



Planning Committee Report

Application Number: 2023/5918/FULL

Location: Bank Cottage, 25 Drayton Park, Daventry West,
Northamptonshire, NN11 8TB

Development: Demolition of swimming pool enclosure and replacement with single-storey side and rear extension and construction of rear raised patio. External lift shaft covering the ground and first floor which is two storeys in height, and front entrance canopy. Garage conversion with a conservatory extension to create self-contained living accommodation and new vehicular access & gates. Window and door alterations.

Applicant: Shoosmiths Trust Corporation Limited

Agent: Steven Docker & Associates

Case Officer: Oliver Billing

Ward: Braunston & Crick Ward

Reason for Referral: The applicant is an employee of West Northamptonshire Council.

Committee Date: 08th November 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

Demolition of swimming pool enclosure and replacement with single-storey side and rear extension and construction of rear raised patio. External lift shaft covering the ground and first floor which is two storeys in height, and front entrance canopy. Garage conversion with a conservatory extension to create self-contained living accommodation and new vehicular access & gates. Window and door alterations.

Consultations

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

- WNC Highways (see section 6 for further details).

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

- Canal & River Trust, Daventry Town Council (comments raised), WNC Environmental Health (comments raised) and the WNC Landscape officer (comments raised).

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

- None

One letter of objection has been received and five letters of comments 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 and materials,
- The impact on the character and appearance of the surrounding area/landscape,
- Impact on neighbouring amenity, and
- Highway safety.

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a detached two storey dwelling with living accommodation over three floors and a side extension that houses a swimming pool. The property also has a three bay detached garage (to the south west of the dwelling), which has previously been extended. The dwelling is set within a large plot with a wraparound garden and front driveway area.
- 1.2 The property has red brick elevations with timber detailing under pitched tiled roofs and brown framed uPVC windows and doors. The swimming pool extension has a flat roof with hipped glazed roof lanterns.
- 1.3 The property is situated within Drayton Park Daventry, a residential area south of Drayton Reservoir and to the north of Daventry town centre. The application site is surrounded by residential properties and their associated gardens along with Drayton Park road to the south east and the reservoir to the north. Access is provided via a shared drive with the dwelling to the north east (no.27 Drayton Park).

2 CONSTRAINTS

- 2.1 The property is not located within a conservation area nor is it a listed building. The application site falls within a statutory consultation area for the Canal & River Trust, due to the proximity to the Drayton Reservoir.
- 2.2 There is a Tree Preservation Order (TPO) tree located at the north western corner of the application site.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for alterations and extensions to the main dwelling which include the demolition of the swimming pool enclosure and the replacement with a side and rear extension, raised rear patio, two-storey external front lift shaft, and a front entrance canopy. The existing garage is proposed to be extended with a conservatory and converted to self-contained living accommodation. A new vehicular access and gates along the south eastern boundary are also proposed.
- 3.2 Minor amendments to the application have been made and these include removing the initially proposed front carport which was attached to the house, minor changes to the design of the proposed gates, illustrating the position of two external air source heat pumps (ASHP), and adding/clarifying additional details to the drawings. These were minor changes and therefore no re-consultation was considered necessary.
- 3.3 The application before the committee is described below and each of its component parts are numbered for reference.
- 3.4 All measurements have been scaled off the submitted drawings (when not shown) which illustrate the proposal.

(1) Single storey side and rear extension

- 3.5 A single storey side and rear extension is proposed on the north eastern and north western elevations of the main house. The side part measures approximately 9.4 metres wide by 13.4 metres deep and 3.2 metres high (ridge height). The rear part measures approximately 5.1 metres wide by 4.4 metres deep and has the same height as the side addition. The extension would provide living accommodation along with a plant room with two externally mounted ASHP's on the new north-eastern side elevation.
- 3.6 The extension would be constructed with brick elevations under a mansard roof with uPVC framed windows and doors. The materials would match the existing property. Five roof lights are proposed. A separate entrance door on the front elevation of the extension is proposed with a porch canopy.
- 3.7 Part of the existing conifer hedge and a single small tree would need to be removed to allow for the construction of the extension.

(2) Two storey external lift shaft and front canopy

- 3.8 A two storey external lift shaft is proposed on the south eastern front elevation. This would provide lift access to the first floor. No other changes are proposed to the upper floor accommodation of the main house.
- 3.9 This addition measures approximately 2.3 metres wide by 2 metres deep and 7 metres high (ridge height). The existing hall would be removed to accommodate this and it is proposed to be constructed using matching brickwork elevations with timber detailing and a matching tiled hipped roof.
- 3.10 A new pitched roof canopy is proposed over a new front entrance door that would replace an existing window. The existing balcony above this area would also be removed.

(3) Conversion of the garage and conservatory extension

- 3.11 The existing garage is proposed to be converted into self-contained living accommodation with a conservatory extension. The extension would be situated on the northern side elevation of the garage and measures approximately 3.4 metres wide by 3.1 metres deep and 3.5 metres high (ridge height). It would remain lower than the height of the garage.
- 3.12 The rest of the garage footprint would remain unchanged with a series of new windows and doors proposed on the eastern, western and southern elevations. The conservatory would have glazed elevations with an uPVC frame to match the existing property. The roof would be tiled to match the garage. The infilling of the existing garage doors and window on the southern elevation would also use matching brickwork.
- 3.13 There would be no change to the size of the upper floor garage storage which would still be accessible from the living accommodation.

(4) New vehicular and pedestrian access

- 3.14 A new vehicular and pedestrian access is proposed along the eastern boundary and in a similar position to the existing pedestrian access. The proposed vehicle access would have a remotely operated dark grey double gate between two brick posts (to match the brickwork of the existing property). The gate would be 3.8 metres wide by 1.95 metres high. A 1.2-metre wide pedestrian gate, in the same style and height as the vehicle gate, is also proposed.
- 3.15 A single tree within the site and part of the existing hedgerow would need to be removed to accommodate the new access and a new vehicular crossover would be required. The existing access to the site would be retained, however, it has been conditioned that this be closed temporarily during the construction works.

(5) Other alterations

- 3.16 Several of the existing windows and doors on the main house would be altered using the existing openings. The bay windows on the front elevation would be removed.
- 3.17 The existing rear patio would be removed and replaced with a new level access patio with steps and a ramp to provide access to the garden.
- 3.18 Other external changes, include extending the driveway into the southern part of the site and replacing the existing gravel driveway with a tarmac alternative. Further details of the application are illustrated on the submitted drawings.

4 RELEVANT PLANNING HISTORY

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

DA/88/0540 – Residential development (development brief) – Approval.

DA/89/1200 – Construction of roads and sewers – Undetermined.

DA/91/0630 – Renewal of outline planning permission DA/88/0540 for residential development – Approval.

DA/92/0377 – Dwelling and garage – Approval.

DA/92/1247* – Detached dwelling and garage – Approval.

DA93/1135 – Velux roof lights to rear roof elevation – Approval.

DA/99/0596 – Single storey side extension to house indoor swimming pool – Approval.

DA/2000/1260 – Single storey side extension to house swimming pool (revised scheme)

DA/2013/0768 – Extension to existing garage - Approval

*Permitted development rights for development that falls under Classes A, B, C, D and E of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order (as amended)) have been removed under application DA/92/1247. Permitted development rights for the cladding or rendering of the property have also been removed.

5 **RELEVANT PLANNING POLICY AND GUIDANCE**

5.1 Statutory Duty

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

5.2 Development Plan

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

- SA – Presumption in Favour of Sustainable Development
- S1 – The Distribution of Development
- S10 – Sustainable Development Principles
- H1 – Housing Density and Mix and Type of Dwellings

Settlements and Countryside Local Plan (Part 2) For Daventry District (February 2020) (LPP2)

- SP1 – Daventry District Spatial Strategy
- HO8 – Housing Mix and Type
- ENV1 – Landscape
- ENV9 – Renewable Energy and Low Carbon Development
- ENV10 – Design
- ST1 – Sustainable Transport Infrastructure

5.3 Material Considerations

Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Daventry District Council Designing House Extensions Supplementary Planning Guidance (SPG)
- Drayton Park Design Statement SPG (December 2020)
- Daventry Town and Parish Design Statement (May 2008)
- Drayton Park Daventry Residential Plots Development Brief (November 1989)
- Northamptonshire Parking Standards (September 2016)
- Local Highway Authority Standing Advice For Planning Authorities (June 2016)
- Northamptonshire County Council Highways and Transport Plan – Network Management Plan 2021

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Daventry Town Council	No objection in principle	No objection in principle provided the extensions and garage conversion comply with the principles of the Drayton Park Design Statement. Consideration should be given to the impact of noise arising from the plant room at the joint property boundary. Requested that the new access be designated as the principal accessway, that it be in place prior to the commencement of the building works and that it be the sole building site entrance in order to minimise disruption to the neighbouring property.
Canal and River Trust	No comments to make	N/A
WNC Landscape officer	No objection	The loss of the island bed will have little impact when viewed from the road and as long as the existing boundary hedge and associated trees beyond the new access are retained as indicated, the landscape officer has no other landscape comments. No objection to the loss of the trees or hedge. Requested tree protection fencing for the northern boundary.
WNC Highways	Objection/ Comments	It is contrary to highway policy for a single dwelling to have more than one point of access from the public highway. No objection to the new access provided the route through the existing access is blocked off (see paragraphs 8.38 and 8.39 below for more details). Requested the new gates are set back by the length of a car or are electric and remotely operated from the vehicle. Details of this have been added to drawings and conditioned. Requested a condition making the garage conversion ancillary to the main dwelling only.
WNC Environmental Health	Comments	Recommended conditions for a noise assessment (only if external plant is proposed) and a construction management plan. Also asked for details on Electric Vehicle (EV) charging.
WNC Minerals and Waste Planning Authority	No response received	N/A

7 RESPONSE TO PUBLICITY

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

7.1 There has been one letter of objection and five letters of comments received raising the following issues:

- Out of keeping with the other properties,
- Loss of landscape features,
- Impact on residential amenity (overlooking/loss of privacy, overshadowing, noise impact from the plant room and specifically the proposed external ASHP's),
- Not clear how high the upper floor of the annexe would be/the relationship of the extension to neighbouring properties,
- The proposal would impact property rights/breach covenants, particularly with regard to the use of shared access. Proposed that the new access be in place before the construction works began and that it will be the sole building site entrance and future principal access,
- Requested measures to secure a second access to the west of the current gates,
- Comments redacted thus making them difficult to understand,
- Not clear what revisions have been made to the drawings,
- Any revisions to the access should result in re-consultation. As discussed above the amendments to the application have been minor and therefore re-consultation was not considered necessary.

7.2 The neighbour comments have been redacted in accordance with Council procedure for publishing responses on planning applications.

8 APPRAISAL

8.1 Concerns have been received that the heights of part of the proposed development and the relationship to the neighbours have not been shown. The amended drawings include an accurate scale and they are considered to provide the necessary information to determine the application. These details have been assessed along with the case officers' own observations. An issue sheet and notes on the drawings have been added to explain the revisions that have been made during the course of the application.

Principle of Development

8.2 The relevant policies are SA and S1 of the WNJCS and SP1 of the LPP2. SA relates to the presumption of sustainable development and S1 details the distribution of development. SP1 outlines a series of spatial principles and focuses development within Daventry town. Regard has also been had to chapter 2 of the NPPF which discusses the presumption in favour of sustainable development and the Daventry Town and Parish Design Statement which categorises Daventry Town between the town centre and outer urban area.

8.3 The application site is located within an established residential area in the outer urban area of Daventry Town and the proposal comprises domestic extensions to an existing residential use. The converted garage would also remain as a residential use that is ancillary and tied to the host dwelling, and this has been secured by way of a recommended condition. Therefore the principle of development is considered acceptable subject to detail (as assessed in the following sections).

Design and materials

- 8.4 The relevant policies and material considerations are ENV10 of the LPP2, paragraph 130 of the NPPF, the Designing House Extension SPG, the Drayton Park Design Statement SPG (referred to as the “Design Statement” from here) and the Daventry Town and Parish Design Statement. These all require (amongst other matters) that extensions and alterations be of an appropriate size and scale, be suitably located, and be sympathetic to the existing dwelling in terms of design and materials. The impact on the character and appearance of the surrounding area is assessed in more detail under paragraphs 8.16 to 8.27 (see below).
- 8.5 Weight has also been given to policies H1 of the WNJCS and HO8 of the LPP2 with regard to providing specialist accommodation that meets the needs of the occupier.
- 8.6 The Drayton Park Residential Plots Development Brief was formed to assist with the development of the individual plots of Drayton Park and it is considered that its purpose has been served as the residential estate has now been developed. Permitted Development Rights under Classes A-E of Part 1 and Class A of Part 2 of Schedule 1 of The Town and Country Planning (General Permitted Development) Order (as amended) were removed for this property. This has ensured that future extensions and alterations to the property are fully considered by the Local Planning Authority
- 8.7 The form, massing, height and scale of the extensions to the main house are considered acceptable and would remain subservient to the existing dwelling. Their height and roof design accord with Guideline 5.3.7 (2) of the Design Statement, which outlines that extensions should be a maximum of two storeys and have pitched roofs. The height of the side extension (when comparing the ridge height of the new mansard roof against the existing flat roof) is approximately 0.4 metres higher, which is a minor and acceptable increase. The design of this roof is considered an enhancement when compared with the existing flat roof that has large glazed roof lanterns. Moreover, the overall height of this addition would appear lower as the roof lanterns have heights of approximately 4 metres and 3.8 metres.
- 8.8 In accordance with Guideline 5.3.7 (3) of the Design Statement, the extensions would not encroach significantly into the open nature of the garden and the plot is considered large enough to accommodate the additions. The footprint of the side extension is similar to the existing swimming pool enclosure. The rear extension would be contained by the built form of the existing house and the side extension is of an acceptable depth to complement the footprint of the existing dwelling.
- 8.9 In terms of materials, a consistent palette has been proposed that matches the existing dwelling which accords with paragraphs 5.3.3 and 5.3.4 and Guideline 5.3.7 (1) of the Design Statement and the Designing House Extensions SPG, which both promote the use of materials that complement the existing building. The external lift shaft proposes the use of timber detailing to match that used elsewhere on the existing property.
- 8.10 The changes to the design of the garage are considered acceptable. There would be no increase in the height of this building and the conservatory extension has a small footprint. The external changes would use matching materials and the conservatory is considered to be a sympathetic and subservient addition to this building. The converted garage would still read as an ancillary building to the host dwelling and an acceptable separation gap between the two buildings would be retained. The converted garage and conservatory would also remain located within 5 metres of the dwelling and would not obscure the face of the dwelling. It therefore accords with Guideline 5.3.7 (5) of the Design Statement.

- 8.11 The scale and design of the proposed rear raised patio is acceptable and would create an appropriate transition between the garden and the house, whilst providing the necessary access for the occupier. The proposed design changes to the existing windows and doors and the addition of the porch canopies on the front elevation are of an acceptable design and complement the appearance of the existing dwelling.
- 8.12 The design and height of the proposed gates/pillars for the new access are also deemed appropriate and the material palette would be consistent with the rest of the property. The impact of the loss of vegetation associated with the new access is assessed in the following section.
- 8.13 The proposed air source heat pumps would be screened from the public views of the property and would have a very limited impact on the overall appearance of the property.
- 8.14 Weight has been given to the use of the extensions to provide more accessible and specialist accommodation to meet the requirements of the property's occupiers. This is in accordance with H1 of the WNJCS and HO8 of the LPP2 which supports housing for different accommodation needs and to meet people's changing circumstances over their lifetime. HO8 promotes development that provides specialist accommodation whilst promoting independent living.
- 8.15 Accounting for the above, the proposed development is considered to be compliant with policy in terms of design and appearance.

Impact on the character and appearance of the area/landscape

- 8.16 The relevant policies and material considerations are ENV1 and ENV10 of the LPP2, paragraph 130 of the NPPF, the Design Statement and The Daventry Town and Parish Design Statement. These all require development to respect the character of the local area, the pattern of development, and should reinforce local distinctiveness. The Design Statement provides a series of setting and landscape guidelines for development within Drayton Park.
- 8.17 Concerns have been raised that the proposal is out of keeping with the surrounding properties and the removal of the landscaping that would be replaced by hard surfacing does not accord with the Design Statement. It has been assessed in the above section that the additions and alterations are considered to be of an acceptable design that would use materials that complement the existing dwelling. These additions are considered to be sympathetic to the surrounding buildings, which are characterised by having red brick elevations and pitched tiled roofs. Moreover, the extensions accord with the relevant guidelines within the Design Statement that relate to scale, height and materials.
- 8.18 The Design Statement includes landscape guidelines which aim to restrict the loss of vegetation and trees and support proposals to enhance landscape features within and between plots. The proposal would result in the removal of two trees within the application site. A small proportion of hedgerows along the eastern boundary and adjacent to the side extension would also be removed. Guideline 5.2.9 (2) of the Design Statement directs that any application which removes or may impact upon trees and hedges should be accompanied by a Tree Survey/Arboricultural statement. Given that the landscape officer has reviewed the application and has not requested this and that the removal of vegetation is limited it was not considered necessary to request such a survey.

- 8.19 The landscape officer has also raised no objections to the loss of the small island bed of bushes that would be replaced by the extended driveway. This would have little visual impact when viewed from the road given the screening that is provided by the boundary vegetation. They have concluded that as long as the existing boundary hedge and associated trees beyond the new access are retained, they have no other landscape comments. No concerns have been raised with the partial removal of the conifer hedge and tree.
- 8.20 The submitted drawings do not indicate any further loss of vegetation besides that around the new access and side extension. It is therefore considered that the loss of landscaping is appropriately detailed in accordance with paragraph 5.2.1 of the Design Statement.
- 8.21 The introduction of a tarmac driveway would not have a significant impact on the overall character of the plot and this area would be well screened by the boundary hedge when viewed from the highway/public viewpoint. No permitted development rights have been removed with regard to the installation of hard surfaces at the property.
- 8.22 As sufficient planting would be retained at the front of the property, the visual impact of the extensions and alterations to the garage on the appearance of the street scene would be limited. Likewise, the new access gates would not harm the character and appearance of the area and the street scene as they are considered to be of an acceptable design and are in keeping with the character of the plot. The gates therefore accord with paragraphs 5.2.5 and 5.2.6 of the Design Statement.
- 8.23 Guideline 5.3.7 (4) outlines that buildings should be positioned a distance of 5 metres from shared plot boundaries. With regard to the converted garage, there is no change to the distance between the boundary and this building at circa 4.7 metres. With regard to the side extension, the current distance from the north eastern boundary to the swimming pool enclosure is approximately 5.7 metres at the narrowest point. This would be reduced to 4 metres as a result of the side extension.
- 8.24 Despite the separation for the side extension not according to Guideline 5.3.7 (4) it is considered that the rest of the proposed development complies with Policies ENV1 and ENV10 and is consistent with the rest of the Design Statement. As discussed above in paragraph 8.8 the plot is large enough to accommodate the extension whilst retaining adequate open space around the dwelling. The overall increase in plot coverage as a result of both the extensions to the main dwelling and garage is circa 16%.
- 8.25 Although each application is assessed on its own merits and on a case by case basis, it must be noted that several dwellings within Drayton Park infringe on the 5 metre boundary guidance with extensions or outbuildings.
- 8.26 Regard has also been had to an appeal on application reference DA/2020/0804 (Appeal ref: APP/Y2810/D/21/3269326) for a property within Drayton Park. This application was for a garage conversion and associated single storey side extension and the installation of two rooflights. The extension reduced the gap to the joint boundary to a minimum of 2.1 metres and therefore breached the 5 metre guidance within the Design Statement. The inspector concluded that whilst the distance between the proposed development and the side boundary would be reduced, the set back from the road, established planting and the small scale of the proposed extension would not appear at odds with the attractively landscaped, open character of the area, nor would it result in the plot appearing overly cramped. It was also considered that a tree survey

would not be required given that the extension would not require the removal of any trees or landscaping that make a meaningful contribution to the character of the area.

- 8.27 Similar conclusions have been reached with this application, as the removal of the vegetation would not significantly alter the leafy setting of this area of Drayton Park and would have no cumulative impact on the surrounding landscape. Planting would remain at the front, side and rear of the property and the overall landscape character of the plot would not be significantly changed. Tree protection fencing has also been conditioned to protect the vegetation and trees along the northern boundary of the site. It is therefore considered that the proposal mostly accords with the relevant setting and landscape guidelines of the Design Statement and is considered to be compliant with the other adopted policy in terms of its impact on the character and appearance of the surrounding area.

Impact on neighbouring amenity

- 8.28 The relevant policies and material considerations are ENV10 of the LPP2, paragraph 130 of the NPPF, the Design Statement and the Designing House Extensions SPG. These contain policies and guidance on protecting neighbouring amenity.
- 8.29 Concerns have been raised with overshadowing/loss of light, overlooking and the noise impact resulting from the proposed plant room, specifically the external location of the ASHP's.
- 8.30 With regard to overshadowing and loss of light, the extensions closest to the neighbouring boundaries are single storey and are approximately 11 metres from the neighbour to the west and 13 metres from the neighbour to the north east. None of the extensions infringe the 60-degree or 45-degree guidance contained in the Designing House Extensions SPG and given the distance to the neighbouring properties and the boundary treatment (specifically the mature vegetation along the western boundary) the proposed development would not result in any overshadowing/loss of light or overbearing.
- 8.31 No new upper floor windows are proposed on the south western side elevation or the rear elevation. On the north eastern elevation, the upper floor balcony door which serves a bedroom would be replaced with a window and results in no change to the outlook. The new windows on the front of the property would face over the driveway and the highway and the new ground floor side or rear windows would face into the private garden which is adequately screened. It is therefore considered the proposed development would not result in any adverse overlooking that would harm neighbouring amenity.
- 8.32 The application proposes the installation of two ASHP's on the north eastern elevation of the side extension and adjacent to a new plant room. These would be located circa 4.4 metres from the joint property boundary. It was suggested to the applicant that the ASHP's be moved to the front elevation to reduce their potential noise impact on the neighbouring property, however, it is recognised that this would detract from appearance of the front elevation. The application has therefore been determined with the ASHP's on the side elevation.
- 8.33 In accordance with the recommendation from the Environmental Health Officer a noise assessment has been conditioned in order for the noise impact of the proposed ASHP's to be properly assessed before being brought into use.

- 8.34 Regard has been had to Policies S10 of the WNJCS and ENV9 of the LPP2 which support the use of renewable energy sources in new development. ENV9 directs that these proposals will be supported provided they do not have an adverse impact on the landscape and residential amenity (amongst other matters). The proposed ASHP's would not impact the landscape setting of the plot or surrounding area as they have been positioned in a well screened location adjacent to the building. As discussed above, a noise assessment has been conditioned and therefore an appropriate assessment of the ASHP's can be made, with measures then requested to ensure that their noise does not affect neighbouring amenity. It is considered the ASHP's would accord with S10 and ENV9.
- 8.35 An informative has been recommended to remind the applicant that the Council has non-planning powers for any issues arising from noise/neighbour nuisance resulting from the proposed development works.
- 8.36 With the relevant condition for the noise assessment, the proposed development is not considered to harm neighbouring residential amenity and accords with paragraph 5.3.6 and Guideline 5.3.7 (6) of the Design Statement and is considered to be compliant with the relevant policy with regard to neighbouring amenity.

Impact on the highway/parking

- 8.37 The relevant material considerations are chapter 9 of the NPPF, the Northamptonshire Parking Standards, the Local Highways Authority Standing Advice for Planning Authorities (referred to as the "Standing Advice" from here) and the Northamptonshire Council Highways and Transport Plan – Network Management Plan (referred to as the "Network Management Plan" from here). Regard has also been had to Policy ST1 of the LPP2 with regard to Electric Vehicle (EV) charging provision.
- 8.38 With regard to the new access, the Local Highways Authority (LHA) have outlined that it is contrary to the adopted highway policy for a single dwelling to have more than one point of access from the public highway. Policy 18.12 of the Network Management Plan outlines that '*no more than one vehicular access per property shall be allowed from the same street or road*'. This is reiterated by the Standing Advice, which sets out that proposals for multiple accesses '*create additional and unnecessary points of conflict between emerging vehicles and other highway users.*' The standing advice outlines that these proposals should be resisted, and any such proposal referred to the LHA for consideration, as has been the case for this application.
- 8.39 The LHA has no objection to the proposed new access subject to the existing route through to the shared access being blocked off, thereby reverting it to a single access serving no.27 only.
- 8.40 In determining if the current access should be permanently closed or should remain in use in conjunction with the new access as proposed, weight has been given to the nature of Drayton Park which is a quiet residential estate with limited/slow traffic flows. The two access points would also provide a benefit for the applicants when entering and exiting the site, allowing them to enter in a forward gear thus reducing any need to reverse out of the application site whereby there is restricted visibility when compared to egressing in a forward direction. There is currently limited turning space at the front of the property and the proposal would also provide improved access for the applicant's vehicles to meet their specific needs. Moreover, the new access would not conflict with the position of any other driveway entrances along Drayton Park.

- 8.41 Weight has also been given to an appeal made against application WND/2021/0190 (appeal reference APP/W2845/D/21/3283660). This related to an application for a second vehicular access for a single dwelling which was refused by the Council on the grounds it would result in a detrimental and unacceptable impact on highway safety. The appeal was allowed and permission was granted. The inspector concluded that the proposed access would result in a highway safety improvement resulting from improved pedestrian/vehicular visibility splays as well as the ability to enter and exit the site in a forward gear. It was also considered that the Policy 18.12 carries very little weight in the planning balance given its inconsistency with national highway guidance and that it does not form part of the Development Plan.
- 8.42 Taking account of the above and the site-specific circumstances, on balance the additional access is considered unlikely to result in an unacceptable impact on highway safety and therefore does not warrant sufficient grounds for refusal. It is deemed there would be no conflict with paragraph 111 of the NPPF. Pedestrian visibility splays have also been conditioned. It is reiterated that the Network Management Plan does not form part of the adopted Development Plan and this has been confirmed within the appeal referenced above. Therefore the Network Management Plan and Standing Advice are materials considerations only. Notwithstanding this, conditions have been sought to temporarily close the access during the construction works (see below).
- 8.43 Concerns have been raised that the use of the existing access during the proposed works and its future use (once the extensions have been completed) would contravene restrictive covenants that prohibit the increased use of the shared access that would result in a nuisance, annoyance or cause damage to the neighbouring property. Any legal matters relating to the property's title or that of the neighbouring dwelling are not planning matters and would be dealt with by the parties involved. However, to limit the impact the proposed works may have on the shared access, conditions requiring the new access to be completed prior to any other construction works going ahead and for the existing access to be temporarily closed during the duration of the works have been recommended.
- 8.44 The LHA have requested that the gates be either set back by the length of a car (to allow it to pull off the road and the driver to exit the vehicle to open/ close the gates) or, are electric and remotely operated from the vehicle. It has been confirmed on the proposed drawings that the gates would be remotely operated and this has been conditioned. The LHA has agreed to the amended gate details. It has also been conditioned that the gates shall open inwards.
- 8.45 The applicant is reminded that a Section 184 License would be required to carry out the works to the site access within public highway land.
- 8.46 The extensions would result in an increase in the number of bedrooms from three to six. In accordance with the Northamptonshire Parking Standards, the parking requirement therefore increases to three spaces. The existing front driveway can adequately accommodate this provision and this area is proposed to be increased in size. It is understood that an EV charging point would also be installed as part of the development and therefore accords with Policy ST1.

Other considerations

- 8.47 The loss of vegetation is minimal and therefore the proposed development is not considered to result in any impact on protected species.

8.48 The application site is within Flood Zone 1 and there are no surface water flood risks that affect the application site.

8.49 Given the scale and domestic nature of the proposed development, it is not considered that a condition for a Construction Management Plan (as requested by the Environmental Health Officer) would meet the necessary tests.

9 FINANCIAL CONSIDERATIONS

9.1 As the proposal includes both extensions over 100sqm gross internal area and the creation of self-contained living accommodation through conversion, it is CIL liable. This has no weight in determining the application.

10 PLANNING BALANCE AND CONCLUSION

10.1 The extensions and alterations are considered to be acceptable changes to the existing dwelling and are in keeping with the character and appearance of the property. They would have limited impact on the appearance of the street scene, and the landscaped appearance of the application site and surrounding area will not be significantly changed by the proposal. The application has been fully considered against the Drayton Park Design Statement and it concluded that it mostly accords with this guidance, and any non-compliance is not sufficient to warrant grounds for refusal. The impact of the proposed additional access has been considered and on balance it is concluded that this is unlikely to result in an unacceptable impact on highway safety. Weight has been given to a similar appeal when assessing this part of the proposal. The development is considered not to result in harm to neighbouring amenity and the relevant conditions have been recommended to make the proposal acceptable in planning terms.

10.2 As such, it is considered that the proposal should be approved in line with the principle of sustainable development as it accords with the relevant policy and guidance.

11 RECOMMENDATION / CONDITIONS AND REASONS

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

CONDITIONS:

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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

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

2. The development hereby permitted shall be carried in strictly in accordance with the amended drawing numbers D&PM 4013/01.3 Rev H 'Proposed Site Plan', D&PM 4013/03.1 Rev C 'Proposed Ground Floor Layout Plan', D&PM 4013/03.2 Rev A 'Proposed First & Second Floor Layout Plans', D&PM 4013/03.4 Rev B 'Ground Floor Annex – Floor Plan as proposed', D&PM 4013/04.3 Rev B 'Elevations – as proposed – Sheet 1', D&PM 4013/04.4 Rev A 'Elevations – as proposed – Sheet 2', D&PM 4013/04.6 Rev A 'Ground Floor Annex – Elevations as proposed' and D&PM 4013/5.0 Rev A 'New Front Gate' deposited with the Local Planning Authority on the 31st of October 2023.

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

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

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

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL

4. No equipment, machinery or materials shall be brought onto the site for the purposes of the side and rear extension hereby permitted until details of the proposed type and a plan of the proposed position of fencing for the protection of trees or hedges along the northern boundary of the application site, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without the written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and to protect the vegetation along the northern boundary of the application site.

5. Prior to the use of the plant room hereby permitted, including the external air source heat pumps, a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014 (+A1:2019). Once approved the use of the plant room and external air source heat pumps shall be

operated in accordance with the approved details and thereafter maintained in this approved state.

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

OTHER CONDITIONS TO BE COMPLIED WITH

6. Prior to the commencement of development, the existing access on the north eastern boundary shall be closed at the point where it enters the application site. This shall remain closed for the duration of all of the works associated with the development hereby permitted.

Reason: In the interest of safeguarding residential amenity and to minimise disruption during the construction works for the development.

7. The proposed new access on the south eastern boundary and detailed on drawing numbers D&PM 4013/01.3 Rev H 'Proposed Site Plan' and D&PM 4013/5.0 Rev A 'New Front Gate' shall be completed and brought into use prior to the commencement of any other works associated with the development hereby permitted. This does not restrict the implementation of the tree protection fencing to be agreed under condition 4 or the closure of the existing access.

Reason: In the interest of safeguarding residential amenity and to minimise disruption during the construction works for the development.

8. Pedestrian visibility splays of at least 2.0m x 2.0m (measured from the and along the highway boundary) shall be provided on each side of the new vehicular access. The areas of land within the splays shall be completely cleared of all obstructions and levelled and maintained at a height not exceeding 0.6m above adjacent footway level.

Reason: In the interests of public and highway safety.

9. Any gates at the point of vehicular access to the property shall be hung to open away from the highway [and Public Right of Way].

Reason: In the interests of public and highway safety.

10. The new vehicular access gates shall be electrically and remotely operated from the vehicle.

Reason: In the interests of public and highway safety.

11. The converted garage hereby permitted shall only be used as a self-contained residential annexe that is ancillary to the residential use of the dwelling known as Bank Cottage, 25 Drayton Park, Daventry West, Northamptonshire, NN11 8TB. For the avoidance of doubt the annexe shall not be used as a separate residential dwelling or for any other commercially let residential use, which includes holiday let accommodation.

Reason: To ensure that the use of the annexe is for an ancillary use only associated with the residential use of the dwelling known as Bank Cottage, 25 Drayton Park, Daventry West, Northamptonshire, NN11 8TB.

INFORMATIVES:

1. The applicant will be required to obtain a Section 184 licence from WNC Highways Regulations on receipt of a planning Consent in order to carry out works to the site access within public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a WNC Highways Approved Contractor, who has the required and necessary public liability insurance in place.
2. In granting this planning permission, the Local Planning Authority expects the construction of the development to be carried out in a courteous manner so as not to cause nuisance to others which includes not unnecessarily obstructing local roads and driveways/footpaths at any time and/or taking deliveries or working making an unacceptable level of noise at unsocial hours defined as other than between the 8.00am and 6.00pm on weekdays and 8.00am to 1.00pm on Saturdays and at no time on Sundays and Bank Holidays. You should be aware the Council has non planning powers to deal with neighbour nuisance should it prove expedient to do so.