

**Application Number:** WNS/2021/0707/OUT

**Location:** Land North of Blackmires Lane, Silverstone

**Proposal:** Outline planning application with all matters reserved except for access for a Detached Self Build Dwelling, Garage and Associated Works

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**Applicant:** P Smith

**Agent:** Dave Collins

**Case Officer:** Geraldine Hardcastle

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**Ward:** Silverstone

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**Reason for Referral:** Called-in by Cllr Dermot Bambridge

**Committee Date:** 09/09/2021

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO THE COMPLETION OF A S106 LEGAL AGREEMENT

### **Proposal**

The proposal is for a single self-build dwelling with all matters reserved except for access. The site is located to the west of the main part of Silverstone village and along Blackmires Lane. The settlement confines for the village end immediately to the east of the proposed site. The site is currently used as a paddock for the enjoyment of the applicant, there are no agricultural uses on site. The site has an existing access and track serving a green metal clad storage building which is owned by the applicant.

### **Consultations**

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

- Highways, Crime Prevention Design Advisor, WNC Ecology and Silverstone Parish Council.

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

- Natural England.

3 letters of objection or comments have been received and 0 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
- Highway Safety
- Impact on Ecology
- Impact on Archaeology

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

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

## **MAIN REPORT**

### **1. APPLICATION SITE AND LOCALITY**

- 1.1 The application site is located to the west of Silverstone village at the end of a cluster of dwellings along Blackmires Lane. The site is part of a closely mown paddock which lowers down to a pond area which is more densely vegetated. The boundary of the paddock is denoted by hedgerows and trees to the south and west and a copse of mature trees to the north. The site does not form the residential curtilage of either of the adjacent dwellings, nor is it used for agricultural purposes, though it is owned by the applicant.
- 1.2 The dwellings along Blackmires Lane range in design and scale, however, the material palette is quite consistent with stone walls and slate roofing. The two dwellings adjacent to the application site were approved and constructed within the last 10 years.

### **2. CONSTRAINTS**

- 2.1. The application site is within the open countryside but adjoining the settlement confines to the immediate east of the site. The site is within a Special Landscape Area and is within 2km of 5 local wildlife sites.
- 2.2. To the west of the site are Flood Zone 2 and 3 areas around the pond and stream. The site itself is in Flood Zone 1. Blackmires Lane is also a Public Right of Way.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The proposal is for outline permission for a self-build dwelling. The dwelling is proposed to be constructed from stone and will either use slate or tiles for the roof, although this will be clarified at the reserved matters stage. No details of scale or number of bedrooms has been provided, however, these are also reserved for future determination. The application includes details and seeks detailed permission for the vehicle access into the site from Blackmires Lane, which will be sited where the existing vehicular access into the field is located.

### **4. RELEVANT PLANNING HISTORY**

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

Application Ref.	Proposal	Decision
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S/2016/1342/FUL	Variation of condition 2 (plans) to planning permission S/2014/1727/FUL (Detached Dwelling & garage and replacement garage) To allow revised layout & design of garages	Approved
S/2014/1727/FUL	Detached dwelling and garage and replacement garage	Approved
S/2012/0054/FUL	Variation of condition 2 on planning permission S/2010/0433/FUL (detached dwelling and garage) to allow alterations to the position & design of various windows & doors & minor internal re-work	Approved
S/2010/0433/FUL	Detached dwelling and garage	Approved

4.2 The above applications are relevant as they are examples of recent development extending the siting of dwellings further along Blackmires Lane.

## 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 15<sup>th</sup> 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
- R1 – Spatial Strategy for the Rural Areas
- S10 – Sustainable Development Principles
- H1 – Housing Density and Mix and Type of Dwellings
- BN2 – Biodiversity

#### 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
- LH5 – Self and Custom Built Homes
- HE2 – Scheduled Ancient Monuments & Archaeology

- NE2 – Special Landscape Areas
- INF4 – Electric Vehicle Charging Points

## Material Considerations

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

- National Planning Policy Framework (NPPF) – section 5, 12, 15 and 16
- Planning Practice Guidance (PPG) – Self-build and custom housebuilding.
- Supplementary Planning Guidance – Housing SPD

## 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	Comment
WNC Highways	<p><b>Comment</b> - If the proposed development is intended to share access with a farming interest; this is contrary to NCC adopted highway policy which does not permit private residential dwellings sharing access with commercial and industrial interests; of which farming is included, this policy is made in the interests of highway safety in order to prevent private motorists finding themselves in conflict with, and in opposition to the large vehicles associated with the commercial interest, in this case farming. The LHA objects to the proposal on this basis.</p> <p>However, if it is intended that the dwelling be occupied by persons associated with the farming interest carried out at the site, then this part of the objection is waived. In this case the LHA would request that the LPA include a suitably worded planning Condition tying the proposed dwelling to the farming interest.</p>
Natural England	No comments to make
WNC Archaeology	<p><b>Comment</b> - There is the potential for archaeological remains to be present in the application site. This potential can however be addressed by the use of a suitable pre-commencement condition for a programme of archaeological work. The programme of work should comprise trial trenching in the first instance to establish the presence, extent, date and preservation of any remains present and to guide a suitable programme of mitigation. Any mitigation would be covered by the same condition.</p>
Crime Prevention Design Advisor	<p><b>Comment</b> - Recommended that the dwelling addresses the 'street' with front door and windows visible to passing pedestrians/traffic. Any front boundary treatment should be 1 metre in height or less. Rear garden should include boundary treatment of 1.8m to open countryside. The car parking should be under surveillance from routinely inhabited ground floor rooms.</p>
WNC Ecology	<p><b>Comments and condition</b> -</p> <p>Having reviewed the following submitted report for this application, Preliminary Ecological Appraisal, by CGO Ecology, dated 5th February 2021, I have the following comments. I confirm the report is appropriate and fit for purpose. It follows the appropriate industry guidelines and best practice.</p> <p>See comments for list of conditions.</p>

Silverstone Parish Council	<b>Comment</b> - ensure that the site passes all archaeological site investigations and tests for access which have been referred to by Highways.
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## 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 2 letters of objection and 1 letter of comments raising the following matters:

- Dwelling is outside the village confines.
- Unnecessary and impactful extension of built development into the open countryside, impacting important views and wildlife corridors.
- Traffic concerns – single file lanes already busy, not suitable for another dwelling.
- Development is in close proximity to archaeological area.
- Silverstone Parish Plan identified Blackmires Lane as unsuitable for new development.

## 8. APPRAISAL

### Principle of Development

- 8.1. Policy SS1 from the South Northamptonshire Local Plan (Part 2) directs new development to within confines of existing settlement in accordance with a hierarchy. Silverstone is identified as a Secondary Village (A) which recognises it benefits from more services than the smaller Secondary Villages (B) and therefore is more suitable for limited development within the housing policies of the plan (LH1-LH11). Development outside of these settlements is classed as within the open countryside and is considered unsustainable and not acceptable in principle.
- 8.2. There are exceptions in the case that sites fall outside the village confines, which include conversions of existing buildings, agricultural workers dwellings, replacement dwellings, and self-build dwellings. This application is proposing a self-build dwelling and these are considered under Policy LH5 of the South Northamptonshire Local Plan (Part 2) and are considered an appropriate exception where the site immediately adjoins the existing settlement confines and represent a natural extension to confines (as per the Council's Housing SPD). The policy also seeks to secure occupiers who can demonstrate a local connection and secure the ongoing involvement of the intended occupier in the design and planning process of the dwelling to meet the definition of self-build and meet the policy requirements. These matters are secured by a legal agreement as required under this policy. The legal agreement applies to the land and so will apply even in the event the applicant sells the site.
- 8.3. The eastern side of the application site immediately adjoins the settlement confines of Silverstone and therefore the site is suitable in principle under policy LH5. The applicant appears to meet all the local connection criteria outlined in policy LH5, nevertheless, a legal agreement is in place to ensure the final occupier of the dwelling meets all the tests and has ongoing involvement in the design process.
- 8.4. The site itself is also clearly a natural extension of the village confines as per the guidance of the Housing SPD. Comments regarding the Silverstone Parish Plan identifying this site as unsuitable for new development are noted, however, the Silverstone Parish Plan carries limited statutory weight as it is not a formally adopted

document and thus does not override Policy LH5 of the Local Plan and the adopted Housing SPD.

- 8.5. The principle of a self-build dwelling on this site is therefore considered to meet the requirements of Policy LH5 of the South Northamptonshire Local Plan (Part 2).

#### Impact on character of the area

- 8.6. Policy SS2 from the South Northamptonshire Local Plan (Part 2) outlines the design principles for new development. The policy outlines that development will be approved where it maintains the character of the area in terms of scale, massing, form and materials; incorporates a suitable landscape treatment; provides a safe and suitable means of access; and will not adversely impact any built heritage in the area.
- 8.7. The site in its current form has a limited contribution to the overall character of the area, it is a small, self-contained, and not widely appreciable site due to its clearly defined boundaries and screening. Therefore, development of this site is unlikely to have significant effects on the wider character of the area.
- 8.8. The proposed works to improve the vehicle access in the form of providing vehicle and pedestrian visibility splays and improvement to the construction of the access will not significantly alter the appearance of the access within the locality. There are already a number of residential access points along this section of Blackmires Lane and the proposed improvement works would be of a scale and form in keeping with the existing character and other examples of vehicle accesses in this area.
- 8.9. Due to the outline nature of this application the design and scale cannot be assessed, however, the dwellings in the immediate vicinity have varying designs and scales and therefore it is considered that a simple and traditional design that accords with the South Northamptonshire Design Guide will preserve the built form and character of the area.
- 8.10. It is noted that the dwelling will have some impact on the views to and from the open countryside, however, this impact is considered low. The new dwelling will be situated adjacent to the existing dwelling to the east (number 2 Blackmires Lane) and will therefore be viewed against the existing built form of Blackmires lane when viewed from the open countryside. Moreover, the use of sympathetic materials, a modest scale and traditional design will lessen the impact further in accordance with policy SS2. Furthermore, distant views from the open countryside can be softened through robust landscaping, which can be secured as part of the detailed reserved matters applications.

#### Impact on neighbour amenity

- 8.11. As is the case for the impact on the character of the area, neighbour amenity can only be fully assessed at the reserved matters stage. However, the scale of the site will allow for sensitive placing of the dwelling to feasibly achieve the separation distances (i.e. 18m for facing windows) in accordance with chapter 4.7 of the South Northamptonshire Design Guide. Consequently, the development will accord with policy SS2(f) of the South Northamptonshire Local Plan (Part 2).

#### Impact on highway safety

- 8.12. The application site currently comprises a gated field access serving the applicants storage building located to the north of the application site. This existing building is not in agricultural use and is owned by the applicant. Concerns have been raised by the Local Highway Authority about the access being shared with an agricultural use however there is no agricultural use on the site.

- 8.13. Concerns have been raised regarding Blackmires Lane being unsuitable for another dwelling, it is a private road and a Public Right of Way, and is not an adopted highway maintained by the LHA. As such, the standing advice of the LHA is that only 5 dwellings should be served by such roads, although this 'limit' is already exceeded in this instance with 6 dwellings being served off Blackmires Lane. The proposal comprises one additional dwelling to be served from this access and this increase is not considered to cause harm to highway safety.
- 8.14. The plans demonstrate a safe access/exit onto the site for vehicles and pedestrians through improvement to the access providing unobstructed visibility splays, and through proposing to reposition the wall and existing hedgerow to achieve the required visibility splays. During the assessment of the application officers noted that an existing hedgerow to the west could be obstructing visibility splays and therefore an amended access plan has been received which shows adequate vision splays in both directions. With adequate visibility in both directions the proposed is considered to maintain highway safety levels for all users.
- 8.15. The existing access gates front the road, with no setback. The proposed access details show the new gates which will be set back from the lane to achieve the 5.5m setback required in the Local Highway Authority's guidance and allow vehicles to pull off the road before entering the gates into the site. This is an improvement from the current situation.
- 8.16. As such the impact on highway safety for all users is considered minimal. Paragraph 111 of the NPPF specifically states that permission should only be withheld on highway grounds where the residual cumulative impact is 'severe' or there is an unacceptable impact on highway safety, neither of which are considered to be the case here.

#### Impact on archaeology

- 8.17. Policy HE2 from the LPP2 states that "Development that would harm locally important archaeological remains or their settings will only be permitted where the public benefits of that development are significant and can be demonstrated to outweigh the harm to the archaeological interest of the asset and its setting". It goes on to outline that where there is a potential for archaeological remains to be present an investigation of the site is required.
- 8.18. Concerns have been raised that the development will have an impact on archaeological assets. The Silverstone Parish Plan outlines that this site was part of a Royal Hunting Lodge, however, the Archaeological advisor has explained that the County Historic Environment Record places the hunting lodge elsewhere in the village. The Archaeological advisor did outline that an abundance of pottery was discovered to the north east of the site and that there is a chance some further remains could be present within the application site. Therefore, an archaeological investigation of the site, comprising trial trenching and a programme of suitable mitigation for any findings will be required before any works commence on the site and this is therefore covered by a condition in the recommendation section below. By securing archaeological investigation and mitigation to proposal will not harm locally important archaeological remains and complies with Local Plan Policy HE2.

#### Ecology Impact

##### *Legislative context*

- 8.19. 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.

- 8.20. 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*

- 8.21. Paragraph 174 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.
- 8.22. Paragraph 185 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.
- 8.23. 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.
- 8.24. 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.

8.25. 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*

8.26. 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 and local area contain mature trees and hedgerows, a pond and a stream, and therefore has the potential to be suitable habitat for a variety of species including EPS; such as bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates.

8.27. 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.

8.28. 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.

8.29. The application is supported by a Preliminary Ecology Survey, this has been reviewed by the Council's Ecology Officer and is considered suitable. The red line site is considered to have a low biodiversity, however, areas within the blue line (land owned by the applicant) – the pond, stream and copse – are likely to contain protected species and thus careful management of the site is required.

8.30. 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.

8.31. The site is within a Red zone on the district wide Impact Risk Mapping for Great Crested Newts and thus the Ecology Officer has recommended a condition for the submission of detailed mitigation strategy at the later planning stages (e.g. reserved matters). Equally the applicant can enter into the District Level Licensing scheme with Nature Space.

8.32. Overall, despite the likely presence of protected species the impact of the development will be limited through conditions and mitigation strategies and thus is considered acceptable in accordance with local and national policy.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1. This will be a CIL liable development as it is a new dwelling, however, the liability cannot be calculated at this stage as there is no indication of scale and thus floorspace. This will be completed in the reserved matters stage.

## **10. PLANNING BALANCE AND CONCLUSION**

- 10.1. The development is considered acceptable in principle in accordance with policy LH5, SS2, HE2 and NE2 of the South Northamptonshire Local Plan (Part 2). The applicant is also able to demonstrate a local connection and this matter alongside others required for self-build plots under Policy LH5 of the Part 2 Local Plan will be bound by a legal agreement in due course. The recommendation is therefore subject to the completion of this.

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

### **11.1. RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO:**

- 1. THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**
- 2. 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 OCCUPATION OF THE DWELLING TO A PERSON WITH A LOCAL CONNECTION WHO WILL DEMONSTRATE ONGOING INVOLVEMENT IN THE DESIGN AND BUILD OF THE DWELLING (I.E. TO ENSURE THE DEVELOPMENT MEETS THE DEFINITION OF SELF-BUILD)**

### CONDITIONS

#### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. Details of the layout, scale, appearance, and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

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 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

2. 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).

3. 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: Location Plan (ref: 2117.10A) received on the 17/09/2021 and Access Plan (ref: 2117.20 Rev A) received 24/09/2021.

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

4. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for great crested newts, which shall include timing of works, exclusion fencing, the location and design of alternative ponds/habitats together with the timing of their provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works 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.

5. Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

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.

6. A method statement for enhancing of biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to the first occupation of the dwelling and retained in accordance with the approved details.

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

7. No development shall take place 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 and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, 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.

8. Before any works to the access here by approved are commenced details of the proposed construction, materials and surfacing of the proposed access shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the dwelling hereby approved, the access shall constructed in accordance with the approved details and shall be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety and to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

#### CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

9. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 7 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

10. The width of the access shall be a minimum of 3 metres for a distance of at least 5.5 metres from the highway boundary and any gate(s) shall be set back 5.5 metres from the edge of the carriageway and hung to open inwards only.

Reason : To accord with Government guidance in Section 12 of the National Planning Policy Framework and Policy SS2 of the South Northamptonshire Local Plan which requires that development shall have a satisfactory means of access.

11. The gradient of the access hereby permitted shall not exceed 1 in 15 for a minimum of the first five metres from the highway boundary and the access shall be paved with a hard bound surface (no gravel) for a distance of at least 5 metres from the highway boundary and shall be retained as such thereafter.

Reason : To ensure that an adequate and safe access is provided to the site in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

12. 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 sensitivity 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 visual amenity is conserved and to accord with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

13. Notwithstanding the provisions of Class E 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 building or structure shall be erected or placed within the curtilage of the dwelling hereby permitted without the prior planning permission of the Local Planning Authority.

Reason : To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the character and appearance of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

14. The development hereby permitted shall be carried out in accordance with the mitigation, recommendation and enhancements in section 5 of the Preliminary Ecological Appraisal, by CGO Ecology, dated 5th February 2021 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.

15. 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 newts 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.

16. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason : To conserve and enhance biodiversity and prevent the spread of non-native species 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