2022/2442/FUL

Parish: Gayton



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Map Scale: 1:1250

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 Site

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Application Number: WNS/2022/2442/FUL

Location: Westgate House Nursing Home, Eastcote Road, Gayton, NN7 3HQ

Proposal: Retrospective change of use from residential care home (C2) to large HMO/Hostel Accommodation (Sui-Generis)

Applicant: Midland Livings CIC

Agent: MSC Planning Associates Ltd

Case Officer: James Paterson

Ward: Bugbrooke

Reason for Referral: Called-in by Karen Councillor Cooper due to concerns that Gayton is too small and with inadequate infrastructure, including a lack of public transport links, services and facilities, to support the proposed development. The application was also called-in on the basis of concerns with regard to highways safety.

Committee Date: 09/03/2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: REFUSE PERMISSION

Proposal

This application seeks planning permission to change the use of Westgate House, a former nursing home (Use Class C2), into a large House in Multiple Occupation (HMO)/Hostel use (Use Class Sui Generis). While not referenced in the application form, the submitted planning statement makes clear that this use would specifically be for the housing of refugees and asylum seekers whilst their cases are being processed by the Home Office. This application is solely for a change of use with no other building works being proposed.

This application is retrospective since the building is already in use as a large HMO by a number of occupants as their primary residence, although officers are of the understanding that the occupants are not asylum seekers or refugees. This use commenced unlawfully in November 2022 and this application to regularise this breach of planning control came about as a result of a planning enforcement investigation.

Consultations

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

- WNC Highways, WNC Planning Policy, Gayton Parish Council, Crime Prevention Officer, WNC Commissioning and Quality Outcomes Manager - Older Persons Residential and Nursing Homes, WNC Community Safety and Engagement team, NHS Northants Integrated Care Board.

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

- WNC Private Sector Housing, WNC Environmental Protection,

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

- WNC Economic Development

146 letters of objection have been received and 2 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
- Loss of a Care Home
- Visual Appearance of the Site
- Neighbouring Amenity
- Highway

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons:

Principle

1. The proposed development would be isolated in the open countryside with the nearest settlement being a small village with inadequate services and facilities to accommodate the proposed use. The proposed use would also not meet the definition of the housing types that can be acceptable outside of settlement confines, as per the policies of the South Northamptonshire Part 2 Local Plan, while also failing to satisfy the circumstances in which isolated homes in the countryside would be acceptable, as per paragraph 80 of the NPPF. The operation of the proposed use would also be incompatible with the character of the nearby village of Gayton. The proposed development would therefore not be sustainably located and would be contrary to Policies SA, S1, S10 and R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) and Policies SS1 and SS2 of the South Northamptonshire Part 2 Local Plan as well as paragraph 80 of the NPPF.

Loss of a Care Home

2. The proposed development would result in the loss of an existing care home to other uses. The proposal is therefore contrary to the aims of the South Northamptonshire Part 2 Local Plan which identifies a need for additional residential and nursing care facilities and is specifically contrary to the aims of Policy LH7 which addresses this unmet need by supporting the provision of new residential and nursing care on suitable sites. The application also fails to clearly justify this loss by setting out mitigating material planning circumstances which would outweigh LH7, such as viability information. The proposed development also fails the tests set out in paragraph 78 of the NPPF since the proposal would fail to respond to local circumstances and provide housing that reflect local needs. The proposal is therefore contrary to Policy LH7 of the South Northamptonshire Part 2 Local Plan and paragraph 78 of the NPPF.

Highways Impacts

3. The proposed development would be unsustainably located and would not provide adequate public transport access to future occupants of the development. The proposed development result in an increase of vehicle movements on the local highway network which comprises of roads that are narrow and unlit and are therefore unsuitable to manage an increased level of traffic. The application site can also be accessed by a 60mph single lane unlit country road with no footpath which would pose an unacceptable risk to potential occupants. The proposed development is therefore contrary to Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy C2 of the West Northamptonshire Joint Core Strategy as well as paragraphs 111 and 112 of the NPPF.

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises of the Westgate House Nursing Home. The operation of the site as a nursing home (Use Class C2) had been continuous since the original planning application to change the use of the original dwelling on the site to a nursing home in 1985 until the use of the site as a nursing home ceased at the beginning of 2022, following inspections by the Care Quality Commission. The nursing home has been subject to various extensions and alteration over the course of the previous decades. The use of the site as a large HMO/Hostel (Use Class Sui Generis) has already unlawfully commenced with occupants moving into Westgate House as their primary residence in November 2022.
- 1.2 The site itself is located approximately 250m to the south-west of Gayton, which is a small village as defined in Policy SS1. Gayton is a very modest settlement with approximately 400 residents; the village contains no public transport connections and no shops, although it does contain a small primary school. In the immediate environs of the site are agricultural fields which lie to the west, north and east as well as a single detached dwellinghouse which is contiguous with the southern boundary of the site. The site is accessed via Eastcote Road which is a single lane track that connects Gayton with Eastcote and Ascote. This road does not include any artificial lighting or pedestrian footpath. A Public Right of Way runs along the northern boundary of the site.
- 1.3 The nursing home itself is formed of a long building which runs along the western boundary of the site on a north-south axis. The care home includes several kitchens, common halls, communal gardens, administrative spaces as well as 44 en-suite bedrooms. These are spread throughout the care home although the principal communal area and largest kitchens are concentrated at the southern end of the care home. Westgate House is constructed of red bricks although much of the building is finished in white render; the pitched roofs are finished in red tiles. The entire site is bounded by mature hedgerows on all sides, although there are gaps in the hedgerows on the eastern boundary to accommodate the main entrance to the site and a secondary entrance.

2. CONSTRAINTS

- 2.1. The application site is within an area of medium risk for surface water flooding and is within 2km of Local Wildlife Sites. The site is outside of any defined settlement boundary and lies within the open countryside.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposed development is for the change of use of the former 44 bed nursing home (Use Class C2) to a large HMO/Hostel use (Use Class Sui Generis). This use would specifically be for the housing of asylum seekers and refugees on behalf of the Home Office while their applications are processed and their cases reviewed. No physical alterations to the building or other building operations which would constitute development are proposed.
- 3.2. This application is retrospective since the building is already in use as a large HMO by a number of occupants as their primary residence, although officers are of the understanding that the current occupants are not asylum seekers or refugees. This use commenced unlawfully in November 2022 and this application to regularise the use came about as a result of a planning enforcement investigation.
- 3.3. The applicant has submitted an addendum to their planning statement which outlines how it is expected that the proposed use would operate in practice. The applicant states that the occupants would solely be transitory in nature and would typically only reside on the site for between two and three weeks. The applicant has also suggested that many of the applicants would not speak English and would likely not leave the site.
- 3.4. The applicant has stated that the occupants would have no income and would be dependant on the services offered on-site; these on-site services would include meals, medical care and recreation. Officers are of the understanding that one occupant would be residing in each bedroom, each of which is served by an ensuite bathroom. The kitchens on the site would not be used for primary cooking as meals would be delivered from an external supplier.
- 3.5. Little information has been provided with regard to predicted transport implications. However, the applicant has suggested that only between two and four deliveries would be required per week for food. No other information as to how the day-to-day operation of the proposed use would impact the local highway network has been provided.
- 3.6. Although not specified in the application form, which only mentions applying for permission for a large HMO/hostel use, this application has been determined on the basis that the proposed use is specifically for the housing of asylum seekers and refugees and had this recommendation been to approve, officers would have recommended conditions limiting the operation of the site to these purposes. Therefore, this assessment has not considered the application on the basis that it would provide accommodation for any other purposes.
- 3.7. While officers have formed a view on the application on the basis of the submitted planning statement, consideration has been given to the fact that the Council would likely have difficulty in managing aspects of the operation of the proposed HMO/hostel, including occupancy rates, deliveries to the site and whether occupants would be restricted to single occupants or would include families with children, even if planning conditions were included. The applicant has made various statements regarding how long it thinks persons would remain on site and that they would not leave the site, it should be noted that WNC Council has direct experience of other such facilities and the applicants statements do not at all reflect the Councils experience of such facilities

elsewhere in WNC. In any case the applicant cannot prevent persons remaining on site more than 2-3 weeks (given their length of residence is affected by factors outside of the applicants control), in effect it is considered that any planning conditions seeking to control such matters would not be enforceable or meet the relevant legal tests that apply to planning conditions.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
S/2011/0493/FUL	Two first floor extensions to front to create two additional bedrooms. Dormer window to side elevation to replace existing rooflights (part retrospective)	Approval
S/2009/0702/FUL	New dormer window in front elevation	Approval
S/2001/0102/P	Single Storey Extensions To Rear	Approval
S/2001/0101/P	Detached Dwelling And Garaging	Approval
S/1996/0298/P	Single Storey Side Extension To Form Residents Lounge	Approval
S/1990/1375/P	Single And Two Storey Extension To Provide Recreation Area And Annex	Approval
S/1988/1269/P	Single Storey Extension And Detached Building Comprising Lounge Games Room, Office& Additional Bedrooms	Approval
S/1987/1046/P	Relaxation Of Condition 3 Attached To Sn85/411p To Allow Property To Be Used As Nursing Home For Elderly People	Approval
S/1985/1032/P	Extension to existing residential care home for the elderly	Approval
S/1985/0411/P	Change of use from private dwelling to residential care home for the elderly.	Approval

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, 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)

5.3. The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- C2 – New Developments
- H5 – Managing the Existing Housing Stock
- R1 – Spatial Strategy for the Rural Areas
- R2 - Rural Economy

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 - The Settlement Hierarchy
- SS2 - General Development and Design Principles
- LH1 - Residential Development Inside and Outside Settlement Confines
- LH7 - Residential/Nursing Care

Material Considerations

5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website, via the online Planning Register. It should also be noted that officers had meetings with a number of Council officers with direct experience of the operation of multiple other Government Asylum Contingency accommodation, including hotel sites in West Northamptonshire.

Consultee Name	Position	Comment
WNC Highways	Object	<p>“The LHA object to the above application as the site is situated in a remote unsustainable location in respect of transport, there are no buses serving the site and it is highly unlikely the occupiers will have access to even push bikes as a means of transport.</p> <p>The site is situated on a 60mph section of Eastcote Road with no connecting footpaths or lighting until you reach the outskirts of Gayton Village; the LHA would consider this a risk to the occupants who will be unfamiliar with the lay of the land and potential hazards.</p> <p>Although provision has been made to ensure occupants have food and toiletries delivered to the site; the proposed occupants are a different demographic to the Nursing Home residents and will require access to amenities and off-site facilities.</p> <p>The LHA object on highway safety grounds”</p>

WNC Planning Policy	Object	<p>“Loss of C2 use</p> <p>SNP2LP identifies a need for additional residential and nursing care facilities, based on the Study of Housing and Support Needs of Older People across Northamptonshire (March 2017). Policy LH7 supports the provision of new residential and nursing care on suitable sites. However, there is no policy within the local plan which precludes the loss of such facilities. The Planning Statement states that the care home is no longer in operational use, but there is no detail regarding when, or why, the use ceased. I am aware of the comments from the Council’s Commissioning and Quality Outcomes Manager for Older Persons Residential and Nursing Homes, who has confirmed there is a lack of nursing beds within West Northamptonshire and her opinion that the building itself could be used with little investment needed to reopen as a nursing home. Retaining the property within the C2 use class would provide the potential for it to re-open as a care home and make a positive contribution to meeting the identified needs for residential and nursing care facilities.</p> <p>Proposed HMO use</p> <p>WNJCS Policy H5 allows HMOs where they would not adversely affect the character and amenity of existing residential areas. This application site is not within an existing residential area (save for the single neighbouring house) and the policy is primarily concerned with safeguarding the existing housing stock and so is not directly applicable to this proposal. There is no specific policy in the part 2 local plan regarding HMOs, so it is recommended that the proposal is assessed against policy SS1 ‘The Settlement Hierarchy’ and the general development and design principles set out in policy SS2 of the SNP2LP.</p> <p>Policy SS1 directs new development to the most sustainable locations in accordance with the District’s settlement hierarchy. As noted above, the application site is not within any of the District’s defined settlements; it is located some 300m from the confines of Gayton, defined as a ‘Small Village’. SS1 states: “New development should be within the settlement boundaries of these settlements in accordance with their scale, role and function unless otherwise indicated in the local plan”. The local plan does support the delivery of housing beyond settlement confines where it would comply with relevant housing policies. For Small Villages, the plan makes provision for Starter homes outside settlement confines (policy LH2), Entry level and single plot exception sites (policy LH3) and Self and custom build homes (policy LH5). The proposed HMO/Hostel</p>
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		<p>does not constitute any of these housing types. I note that the proposed HMO use would also not appear to meet the definition of 'specialist housing' set out in paragraphs 4.7.7 and 4.7.8 and policy LH6 of the SNP2LP.</p> <p>Policy SS1 follows the principles of the settlement hierarchy in WNJCS policy R1. R1 also requires development to be located within defined settlement confines; but does permit development outside of confines where it involves the reuse of buildings. Consideration should also be given to WNJCS policy S1 which gives priority "...to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations...". Whilst the proposal would make use of a vacant building, it would not appear to be in a sustainable location given it is located in open countryside (SNP2LP policy SS1).</p> <p>Policy SS2 sets a number of principles that the proposal should be tested against. Should the proposals contravene any of the relevant criteria, the policy states that the application should be refused, unless outweighed by other material considerations. I trust that the above is of assistance. Should you require any"</p>
<p>NHS Northants Integrated Care Board</p>	<p>Object</p>	<p>Officer summary of comments: The Westgate is in a very rural location with limited transport links, requiring taxis to access health care, entertainment and the basic facilities required such as shops and pharmacies. Reference given to a similar site covered by the ICB which shares similar rural challenges, that at that site they have seen in excess of 30 appointments missed due to taxis over the course of 3 months. The lack of transport or suitable footpaths poses a further challenge for the collection of medications. While service users are entitled to free prescriptions, certain over the counter medications such as paracetamol and antihistamines are not routinely prescribed and should be accessed through a local pharmacy. The new proposed facility does not have a pharmacy within walking distance. Service users in contingency accommodation require wrap around healthcare from the local health system, particularly including primary care services. The addition of up to 44 patients will impact the demand for primary care services in the area. Across primary care, practices are already seeing increased demand, and this is a sign of the challenging winter we are in the middle of. The Westgate falls within catchment for 4 GP practices, one of which is supporting another contingency hotel. All of the catchment practices are currently significantly under the NHS Space Standard without the additional</p>

		<p>service users who are planned. There is a requirement for the catchment practices to register all service users residing within the contingency accommodation and treat their primary health needs.</p>
<p>Gayton Parish Council</p>	<p>Object</p>	<p>“Gayton Parish Council wish to register our opposition to the proposed change of use of Westgate House Residential Care Home to a House in Multiple Occupancy comprising 44 “bed-sit” style units to house refugees and asylum seekers. The contract between the Home Office and Serco (the service provider) clearly states that:</p> <p>“The contracts also require accommodation providers to develop and maintain close working relationships with local authorities, and include the need to consult and liaise with them on the location of properties in the area.” In the case of Gayton Parish Council this has not happened. Midland Living CIC have had no contact with Gayton PC in respect of their plans for an HMO or for the housing of refugees. Gayton residents need and deserve more detail of the practicalities of how the hostel will be managed and the needs of its residents met. Also, to allay the fears of the local community, we need to know that there will be adequate leisure activities to prevent anti-social behaviour?</p> <p>We have been informed that this is intended to be short-term use for the period of the refugee crisis and are concerned that the premises will revert to being an open-market rental HMO after the Home Office contract period expires. If that is the case, then we have the following concerns:</p> <p>Gayton is a “non-sustainable village”; it has no shops, no post office, doctor’s surgery, pharmacy or other amenities and has no bus service. Therefore, should occupancy of 44 units (some of them double rooms) take place, we must assume that the tenants will have independent means of transport. The site has no link to the village other than along Eastcote Road, a narrow single-track road with no footpath or street lighting. There could be at least forty-four vehicles accessing Westgate House and travelling along Eastcote Road and in the village of Gayton itself. There is only sufficient parking space on site for approx. 20 cars (although the Applicant claims 30). These roads are already under pressure from vehicle movements.</p> <p>We also believe that the sewerage system in the village will not be able cope with the extra load created by this development. There are historical instances (2013) when the pumping station at Westgate House was found to be the cause of hydrogen sulphide gas egress from the sewers</p>

		<p>through the village.</p> <p>We would also question how the “HMO/Hostel” is to be managed. The Applicant states that 7.5 full-time equivalent posts will be created by this development. They have indicated that a Warden will be on site 24 hours per day; this would represent, at most, 3 FTEs and the remaining 4.5 FTEs would presumably be ancillary staff. The Economic Development Officer’s report claims this would create employment opportunities benefitting the local community. We feel that it is unlikely that these posts would be filled by local residents and therefore bring no advantage in this respect.</p> <p>We would assume the owners, Midlands Living CIC of Birmingham, have no association with Gayton and will only be concerned with a return on their investment.</p> <p>In addition to the points above, this application appears to go against Policy H5 requirements in that it would adversely affect the character and amenity of the local residential area.</p> <p>Gayton Parish Council also note that there is considerable concern within the village that such an influx of new residents, with little by way of leisure facilities, could lead to anti-social behaviour in this quiet village.</p> <p>Gayton Parish Council strongly recommend that Westgate House should not be granted permission to operate as an HMO.”</p>
WNC Private Sector Housing	No Objection	<p>“The applicant should be advised that the premises will require licensing under the mandatory licensing scheme (Housing Act 2004); the HMO would be required to meet the standards of a licensable HMO and would be subject to HMO Management regulations.”</p> <p>The Private Sector Housing Team then assesses the suitability of the building for a HMO licence, which is a different regulatory process from the planning system; in summary suggest the building could accord with the requirements of a licence, subject to additional information being provided.</p>
WNC Environmental Protection	No Objection	<p>The Environmental Protection Team raised no objection and suggested a number of conditions were officers minded to recommend approval.</p>
WNC Community Safety and Engagement team,	Objection	<p>Officer summary of comments: The local services are already under pressure across West Northamptonshire, including: - The primary care networks, one is already looking after the GP practices that cover two of the existing hotels, - In addition, increased pressure on mental health</p>

		<p>services will materialise, - Capacity issues in local schools, - Additional strain on adult social care. This is an extremely rural location, meaning that residents of this property would be isolated and unable to travel safely to any facilities or amenities, connectivity is a real concern. There is no bus route serving the village, where there are no facilities – no shops, no pharmacy. The existing population of the village is very small, around 500. The Local Authority receives no funding whatsoever for supporting this type of accommodation, the residents, or the local community. Dropping contingency accommodation into locations like this one is not beneficial to any party and just creates added strain and pressure on everyone, not least, on the residents themselves.</p>
<p>Crime Prevention Officer</p>	<p>Objection</p>	<p>Crime Prevention Officer objects for the reasons below:</p> <p>“The change of use from an old person’s home to a hostel for asylum seekers will have the following effects:</p> <ul style="list-style-type: none"> - Increase in demand on policing resources caused by local community tensions towards the use of the site. The increase in tension is already apparent even at this early stage of the process to set up the placement. This will only increase if the site was to be progress and be put into use as evidenced by the challenges around the other asylum hotels already in place across the same policing area. Even though the others sites have been up and running for a number of months we are still seeing community cohesion challenges which places a demand on the local policing provision to help manage to reduce tensions and chances of offences being committed. The capacity of the assigned policing resources for the area to absorb this increase in demand is not present and there isn’t the space capacity elsewhere to draw on extra resources to plug the gap. - Increase in anti-social Behaviour linked to the site. From comparing this proposal to similar sites the Police can expect to receive additional reports of anti-social behaviour linked to the asylum centres. In the main this is from local residents reporting concerns about the asylum centre residents gathering in numbers in local parks and also the behaviour displayed by the service users while in these areas which includes the taking of pictures of women and children, comments over the type of clothes being worn and the general use of abusive language towards local residents. The increase in demand has to be managed promptly so as not to cause further unrest from the established local community. The current policing provision for the area would not be

		<p>able to manage the increase in demand in such a way that would provide reassurance to residents and prevent a further increase in community tension. Asylum centres with on site provisions to entertain the residents to there is little reason for them to spend large amounts of the days off site significantly reduce the instances of conflict taking place between local residents and the service users.</p> <p>- Risk to service users safety on the unlit rural roads. The proposed site is very rural with poor road links to large local infrastructure. If service users wish to travel away from the site and transport isn't provided they will be forced to walk along single carriageway country roads putting them at risk of being injured. Providing transport for service users away from the site should be mandatory.”</p>
Council's Commissioning and Quality Outcomes Manager for Older Persons Residential and Nursing Homes	Comment	Has confirmed there is a lack of nursing beds within West Northamptonshire and that the building itself could be used with little investment needed to reopen as a nursing home. Retaining the property within the C2 use class would provide the potential for it to reopen as a care home and make a positive contribution to meeting the identified needs for residential and nursing care facilities.
WNC Economic Development	Support	“Having review this application solely from an economic growth perspective, I can confirm that I support this proposal on the basis that it utilises non-residential floorspace and creates employment opportunities, thereby benefitting the local economy.”

7. RESPONSE TO PUBLICITY

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

7.1. There have been 146 letters of objections and 2 letters of support raising the following comments:

Objections

- Transport issues
- Strain on local infrastructure
- Anti-social behaviour
- Lack of footpaths
- Parking issues
- Potential to be used to house asylum seekers
- Not in keeping with the area
- Money making scheme – (Not a material planning consideration)
- Inadequate living conditions
- Increased risk to Public safety
- Anti-social behaviour
- Ecology issues

- Job losses and rise in unemployment
- Drainage issues
- Amenity concerns
- Highway safety
- Lack of local infrastructure to accommodate an increase in people
- Strain on policing.
- Application is not in accordance with national and local policies.
- There is no information of the demographic of person that will be using the hostel for accommodation
- The owners of the property have allowed the property to be used already breaching the planning regulations and have showed little regard to the due process
- Impact on local schools
- The application is misleading and contrary
- The application will be enforceable
- There was also a comment criticising public consultation

Support

- Potential to do good for the community
- Potential to create jobs

8. APPRAISAL

Principle of Development

Policy Context

- 8.1. 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.
- 8.2. Policy S10 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) requires development to be located where services and facilities can be easily accessed by walking, cycling or public transport.
- 8.3. 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.
- 8.4. 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

- 8.5. 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.
- 8.6. 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. This includes ensuring developments are designed to provide an accessible, safe and inclusive environment which maximises opportunities to increase personal safety and security through preventative or mitigation measures.
- 8.7. Paragraph 80 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the circumstances it sets out would apply. This includes if the development would re-use redundant or disused buildings and enhance its immediate setting and that the design would be of exceptional quality, in that it is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.
- 8.8. It should be noted that officers have not tested the proposed development against Policy H5 of the West Northamptonshire Joint Core Strategy Local Plan which would only allow HMOs where they would not adversely affect the character and amenity of existing residential areas. Having carefully considered the wording of the policy and the consultation response received from the WNC Planning Policy Team, officers consider that this policy relates to existing residential area whereas this site is located in the open countryside. The objective of the policy is to manage the density of HMOs in residential areas in order to ensure that there is not an overconcentration of HMOs in neighbourhoods due to a loss of C3 dwellings to C4 or Sui Generis HMOs. Officers consider that this does not directly apply to this development proposal and have therefore not tested the development against this planning policy.

Settlement Hierarchy

- 8.9. While the proposal lies 250m to the south of Gayton, the application site falls within an area of open countryside as it does not fall within the defined settlement boundary of any town or village in the district. Officers note that Gayton is a Category D 'Small Village', as defined by Policy SS1 of the South Northamptonshire Part 2 Local Plan 2011-2029. This indicates that Gayton is a very modest village with an extremely limited range of services and is more reliant on the services offered by larger centres for even the day-to-day needs of its inhabitants. Officers therefore note that the site, which is outside of even this remote village, is therefore very isolated.
- 8.10. Officers note that the aim of the development plan is to direct new development, particularly residential development, to established settlements in order to ensure that development is sustainably located with employment opportunities, facilities, services and sustainable transport being readily accessible. The location of the site in an isolated area of open countryside is clearly contrary to these aims.
- 8.11. Officers note that the type of housing being proposed does not meet the exceptions where housing can be supported by the local plan in the open countryside. These include starter homes, single dwelling exception sites and self-build dwellings, as per Policies

LH2, LH3 and LH5 respectively. The proposed use would also clearly not meet the definition of 'specialist housing' as set out in paragraphs 4.7.7 and 4.7.8 of the accompanying text to Policy LH6. There is therefore no case for allowing the proposed use on the basis of it complying with an identified type of housing for which there is an exception to the defined settlement hierarchy.

- 8.12. Officers have had regard to the fact that this is a brownfield site which currently houses a care home and have considered whether allowing a change of use to an isolated residential use would accord with paragraph 80 of the NPPF and aspects of Policy S1 and R1 which allow for the re-use of existing buildings in open countryside. While the proposal would re-use a building which is currently disused, it is considered that the proposal would not result in a development that would enhance its immediate setting and would reflect the highest quality of design since no physical alterations are proposed, while the use of the site would introduce an uncharacteristic/alien use to the area which is contrary to good design principles. Furthermore, the existing building cannot be considered disused since the time between the cessation of the operation of a care home on the site and the acquisition of the site by the applicant was not significant and it is unclear on what basis the site was marketed and what efforts were made to retain the care home use of the site. It should be noted that the Council's Commissioning and Quality Outcomes Manager for Older Persons Residential and Nursing Homes has commented that in her opinion the building itself could be used with little investment needed to reopen as a nursing home.
- 8.13. Officers also do not consider that the development would be sensitive to the defining characteristics of the local area given that it would be introducing an alien and inappropriate use to the peripheries of a quiet rural village. The proposal would therefore be contrary to the criteria of paragraph 80 of the NPPF. In considering R1 and S1 officers note that whilst the proposal would make use of a vacant building, it would not be in a sustainable location given it is located in open countryside and the proposal would therefore also be contrary to these policies.
- 8.14. Turning to the capacity of Gayton to accommodate the proposed use, officers note that the village does not contain any form of shop where a range of everyday goods are available for purchase, does not contain any form of medical services and contains no public transport links, including no bus stops. Any such facilities can only be accessed in larger villages or Towcester via car. Furthermore, officers note that no leisure facilities are available in Gayton. These considerations reinforce the notion that a site which is outside of even this isolated village is not an appropriate location for a large-scale residential use of this nature which would house a large number of vulnerable residents. While Gayton does have a primary school, officers have had regard to concerns raised during the public consultation as to the capacity of the school to accommodate additional students that may be housed at Westgate House – although a response was sought from the school, no comment has been forthcoming. Notwithstanding this, it is considered that the presence of a primary school in Gayton does not indicate that it is a suitable location for the proposed use.

Need for the Proposed Type of Housing

- 8.15. The submitted planning statement touches on the need for this type of housing by the home office to accommodate a high number of refugees and asylum seekers that are currently being processed by the home office. This is evident in the number of hotels and other forms of short-stay accommodation that have been contracted by the Home Office, through SERCO, to house refugees and asylum seekers throughout the region. Therefore, some weight has been afforded to this consideration. However, this weight is limited since this claim has not been substantiated through the submission of technical information or data and it would not outweigh the clear harm that would arise as a result

of the proposed use, which could readily be provided in a more appropriate and sustainable location.

Economy

- 8.16. Officers have had regard to the arguments of the applicant, alongside the comments of the Council's own Economic Development Team, that the proposed development would support jobs and thereby the local economy. While the Council is supportive of innovation and economic development that supports the rural economy in the district, this is only where development is appropriate for its location which is clearly not the case here. Furthermore, the economic benefits of the proposed use have not been clearly set out as part of this application, particularly in relation as to how they compare with the previous use on the site. Therefore, officers have only afforded limited weight to this consideration and do not consider that it outweighs the conflicts with the development plan.

Operation of the Site

- 8.17. Officers note the contents of the planning statement which suggests that all the dietary needs, toiletries, medical requirements and recreation for the occupants would be provided by the applicant on site and therefore future occupants would not need to leave Westgate House for any reason. The addendum to the planning statement also suggests that: "many of the occupants will have little or no ability to speak English, which will naturally deter them from interacting with the local residents and focus reliance on the specialist SERCO and Midlands Living staff on site". This alleged reliance on services on-site raises questions as to the significance of the isolation of the application site. However, notwithstanding traffic issues which are addressed in a subsequent part of this report, officers do not accept this argument in favour of allowing this use in an isolated location. Firstly, it is noted that occupants would not be confined to the site and would be free to come and go as they see fit. It is doubtful as to whether occupants would be comfortable being confined to a single building on a modest site for weeks at a time; officers therefore consider that it is reasonable to expect that occupants would desire to leave the site and access amenities and services as any resident would. Secondly, following discussions with the NHS Integrated Care Board, officers are aware that anyone residing in the United Kingdom, citizen or no, has the right to access a General Practitioner. Whether or not medical care is provided on site, officers have had regard to this right as well as the fact that occupants may well have specific medical needs which cannot reasonably be managed by staff at Westgate House and will require a greater level of care off-site. Furthermore, officers do not consider that the argument that the language barrier would lead occupants to be deterred from integrating with the wider community and stands to scrutiny. In summary, officers do not consider that the provision of a degree of the day-to-day needs of the occupants on-site would negate the fact that the proposed development would be poorly located.

Expected Occupants

- 8.18. Officers have also had regard to the living conditions of potential occupants of the proposed development. While officers are satisfied that the many of the facilities and amenities on-site would be adequate, subject to additional details being provided as per the comments from the Private Sector Housing Team, officers have concerns with regard to the living conditions of occupants as a result of their isolation. Given that occupants are likely to be vulnerable, officers consider that housing the occupants in such isolated circumstances would likely be detrimental to their health and consider that a more sustainably located site would be more suitable to meet their needs.

- 8.19. While the submitted planning statement suggests that occupants would only be on site for 1-2 weeks while their applications are processed, officers are aware of the actual operation of other such sites and therefore consider that this presumption is not realistic. Notwithstanding this, it is accepted that the occupants would be transitory in nature. This would be contrary to the character of Gayton which comprises of residents for whom Gayton is their permanent home which has fostered a strong sense of community. The proposed use of Westgate House would therefore be contrary to this character and would harm the village's special character and sense of place.
- 8.20. Officers have noted that many of the public comments received on this application relate to community safety. Officers have also had careful consideration of the comments submitted by the Crime Prevention Officer who has raised concern with the potential for the proposed use to result in anti-social behaviour and an increased demand on police resources in a remote location. While officers note these concerns, it is considered that this would not be sufficient to substantiate grounds for a crime prevention related planning refusal reason; however this issue does illustrate the poor siting for the proposed use, since the locating of such uses in established urban areas would undoubtedly improve the ability of the relevant authorities to effectively manage these issues.

Comparison to Lawful Use

- 8.21. In forming a view on the application, officers have had regard to the current lawful use of the site and whether the proposed use would be materially more harmful than if the site were brought back into use as a care home. While some aspects of the two uses are comparable, including the fact that the care home was not sustainably located and would have included various deliveries to the site to provide care to occupants, officers consider that the proposed use would be significantly more harmful than the existing lawful use due to a combination of factors. These includes the expectation that occupants of care homes are often relatively immobile and reliant on a high degree of care and would not be expected to be able to leave the site often, unlike with the proposed use where occupants would still need to access amenities and services away from the site. Furthermore, occupants of a care home would live in the home as their primary residence and could be expected to live there for a significant period of time whereas the transient nature of potential occupants for the proposed use would lead to significantly more vehicle trips to and from the site as well as eliminate their ability to integrate with the local community. Overall, although both the existing and proposed uses would provide residential accommodation, officers do not consider that the proposed use would be materially more harmful than the lawful use.

Conclusion

- 8.22. Overall, officers consider that the proposal is unacceptable in principle and would be contrary to Policies SA, S1, S10, R1, SS1 and SS2 as well as paragraph 80 of the NPPF.

Loss of a Care Home

- 8.23. Policy LH7 of the South Northamptonshire Part 2 Local Plan 2011-2029 supports the provision of additional care homes in the district. The policy states that proposals for residential care homes/nursing care will be supported on suitable sites that are within or adjoining the settlement confines of Rural Services Centres, Primary Service Villages or Secondary Service Villages; the policy also sets out the circumstances in which such housing will be supported outside of settlement confines.

- 8.24. Paragraph 78 of the NPPF states that, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs in rural areas.
- 8.25. Officers note that the South Northamptonshire Part 2 Local Plan 2011-2029 identified a clear need for additional residential and nursing care facilities, based on the Study of Housing and Support Needs of Older People across Northamptonshire (March 2017). While this study is six years old, officers consider that there is still a clear unmet need for nursing beds in West Northamptonshire following the receipt of advice from the Council's internal specialist, namely the Council's Commissioning and Quality Outcomes Manager for Older Persons Residential and Nursing Homes, who indicated there is still a shortfall in care home spaces.
- 8.26. While officers note that LH7 does not include requirements which would preclude the loss of care homes to other uses, officers have had regard to the aims of this policy in addressing the unmet need for care home spaces identified in the accompanying text of the policy, which set this need as being 471 spaces in the former South Northamptonshire District alone. Officers have also had regard to paragraph 78 of the NPPF which requires planning decisions in rural areas to be responsive to local circumstances. Given this identified unmet need for spaces, officers therefore consider that the proposal is contrary to the aims of LH7 and paragraph 78 of the NPPF since it would result in the net loss of 44 nursing home spaces which are sorely needed in West Northamptonshire
- 8.27. While the Planning Statement states that the care home is no longer in operational use, no specific detail has been provided as to the circumstances of the cessation of this use, including when or why the use ceased. While officers are of the understanding that the use ceased in response to inspections by the Care Quality Commission, it is not clear that this would prevent Westgate House being brought back into use as a care home. Indeed, the view of the Council's Commissioning and Quality Outcomes Manager for Older Persons Residential and Nursing Homes is that that the building could reopen as a nursing home with little investment. Retaining the property within the C2 use class would provide the potential for it to re-open as a care home and make a positive contribution to meeting the identified needs for residential and nursing care facilities.
- 8.28. In the absence of information evidencing that it would not be viable to bring Westgate House back into use as a care home or that the building would not be suitable for this use, officers therefore consider that the proposed loss of a care home would not be well-justified.
- 8.29. Officers therefore consider that the application would be unacceptable due to the loss of a care home which would be contrary to the aims of LH7 and paragraph 78 of the NPPF.

Visual Appearance of the Site

- 8.30. 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.
- 8.31. No external additions or alterations are proposed as part of the proposed development and the visual appearance of the site would not be altered. Notwithstanding the identified issues in relation to the Council's design policies as a result of the proposed use of the

site, officers consider that the visual appearance of the site would be unchanged and would accord with aspects of Policy SS2.

Neighbouring Amenity

- 8.32. 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.
- 8.33. The proposal would not introduce additional built form or alterations to the fenestration of the building and would therefore not give rise to an unacceptable loss of light, overbearing or an erosion of privacy for neighbours.
- 8.34. Officers also consider that the proposed use is unlikely to result in an additional amount of noise as a result of its operation than would be possible under the existing use in principle. However, were planning officers to have recommended approval then various conditions would have been included with regard to kitchen extraction, plant equipment, lighting and noise attenuation to ensure that the proposal would not give rise to unacceptable noise and nuisance to neighbours, especially to the dwelling immediately to the south of the site.
- 8.35. The proposal is therefore acceptable in terms of neighbouring amenity and aspects of Policy SS2.

Highways Safety

- 8.36. 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.
- 8.37. Policy C2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) requires development to mitigate its impacts on highway.
- 8.38. Paragraph 111 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.
- 8.39. Paragraph 112 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.
- 8.40. The application site is not sustainably located being outside the settlement boundary of a Category D small village which itself has no facilities or services beyond a modest primary school. There are no public transport links in Gayton or within walking distance

of the site. Planning officers also note that potential occupants would likely have little in the way of personal positions and will certainly not have bicycles and therefore even this mode of transportation would not be available to occupants. While it is noted that the former care home which operated from the site was also not suitably located, the transport concerns that arise as a result of the poor location of the proposed use are more acute since, unlike the occupants of a care home, the asylum seekers and refugees who would occupy this site would still need access to local amenities and off-site goods and services. Therefore, the location for the proposed use is entirely inappropriate and contrary to the aims of Policy SS2 and paragraph 112 of the NPPF which seek well-designed development which benefit from suitable public transport links and encourage an uptake on sustainable modes of transport.

- 8.41. Eastcote Road itself is 60mph in almost its entirety, including the section of road which passes the site. The road is also single track with limited passing places, entirely unlit and has no footpath. Potential occupants of the site would therefore not be able to safely leave the site on foot, since they would be limited to leaving on foot, and this would give rise to severe highways impacts which cannot be reasonably mitigated.
- 8.42. The addendum to the submitted planning statement suggests that there would be a net reduction in traffic as a result of this change of use. The addendum states that only 2-4 food deliveries would be needed per week in order to meet the needs of occupants. Officers consider that this does not adequately demonstrate a net reduction in traffic as it does not detail the full extent of the services and deliveries and the size of the necessary vehicles that would be necessary to support the proposed use. Furthermore, officers note that the transient nature of occupants would lead to a significant number of trips to collect and drop-off potential occupants; it is unclear how many trips this would entail to the site but officers expect that this would be significantly more trips than would be expected to transport occupants of a care home. Officers also note that taxis could be used to transport occupants to nearby settlements for function such as GP appointments; however this would exacerbate the issues that would arise from pressure on the local highways network. Overall, officers expect that the proposal would lead to an increase in the number of vehicular trips to the site, both by private cars and service vehicles, which would both prejudice highways safety due to the unsuitability of Eastcote Road to accommodate such traffic as well as increase pressure the inadequate local highways network consisting of narrow country road.
- 8.43. The proposal would therefore be unacceptable in terms of its impact in terms of transport and pedestrian safety and would be contrary to Policies SS2 and C2 as well as paragraphs 111 and 112 of the NPPF.

9. FINANCIAL CONSIDERATIONS

- 9.1. This application is not liable for CIL. Had this recommendation been for approval then officers expect that the NHS Integrated Care Board would have sought financial contributions towards local GP provision.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposed development is unacceptable due to its unsustainable location, the resultant loss of a care home and because the proposed development would give rise to unacceptable highways impacts. The proposal is therefore unacceptable because it is contrary to the Development Plan with no material considerations indicating permission should be granted. Planning permission should therefore be refused.

11. RECOMMENDATION / CONDITIONS AND REASONS

11.1. Detailed recommendation here and full list of conditions and reasons here

RECOMMENDATION – REFUSAL FOR THE REASONS SET OUT BELOW

REASONS FOR REFUSAL

Principle

1. The proposed development would be isolated in the open countryside with the nearest settlement being a small village with inadequate services and facilities to accommodate the proposed use. The proposed use would also not meet the definition of the housing types that can be acceptable outside of settlement confines, as per the policies of the South Northamptonshire Part 2 Local Plan, while also failing to satisfy the circumstances in which isolated homes in the countryside would be acceptable, as per paragraph 80 of the NPPF. The operation of the proposed use would also be incompatible with the character of the nearby village of Gayton. The proposed development would therefore not be sustainably located and would be contrary to Policies SA, S1, S10 and R1 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) and Policies SS1 and SS2 of the South Northamptonshire Part 2 Local Plan as well as paragraph 80 of the NPPF.

Loss of Care Home

2. The proposed development would result in the loss of an existing care home to other uses. The proposal is therefore contrary to the aims of the South Northamptonshire Part 2 Local Plan which identifies a need for additional residential and nursing care facilities and is specifically contrary to the aims of Policy LH7 which addresses this unmet need by supporting the provision of new residential and nursing care on suitable sites. The application also fails to clearly justify this loss by setting out mitigating material planning circumstances which would outweigh LH7, such as viability information. The proposed development also fails the tests set out in paragraph 78 of the NPPF since the proposal would fail to respond to local circumstances and provide housing that reflect local needs. The proposal is therefore contrary to Policy LH7 of the South Northamptonshire Part 2 Local Plan and paragraph 78 of the NPPF.

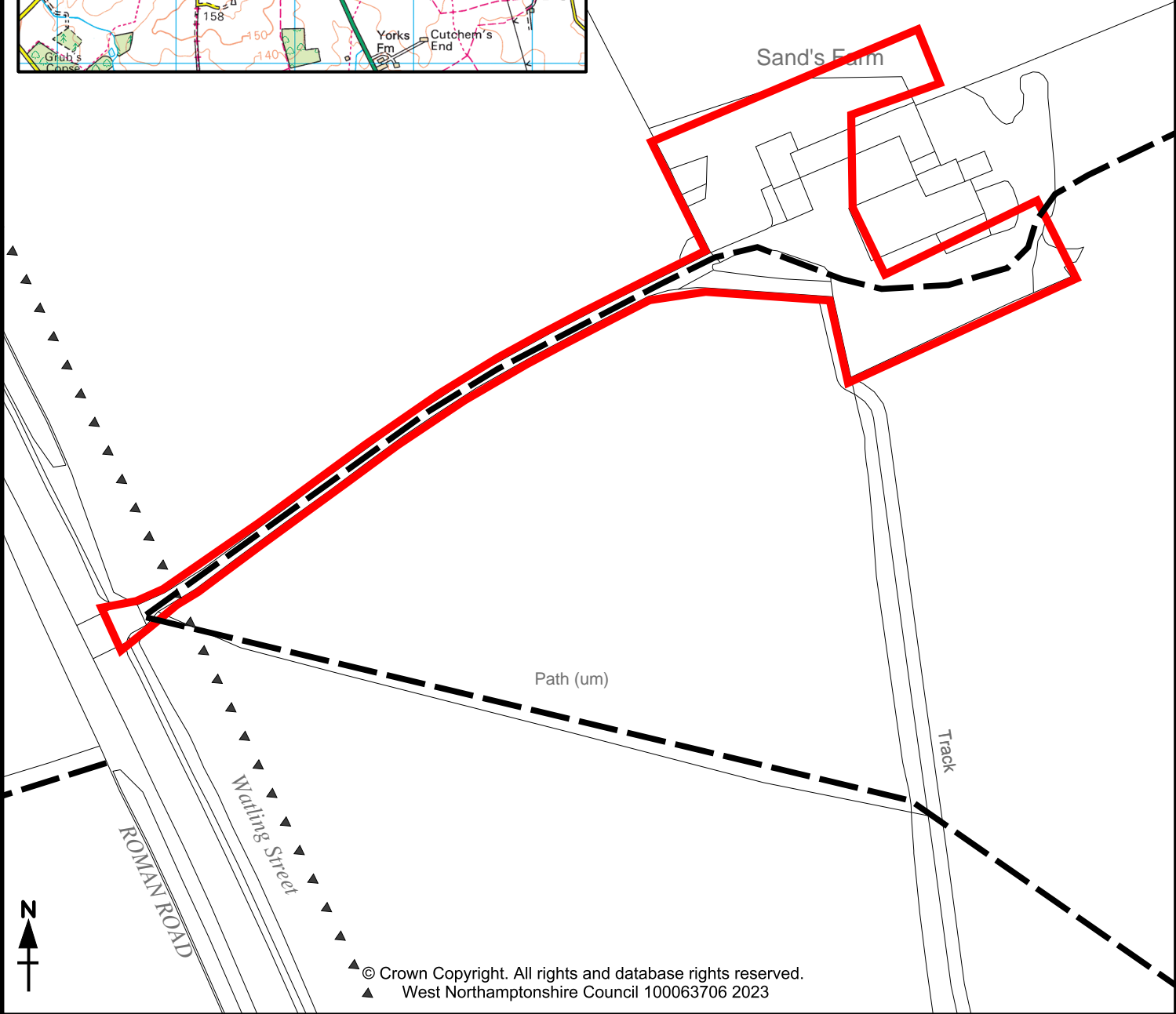
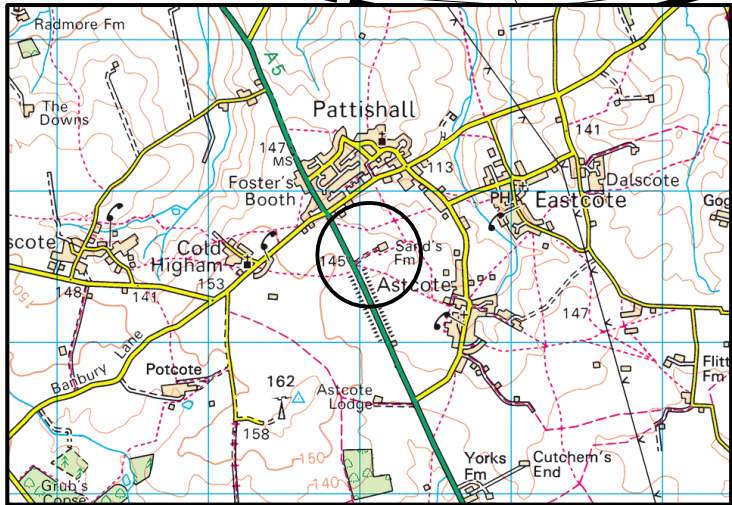
Highways Impacts

3. The proposed development would be unsustainably located and would not provide adequate public transport access to future occupants of the development. The proposed development result in an increase of vehicle movements on the local highway network which comprises of roads that are narrow and unlit and are therefore unsuitable to manage an increased level of traffic. The application site can also be accessed by a 60mph single lane unlit country road with no footpath which would pose an unacceptable risk to potential occupants. The proposed development is therefore contrary to Policy SS2 of the South Northamptonshire Part 2 Local Plan, Policy C2 of the West Northamptonshire Joint Core Strategy as well as paragraphs 111 and 112 of the NPPF.

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Application Number: WNS/2022/1685/FUL

Parish: Pattishall



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 ▲ West Northamptonshire Council 100063706 2023

Town/Village: Pattishall

Site

Site Area: 0.4106 Ha

Public Right of Way

Grid Location: SP6711153601

Site of Archaeological Asset

Map Scale: 1:1499

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Application Number: WNS/2022/1685/FUL

Parish: Pattishall



Map Scale: 1:1250

Date Flown: 'Latest Available'

 Site

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Application Number: WNS/2022/1685/FUL

Location: Sands Farm, Watling Street, Pattishall, NN12 8NT

Proposal: Demolition and rebuilding of Single Dwelling with Associated Internal / External Works.

Applicant: Mr and Mrs M Kittle

Agent: Mr David Berlouis

Case Officer: James Paterson

Ward: Bugbrooke

Reason for Referral: Internal conflict of interest.

Committee Date: 09/03/2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

Planning permission is sought for the demolition of the existing farmhouse on the site and the erection of a new replacement dwellinghouse. It should be noted that the proposal does not include the demolition the part of the barn complex which falls in the application site; this would likely be used for vehicular parking.

The new dwellinghouse would be a two-storey detached dwelling and would be laid out in an 'L' shape at 45 degrees to the site of the existing dwelling. The dwelling would be detached from the barn complex, unlike the existing dwelling, although there would be formal covered access connecting the dwelling to the barn in the form of a canopy. The dwelling would be of stone construction with a single storey protrusion to the west elevation of the building and a two-storey gabled protrusion to the rear.

Consultations

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

- None

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

- WNC Environmental Protection, National Highways, WNC Highways, WNC Archaeology, WNC Ecology, Pattishall Parish Council, Ramblers' Association

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

- None

0 letters of objection have been received and 23 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
- Occupier Amenity
- Highways
- Ecology
- Land Quality
- Flooding and Drainage

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 Sands Farm is an isolated farmstead in open countryside and is located approximately 350m to the south of Pattishall and 480m to the north-west of Ascote, which themselves lies north of the closest town, Towcester. The site is accessed from the A5, or Watling Street, which likely follows the same course as the original Roman road. The wider farmstead site includes the farmhouse and barn, subject of this application, but also an additional range former agricultural buildings to the east of this application site. However, the wider site has been sub-divided following the grant of permission for the refurbishment and change of use of the majority of the agricultural buildings to form a five-bed dwelling (reference: S/2020/1431/FUL). This application only relates to the portion of the site which remains to the farmhouse, as shown in the submitted location plan. It should be noted that the application site also includes parts of the site which remain in agricultural use and do not form residential curtilage to the farmhouse.
- 1.2 The existing farmhouse and the associated agricultural buildings appear to have been on the site since at least the mid-Victorian era since the farmstead appears on the 1883 Ordnance Survey map in its entirety. However, the submitted Heritage Statement indicates that the farmstead dates from the late 18th Century or early 19th Century with the farm clearly being in existence by 1812 as it appears in some capacity on the ordnance survey from this time. Officers accept this dating of the farmstead.
- 1.3 There are also other signs that the surviving farmstead is of a reasonable age, namely the brickwork and glazing on the agricultural buildings, although many surviving features on the exterior of the building have been lost, including through the application of render and the replacement of the original windows with uPVC. However, the cottage

has an attractive, informal and understated principal elevation which is prominent and faces north. It is finished in local ironstone. The east-facing double-gable is finished in a red and orange brick, quite commonly seen on buildings of comparable ages within Towcester to the south. It is likely the rendered aspects also cover similar brickwork. The attached single storey range is more recognisable as traditional agricultural development; a linear building with brick-arched openings that have been infilled sympathetically.

- 1.4 Internally, officers accept that many of the internal finishes are now fairly modern, with many original features of the building being lost. Officers also note the poor state of repair of aspects of the internal fixtures, features and structural elements. However, officers note that there are also features which survive and are likely original, including its overall layout, chimney breasts and other fabric.
- 1.5 The site does not contain any designated heritage assets nor falls within the setting of designated heritage assets. The site does not fall within any other formal designations, although it should be noted that a public right of way runs through the site, as well as to the north, east and south.

2. CONSTRAINTS

- 1.6 The application site is within open countryside with several Public Rights of Way passing near and through the site. The site lies within an area of known underground heritage assets as well as within 2km of the Ascote Thorns Local Wildlife Site. The site lies within the Designated Neighbourhood Area for Pattishall, although there is not currently an adopted neighbourhood plan for this area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The proposal is for the demolition of the existing farmhouse and the erection of a replacement detached two-storey dwellinghouse, although the existing barn complex on the site would be retained. The existing dwelling has a footprint of approximately 98.5m² while the proposed dwelling would occupy a footprint of approximately 127m².
- 3.2. The proposed dwelling would be laid out in an 'L' shape and would occupy some of the footprint of the existing dwelling, although much of the dwelling would be located to the west of existing dwelling and closer to the western boundary of the site. Where the existing dwelling is attached to the barn complex and aligns with the geometric layout of the complex the proposed dwelling would be detached and laid out at 45 degree to the complex and would directly face the track which connects the site to Watling Street. The proposed dwelling would have a maximum width of 17m, a maximum depth of 12.5m and a total height of 9.6m to the ridge of the roof while the eaves height would be 5.5m. The dwelling would be finished in natural stone while the roof would be covered in natural slate.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
S/2020/1431/FUL	Repair, refurbishment and alterations to enable the change of use and conversion of	Approval

	existing agricultural building to provide 1x5 bed dwelling; change of use of part of single storey building to ancillary parking/garaging; demolition of corrugated building, enhancement to the parking area; provision of turning, manoeuvring areas and private garden/amenity areas; provision of landscaping and boundary treatments; and various ecological works and enhancements.	
WNS/2022/0646/F UL	Demolition and rebuilding of Single Dwelling with Associated Internal / External Works.	Refused, Appeal Decision Pending

4.2 It should be noted that officers have previously considered a proposal for a similar description of development which was refused at delegated level (reference: WNS/2022/0646/FUL). This was refused for the following reasons:

1. *The proposed development fails to comply with key strands of the replacement dwelling policy LH4.1(b). Specifically, the development fails to demonstrate that the original dwelling, by virtue of its design or negative contribution to the landscape, is not worthy of retention. The Council contends that the existing dwelling, a modest double-piled cottage with a stone-faced principal elevation and brick gables, and single storey brick range, by virtue of being good examples of historic agricultural development and relating well to the existing complex which is comprised of additional buildings undergoing sensitive conversion, contribute positively to the landscape, and setting of the site. The application also fails to propose a new dwelling of an appropriate scale to the plot and its setting within the land, and thus fails to enhance its immediate setting. The breadth and height of the dwelling, its overly formal 'Georgian manor house' facade and contrastingly overly complicated rear elevation featuring a number of 'extensions' of different sizes, make it wholly inappropriate in this prominent agricultural landscape. The loss of the existing range of hovels, in particular, severs the existing site's relationship with the adjacent complex of agricultural buildings, thus disrupting the legible enclosed farmyard arrangement presently afforded to the site. The proposed significant expansion of the dwelling's residential curtilage, as shown on the submitted block plans, will also exacerbate this harm through encroachment of a residential use into open countryside. The proposal therefore results in an inappropriate development within the open countryside, and is unacceptable in principle. It fails to comply with policies LH1 and LH4.1(b) of the adopted South Northamptonshire Part 2 Local Plan, Policy R1 of the West Northamptonshire Joint Core Strategy and Section 12 of the National Planning Policy Framework*
2. *The proposed development is not considered to comply with the Council's adopted policies which seek to control the siting, design, scale, and massing of new developments, and limit the harm caused to non-designated heritage assets. The dwelling, attached range and adjacent agricultural buildings, by virtue of age and surviving character, are considered to be non-designated heritage assets that contribute positively to the agrarian character and setting of the complex - a contribution that can be enjoyed from Public Rights of Way to the south and south-east of the site. The redevelopment of the site in the way proposed will mean this positive contribution is permanently lost, resulting in harm. Furthermore, the dwelling's scale and massing and inappropriate formal design represents significant, prominent and unsympathetic*

development relative to the site and both its immediate and surrounding context. All of the above results in significant harm being caused to the character and setting of the site, and the loss of buildings considered non-designated heritage assets and an adverse impact on the overall appearance and arrangement of the farmyard complex as a whole, as seen from public realm vantage points. This harm cannot be outweighed by public benefits or other material planning considerations. As such, the proposal is considered to be contrary to Policies SS2(1.a.), SS2(1.b.) and LH1 of the Local Plan Part 2, policy S10 of the Joint Core Strategy, and Section 12 of the NPPF.

3. *In the absence of a Preliminary Ecological Survey and any further surveys or reports that this survey might subsequently require, is not possible to fully assess the impacts of the proposed development on any protected species (including Great Crested Newts) that might be using the existing dwelling, single storey range or surrounding grassland presently within the site, or any areas of hedgerow and trees in proximity to the site, and determine appropriate mitigation measures. The proposal is therefore contrary to Government guidance contained in ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system (paragraph 99), the NPPF (Section 15) and Natural England standing advice in respect to protected species, policy NE5 of the Local Plan Part 2 and Policy BN2 of the West Northamptonshire Joint Core Strategy (2014).*

4.3 A full assessment of each issue follows in the relevant sections of this report. However, it should be noted that officers are of the view that with this revised application each reason for refusal has fallen away. Following the submission of a structural report, a heritage statement alongside additional detail provided in correspondence with the applicant, officers are now satisfied the issue with regard to the principle of development has been resolved. Furthermore, this revised application proposes a far more sympathetic and appropriate development which accords with the Council's design policies which addresses the second ground for refusal. Lastly, ecological information has been submitted which addresses the concerns raised in the third reason for refusal.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, 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)

- 5.3. 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
- H1 – Housing Density and Mix and Type of Dwellings
- BN2 – Biodiversity
- BN5 - The Historic Environment and Landscape
- BN7 - Flood Risk
- BN7A - Water Supply, Quality and Wastewater Infrastructure
- BN9 - Planning for Pollution Control

South Northamptonshire Local Plan (Part 2) (LPP2)

5.4. The relevant policies of the LPP2 are:

- SS1 - The Settlement Hierarchy
- SS2 - General Development and Design Principles
- LH1 - Residential Development Inside and Outside Settlement Confines
- LH4 - Single Dwellings in The Open Countryside
- GS3 - Residential Garden Extensions
- GS4 - Backland Development
- HE1 - Significance of Heritage Assets
- HE7 - Non-Designated Heritage Assets
- INF4 - Electric Vehicle Charging Points
- NE5 - Biodiversity and Geodiversity
- NE6 - Sites of Special Scientific Interest And Protected Species

Material Considerations

5.5. Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance
- SNC Design Guide
- Local Heritage Listing: Identifying and Conserving Local Heritage - Historic England Advice Note 7

6. RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
WNC Environmental Protection	No objection	"The proposed dwelling is adjacent to an agricultural / commercial use. These generally operate during early morning hours, particularly in the summer months. The following conditions are recommended..."
WNC Ecology	No objection	"Based on the findings of the report it is unlikely that the development proposed will have a significant impact on protected species or habitats if the mitigation and

		enhancements identified in Preliminary Ecological Appraisal by Ecoline dated September 2022 are followed fully and successfully and the following conditions are applied.”
WNC Archaeology	No objection	“On balance therefore I consider the retention of the house to be desirable in heritage terms but its loss to be acceptable if it demonstrably cannot be viably reused and any replacement respects the materials, form and setting of both its predecessor and the farm complex.”
WNC Highways	No objection	“The applicant should seek advice from the relevant authority which in this case will be National Highways as the proposed application is off a Trunk Road.”
Ramblers’ Association		“A Public Right of Way, a footpath ref.no. RT19, runs from the A5 Watling Street along the drive to Sands Farm but then loops around the southern side of the existing buildings before continuing in the same direction to join another footpath. It shouldn’t be affected by the proposals.”
Pattishall Parish Council	No objection	N/a
National Highways	No objection	N/a

7. RESPONSE TO PUBLICITY

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

7.1. There have 23 letters of support raising the following comments:

- Ecological concerns have been addressed
- Existing building is unlisted
- Existing house is not economical to repair
- Existing house of low design quality
- Positive environmental impacts
- Proposed house would of high design quality and an improvement on the existing
- Retention of existing barns is positive

8. APPRAISAL

Principle of Development

8.1. 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.

8.2. 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.

- 8.3. 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.
- 8.4. Policy LH1 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out the criteria for residential development being acceptable both within and without defined settlement boundaries. Policy LH4 of the South Northamptonshire Part 2 Local Plan 2011-2029 sets out the criteria for development proposals for single market dwellings in the open countryside being acceptable. The criteria for a replacement dwelling require the residential use of the original dwelling to have not been abandoned, the original dwelling because of its design or negative contribution to the landscape must not be worthy of retention and the proposal is located within the curtilage of the existing dwelling. Furthermore, the proposal must be of an appropriate scale to the plot and its setting in the landscape while also enhancing its immediate setting.

Residential Use

- 8.5. It is evident, from the site visit by officers, on 22/02/23, that the dwelling has not had its use as a C3 dwellinghouse abandoned and is currently in occupation as a primary residence.

Worthy of Retention

- 8.6. Having considered internal advice as well as the consideration of the applicant's own heritage statement, officers consider that the existing dwelling constitutes a non-designated heritage asset. This is due to the historic and aesthetic values associated with the house but also, to a lesser extent, as a result of its evidential value. Furthermore, the part of the barn complex which falls on the site is also considered non-designated heritage assets principally due to their aesthetic value but also their historic and evidential value. Therefore, there is merit to the retention of the buildings on the site and, as per paragraph 203 of the NPPF and Policy HE7, the presumption is in favour of retaining the buildings and a balanced judgement will be required, having regard to the loss and the significance of the heritage assets.
- 8.7. While the existing dwelling is not necessarily a traditional example of local architecture, the double-piled plan form is quite commonly seen within the district as it was used to increase the floor space and depth of otherwise shallow and modest farmhouses in the past. The dwelling and associated complex of agricultural buildings are clearly of some age, since the farmhouse appears on the 1883 Ordnance Survey map as a double piled farmhouse while evidence of the farmhouse itself goes back to the 18th Century; indeed the farmhouse is evident in some form on the 1812 ordinance survey.
- 8.8. Notwithstanding unsympathetic modern additions to the building, including the application of render to part of the building and the installation of uPVC framed glazing, officers are of the view that the buildings on the site contribute positively to the appearance of the locality and the wider landscape.
- 8.9. However, officers have considered the submitted structural report as well as correspondence with the applicant, dated 29/11/22 and 22/02/23. These pieces of

evidence highlight issues with the dwelling which mean that it is in a poor state of repair and not necessarily suitable for habitation with modern living standards. For example, the existing heating system is not fit for purpose, there are damp issues throughout the house while the house would also require significant re-wiring. Having regard to these issues, alongside the many others identified in correspondence with the applicant, officers consider that while the existing house does make a positive contribution to the surrounding landscape, the house is in a poor state of repair and works to repair the existing building would be prohibitively expensive and not a viable option. Therefore, while LH4bii specifies that dwellings can only be lost where they are not worthy of retention due to their design and landscape impact, in this case officers consider that some weighting can be given to an argument that the dwelling is not worthy of retention due to poor state of repair and poor living conditions it currently affords, although this must be weighed in the planning balance and consideration also given in parallel to whether an acceptable replacement dwelling is proposed. As explained elsewhere in this report officers are now satisfied that an appropriately designed replacement dwelling is proposed. As such officers therefore consider, that in this case, the proposal would comply with this aspect of LH4. However, the other aspects of LH4, as well as the development plan as a whole, must also be satisfied.

Curtilage

- 8.10. The proposed dwelling would lie within the defined curtilage of the existing farmhouse, and as such the scheme complies with this criterion. However, the red line site plan received with the application seemingly proposes to extend the residential curtilage of the dwelling by a substantial amount both to the north and south of the proposed dwelling on agricultural land. As per Policy GS2: *'Planning permission will not normally be granted for extensions [to residential gardens] beyond settlement confines'*.
- 8.11. Therefore, while the dwelling would lie within an existing area of residential curtilage, officers are concerned with the possibility of this permission being used to extend the residential gardens of the proposed dwellings compared to the existing. Therefore, a condition has been included requiring the submission of a landscape plan which would also clearly define the residential curtilage of the proposed dwelling and corroborate the applicant's claim that the proposal *'will not change the residential curtilage boundary as currently defined'*, as suggested in 4.12 of the submitted Design and Access Statement.

Appropriate scale relative to plot and landscape (iv) & enhancement of setting (v)

- 8.12. These aspects of the policy are assessed as part of the assessment of the overall design of the development in the subsequent section of this report. However, in summary, the proposed design is considered to be appropriate and would enhance the visual appearance of the site.

Conclusion

- 8.13. Officers consider that, in this instance, the principle of development would be acceptable and would accord with Policies SA, SS1, R1, LH1 and LH4. This is on the basis of the submission of additional technical information via the structural report and correspondence with the applicant following the refusal of the previous application as well as a revised design for the proposed dwelling compared to the refused scheme and the scheme originally submitted as part of this development.

Impact on Character of Area

- 8.14. 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.

- 8.15. The existing dwelling has five bedrooms over two floors, and benefits from a relatively generous footprint due to its historic extension which essentially doubled its size compared to what was likely its original form. The part of the barn complex which falls on the site appears to be used as incidental storage/workshop space and can be considered residential in use. The overall internal floor space on the site, including the barn is 263m². The existing dwelling is a positive addition to the area and contributes positively to the character of the site and wider landscape, although modern interventions, such as in relation to the render and glazing, do lessen the scale of its positive contribution.
- 8.16. The proposal is for a replacement dwelling which would be of traditional design. This would be expressed through its overall scale, form and layout in an effort to ensure the development would sit comfortably on the site and avoid the over-aggrandisement of the replacement dwelling, such as was the case in the previous refused application.
- 8.17. The overall scale of the building would reflect that of the original dwelling; namely a two-storey design, with typical floor to ceiling heights, covered by a gabled roof and a relatively modest footprint, which would not be of a dissimilar scale or layout to the original dwelling. While a single storey side element and a two-storey rear element would extend from the main two storey core of the house, officers consider these would be of a scale where they would not compete with the main dwelling visually and would read as subservient additions to the main dwelling which provide additional living space in a manner compatible with the main dwelling. In considering, these elements, officers have also had careful regard to possible permitted development extensions to the original dwelling. Overall, the height, depth and width of the dwelling would sit comfortably on the plot, and wider farmstead site, and would be a proportionate and well-considered replacement dwelling.
- 8.18. The overall form of the dwelling would be that of a detached farmhouse which is a typical feature in the open countryside of the district. The articulation of the proposed replacement dwelling is also considered appropriate. This ranges from its gabled design, with the gables falling within the recommended range of depths set out in the Council's design guide, to the informality to the fenestration on the principal façade to the proposed stone materiality. Overall, the replacement dwelling would have a positive impact on the application site and would enhance the immediate context and landscape which forms the setting of the site.
- 8.19. While officers are content with the overall approach various conditions have been included with regard to samples, architectural details and landscaping details to ensure the proposed dwelling meets the high-quality design standards the Council's relevant policies and design guidance seek.
- 8.20. Subject to conditions, the proposed dwelling would be of acceptable design and would accord with Policy SS2.

Heritage Impact

- 8.21. Policy HE7 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that alterations, additions and changes of use to non-designated heritage assets should respect the character appearance and setting of the asset in terms of design, materials, form, scale and massing. Proposals involving the full or partial loss of a non-designated

asset should balance the scale of any harm or loss that is caused and the significance of the heritage asset against any benefits. Where loss is permitted a full recording of the asset is likely to be requested.

- 8.22. Paragraph 203 of the NPPF states that any harm to non-designated heritage assets must be weighed against public benefits and a balanced judgement will be required, having regard to the loss and the significance of the heritage assets.
- 8.23. The existing farmhouse is a non-designated heritage asset due to its historic and aesthetic values and also, to a lesser extent, from its evidential value. The historic value of the farmhouse is clear given that it is of late 18th or early 19th Century origin, albeit with later additions and alterations. Its age gives it low to moderate historic value, this is not higher given that its age and design is not especially uncommon in the district. The aesthetic value is derived from its original stone principal façade as well as its overall traditional and attractive design, proportions and materiality. Its evidential value is the result of its demonstrating the development of farming in the district in microcosm; however this has already been eroded following more recent developments on the site which have effected its overall intelligibility. It should also be noted that the barn complex is also a non-designated heritage asset principally due to its aesthetic value but also its historic and evidential value, although it is not as significant as the main dwelling-house.
- 8.24. The harm to non-designated heritage assets is clear; the demolition of the existing farmhouse would result in substantial harm to this non-designated heritage asset since it would be a total loss of significance. However, following internal advice from the Council's archaeologist, officers are of the view that the identified harm could be mitigated to some extent by a building recording condition; with the inclusion of such a condition, the harm would be a medium level of less-than-substantial harm. The harm to the barn complex would be a medium level of less-than-substantial harm since the farmhouse, which forms an integral part of its setting, would be lost although the barn itself would be retained and preserved in its current form.
- 8.25. Officers have had regard to the previous decision from the Council on the site in relation to the loss of the dwelling, while officers note that the barn is proposed to be retained in this proposal, unlike in the previous application. It is noted that additional justification has been provided in the form of a structural report and correspondence with the applicant which together outline the existing structural and other problems which mean that the house would not be fit for modern living; these include issues in relation to the heating, damp and structural damage. A rough assessment as to the cost to repair the building and bring it into a good state of repair has been provided; this was originally stated to be approximately £800,000. Officers conveyed to the applicant that they did not accept that this figure represents the minimum needed to bring the house into good order. A revised figure of between £450-550,000 has been submitted by the applicant and officers consider that this is a more reasonable estimate. Officers therefore consider that the applicant has demonstrated that there are issues with the dwelling which would be prohibitively expensive to address and a well-designed replacement dwelling may be the most appropriate approach.
- 8.26. With the commission of the structural survey and the submission of quotes for building works, officers are satisfied that approach has followed the guidance set out in paragraph 26 of Historic England's Good Practice Advice Note 'Managing Significance in Decision-Taking in the Historic Environment' which states that where development causes harm to a heritage asset, alternative means of delivering the development benefits that would result in less harm to the heritage asset and therefore a more sustainable development should be explored, before proceeding to weigh benefits against any harm.

- 8.27. Officers consider that the proposal would provide private benefits for the applicant, namely improvements to their living conditions; however, of more significance the proposal would have modest public benefits, namely that the proposed replacement dwelling would be well-designed and would represent a modest enhancement of the appearance of the site in the landscape from important views on nearby Public Rights of Way.
- 8.28. In weighing the harm, officers consider that the harm to heritage assets has been justified, alternative means of achieving similar benefits the proposed development would bring about have been considered, the harm would be minimised through building recording and the proposed dwelling would be well-designed and represent a modest improvement to the appearance of the site. Having considered all of these matters and having taken a balanced judgement on these matters, officers consider that in the specific circumstances of this application the proposal would be acceptable in terms of its impact on non-designated heritage assets.
- 8.29. The proposal is acceptable in terms of heritage and Policy HE7 and paragraph 203 of the NPPF.

Neighbouring Amenity

- 8.30. 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.
- 8.31. It is noted that the only nearby neighbour who could be impacted by the proposed development would be the occupants of the adjoining barn conversion to the east of the site. Having regard to the layout of the site, orientation of the sun and location of this neighbour's windows and amenity spaces officers consider that the proposal would not give rise to an unacceptable loss of light, overbearing or an erosion of their privacy. The proposal is therefore acceptable in this regard.
- 8.32. The proposal is acceptable in terms of neighbouring amenity and this aspect of Policy SS2.

Occupier Amenity

- 8.33. 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.
- 8.34. Planning officers note that the proposed development would offer future occupiers a coherent and well-considered internal layout which would comply with the nationally described space standards. Likewise, occupants would benefit from a generous amount of outdoor amenity space.
- 8.35. The proposal would be acceptable in terms of occupier amenity and this aspect of Policy SS2.

Highways

- 8.36. 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.
- 8.37. Paragraph 109 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.
- 8.38. Paragraph 110 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.
- 8.39. Policy INF4 of the South Northamptonshire Part 2 Local Plan 2011-2029 states that on all sites where an additional dwelling is created (including conversions) with a garage or driveway, electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) will be required. Furthermore, for residential developments of 10 or more units (including conversions) with communal parking areas for every 10 dwellings provided, 2 parking bays marked out for use by electric vehicles only together with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) will be required. Where business, retail, commercial or leisure developments provide 10 or more parking bays, for every 10 bays or part thereof one parking bay marked out for use by electric vehicles only together with DC fast charging equipment or equivalent charging equipment providing no less standard of efficiency, will be required.
- 8.40. The development proposes no additional dwellings, and as such the existing access track and junction with the A5 will be under no additional pressure. While it is noted that the visibility north along the A5 from the entrance to the site is substandard, the proposal would not generate any additional traffic and it is considered that there would therefore not be any severe highways impacts.
- 8.41. The site is of sufficient size that it could accommodate sufficient residential parking associated with the proposed development; it is also noted that it is proposed to use the retained barns as garages, which is appropriate. However, a condition has been included to make sure that any new parking space is served by electric vehicle charging facilities.
- 8.42. Officers are satisfied that there would be adequate space on the site to accommodate bespoke cycle storage. However, in the interest of ensuring any cycle storage is secure, covered and afforded good access as well as being of high design quality, officers have included a condition requiring these details to be submitted and approved by the Council.
- 8.43. It is considered that construction traffic could access the site and store materials on the site. However, to ensure the proposed development does not give rise to harm to neighbours' amenity or lead to severe highways impacts, officers have recommended that a construction traffic management plan is required by condition.

8.44. Overall, the proposal is acceptable in terms of its highways impacts and Policy SS2 and paragraphs 109 and 110 of the NPPF.

Ecology Impact

Legislative context

8.45. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.

8.46. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:

- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

8.47. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 175 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

8.48. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.

8.49. National Planning Practice Guidance (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.

- 8.50. Policy NE3 of the Part 2 LP seeks to conserve and wherever possible enhance green infrastructure . Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.51. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

- 8.52. 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. , The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site contains buildings of traditional construction and there are a number of mature trees and hedgerows within and adjacent the site, and therefore has the potential to be suitable habitat for a variety of species including EPS; such as bats.
- 8.53. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.54. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 8.55. The application is supported by a detailed protected species survey which concluded that the site is suitable for roosting bats, indeed evidence of roosting bats was found by the applicant's ecologist.
- 8.56. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the absence of any objection from Natural England, and subject to conditions, that the welfare of any EPS found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Land Quality

- 8.57. 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 ensuring the remediation of contaminated land so as not to pose a risk to health and the environment.
- 8.58. While the application site is not at especially significant risk of land contamination, given the previous agricultural use of the site, officers have included conditions dealing with potential land contamination.
- 8.59. Subject to conditions, the proposal is acceptable in terms of land quality and Policy BN9.

Flooding and Drainage

- 8.60. Policy BN7 of the west Northamptonshire Joint Core Strategy Local Plan (Part 1) states development proposals must comply with relevant flood risk assessment and management requirements. A sequential approach will be applied to all proposals for development in order to direct development to areas at the lowest probability of flooding unless it has met the requirements of the sequential test and the exception test. All new development, including regeneration proposals, must demonstrate that there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improve existing flood risk management. The policy also states that all proposals for development of 1 hectare or above in Flood Zone 1 and for development in 2, 3a or 3b must be accompanied by a flood risk assessment that sets out the mitigation measures for the site and agreed with the relevant authority.
- 8.61. Policy BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that development should use sustainable drainage systems, wherever practicable, to improve water quality, reduce flood risk and provide environmental and adaptation benefits.
- 8.62. The application site falls within flood zone 1 and is not at significant risk of flooding. However, as per BN7A, officers have included a condition requiring a SuDS strategy to be submitted and approved by the Council. This is to ensure that the proposed development would not give rise to unacceptable water run-off from the site.
- 8.63. Subject to conditions, the proposal is acceptable in terms of flooding, drainage and Policies BN7 and BN7A.

9. FINANCIAL CONSIDERATIONS

- 9.1. The development would be liable for CIL, the amount liable would be £12,986.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. Officer are satisfied that the scheme accords with the relevant national and local policies and guidance and should be approved.

11. RECOMMENDATION / CONDITIONS AND REASONS

- 11.1. Detailed recommendation here and full list of conditions and reasons here

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY)

CONDITIONS/REASONS FOR REFUSAL

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason : To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

Approved Plans

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

P 22 016 002 B, Proposed Location Plan (received 11/01/23)
P 22 016 003 B, Proposed Block and Site Plans (received 11/01/23)
P 22 016 007 B, Proposed Elevations (received 11/01/23)
P 22 016 006 B, Proposed Floor Plans (received 11/01/23)

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

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

Schedule of Materials

3. A schedule of materials and finishes to be used in the external walls and roof(s) 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 G3(A) and EV1 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

Stone Samples

4. The external walls of the building shall be constructed in natural stone which shall be laid, dressed, coursed and pointed using a lime based mortar with brushed or rubbed joints in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the stonework is commenced. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract.

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

Roof Tile Samples

5. Samples of the tiles (including ridge tiles) to be used in the covering of the roof 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 be carried out in accordance with the samples so approved.

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.

Architectural Details

6. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwelling, including the windows and doors (and their surrounds), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

Colour of External Finishes

7. A colour scheme for the colouring of the external finishes shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, and prior to the first occupation of the development, the development shall be finished and thereafter maintained in accordance with the approved colour scheme.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local.

Landscape Plan

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

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

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Cycle Storage

9. Prior to the first occupation of the approved development further details of the cycle storage and refuse/bin storage serving this development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include elevational drawings and materials/finish. The storage facilities shall thereafter be provided in accordance with the approved details before the first occupation of the development and retained thereafter for these purposes. The cycle storage shall comply with the relevant standards set out in the Council's 'Parking: Standards and Design' SPD.

Reason: In order that proper arrangements are made for the storage and disposal of waste in the interests of well planned development and in accordance with Policy SS2 of the South Northamptonshire Local Plan.

Drainage

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Section 14 of the National Planning Policy Framework, and the results of the

assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- (i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (ii) include a timetable for its implementation; and
- (iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Building Recording

11. No development shall take place and no demolition shall commence until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation for a level 2 Building Recording and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable. Within 6 months of the completion of the archaeological work the applicant (or their agents or successors in title) shall submit the Building Recording report to the local planning authority for its written approval together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and subsequent recording, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Public Right of Way

12. 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.

Reason: In the interests of safeguarding highway safety in accordance with Policy SS2 of the of the South Northamptonshire Local Plan.

Noise Attenuation

13. Prior to the occupation of the residential units a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines shall have been submitted and approved in writing by the Local Planning Authority, and the approved scheme implemented. Thereafter it shall be maintained in the approved state at all times with no alterations made to the approved structures

including roof, doors, windows and external facades, layout of the units or noise barriers.

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

Construction Traffic Management Plan

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

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works design of construction access
- hours of construction work
- measures to control overspill of light from security lighting
- a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

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

Land Quality

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

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the

nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination Risk Management (LCRM)'

B. Submission of Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

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

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

D. Reporting of Unexpected Contamination

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

the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

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

Reason: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Electric Vehicle Charging

16. No dwelling hereby permitted shall be occupied until it has been provided with a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

Bat Licence

17. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the Local Planning Authority.

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.

Bat Boxes

18. Full details of a scheme for the location of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of any building, bat boxes 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.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

Meter Housing

19. Any electricity or gas supply meter housings to be located on the external elevations of the buildings hereby approved shall be sited on the side or rear elevations of the buildings and shall be coloured dark brown unless otherwise approved in writing by the Local Planning Authority.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan

Rainwater Goods

20. All rainwater gutters and downpipes, etc shall be cast iron or aluminium manufacture and painted black unless alternative details are otherwise first approved in writing by the Local Planning Authority.

Reason : To ensure that the new works are sympathetic with the character of the listed building and to accord with Policies SS2 and HE5 of the South Northamptonshire Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

Permitted Development

21. 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 density of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that the amenities of the adjoining occupier(s) are not adversely affected in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

Accord with Ecological Survey

22. The development hereby permitted shall be carried out in accordance with the mitigation, conclusions and enhancements in the Preliminary Ecological Appraisal by Ecoline dated September 2022, 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 the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

Out of Date Survey

23. If the development hereby approved does not commence by 1st September 2024. A revised protected species bat and breeding bird survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species including 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.

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. Your attention is drawn to the comments made by the Local Highways Authority with regard to Public Rights of Way

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