



Planning Committee Report

Application Number: WNS/2022/1528/FUL

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

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

Applicant: Nazim Iftikhar Choudary

Agent: MLA Architecture Ltd

Case Officer: Rob Burton

Ward: Hackleton and Grange Park

Reason for Referral: WNC councillor application

Committee Date: 08 February 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

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

Consultations

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

- Ecology

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

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

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

- Parish Council

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

Conclusion

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

The key issues arising from the application details are:

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

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

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

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

2 DESCRIPTION OF PROPOSED DEVELOPMENT

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

3 RELEVANT PLANNING HISTORY

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

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

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

4.2 West Northamptonshire Joint Core Strategy (2014) (WNJCS)

SA- Presumption in Favour of Sustainable Development

S10 – Sustainable Development Principles

BN2 – Biodiversity

R1 – Spatial Strategy for the Rural Areas

South Northamptonshire Part 2 Local Plan (SNLP)

POLICY SS1: THE SETTLEMENT HIERARCHY

POLICY SS2: GENERAL DEVELOPMENT AND DESIGN PRINCIPLES

POLICY LH1: RESIDENTIAL DEVELOPMENT INSIDE AND OUTSIDE 37
SETTLEMENT CONFINES

POLICY LH4: SINGLE DWELLINGS IN THE OPEN COUNTRYSIDE

POLICY NE5: BIODIVERSITY AND GEODIVERSITY

National Planning Policy Framework (2023)

Chapter 12 – Achieving well designed places

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – conserving and enhancing the historic environment

National Design Guide (2019)

5 RESPONSE TO CONSULTATION

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

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

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

6 RESPONSE TO PUBLICITY

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

6.1 There has been 1 letter received raising the following comments:

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

7 APPRAISAL

Principle of Development

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

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

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

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

Impact on Character of Area

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

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

Impact on Residential Amenity

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

Occupier amenity

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

Highway Safety

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

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

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

Ecology/protected species

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

8 FINANCIAL CONSIDERATIONS

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

9 PLANNING BALANCE AND CONCLUSION

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

CONDITIONS:

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

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

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

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

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

3. A schedule of materials and finishes to be used in the external walls, roof, windows and doors of the dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

4. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:
 - a. details of any proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - b. details of the existing trees and hedgerows to be retained as well as those to be felled,
 - c. details of all hard landscaping including hard surface areas, pavements, pedestrian areas and steps,

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

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

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

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

receptors. In accordance with Policy 11 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVES:-

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

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

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