

<u>Application Number</u>	WND/2021/01 74
Location Description	THE SKERRIES, HIGH STREET, GUILSBOROUGH, NORTHAMPTONSHIRE, NN6 8PU
Site Details	DEMOLITION OF EXISTING BUNGALOW AND GARAGE. CONSTRUCTION OF 2 STOREY DWELLING AND GARAGE TO REAR OF SITE AND SINGLE STOREY DWELLING TO FRONTAGE.
Applicant	MR N MODHWADIA
Agent	ARCHITECTURAL SOLUTIONS
Case Officer	S HAMMONDS
Ward	LONG BUCKBY WARD
Reason for Referral	Called in by Councillor Phil Bignell
Committee Date	9 FEBRUARY 2022

Reason for application going **to committee:** Called in by Cllr Phil Bignell

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The existing bungalow and garage would be demolished to make way for two new dwellings - a new 2-bed bungalow at the front of the site and to the rear a new 4-bed 2-storey house with detached double garage.

Consultations

The following consultees have raised objections to the application:
Guilsborough Parish Council

The following consultees have raised no objections to the application:
WNC Highways
WNC Environmental Protection

Objections have been received from 4 neighbouring properties 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 in the body of the report.

The key issues arising from the application details are:

Scale, design and impact on visual amenity

Impact on neighbour amenity

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

APPLICATION **SITE** AND LOCALITY

The application site comprises a 1960s style detached bungalow with detached garage set back from the High Street to the west side of the Village Store. The front garden and driveway to the bungalow slopes up towards the house from the road giving the site an elevated position compared to the street.

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- The rear garden of the bungalow is substantial and wraps itself in an L-shape around the rear of the Village Store to adjoin the unscreened rear elevation of neighbouring Rose Cottage (neighbouring Rose Cottage has no rear garden of its own but rather it looks out directly onto the garden of the application site and its sunken outdoor swimming pool this is a long-standing situation that pre-dates the current occupiers of both properties).
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- The side wall of the adjacent Village Store forms the application site's eastern boundary and this elevation of the Store building contains a number of windows right on the boundary, serving the ground floor retail unit and first floor flats. A private driveway to two neighbouring dwellings (Elm Tree House and Paddock View) is situated immediately beyond the north-western boundary of the site, at a lower level than the application site's natural land level. Further beyond the site's rear boundary is paddock land and a walled garden associated with The Old House.

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- CONSTRAINTS
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- None identified. (The property is not in a conservation area, is not listed and there are no other listed buildings in the immediate vicinity).

DESCRIPTION OF PROPOSED DEVELOPMENT

It **is** proposed to demolish the existing bungalow and detached garage, and to construct a new 2-bed bungalow (with study) to the front of the site and a new 4-bed 2-storey dwelling and detached double garage to the rear. Both properties would have their own clearly defined rear garden / amenity area but they would share an access.

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- The existing vehicle access would be utilised without alteration. A row of three parking spaces would be provided for the new bungalow, backing onto the boundary wall for the Village Store parking area. The paved area to the front of the larger house would provide a turning area and at least three parking spaces in addition to the space within the double garage.
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- Revised plans have been submitted during the course of the application, primarily making changes to the footprint and design of the larger house at the rear. The final design shows a hipped roof dwelling positioned broadly in line with the neighbouring backland properties (Paddock View, and Birdfield). The bungalow remains as a gable roof design and sits alongside the neighbouring frontage properties (Elm Tree House and Elm Tree Cottage).
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- RELEVANT PLANNING HISTORY
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- DA/2019/1001 – Creation of second storey over existing bungalow to create a 4-bed dwelling. Approved.

DA/2020/1018 – **Extensions to** detached garage to form home-office. Approved.

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- RELEVANT PLANNING POLICY **AND GUIDANCE**
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- Statutory Duty
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- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

The Development Plan comprises: the **West Northamptonshire** Joint Core Strategy Local Plan (Part 1) (2014); the Settlements and Countryside Local Plan (Part 2) (2020); and the Guilsborough Neighbourhood Development Plan (2019). The relevant planning policies of the statutory Development Plan are set out below:

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- West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)
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- The relevant policies of the LPP1 are:
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- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- R1 – Rural Areas

Settlements and Countryside Local Plan (Part 2) (LPP2)

The relevant policies of the LPP2 are:

RA2 – Secondary Service Villages
ENV10 – Design

Guilsborough Neighbourhood Development Plan (NDP)

The relevant policies of the NDP are:

Policy 1 (General Development)
Policy 3 (Housing)

Material Considerations

Below is a list of the relevant Material Planning Considerations

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

RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Guilsborough Parish Council –

The application meets Guilsborough Neighbourhood Development Plan (GNDP) Policy 3[a][1]) as it provides an extra 2-bed bungalow over and above the consented application (DA/2019/1001). Significant weight should be given to this benefit.

However the application does not meet: SCLP Part 2: ENV10 [iii]; ENV 10[viii]; RA2[vi]; and GNDP Policy 1[i] or [vii]; GNDP Policy 3[a][2][ii] due to:

- the impact on surrounding properties of the buildings scale, height and layout
- failure to protect the amenity of new and existing residents and dwellings,
- the proposal compromises the function of existing surrounding uses.

Very significant weight should be given to these impacts on residential amenity. Therefore in the planning balance Guilsborough Parish Council OBJECTS to this application.

Key issues include:

Loss of light (for habitable rooms of Rose Cottage and for solar panels on the roof of Paddock View)

Overbearing (for Paddock View and Rose Cottage)

Layout (rear house is too far back and so worsens the overbearing nature and will impact on boundary trees / hedges)

Overlooking / Visual intrusion (affecting habitable rooms of Paddock View, Rose Cottage and Elm Tree House)

The design and layout do not meet the required **high** standards in relation to the sensitive High Street as set out in the Neighbourhood Plan Policy 1(vii): "Proposals for development will be supported where they ... are designed to integrate well with the nearby existing buildings and structures in terms of scale, location and design as well as support the wider character and distinctiveness of the village. This is particularly important in the Historic Core of the High Street and Nortoft where any development will need to be particularly sensitively developed, commensurate with the status of its individual features and with the setting of the streetscape as a whole".

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- If approved please consider conditions on;
- Materials and finishes
- Level of bungalow to be no higher than the current garage to protect amenity of Elm Tree House
- Boundary hedgerow and trees to be retained as a visual barrier
- Removal of future PD rights
- Controls on construction hours and construction access / deliveries
- Engineering assessment of stability issues associated with construction close to the swimming pool.

WNC Highways –

The existing site access off High Street already meets the requirements of a shared access. No alterations are proposed or required to the access. The site layout shows that adequate parking has been provided within the site for both dwellings and there is space for a vehicle to enter, turn and exist in a forward gear. The LHA therefore has no objection to the application.

- 1) WNC Environmental Protection –
- 1)
- 2) Request conditions (regarding dust control and construction working hours) to protect the close neighbouring properties during demolition and construction.
- 3)
- 4) RESPONSE TO PUBLICITY
- 5)
- 6) Letters of objection have been received from four neighbouring properties, raising the following concerns:
- 7)
- 8) Loss of privacy / overlooking
- 9) For Rose Cottage
- 10) For Elm Tree House (2 storey house affects privacy for their rear windows conservatory and terrace)
- 11) For Elm Tree House (bungalow affects privacy for their side (landing) windows)
- 12) Impact is worse due to sections of hedge screening being lost.
- 13) For The Old House (affects privacy of their rear habitable windows and the kitchen garden)
- 14) Reduction in sunlight
- 15) For Rose Cottage (in summer evenings it affects sun onto the rear of the cottage)
- 16) For Paddock View (in winter mornings will affect sun falling onto property and solar panels)
- For Elm Tree House (affects morning sunlight onto conservatory / property)
- 17) Overbearing
- 18) For Rose Cottage – the 2-storey dwelling, (and the privacy wall (now removed)) is oppressive
- 19) For Paddock View which is on lower ground
- 20) Scale / Overdevelopment
- 21) Too large for plot and out of keeping with neighbouring properties
- 22) Differing levels between the sites emphasises the over scaled nature of the large dwelling
- 23) Too close to, therefore will impact on, boundary trees and hedges and the habitat within
- 24) Will add to parking pressure on the surrounding roads
- 25) Impact on integrity of retaining (flower bed) wall on neighbouring driveway
- 26)
- 27) APPRAISAL
- 28)

29) Principle of Development

30)

31) This is effectively an application for two new dwellings, albeit that one is a replacement, in a sustainable, central location within the confines of a Secondary Service Village.

32)

33) JCS Policy SA requires councils to take a positive approach that reflects the presumption in favour of sustainable development and to work proactively with applicants to secure development that improves the economic social and environmental conditions in the area.

34) JCS Policy S1 allows for limited development in the rural areas, with the emphasis on enhancing the character and vitality of rural communities. Whilst S1 gives priority to proposals that make best use of previously developed land, it also allows for the principle of development on other non-developed land. The current application would fit well with the above strategic policies of the Joint Core Strategy. I will cover to R1 below.

SCLP Policy RA2(A) allows for new development at Guilsborough if it is within the confines of the village, which this site undoubtedly is. RA2(B) is not applicable as it refers to development outside confines – this proposal is within confines and therefore acceptable in principle under RA2(A).

SCLP policy RA2(C) contains criteria (i)-(vi), that must be met by all new development. These criteria are all considered to be met by the current proposal, as outlined here:

The scale of the development, which is effectively one additional dwelling over and above the existing or consented situation, is appropriate to the role of Guilsborough as a Secondary Service Village. (The physical scale of the buildings in their context is considered further in later sections).

No existing village services or facilities will be lost – on the contrary, as the applicant owns and operates the neighbouring village store and intends to occupy the two storey dwelling as his family home, this will facilitate the sustainable operation of the village store and remove his current need to make a longer journey by car to his business premises

The form, character and setting of Guilsborough village will not be adversely affected

The private garden land on which the development would take place has not been identified as, nor can it be said to, make an important contribution to the form, character or setting of Guilsborough village

The proposed dwellings would be accessible by walking and cycling to all the village's services and facilities, and as noted above the applicant's own business travel would be reduced by living nextdoor to his business

The impact on the amenity of existing residents would be acceptable in planning terms (see more detailed analysis in the relevant section below).

Policy 1 of the Guilsborough Neighbourhood Plan (GNDP) sets out criteria that would allow for new development, so this is considered sufficient to satisfy SCLP Policy RA2(D) which states "Development that is provided for in a made Neighbourhood Plan will also be supported". (NB: even though the Neighbourhood Plan does not specifically allocate any sites, it does allow for new development).

Because the proposal can satisfy RA2(D) (above), this would also constitute compliance with JCS policy R1(v) ("agreed through an adopted neighbourhood Plan"), even though the site is not specifically allocated in the Neighbourhood Plan. This conclusion is informed by policy advice from our Local Plans team.

So turning now to JCS policy R1, as a consequence of the rural housing requirement already having been met and exceeded in the Daventry area, the final part of JCS policy R1 is engaged, namely criteria i) to v). This states that further housing development will only be permitted where it can be demonstrated that it either:

- (i) Would result in environmental improvements on a site; or
- (ii) Is required to support the retention of local services under threat;

AND either

- (iii) Has been informed by a pre-application community involvement exercise; or
- (iv) Is a rural exceptions site that meets JCS policy H3; or
- (v) Has been agreed through an adopted Neighbourhood Plan.

On the latter criteria, compliance with R1(v) has been established above. With regard to the former criteria, as no argument is being made that these 2 houses are necessary to save local services under threat, the proposal would need to demonstrate environmental improvement in order to be fully compliant with R1 (i-v). The proposal would not in my view be detrimental in environmental terms but at best it would be "neutral", so taken literally there would be a small degree of conflict with JCS policy R1(i). That having been said, no harm is found in planning terms, so in the absence of harm the slight conflict with R1 is to be weighed in the planning balance, and in this case the weight to be attached to this conflict is lessened because the application is found to be compliant with RA2 (the policy guidance is "where an application is found to be consistent with RA1-RA6 but inconsistent with R1 then the weight to be attached to policy R1 would be reduced").

Weighing clearly in favour of the proposal is the compliance with GNDP Policy 3[a][1], as it provides an extra 2-bed bungalow over and above the consented application (DA/2019/1001). Officers agree with the Parish Council that significant weight should be given to this benefit in the current climate and that up-to-date need would outweigh the slight conflict with the wording of a dated (2014) policy.

In mind of the above policy context, the greater weight to be attached to RA2 compared to R1, the benefit of the provision of an additional 2-bed bungalow for Guilsborough, and the general need to make best use of land and boost the housing supply, it is considered that the current proposal for two dwellings has a high degree of conformity with the relevant spatial policies of the development plan and the aims of the NPPF. It is therefore considered that the proposal should be supported in principle, subject to detail.

Design, appearance and impact on the streetscene

Most visible from the streetscene would be the frontage bungalow, which has a general scale, style and appearance not dissimilar from the existing bungalow and garage currently on site. The bungalow would be brought forward on the site, closer to the High Street, but given that High Street will continue to be presented with the attractive stone wall with landscaping behind it, the single storey bungalow and its low-angle roof will not appear imposing on the streetscene. This is particularly so as the slab level for the bungalow would be the same height as the existing garage slab, as requested by the Parish Council, so this minimises the impact in terms of its scale and keeps it similar to existing.

The detached double garage would be tucked behind the bungalow, so it would not be prominently visible from the street at all in this secluded position. Its gable roof structure, design and position would tie it in visually to the new bungalow and will reflect the existing character of the site, so not diminishing in any way the street's existing character. Overall, the new bungalow and garage will integrate well with the nearby existing buildings and structures in terms of scale, location and design, in line with the requirements of GNDP Policy 1(vii).

When considering the impact of the proposed 2-storey dwelling, it is necessary to bear in mind that consent has previously been granted for a 2-storey dwelling on this site (DA/2019/1001). The new dwelling that is currently proposed is positioned slightly further back in the site and has a hipped rather than a gable roof, but the overall height of the dwelling is comparable.

The proposed 2-storey dwelling, set well back behind the lower, but elevated frontage development, would not be out of keeping with the character of the street, which comprises dwellings of a vast variety of styles, ages and materials but all of 2-storey scale. The submitted streetscene elevation

demonstrates that the proposed house would be slightly higher than the neighbouring Village Store building but, noting that the Store is of 1960s style architecture with very shallow roofslope, the proposed 2-storey dwelling does not look out of proportion in the streetscene, particularly when viewed alongside the tall, steep form of the traditional dwelling to its other side (Elm Tree House). The design and architectural detailing of the 2-storey dwelling is positive and comprises pleasing symmetry and well-proportioned openings. The precise detail of the facing brick, roof tiles and fenestration finishes across the development have not been specified, but these can be controlled by condition.

The scale of the existing plot is such that both proposed dwellings can be comfortably accommodated without appearing squeezed in. Each proposed dwelling would line up well with the neighbouring development to give an acceptable layout that respects the prevailing form of the surrounding development. Both dwellings would each have a reasonably sized plot that provides a proportionate amount of garden / amenity space plus ample off-road parking and turning. This proposal cannot reasonably be said to be over-development or too much for the plot. The proposed development is, on the contrary, in proportion and commensurate to the scale and position of this plot and its prominent location at the very centre of the village.

Overall the proposal is an appropriate scale and constitutes sympathetic design that respects the character of the site and reinforces the locally distinctive built form of the wider village in line with policies RA2(C.(i) and (iii)) and ENV10(A.(i) and (iii)) of the Settlements and Countryside Local Plan and Policy 1(vii) of the Guilsborough Neighbourhood Development Plan.

Neighbour amenity

I will take each neighbouring property in turn in order to ensure full consideration of all the objections that have been raised.

Rose Cottage:

This property has a very unusual relationship with the application site, but one that is long-standing and far pre-dates the current owners of both sites. This pre-existing situation is that Rose Cottage has no rear garden of its own, but its rear wall, which contains a number of non-obscured habitable windows, looks directly onto the rear garden area of the application site. Therefore, even outside of this proposal for new development, the respective owners of these two properties have a challenge to reach agreement about how this situation will be dealt with. Various options exist that would fall outside planning control so this is really a civil matter. What is important to note here is that the development currently proposed does not in itself worsen the situation of the odd relationship between these properties.

What is also important is to ensure that the built development subject of this application does not itself create an unacceptable situation in regard to neighbour amenity. I have applied the usual rules in this regard (the lack of any intervening defensible garden space for Rose Cottage does not in my opinion invalidate these long accepted planning rules).

Firstly the privacy screen referred to in objections – this has now been removed from the proposed plans. The solution that will ultimately be employed here is a civil matter to be resolved between the neighbouring parties. The matter of whether the existing oil tank meets OFTEC standards is also not a planning issue.

So turning to the new house itself, I was concerned about **the** first version of the scheme which showed the two storey element much closer to Rose Cottage and some windows looking obliquely towards Rose Cottage with only c.11m between elevations. However the final version of the plans has been amended to remove those windows that looked obliquely towards Rose Cottage and to re-locate the rear-projecting two storey element so that this is now c.24m from Rose Cottage's habitable windows. This is more than sufficient to conclude that the new building will not overbear or close in upon Rose Cottage.

One of the objections is that the rear, N-NW facing, elevation of Rose Cottage (which borders the applicant's private garden) would not enjoy the same degree of late evening sunlight on its walls/ windows following the development as a shadow would be cast late in the day as the sun goes down. This is not a justifiable planning reason to refuse this application. The usual tests for overshadowing of habitable rooms (the 45 degree / 60 degree tests) are in no way breached. It is also worth noting that garden trees, shrubs, or a fence of less than 2m within this private garden, could all have a similar shadowing effect for Rose Cottage without any reference to the planning system.

Given all the above I am satisfied that the impact of the revised proposed development on Rose Cottage is acceptable in that it would not unacceptably overshadow, overbear or adversely impact on the privacy of the neighbouring occupants.

The Old House:

The final plans have revised the orientation of the two storey house and removed any side facing windows, so that any views from the rear of the new house will be more over the open paddock land rather than looking directly towards The Old House. Notwithstanding that fact, there will be a good separation distance of c.15m between the main rear elevation of the new house and the boundary with the kitchen garden of The Old House, and more like 50m+ to The Old House itself. This is more than enough to be satisfied in planning terms that the new dwelling will not adversely affect the privacy or residential amenity of The Old House.

Paddock View:

The final plans show that the new 2-storey dwelling will be positioned broadly in line with the neighbouring dwelling Paddock View, so the two dwellings would effectively sit side-by-side as per a conventional housing layout. Paddock View is set at a lower land level than the application site though, but again, it is not unheard of for houses to sit side-by-side on sloping ground with one set higher than the other. These physical features of the proposed development are not in themselves reasons to conclude the proposal is unacceptable.

Both Paddock View and the proposed new dwelling have a good degree of garden space between separating their main side elevations from the angled boundary that divides the sites – neither property is positioned right on the boundary. Concern has been raised about the general overbearing impact on Paddock View, but I do not share this concern given that the separation distance between the buildings is c.9m to Paddock View's side gable and c.16m to the front projecting (garage) wing that contains bedroom windows and solar panels.

Concern has been raised that the new dwelling will lessen the amount of morning sunlight falling onto the property (and its roof-mounted solar panels) during the winter when the sun is lower in the sky. Even accounting for the higher level of the application site, given the 16m separation between the relevant part of the buildings I cannot see that this would be a justifiable planning reason to refuse this proposal. The hipped roof has been incorporated in the revised scheme to lessen any shadowing impact and I believe this to be acceptable in planning terms.

Because the two properties would be side-by-side, there will be no overshadowing of the front or rear facing windows of Paddock View as the 45 degree line is not breached.

In terms of privacy and overlooking, there are no issues of concern with regard to Paddock View. The side facing windows on the new dwelling serve an en-suite and a dressing room, and these are proposed to be obscure glazed – this can be ensured by condition.

Elm Tree House:

Given the separation distances involved (c.25-30m), I do not share the concern about the overshadowing impact of the new two storey house on the rear of Elm Tree House and its conservatory.

Concern has been raised about the privacy impact of the bungalow's side facing windows that would look up into side landing windows of Elm Tree House. The separation distance between these relevant elevations is c.21m,

and at that distance the ability to see a neighbouring window does not necessarily mean that you can clearly see in through the glazing (21m is a generally accepted face-to-face distance for opposing windows in planning terms). Notwithstanding this, in reality the bungalow's ground floor windows will look onto their own private garden area. Natural screening is proposed for the boundary between these two properties and this can be conditioned.

Flats above the Village Store:

At ground floor level the relationship with the two side windows of the shop itself would be very similar to the existing situation. At first floor level four flats have been formed (PD/2019/0070). The side elevation contains windows that are obscure glazed by condition of their planning permission. The proposed 2-storey dwelling will be situated further away from these side windows than on the consented 2-storey house scheme (DA/2019/1001), so the daylighting to these windows will be improved.

I was concerned about the first version of the scheme which showed the two storey element projecting well beyond the rear building line of the Village Store building, substantially breaching the 60 degree line for the rear facing habitable window of the nearest first floor flat. However the final version of the plans has been amended to re-position the building clear of the 60 degree line so removing my concern about overbearing and overshadowing of this flat. (NB: the 60 degree line has been used in this case as the affected flat is one one level only and is only affected by the first floor of the new house, so I have treated it like a single storey extension in relation to the single storey flat).

Summing up on residential amenity:

Given the detailed analysis above, the revised proposals are considered to be acceptable in terms of their impact on the amenity of neighbouring dwellings and the ongoing function of other uses including the shop. The proposals therefore accord with policies RA2(C.(vi)) and ENV(A.(viii)) of the Settlements and Countryside Local Plan and policies 1(i) and 3.a.2(ii) of the Guilsborough Neighbourhood Development Plan.

Impact on Traffic and Parking

The proposed off-road parking and turning provision is generous and can accommodate at least three cars per dwelling which exceeds the recommended provision for dwellings of this size.

The existing site access off High Street already meets the requirements of a shared access and no alterations are proposed or required to the access. The site layout shows that adequate parking has been provided within the site for both dwellings and there is space for a vehicle to enter, turn and exist in a forward gear. The LHA therefore has no objection to the application.

Other points raised in representations

An inevitable consequence of any building work is the short-term disruption during the construction and demolition phase, and this can be reasonably controlled by conditions restricting the hours of working and requiring measures to be taken to minimise dust. Such conditions have also been recommended by our Environmental Health officers and the Parish Council, so are imposed here.

Removal of permitted development rights for further extensions would be prudent in this context given the lengths that officers have gone to to negotiate repositioning and redesign to limit impact on neighbours. Similarly a condition to say that permission is required for any new windows is also recommended.

The level of the new bungalow is proposed to be at the same slab level as the existing garage. This can be conditioned and is enforceable as the topographical survey stipulates this level.

It is not appropriate to use the planning system to require engineering assessment to be made in relation to stability associated with the proximity of construction to the swimming pool. This is not a planning matter.

FINANCIAL CONSIDERATIONS

The application is CIL liable. An offset has been applied to account for the existing bungalow and garage that previously existed on site. A self-build exemption is being sought for the larger dwelling which the applicant proposes to occupy as his own family home.

PLANNING BALANCE AND CONCLUSION

The principle of two dwellings on this site fits with the policies of the development plan and the slight conflict with R1 is outweighed in the planning balance by more recent policies and the wider benefits of the scheme. The design of the proposals is acceptable and integrates well with the surrounding built form. The proposal will not have an adverse impact on the residential amenity of neighbouring properties and it is acceptable in terms of access, parking provision and highway safety.

The proposal therefore accords with the relevant policies of the development plan and so, following the advice in paragraph 11(c) of NPPF, planning permission should be granted without delay.

RECOMMENDATION / CONDITIONS AND REASONS

The proposed development is recommended for approval subject to conditions.

Conditions

CONDITIONS

- 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The development shall be carried out strictly in accordance with the amended drawings no. 03c, 04c, 05c, and 07a received 26/1/2022 and 06b received 10/12/2021.**
- 3. The slab level of the bungalow hereby permitted shall not exceed the current slab level of the existing garage on site, as detailed on the topographical survey 21171-TOPO dated June 2021.**
- 4. Prior to construction works above slab level samples of the materials to be used in the construction of the external surfaces of the dwellings and garage hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 5. Prior to construction works above slab level a detailed scheme of planting / landscaping for the site, to include suitable natural screening for the boundaries with Elm Tree House and Paddock View, shall be submitted to and approved in writing by the Local Planning Authority. The planting / landscaping scheme so approved shall be implemented prior to the development being first occupied/used, or in accordance with a programme approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or shrub, they, or any planted in replacement for them, are removed, uprooted or destroyed or die (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**
- 6. Before the two storey dwelling is first occupied the first floor window/s on the side (north west) elevation shall be fitted with obscure glass which shall not be removed without the prior express consent in writing of the Local Planning Authority (Replacement of the glass with glass of an identical type would not necessitate the Council being notified).**
- 7. The open parking spaces and turning areas shown on the approved plan shall be constructed/laid out in accordance with the approved drawings before either of the dwellings is first occupied and shall not thereafter be used for any purpose other than parking of private motor vehicles.**

- 8. Notwithstanding the provisions of the Town & Country Planning (General Permitted development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which falls within Classes A to E inclusive of Part 1 of Schedule 2 to the Order without the prior express consent of the Local Planning Authority.**
- 9. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed.**
- 10. During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.**
- 11. No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0830 and 1300 on Saturdays, and at no times on Sundays or Bank Holidays unless otherwise agreed with the local planning authority.**

REASONS

- 1. To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).**
- 2. To ensure development is in accordance with the agreed amendments and to enable the Local Planning Authority to consider the impact of any changes to the approved plans on the amenity of the surrounding area.**
- 3. In the interests of visual and residential amenity.**
- 4. From the approved application details it is not possible to assess the appropriateness of the proposed materials without checking them on site and comparing them to their surroundings, to ensure the proposed materials are appropriate to the appearance of the locality. Because it can take up to 8 weeks to discharge a condition, it is recommended the samples are provided at least 8 weeks before they need to be ordered.**
- 5. In the interests of the residential and visual amenity of the area.**
- 6. To avoid overlooking of the adjoining property.**
- 7. In the interests of residential amenity and the safety and convenience of users of the adjoining highway.**
- 8. To prevent any subsequent permitted extensions detracting from the visual amenity of the locality or from the residential amenities of neighbouring properties by means of overlooking or proximity.**
- 9. To safeguard the amenities of nearby residents.**
- 10. To ensure the protection of the local amenity throughout construction works.**
- 11. To ensure the protection of the local amenity throughout construction works.**

NOTES

- 1. As required by Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015 (as Amended) the following statement applies:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner with a view to seeking solutions to problems arising in relation to the consideration of this planning application.

- 2. The applicant's attention is drawn to the fact that the Council has identified this development as liable for Community Infrastructure Levy (CIL) payments under the 'Daventry District Council Community Infrastructure Levy Charging Schedule –Approved' (31st July 2015) which has been implemented by the District Council under the provisions of 'The Community Infrastructure Levy Regulations 2010 (as amended).' Accordingly, unless exemptions have been sought under the provisions of the CIL Regulations, payment of CIL charges will be payable to the Council upon commencement of development**