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**Applications for Planning Permission**

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<b>18/00024/DPA</b>	<b>Erection of 10 dwellings with garaging, demolition and reinstatement of roadside wall and creation of new means of access Land off Kirby Road, Gretton.</b>
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**1. Site Surroundings:**

- 1.1. The application site is situated on the east side of Kirby Road towards the north of the village of Gretton. The site is bounded to the North by a stone wall and mature trees and is separated by an enclosed footpath from the 'Pocket Park' to the north and is bounded to the east onto Kirby Road by a small stone wall. The southern boundary has a stone wall that has collapsed in places with the western boundary being open fields. The application site measures 69m x 75m and relates to the plot of land fronting Kirby Road only as the applicants own the remainder of the open field which backs onto High Street. A rectangular plot measuring 18m x 38m directly adjacent to the Village Hall is set aside for pasture land and does not form part of this application proposal.
- 1.2. The site is an open field with mature trees on its field boundaries and stone walls along three boundaries. The strip of land outside of the application site which leads onto High Street - but in the same ownership - has a covering of mature trees. The site is within the Gretton Conservation Area and set within the confines of the village envelope. There are no protected trees on the application site or within the vicinity.
- 1.3. Opposite the site on Kirby Road there are two detached modern dwellings with a pair of semi-detached post war dwellings on Southfield Road which abut Kirby Road at a point opposite the Village Hall. The Village Hall abuts the southern site boundary, fronts onto Kirby Road and is a modern wide spanned single storey building. Accessed down the side of the Village Hall and situated to its rear is a modern detached dwelling (number 57) which also abuts the southern application site boundary. To the West of number 57 is an older elongated converted residential barn (number 59). The western boundary to the application site, is open fields but beyond that the open fields border Manor House Farm. The open boundary to the rear of the overall field runs up to the edge of High Street. There are a series of detached historic properties on the opposite side of High Street, some of which are Listed.
- 1.4. Manor Farm House is a large stone built property situated approximately 60m north of the site, is dated 1675 and is Grade II listed. On the north side of High Street approximately 90m north of the site are a series of Grade II listed buildings – Gretton House, Chantry Cottage, 5, 7, 9 (Stoneleigh) and 13. Number 59 Kirby Road is a non-designated heritage asset – a converted barn which is significant for the evidence of the former farming use on site.
- 1.5. The topography of the site is such that the land within the application site is essentially flat. Beyond the western edge of the application site the field narrows and the land slopes down gently to the edge of High Street.

**2. The Proposal:**

- 2.1. Permission is sought for the erection of 10 residential properties comprising of:
  - 3 x 3 bed terrace houses.
  - 2 x 3 bed semi-detached dwellings.
  - 1 x detached dwelling.
  - 4 x 4 bed detached dwellings.

- 2.2. The development would involve the creation of a new access at a central point on the site frontage to Kirby Road. This would necessitate the removal of the stone wall, with the stone being re-used to rebuild the wall either side of the new access. The stone wall in question is not listed.
- 2.3. Plot 1 a detached 4 bed property would be sited to the front of the site on the left hand side when viewed from the front. On the opposite side of the access would a terraced of 3 no. three bed dwellings, which again would front on to Kirby Road (plots 8, 9 and 10). The access road would continue through the centre of the site and twist slightly to the north as it reaches the rear of the site. The central access road has been designed to allow for views through the site from High Street and Kirby Road. On the south side of the access road and to the rear of plot 1 would be a small turning head with plots 2, 3, 4 and 5 located off. Plots 2 and 3 being detached 4 bed dwellings and plots 3 and 4 being 3 bed semi-detached dwellings. To the rear of the terrace properties on the north side of the access would be plot 7 a detached 4 bed property and plot 6 a detached 3 bed property.
- 2.4. The height of the buildings would accord with the existing surrounding housing and would have the following heights:
  - Plots 1, 2 and 7. Eaves 5.3m and ridge 9.8m.
  - Plot 3. Eaves 5.3m and ridge 9.7m.
  - Plots 4 and 5. Eaves 5.25m and ridge 8.8m.
  - Plot 6. Eaves 5.3m and ridge 9.8m.
  - Plots 8, 9 and 10. Eaves 5.1m and ridge 10.0m.
  - Detached garage for plots 1, 2, 3, 6 and 7. Eaves 2.4m and ridge 4.8m.
- 2.5. The following materials are proposed but the exact detail would need to be resolved by submission of details to comply with the suggested condition.
  - External walls. Traditional rustic red brick and/or natural stone.
  - Roofs. Natural slate or good quality slate-effect concrete tiles.
  - Windows. Painted timber casements.
  - Doors. Hardwood timbers, stained or painted.
  - Window and door heads. Red brick soldiers in an arched profile or natural stone.
  - Window and door cills. Timber or natural stone.
  - External details. Quoins applied to stone built properties.
  - Rainwater goods. Black 'cast iron' effect uPVC.
  - Private driveways. Block paving.
  - Adoptable highway. Black tarmacadam.
  - Adoptable footpaths. Black tarmacadam.
  - Boundary treatment. 1.8m high close boarded timber fencing for intermediate boundaries. 1.8m high red bricks wall to prominent side and rear boundaries. Re-build stone wall to Kirby Road.

### **3. The Site and its history:**

- 3.1. None relevant.

### **4. Policy Context:**

- 4.1. The National Planning Policy Framework (NPPF) (2012) – Paragraphs 14 and 17, Sections 6 and 7
- 4.2. Policies 1, 2, 3, 7, 8, 11, 15, 25, 28, 29 and 30 - Housing Mix and Tenure of the North Northamptonshire Joint Core Strategy (JCS) (2016)
- 4.3. Saved policies C22, C26, P2(E) and P13(V) – Environment of the Local Plan 1997.
- 4.4. The Planning (Listed Building and Conservation Areas) Act 1990

## 5. Consultation:

### Internal.

#### 5.1.1 Local Highways Authority (25/04/18) – No objection subject to the following conditions:

- The site is to be laid out in accordance with drawing Site Plan I35-P013 revision C by brp architects with the following conditions altering it as required.
- Prior to commencement of the development full engineering, construction and drainage plans for the off-site works along with an RSA 1 shall be submitted and approved in writing by the LHA.
- Off-site works consist of the access junction, the footway from the site to the bus stop to the south and an uncontrolled pedestrian crossing to link to the footway on the eastern side of Kirby Road.
- Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall not be provided other than in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.
- Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.
- The private vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.
- Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the private vehicular access [or private land] does not discharge onto the highway [and / or Public Right of Way] shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.
- Prior to commencement of the development hereby permitted, details of the hard bound surfacing of the private vehicular access shall be submitted to and shall be approved in writing by the local planning authority. The access shall thereafter be completed in accordance with the approved details prior to the first use of the access and maintained as such.
- No gates, barrier or means of enclosure shall be erected across a private vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.
- A shared private drive's multiple dwelling bin and recyclable bin presentation point for collection will be required within the curtilage of the development in a location that does not obstruct the highway (including footway and verge), the effective width of the private drive or pedestrian access.
- Prior to commencement, all single garages shall have internal dimensions, clear of piers, of 3.3m wide by 6m deep.
- No private trees are permitted within 2.5m of the public highway.
- Private Streets. In the event of any of the streets associated with the residential element of this proposed development are not being proposed for adoption as public highway, the following conditions apply; a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, will be submitted to the planning authority and agreed in writing prior to the commencement of development; b) The streets will in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling; c) That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and, d) That the streets will be identified as private through the use of appropriate private street

name plates on the entrances to the development from the public highway (to be placed within the site). e) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

- CTMP. Prior to the commencement of the development hereby permitted, a full CTMP (Construction Traffic Management Plan) shall be submitted to and be approved in writing by the local planning authority. The Plan is to include the following elements;
  - Detailed work programme / timetable.
  - Site HGV delivery / removal hours to be limited to between 10:00 – 16:00
  - Detailed routeing for demolition, excavation, construction and abnormal loads.
  - Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.
  - Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
  - Breakdown of number, type, size and weight of vehicles over demolition & construction period.
  - Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.
  - Details of public impact and protection to include road, footway, cycleway and PRoW. Details of TROs and road / footway / cycleway / PRoW closures and re-routeings as well as signage, barriers and remediation.
  - Public liaison position, name, contact details and details of public consultation/liaison.
  - Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays.
  - Pre and post works inspection of the highway between points A and B as requested to identify remediation works to be carried out by the developer. Inspections are to be carried out in the presence of a member of the Highway Authorities Inspection team. To also include the removal of TROs, temporary signage, barriers and diversions.
  - Details of temporary construction accesses and their remediation post project.
  - Provision for emergency vehicles.
- **Informatory Note – Works affecting existing highways.** The applicant’s attention is drawn to the fact that no works may commence within the existing highway without the express written permission of the local highway authority. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any works within the highway shall comply with the local highway authority’s standards and specifications.
- **Informatory Note - Sewer Connections.** The applicant’s attention is drawn to the requirement that any new sewer connection required for this development within the highway will require a licence from the local highway authority under Section 50 of the New Roads and Street Works Act 1991.
- **Informatory Note – Road Space.** The applicant’s attention is drawn to the Traffic Management Act 2004 where three month notice periods to allocate road space (for works within the highway, including footways and verges) is required prior to the commencement of works. Such notice cannot be submitted or commence until the completion of an appropriate license or Agreement with the local highway authority.

5.1.2 Local Highways Authority (**13/04/18**) – In relation to amended plans and technical note submitted by the agent: The site still does not conform to our requirements. The attached 2 drawings detail the issues. The garages do now have the required internal dimensions. The LHA cannot support the application at present. The previous formal response is still extant in all but the garage internal dimensions.

5.1.3 Local Highways Authority (**06/04/18**) - Objection – Parking numbers & dimensions, Garage dimensions, tracking, access geometry, pedestrian visibility splays, tree proximity, road layout and bin presentation points as detailed below:

1. The internal dimensions for the garages proposed are too small and do not meet the standards required.
2. The technical note states that the required parking levels have been met yet it supplies a 3 bedroomed dwelling with 1 parking space and 1 single garage. Parking should be supplied as previously stated.
  - a) Car parking for a 3 Bedroomed dwelling = 2 Spaces;
  - b) Car parking for a 4+ Bedroomed dwelling = 3 spaces;
  - c) A double garage can be counted as 1 parking space;
  - d) A single garage can be counted as a single parking space as long as additional ancillary external storage is provided, such as a shed (This would only apply to the third space on 4 bed units and above). Also, an additional 0.25 on-street provision will be required.
  - e) Tandem parking scenarios should be minimised, and will require a supplementary parking space at 0.25 per plot in the form of on-street provision, in addition to the visitor parking provision;
  - f) Visitor Parking provision is at 0.25 spaces/dwelling;

This shows that a single garage cannot be counted as a parking space on anything other than a 4 bedroomed dwelling in very particular circumstances. The site is short of 2 car parking spaces.

3. No details regarding the requested secure, covered, easy to use and overlooked cycle parking at one space per bedroom has been supplied.
4. The refuse truck tracking is not opposed by a large family car, the tracking does not include the access to the site, nor the whole site and tracking showing 2 large family cars opposing each other through the access has been supplied. The tracking shows a large amount of body overhang onto private land, this is not acceptable.
5. The turning head is not within 20m of the highway extents as requested, this requires large vehicles to reverse over 20m and is unacceptable. The LHA does not require the public highway to extend to the site boundary at the rear and the applicant is to shorten it's length to meet the 20m required length from the turning head.
6. The footway crosses the junction immediately to the rear of the tangent point. The footway should not cross the carriageway, a ramp to the shared surface is all that is required. As previously requested;
  - a) Footways cannot change to service strips/shared surface other than at junctions (and extend 2m beyond tangent point).
  - b) Pedestrian crossing points must be provided at all new junctions consisting of two dropped kerbs and two tapered kerbs. To be provided in accordance with the LHA's approved details. The colour must be buff.
7. Private drives should be in multiples of 5.5m. Plot 01, as an example, is a minimum of 7.5m long. This rectification must be applied across the site.
8. Pedestrian visibility splays must be 2 x 2m and placed at the edge of the (shared) private drives. For example the splay to the north of the shared private drive leading to plot 10 runs for 1.75m along the highway boundary and the splay on the southern side of the shared private drive leading to plot 3 is not at the edge of the drive. All of the

splays show vegetation in them and no assurance of the requested heights limitations is given.

9. Bin presentation points close to the public highway, clear of the access width, public highway and visibility splays are not shown for the shared private drives.
10. No drainage is shown for the site and it must be ensured that the following requirements are adhered to;
  - a) It is unlawful to discharge private water onto the highway (includes verges and footways). On plot surface water cut off drainage must be provided within the private land adjacent to the adoptable highway.
  - b) Any SUDS with infiltration of water (including soakaways) are to be located a minimum of 5m from the public highway
  - c) Any private storage of water is to be a minimum of 2m from the public highway and potentially further dependant on depth (storage of adopted drainage allowable under the highway (not kerb lines etc.) such as oversized pipes and large concrete box culverts).
11. All driveways must meet the highway boundary at right angles. The first 5m of the driveway measured from the prospectively adoptable highway boundary must be hard paved and not to be loose gravel.
12. Insufficient parking spaces within the site will increase the likelihood of on-street parking in an area where there is already local concern, a village hall and a bus stop. This will be exacerbated further where the parking for dwellings is remote from the front door (see plot 01, 02, 04, 07, 08, 09 & 10).
13. The application will be required to provide a pedestrian link from the site access to the bus shelter to improve sustainable transport links and usage.

Should the Local Planning Authority be minded to approve the application, the LHA require suitably worded conditions to ensure that the streets remain private as they do not meet LHA adoption standards. For example;

In the event of any of the streets associated with the residential element of this proposed development are not being proposed for adoption as public highway, the following conditions apply;

- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, will be submitted to the planning authority and agreed in writing prior to the commencement of development;
- b) The streets will in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
- c) That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
- d) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).
- e) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

5.1.4 Local Highways Authority (**12/02/18**) – The LHA cannot support the application and require further information to fully assess the proposals. The plans need updating and the roads should be built in accordance with NCC standards.

5.2.1 NCC Local Lead Flood Authority (**16/04/18**). No objection, full comments below:

Having reviewed the applicant's revised surface water Drainage information contained within; Proposed Residential Development at Kirby Road Gretton Flood Risk and Technical Note ref 23340/03-18/5532 rev C prepared by M-EC dated April 2018.

We consider that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of flooding.

### **Condition**

No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by M-EC dated April 2018) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

### **Reason**

To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

### **Condition**

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

### **Reason**

To ensure the future maintenance of drainage systems associated with the development.

### **Condition**

No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood risk assessment document reference number XYZ dated ABC prepared by PQR. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

## Reason

To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

- 5.2.2 NCC Local Lead Flood Authority (**23/02/18**) – Advise that there is insufficient information to comment on the acceptability of the proposed surface water drainage scheme for the proposed developments. Our concerns can be overcome by submitting surface water drainage information which covers the deficiencies highlighted above.
- 5.3 NCC Archaeology – No objection.
- 5.4 NCC Ecology – Recommend the following:
- A method statement for bats.
  - A method statement for the relocation and/or use of the large deadwood stump.
  - Lighting should be designed to maintain dark corridors along the sites hedgerow.
  - Remaining hedges should be enhanced.
  - A number of bat boxes should be installed.
  - Fences should include small gaps to allow for the movement of hedgehogs.
- 5.5 CBC Environmental Health (25/01/18). No objection subject to the addition of a condition relating to the reporting of unexpected contamination.
- 5.6 CBC Tree Officer (24/01/18). In order to fully appraise the impact of the proposal on the trees and the trees to be retained on the proposal, an Arboricultural Impact Assessment should be supplied. Initial comments, based on the information to date, are as follows:
- Plot 1 and 8 have been situated in close proximity to the Root Protection Area (RPA) of a number of trees to be retained. The associated footpath, parking and access road transgresses the RPA which will result in root damage during the construction process. The supplied plans imply that the canopy of trees to be retained overhang the proposed footprint of Plot 8. This would require branch removal to facilitate the proposal.
  - BS5837:2012 recommends that no development takes place within the RPA of trees to be retained. As such, I advise adjusting the proposed layout to ensure that all proposed development is outside the canopy spread and RP of trees to be retained.
  - The supplied report identifies T44 (Ash tree) as being unsuitable for retention and recommends its removal irrespective of development. The current site proposal shows this tree being retained post development. Were this tree to be removed it would allow sufficient space on the southern part of the site to permit the realignment of the access road and Plots 1, 7, 8 and 9 to the south and west outside the RPA.
  - All services, soak-aways and garden furniture should be located outside the RPA of trees to be retained.
- (28/03/18) With regards to the amended details supplied for the above application I note there has been no change in relation to my previous comments, as such they still stand and I am still unable to support the application.
- 5.7 CBC Policy (25/01/18). Saved policy P13(V) seeks to protect open land of particular significance to the form and character of the village. Whilst this is considered to be consistent with paragraphs 58 and 73 of the NPPF, it is over twenty years old and is not based on robust and up-to-date evidence as required by the Framework. Policy 8 of the NNJCS similarly seeks to protect open space that contributes to an area's uniqueness and in my opinion would be more relevant than Policy 13(V).
- 5.8 Conservation Officer (19/03/18) – Comments in full as follows: *“The development is proposed on an open parcel of land within the conservation area, adjacent to the village hall and the pocket park towards the outer edge of the village. The open parcel of land with the adjacent pocket park creates a large open green space within the village with the majority of the houses being located towards the Kirby Road portion of the site.*



*The entrance to the site is proposed through the existing low level dry stone wall to the Kirby Road elevation, with the access road running through the site terminating at a field gate to provide access to the retained paddock land.*

*The site is a key feature of this part of the village, defined by its low stone boundary walling and mature trees, the open land and the pocket park, effectively forming a physical break between the historic core of the more densely populated built environment, to the more open, widely spaced estate developments and outlying open land of the north eastern area of the village.*

*The proposed dwellings have been orientated around a central access road, which maintains visibility through from the historic core of the village across the retained paddock land through the site to Kirby Road.*

*The site features a mix of styles and sizes across the development, constructed from traditional materials.*

*The differing orientations of the houses and the mix of styles seek to maintain an interesting roofscape when viewed from the village core through the access road corridor to Kirby Road, thus creating the sense of both space and a respect for the surrounding mixed heritage of this area of the village.*

*It is important within this proposal that a significant portion of the land is left undeveloped, with mature trees and shrubs and retained as grazing land, as this serves to reinforce the historic association of the site with the adjacent heritage assets of Manor Farm and its barns.*

*The stone wall to the Kirby Road elevation, delineates the site as a historic parcel of grazing land within the village and links to the boundary walling and local character of the village, which continues beyond the pocket park and along the High Street.*

*Summary. The site features a mix of sized and styled dwellings in order to more accurately reflect the changing styles and periods of the village, from the 17<sup>th</sup> Century stone houses and farm buildings within the historic core to the post war estate developments off Kirby Road.*

*The proposed house styles are of a simple design, using traditional materials, to reflect the history and local characteristics of the area.*

*The site is surrounded with a mix of designated and non designated heritage assets, from Gretton House to the North on the High Street, through to the converted Manor Farm barn adjacent to the north west boundary of the site. As such the development of the site itself needs to reflect and respect the styles and views into and out of the surroundings assets, this has been attempted by the differing orientations of the houses and mix of styles and sizes across the site, notably with the terraced, more densely sited houses, reflecting those existing to Kirby Road.*

*The scheme has given consideration to the existing site and the surrounding heritage assets. It proposes traditional materials and with simple design features reflect the surrounding environment. There is however the loss of the open space within this part of the village, which has an historic association to Manor Farm and is a typical feature of semi rural villages, the retention of the paddock land abutting the High Street and the existence of the pocket park, help to dilute the impact of this loss and it is on balance that I am in support of the application.*

*Below I have outlined a number of items that are of significance from the heritage perspective across this site, which should be considered by the planning officer for inclusion as planning conditions to control the current and any future developments that may be granted on this site.*

*Suggested conditions:*

- Archaeological assessment/survey of developed land in accordance with NCC Archaeologist.*
- Samples of external materials, walling stone and brick work, timber window and door details, including colour.*

- *Details of proposed dry stone wall, demolition and rebuild, method statement and materials.*
- *Proposed planting scheme.*
- *Details of boundary treatment to dwellings.”*

5.9 NCC Development Management (17/04/18) - Education. In line with the County Council's adopted Planning Obligations Framework and Guidance Document and the NPPF, a development of 10 or fewer dwellings would not normally require a formal response in relation to s106 obligations for Education.

However it is understood that the proposed housing mix for the scheme is such as may generate a higher than average pupil yield, particularly at Primary School age being the larger style of housing, which will have an impact on the local education infrastructure.

A development of this size is expected to generate approximately 3 Nursery / Pre-school pupils, 3 Primary School pupils and 3 Secondary and Sixth Form School pupils, based on the anticipated housing mix and our pupil generation multipliers.

#### Primary Education.

In terms of Primary Education provision, the proposed site is served by Gretton Primary School. As at January 2018 this school was operating at above full capacity across a number of year groups, and at 105% capacity overall. Current pupil projections for the school also indicate that this level of demand for places will continue to increase when considering three-year trend and birth rate data alone, so it is likely that the number of pupils on roll will be higher when taking into account pupils generated by any additional housing development.

The County Council therefore has strong concerns about the capacity of local Primary Education infrastructure to be able to accommodate additional pupils generated by this development.

#### Secondary Education.

Based on capacity in the area (as at October 2017) and forecast pupil projections, it is expected that all capacity within Secondary provision across Corby will be fully exhausted from 2017/18 onwards. Expansion of Secondary School provision is therefore currently being delivered with a requirement for additional provision forecast as a result of the level of proposed housing in the area, which this development would further exacerbate.

As such, the County Council has concerns regarding the ability of local Secondary Education infrastructure to accommodate additional pupils generated by this development.

#### Fire Hydrants & Sprinklers.

New developments and associated infrastructure within Northamptonshire equates to an increase in visitors as well as traffic movements. This will inevitably lead to an increase in the spread of community risk, which places additional demands on Fire and Rescue Service resources to ensure safe places are maintained, consistent with national Government expectations and guidance.

Northamptonshire Fire and Rescue Service sets out its criteria for responding to incidents within its Standards of Operational Response (SOR). The standards outline how the Service will respond to different incident types which fall within its statutory responsibilities under the Fire and Rescue Services Act 2004.

New developments generate a requirement for additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed. An assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish whether there is sufficient existing provision in place, or if additional infrastructure is required. The proposed development could require 1x new fire hydrant to be installed. The infrastructure and installation cost for each hydrant required is £892. Any hydrants and/or sprinkler systems, if required, should be installed at the same time as the rest of the water infrastructure and prior to any dwellings/commercial buildings being occupied. This is to ensure adequate water infrastructure provision is made on site for the fire service to tackle any property fire. The final location of the fire hydrants and/or sprinkler systems for the

development, if required, must be agreed in consultation with the Northamptonshire Fire and Rescue Service Water Officer prior to installation, and secured through a planning condition.

Below is a suggested standard condition for securing fire hydrants and sprinkler systems: No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

**Reason:**

To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.'

Informative: With reference to Condition above, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.

External

5.10 Gretton Parish Council (26/02/18) – Councillors are aware of the high level of objections sent to Corby BC from villagers. The areas of particular are:-

- The lack of parking spaces which could lead to parking of vehicles on Kirby Road which is already overloaded especially during an event at the Village Hall.
- The extra traffic entering and leaving the site on to Kirby Road.
- The close proximity of the site to the Pocket Park and the likely effect on the appearance of the park should trees have to be severely lopped or even removed if the development takes place.
- The response of Anglian Water to the development in which it was stated that the current situation regarding sewage, waste water treatment and surface water removal could not stand the extra pressure demanded by this scheme.
- The recent housing survey did not show a need for this type of development.
- The land has not been included in the 5 year land supply and the local school is oversubscribed.

5.11 Gretton Parish Council (12/04/18) Objection. The amended application and plans were discussed at our Parish Council (PC) meeting on the 9th April 2018. Gretton Parish Council objects to the application on the following grounds:

Reasons for comment:

- Against planning policy
- Amenity
- Character of Conservation area
- Design/Appearance
- Detriment to the visual amenity
- Green field site
- Highway considerations
- Increase in traffic
- Light
- Non-material considerations
- Parking
- Possible damage to the local environment
- Possible pollution implications

Comments:

1. Parking arrangements are still inadequate for the proposed development and do not satisfy the requirements of the "Northamptonshire Parking Standards September 2016". The PC agrees totally with the objection that you have received from Northamptonshire Highways which extends to include other matters and approval for

this application must not be allowed to proceed until satisfactory amendments have been made. In addition I would ask you to note that comments in the recently undertaken Conservation Area Appraisal conducted by Corby Borough Council state that "the village is overrun with on street parking". The report goes on to say that the parking is a negative factor identified as a priority for future improvement and enhancement when the opportunity arises. The overall suggested layout has properties facing the road with parking to the rear of terraced properties. Councillors expressed concern that this could lead to residents parking on Kirby Road as being the most convenient location. Traffic around the junction of Southfield Road and Kirby Road is quite busy and when combined with an event at the village hall difficulties are often created. Councillors felt that it is essential that all residents living on the development and estimated number of visitors at any one time should be able to park within the development itself. This is especially critical when dealing with a development within the conservation area.

2. Next door to the development site is the pocket park which is a protected green space. It has some substantial specimen trees which overhang and shade the development site. If those trees have to be reduced in height or their root structure is damaged in any way at all the effect and setting of the conservation area will be severely compromised.
3. Councillors are very concerned about the arrangements for the disposal of surface and in particular foul water and sewage. Whilst it is accepted that a suitable foul water manhole has been identified on Kirby Road it would seem that the fall to assist gravity feed is not ideal. We understand that should development proceed Anglian Water will be obliged to deal with sewage etc but the situation is far from satisfactory. The PC has received numerous complaints from residents regarding water pressure and blocked and broken sewers and suggestion has been made that the system cannot cope with the additional housing which has taken place in the village over the last 30 years or so. We have asked Anglian Water to comment on the ability of their system to deal effectively with current and future demands but have yet to receive any meaningful response.
4. The recent Housing Needs Survey conducted by CBC did not show a need for this type of development and the conservation area appraisal defined the area as "green space" and therefore it enhances the overall aspect of the conservation area.
5. Further comments are that the land has not been included in the 5 year land supply and the local school is presently oversubscribed.
6. In the circumstances we do not consider that this is an application upon which you can give a positive recommendation to the Planning Committee and we await your further responses in due course and would ask you to ensure that our concerns are drawn to the attention of the planning committee.

5.12 Environment Agency – No objection subject to the addition of condition relating to details of the foul water details.

5.13 Anglian Water (05/02/18). No objection subject to the addition of a conditions relating to foul sewerage and surface water disposal.

## **6 Advertisement:**

6.1. Site Notice – Attached to a sign post outside of the site on 7<sup>th</sup> February 2018 (expired on the 28/02/18)

6.2. Public Notice (ET) – Published in the Evening Telegraph on the 15<sup>th</sup> March (expired on the 29/02/18) and 22<sup>nd</sup> March 2018 (expired on the 05/04/18).

6.3. Neighbour Notifications were sent to the following on the 22/01/18 and 27/03/18 –

- 5, 24a, Manor House, Chantry Cottages and Manor Farmhouse, High Street:
- 26, 57, 59, 66, 86, 86a, 88, 98 and Gretton Scouts, Kirby Road.
- 1 and 39 Southfield Road.

- 20, 34, 43 and 52 Finch Hatton Drive.
- 1, 5, 7 and 26 Fulwell Avenue.
- 12 Huntsfield Drive.
- 9 and 52, Arnhill Drive.
- 10 Spendlove Drive.
- 5 Woolston Court.
- 137 Farmstead Road.
- 9 Corby Road.

#### 6.4 Representations:

6.5. 32 letters of representation have been received from nearby residents that raise the following issues:

##### Highways.

- The access is off an existing busy road, opposite two existing properties.
- Kirby Road is one of the main roads through the village and cars often exceed the speed limit at this location.
- Additional traffic from this development would add to the existing congestion.
- Where do visitors park?
- There is no guarantee that the occupiers of the terraced and semi-detached properties will park to the rear of their properties.
- Not enough parking is detailed for the site contrary to the advice given on a nearby application in 2017.
- The development will lead to extra parking on Kirby Road.
- The developer should provide traffic calming along Kirby Road.
- No bicycle store has been detailed.
- The junction would be dangerous.
- The use would see to an increase in pollution regarding the associated new traffic.
- No pavement on the boundary to the site is proposed.

##### Infrastructure

- The development would create extra pressure on the already inadequate water and sewer facilities.
- The school is unlikely to cope with the extra school spaces generated by this development.
- Request that Anglian Water are consulted.
- The area already suffers from ponding of surface water and this development will make that worse.
- Further to the above the telephone liners and broadband cannot cope with the extra demand.

##### Impact on Heritage Assets

- It would have a detrimental impact on the conservation area and the Pocket Park adjacent.
- The development would lead to the loss of an important green space.
- The development would be harmful to the appearance, character and setting of the conservation area.
- The development would be contrary to policy.
- The conservation area is currently under review. The application should be put on hold pending this review.

- The area is designated open space as part of saved policy P13(V) and is within the conservation area. The agent suggests that CBC does not give this policy any weight as it is an old policy and supersede by the NPPF. We disagree as the policy remains valid.

### Design

- The development bears no relation to the existing style and arrangement of houses on Kirby Road.
- The design of the buildings references houses on the opposite side of Kirby Road which are not in the conservation area. As the development is within the conservation area it should make reference to the historic buildings nearby.
- The three terraced house should be set back by 20ft from the highway to reflect the siting of the existing properties opposite the site.
- The external materials detailed are not appropriate and do not reflect the materials used in the properties opposite the site.

### Housing Need.

- The village has seen substantial housing development in recent years.
- The development would erode the identity of the village.
- The results of the rural housing needs survey are imminent. The application should be put on hold pending this survey.
- The Corby Five Year Lands supply has not identified this location and nor is the village required to increase in size in the foreseeable future.
- No affordable housing is proposed.

### Amenity

- Plots 1, 8 and 10 are in close proximity to the street and are therefore unsuited to this location.
- The park will be overlooked with a loss of privacy and westerly views.
- The park would be subject to light and noise pollution.
- The new development has an open space at the High Street end which is not beneficial to the village as it is only visible from within the development site. It would be better if the open space was moved to the front and east.
- The development will have a negative impact of the community use of the adjacent village hall.
- The development will be close to our dwelling and car lights from visitors to the new properties would invade our privacy.

### Other

- The press notice is invalid and should be re-done. It reads: "Write to the Council at the address below 8/2/18". It misses out the word 'by'.
- The dates given for representations to be received by the Council on the letter sent out to neighbours and the press notice are different.
- No site notice has been erected.
- Loss of a green space.
- Loss of wildlife and trees.

6.6. These subjects are considered in full below.

### **7. Officer's Assessment:**

The key issues for determination of this application are:

- Principle of Development
- Affordable Housing

- Impact on Heritage Assets
- Parking and Highways Issues
- Residential Amenity
- Environmental Issues – Trees, ecology and green space
- Other

#### 7.1 Principle of Development

- 7.2 The site lies within the sustainable settlement of Gretton. The principle of development within existing settlements is supported by the NPPF, although the NPPF sets out that Local Authorities should consider setting out policies which resist inappropriate development of residential gardens where development could cause harm to the local area. This opinion is supported by Policy 1 of the JCS.
- 7.3 Policy 11 of the JCS (Network of Urban and Rural Areas) seeks to ensure that development is distributed to strengthen the network of settlements. Part 2 of this policy deals with the rural areas. Part 2a states that: “Small scale development will be permitted on suitable sites within Villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure or services.”
- 7.4 Policy 30 of the JCS (Housing Mix and Tenure) provides the framework for which housing development should provide a mix of housing types and the need to accord with National Space Standards.
- 7.5 It is considered that the principle of residential development on this site is acceptable subject to other policies being satisfied due to its location within the development confines of the village.

#### 7.6 Affordable Housing

- 7.7 Policy 30(d) sets the thresholds for the provision of affordable housing for development proposals as follows:
- 7.7.1 15 or more dwellings in growth towns and market towns.  
**OR** where the gross floor area (GFA) exceeds 1500sqm.
- 7.7.2 11 or more dwellings elsewhere.  
**OR** where the gross floor area (GFA) exceeds 1000sqm.
- 7.8 As the development is for 10 dwellings it would not normally require a contribution for affordable housing – a comment reflected in the pre-application responses to the agent in 2017. Although modest in size the combined gross floor area (GFA) for the 10 dwellings would be 1,315sqm and would therefore exceed the secondary threshold of 1,000sqm. As the site is within a rural area a provision of 40% affordable housing is required for this development. The exact format of affordable housing – whether managed by a registered state landlord or a discounted/shared ownership scheme - is to be agreed but the applicant has agreed to provide this on-site and secured by way of a Legal Agreement.
- 7.9 The comments from NCC, the Parish Council and residents of the village in relation to infrastructure are noted. Section 011 of the NPPF guidance states that there are specific circumstances where contributions for tariff style planning obligations (including section 106 planning obligations) should not be sought from small scale and self-build development, including developments of 10-units or less. This follows the order of the Court of Appeal on 13<sup>th</sup> May 2016, which gives legal effect to the policy set out in the [written ministerial statement](#) of 28 November 2014. Therefore NCC cannot lawfully request any education contributions via a S106 Agreement for this site. Further to this Section 122 of the Community Infrastructure Levy Regulations is clear that any obligation entered into under s106 of the Town and Country Planning Act 1990 must be lawful. The proposed unilateral undertaking would not be lawful as it would fail the tests applied under S106 (as it would be made under s106). The legislative regime applies equally to unilateral undertakings as it does bilateral agreements, and it is not correct to suggest otherwise.

7.10 In accordance with the Planning Obligations Framework and Guidance Document (2015) the development would fall below the threshold for other contributions and as such there is no policy framework to secure the request from NCC. The development when considered in the round would enhance the area and is modest in size and in combination with the reasons given above the development is considered acceptable in this regard.

#### 7.11 Impact on Heritage Assets

7.12 Relevant policies in respect to the impact on Heritage Assets includes Policy 2 of the JCS and Paragraphs 14, 64, 128,131, 132 133 and 134 of the NPPF. The site is within the Gretton Conservation Area.

7.13 There are a series of listed buildings some distance to the north of the applications site. Manor Farm House is a large stone built property situated approximately 60m north of the site, is dated 1675 and is Grade II listed. On the north side of High Street approximately 90m north of the site are a series of Grade II listed buildings – Gretton House, Chantry Cottage, 5, 7, 9 (Stoneleigh) and 13. Number 59 Kirby Road is a non-designated heritage asset – a converted barn which is significant for the evidence of the former farming use on site.

7.14 Paragraph 131 of the NPPF states: *“that in determining planning applications, local planning authorities should take account of:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.”*

7.15 Paragraph 132 of the NPPF then goes on to say that: *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered.”*

7.16 Planning applications in conservation areas should be accompanied by sufficient details to enable the impact of the proposed development on the character of the conservation area, to be assessed. This includes details of scale, massing, design and materials of buildings and their relationship to existing buildings and the impact on their setting. Applicants are required to describe the significance of all assets affected by development, proportionate to the proposal. This should be done through Heritage Appraisals and Impact Assessments or as part of a Design and Access Statement. The application has been submitted in full with a suite of supporting documents including a Historic Impact Assessment and a Design and Access Statement. Furthermore the applicant has assessed the significance of the heritage assets and the impact on the setting of these, which are reported below.

7.17 The heritage assets whilst considered in the round can be split into two separate categories, listed buildings (including the non-designated asset at number 59) and the conservation area. In relation to the listed buildings (and number 59) the application has been deliberately sited to the eastern half of the overall site following pre-application advice from the LPA to move the development away from the cluster of listed buildings. Most people appreciate the listed buildings from the High Street itself and it is not considered that the development would impact on their setting. In conclusion the applicant’s consultant states that: *“The significance of the various listed buildings is not harmed by the proposed development and their special interest as listed buildings will be preserved.”* Further, in relation to number 59 (non-designated asset) the consultant states: *“the impact on it significance is very small...”*



- 7.18 In relation to the impact on the conservation area the applicant's consultant concludes that the character will be preserved. The development has been restricted to the western half of the overall site, open views through the site are maintained and the materials, layout and design are appropriate.
- 7.19 As reported above the conservation officer does not raise objections and whilst the full response is copied above the key comments are highlighted below:
- The site features a mix of sized and styled dwellings in order to more accurately reflect the changing styles and periods of the village, from the 17<sup>th</sup> Century stone houses and farm buildings within the historic core to the post war estate developments off Kirby Road.
  - The proposed house styles are of a simple design, using traditional materials, to reflect the history and local characteristics of the area.
  - The scheme has given consideration to the existing site and the surrounding heritage assets. It proposes traditional materials and with simple design features reflect the surrounding environment. There is however the loss of the open space within this part of the village, which has an historic association to Manor Farm and is a typical feature of semi rural villages, the retention of the paddock land abutting the High Street and the existence of the pocket park, help to dilute the impact of this loss and it is on balance that I am in support of the application.
- 7.20 It is considered that the development conserves the significance of the heritage assets. By careful use of materials and design and a layout that preserves the open view through the site through to High Street. The application has demonstrated a clear understanding and appreciation of the heritage assets and has designed a scheme that successfully balances these issues to the enhancement of the area. The development accords with the development plan and Policy 2 of the JCS (2016).
- 7.21 The proposal is considered to be acceptable and sustains the listed building's and non-designated heritage assets architectural and historic interest. Furthermore it is considered that the proposal preserves and enhances the character of the Gretton conservation area. The proposal is therefore considered to be compliant to Policies 2 and 30 of the North Northamptonshire Joint Core Strategy (2016) and the advice contained within Chapter 16 of the NPPF.
- 7.22 Further to the above, consideration needs to be given to the Gretton Conservation Area Appraisal and Management Plan (GCAAMP) which is currently under review. The Gretton Conservation Area was first designated in 1970 with the boundary altered in 1978. There is no supporting detail associated with this designation. One of the aims of the GCAAMP is to address this shortfall and to consider an appraisal and the management of the Conservation Area. The Council issued a draft GCAAMP for public consultation on the 12<sup>th</sup> March, with the period for consultations ending on the 16<sup>th</sup> April 2018. The responses are being collated with an update report being presented to the Local Plan Committee on the 20<sup>th</sup> June 2018. The appraisal has a number of key factors including alterations to the Conservation Area boundary and the designation and protection of 'significant views' within the village. The application site is neither affected by the proposed boundary changes nor is designated as a significant view; indeed the text of the document is silent on this site. Figure 4b – Spatial Analysis: Buildings, Structures and Spaces – of the draft GCAAMP has a map which annotates the site as open space, along with the pocket park but there is no background text to this. It is not considered that the GCAAMP would alter the assessment above in relation to the heritage assets or the officer recommendation to approve with conditions.
- 7.23 Parking and Highways Issues
- 7.24 Chapter 9 of the NPPF requires that consideration should be given to the opportunities for sustainable transport modes, that safe and suitable access to a development site can be achieved for all people, and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes on to

state that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

- 7.25 Policy 8b of the JCS seeks to ensure that streets and spaces are safe and pleasant. In particular part ii seeks to achieve this by: "Ensuring a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards." The LHA has asked for clarification on a list of technical matters including the provision of visitor parking. The agent has responded in full to these comments and amended the site plan to include space for the provision of visitor parking. Whilst the detailed comments from the LHA on the amended plans are awaited it is considered that the proposal now accords with the requirements of this policy.
- 7.26 On a wider context Policy 15 seeks to strengthen unity and ensure well connected towns, villages and neighbourhoods. Although the development is below the threshold for seeking wider benefits via a S106 Legal Agreement it is not considered that the development would impact on the immediate area such that mitigation would be required. The development sits well in its surroundings with the key development fronting the site and limited development off the cul-de-sac. It is considered that the proposal now accords with the requirements of this policy.
- 7.27 The transport assessment (TA) submitted in support of this application considered the potential impacts on the local road network and the provision of local services. It concludes that: "There are no transport implications arising from this development that result in a severe residual impact, or otherwise result in any adverse impact upon the safety and convenience of users of the public highway." The report further states: "The site is well connected to provide access to a range of services and facilities within the village, this reducing the reliance on the private car. Further, there is an existing bus service to nearby towns, with an existing stop almost immediately adjacent to the application site." It is considered that these details support the sustainable location of the site.
- 7.28 The Borough Council have undertaken detailed discussions with the LHA and the applicant and agent have responded to the questions posed by them. Further to the amended plans submitted – reflected in the list of approved documents – the LHA raises no objections subject to conditions. The Borough Council considers that all of the highways issues have now been addressed.
- 7.29 As a result of the above, and in accordance with the comments from the LAH, it is considered that the proposals are in broad accordance with the requirements of Chapter 9 of the NPPF and Policies 8 and 15 of the North Northamptonshire Joint Core Strategy with respect to its relationship with the highway network.
- 7.30 Residential Amenity
- 7.31 The comments from the representations are noted and understood. It is not considered that the development of the frontage plots would impact on the amenity of the occupants of the residential properties on the opposite side of Kirby Road, due to the distance between the properties and the design of the proposed development. Similarly it is not considered that the development is too close to the highway edge on Kirby Road, rather it is considered that the frontage development enhances the setting and follows the form of historic examples of good design already in the village.
- 7.32 The development has been orientated such that the dwellings on the north side of the plot are set back from the boundary to the north, along which runs the footpath which separates the application site from the pocket park. The importance of the pocket park is not in question but with the separation of the footpath and the siting of the dwellings away from that particular boundary it is not considered that the development would lead to a overlooking or a loss of amenity for members of the public using the pocket park.
- 7.33 No street lighting is proposed on the site road or any cul-de-sacs that are set off the main site road. As such and in combination with the open views down the central way it is not considered that the development would lead to issues of light pollution. Similarly as the site

is for a residential use it is not considered that the development would lead to issues of noise pollution. Further a specific concern has been expressed by a neighbour whose property runs parallel to the southern boundary about vehicle lights at night from users of the access drive. With a 1.8m high boundary fence, the details of which are to be secured by condition it is not considered that this would warrant refusal.

7.34 Concerns have been raised by letters of representation about the loss of the green field and the associated loss of amenity. There is no public access to the existing field but it is considered that the key concern relates more specifically to the visual amenity of the site. The existing site does have an intrinsic value from a visual aspect but it sits within the confines of the village settlement and as stated the principle of development in this location is acceptable. The applicant has undertaken detailed pre-application discussions with the LPA in 2017 and followed the advice given – namely to keep views through the site and to retain the open fields to the west of the site. The conservation officer recognises the value of this parcel of land, as does the case officer, but for the reasons given the development is considered acceptable.

7.35 Further concerns are expressed from the representations received about the potential for a negative impact on the adjacent village hall. With the rectangular plot of land set aside for pasture on the land directly adjacent to the village hall and coupled with the residential use proposed it is not considered that the development would cause any loss of amenity or privacy or have a negative impact on the use of the village hall.

7.36 The proposed dwelling would not contravene the national space standards as detailed in Policy 30 of the JCS. The amenity space provided is acceptable and there are no issues in respect of loss of daylight or outlook as detailed in the BRE sunlight and daylight guidance ([Site layout planning for daylight and sunlight: a guide to good practice' \(BR209\)](#) September 2011).

#### 7.37 Environmental Issues

7.38 Loss of green space. An extended phase 1 habitat survey was submitted in support of the application. The comments of the County ecologist have been incorporated into the amended plans. The conclusion to the habitat survey is that the site is of low ecological value. Subject to the conditions attached the proposal is considered acceptable in this aspect.

7.39 Further comment has been received about the loss of the green space and in particular that it contradicts Policy P13(V) states: "In order to conserve the village environment development will not normally be permitted on open land which is of particular significance to the form and character of the village." This policy is a saved policy from the Corby Local Plan 1997. The comments reported previously in this report from the policy officer are noted. The key question is the weight that can be given to this policy that is now over 20 years old. The answer is limited, but this does not mean that it can be ignored. The existing field does have merit but it does not form the core of the village around which the key local services can be found. It is an open field within the confines of the village but on the outer edges and as such it is not considered to be significant to the form and character of the village. It is not for example detailed as a key feature in any of the associated listed buildings or within the conservation area description. For the reasons given here and elsewhere in the report it is not considered that refusal of the proposal would be warranted in relation to this specific saved policy.

7.40 The comments of the tree officer are noted. The trees sited on the north and south boundaries are important. It is also important to note that the wider scattering of trees within the field to the west of the site do not fall within the application and as such would not be impacted by this development. Similarly no suggestion has been put forward to propose that these trees be subject to a Tree Preservation Order. The siting of the housing plots has been tweaked to move them away from the trees in question but it is noted that part of the access drive to the rear of plot 8 and the garden to plot 7 would fall within the root protection area (RPA). With conditions restricting permitted development in the gardens, tree protection measures for all the trees retained on site during construction and detail of soft dig

and suitable materials for the small part of the access way within the RPA, it is considered that the development is acceptable in this aspect.

#### 7.41 Other Issues

7.42 The objections raised from the Gretton Parish Council and residents have largely been considered within the above report. Of those that remain they are considered here.

7.43 Comment has been received that a site notice has not been put up. A notice was erected on site by the case officer on the 7<sup>th</sup> February 2018 and the letter of representation was sent prior to that date.

7.44 Comment has been received that as a word was missing from the press advert it was not valid. It is considered that the intent of the notice is clear but for reasons of clarity a further press advert was issued with the exact wording.

7.45 In relation to the two previous comments received (paragraphs 7.39 & 7.40) observations have been received that the dates for submission of comments as detailed on the press notice and site notice are different. This is not unusual and does not in any invalidate the application. The LPA have a duty to publicise a planning application by a number of different ways – letters, site notice and press notice – the deadline for comments is taken as the latest date detailed on these. Site notice expired on the 28/02/18; the press notice expired on the 05/04/18 and the letters for the consultation on the amended plans expired on the 10/04/18.

7.46 Corby Borough Council currently benefits from a Housing Land Supply of 5.02 years (taking into account a 20% buffer) required as a result of under delivery in preceding years. As an unallocated site, reference to the delivery of housing in Gretton is not included within that position. Policy 11b of the JCS states that small scale development will be permitted where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure and services. For the reasons given earlier in this report it is considered that the proposal accords with Policy 11b. It is also acknowledged that this scheme would make a contribution to the Borough's housing stock. It is the view of the local planning authority that the socio-economic benefits of the additional dwellings are a material planning consideration that acts in favour of the proposed dwellings.

#### 8. **Conclusion:**

For the reasons outlined above, it is considered that the proposal represents an appropriate form of development in this location. It is considered that the new dwellings would be appropriate in their context and not harm the setting or character of the adjacent Listed Building or surrounding Conservation Area. Furthermore, it is not considered that the proposal would cause harm to the amenity of nearby residents and approval is recommended subject to the conditions set out below.

#### 9. **Recommendation:**

**Resolution to Consent Subject to given the Head of Planning and Environmental Services for the signing of a S106 Legal Agreement to secure 40% affordable housing and subject to the following conditions:**

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

**Reason:** In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.

- 2 The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- I35 P001A Location plan
- I35 P002A Site plan existing
- I35 P003E Site plan proposed

- I35 P004 House type A
- I35 P005 House type B
- I35 P006 House type B & C
- I35 P007A House type D
- I35 P008B House type E
- I35 P009B Garage types
- I35 P010A Sketch visual A
- I35 P011A Sketch visual B
- I35 P012A Sketch visual C
- I35 P013C Access plan
- 17.1331.001 Tree constraints plan
- 17.1331.002 Tree constraints plan
- 17.1331.003 Tree protection plan

**Reason:** For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Before the development hereby approved is commenced, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. the external facing materials
2. the exterior roof materials
3. full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all external joinery including fenestration and doors and proposed exterior finish
4. full details of the eaves and verge detailing
5. details of any flues or vents or other alterations to the exterior of the building
6. full details of rainwater goods, their materials and designs
7. full details of rooflights
8. full details of all landscaping
9. full details of all changes to existing and erection of new boundary treatments
10. full details of the stone wall to be rebuilt along the Kirby Road boundary.

The development shall thereafter be carried out in accordance with the approved details and thereafter be retained as such for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the Gretton Conservation Area and the nearby Grade II Listed Buildings, in accordance with the requirements of Policy 2 of the North Northamptonshire Joint Core Strategy and the NPPF.

4. Prior to first use or occupation of the development hereby permitted, vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m\* measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

5. Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

6. Prior to first use or occupation, the proposed vehicular access, parking and turning facilities shall not be provided other than in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

7. Prior to commencement of the development hereby permitted, details of the hard bound surfacing of the vehicular access shall be submitted to and approved in writing by the local planning authority. The access shall thereafter be completed in accordance with the approved details prior to the first use of the access and maintained thereafter.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

8. Prior to the commencement of the development hereby permitted, a full CTMP (Construction Traffic Management Plan) shall be submitted to and be approved in writing by the local planning authority. The Plan is to include the following elements;

- Detailed work programme / timetable.
- Site HGV delivery / removal hours to be limited to between 10:00 – 16:00
- Detailed routeing for demolition, excavation, construction and abnormal loads.
- Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.
- Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
- Breakdown of number, type, size and weight of vehicles over demolition & construction period.
- Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.
- Details of public impact and protection to include road, footway, cycleway and PRow. Details of TROs and road / footway / cycleway / PRow closures and re-routeings as well as signage, barriers and remediation.
- Public liaison position, name, contact details and details of public consultation/liaison.
- Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays.
- Pre and post works inspection of the highway between points A and B as requested to identify remediation works to be carried out by the developer. Inspections are to be carried out in the presence of a member of the Highway Authorities Inspection team. To also include the removal of TROs, temporary signage, barriers and diversions.
- Details of temporary construction accesses and their remediation post project.
- Provision for emergency vehicles.

**Reason:** In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

9. The private vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

10. No gates, barrier or means of enclosure shall be erected across a private vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

11. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access does not discharge onto the highway shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.

**Reason:** To ensure the development has a suitable relationship with the highway network in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

12. No building or use hereby permitted shall be occupied or the use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only

**Reason:** In the interests of highway safety in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

13. No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

**Reason:** In the interests of highway safety in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

14. Before the development hereby approved is commenced full details of the foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and thereafter be retained as such for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent flooding, pollution and detriment to public amenity through the provisions of suitable water infrastructure and in accordance with Policies 8 and 30 of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

15. Before the development hereby approved is commenced full details of the surface water management strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and thereafter be retained as such for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent flooding, pollution and detriment to public amenity through the provisions of suitable water infrastructure and in accordance with Policies 8 and 30 of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Before the development hereby approved, including any demolition and / or site clearance works is commenced or any equipment, machinery or materials is brought

onto site, full details of protective fencing and/or other protective measures to safeguard existing trees and hedgerows on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed tree and hedge protection measures shall thereafter be provided in accordance with the British Standard 5837: 2012 and retained for the duration of construction (including any demolition and / or site clearance works), unless otherwise agreed in writing by the Local Planning Authority. No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment; machinery and surplus materials have been removed.

**Reason:** To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree) gives and will continue to give to the amenity of the area. This will ensure the development is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

17. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, in which no private trees are permitted within 2.5m of the public highway. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

**Reason:** To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory in accordance with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

18. Before the development hereby approved is commenced full details of the boundary treatment for the plots shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure, and these shall be provided in accordance with the approved scheme before the adjacent dwellings are first occupied. The approved fence, hedge or wall shall subsequently be retained thereafter.

**Reason:** To ensure a suitable form of boundary treatment is constructed in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

19. Before the development hereby approved is commenced, an arboricultural method statement, shall be submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall include details of permeable materials to be used and the exact method of construction for the areas identified within the root protection area on drawing number: P003 Rev C – Site Plan as Proposed. Development shall thereafter take place in accordance with the approved method statement, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** For the avoidance of doubt and to ensure the protection of the boundary trees and in accordance with Policies 8 and 30 of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

20. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by M-EC dated April 2018) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to



include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

**Reason** To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

21. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood risk assessment document reference number XYZ dated ABC prepared by PQR. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

**Reason** To ensure the installed Surface Water Drainage System is satisfactory, in accordance with the approved reports for the development site, the NPPF and Policy 5 of the Core Strategy.

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

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

**Reason:** To ensure that risk from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification) the dwelling hereby approved shall not be enlarged or extended without the prior written permission, on application, to the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the Gretton Conservation Area and the nearby Grade II Listed Buildings, in accordance with the requirements of Policy 2 of the North Northamptonshire Joint Core Strategy and the NPPF.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification) no windows, dormers or other openings shall be created in the dwelling in addition to or as enlargements of any which may be hereby approved without the prior written permission, on application, to the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the Gretton Conservation Area and the nearby Grade II Listed Buildings, in accordance with the requirements of Policy 2 of the North Northamptonshire Joint Core Strategy and the NPPF.

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any Order revoking or re-enacting the Order with or without modification) no buildings, enclosures or other structures required for a purpose incidental to the enjoyment of the dwelling house shall be erected within the curtilage of the approved dwelling(s) without the prior written permission, on application, to the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the Gretton Conservation Area and the nearby Grade II Listed Buildings, in accordance with the requirements of Policy 2 of the North Northamptonshire Joint Core Strategy and the NPPF.

26. Notwithstanding the provisions of Schedule 2 Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no solar photovoltaics or solar thermal equipment shall be attached to this dwelling, unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the Gretton Conservation Area and the nearby Grade II Listed Buildings, in accordance with the requirements of Policy 2 of the North Northamptonshire Joint Core Strategy and the NPPF.

#### **Informatives:**

##### **Works affecting existing highways.**

The applicant's attention is drawn to the fact that no works may commence within the existing highway without the express written permission of the local highway authority. This planning permission does not give or imply such consent which may be forthcoming subject to the completion of an appropriate licence or Agreement under the Highways Act 1980. Any works within the highway shall comply with the local highway authority's standards and specifications.

##### **Sewer Connections.**

The applicant's attention is drawn to the requirement that any new sewer connection required for this development within the highway will require a licence from the local highway authority under Section 50 of the New Roads and Street Works Act 1991.

##### **Road Space.**

The applicant's attention is drawn to the Traffic Management Act 2004 where three month notice periods to allocate road space (for works within the highway, including footways and verges) is required prior to the commencement of works. Such notice cannot be submitted or commence until the completion of an appropriate license or Agreement with the local highway authority.

##### **Reasons for Approval:**

Subject to the conditions the proposed development of 10 dwellings on land off Kirby Road, Gretton is considered to represent a form of development which is of a suitable design and appearance that preserves the character and appearance of the street scene and the conservation area, whilst safeguarding the living conditions of neighbouring residents and providing sufficient off street parking in the interests of highway safety. The proposal is therefore considered to be in accordance with the requirements of Policies 1, 3, 8 and 15 of the North Northamptonshire Joint Core Strategy, paragraphs 14 and 17 and Sections 6 and 7 of the National Planning Policy Framework and no other material considerations indicate that the policies of the development plan should not prevail, furthermore the decision has been reached taking into account paragraphs 186-187 of the National Planning Policy Framework.

##### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

### **Section 17 of the Crime and Disorder Act 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, Officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

### **Background Papers:**

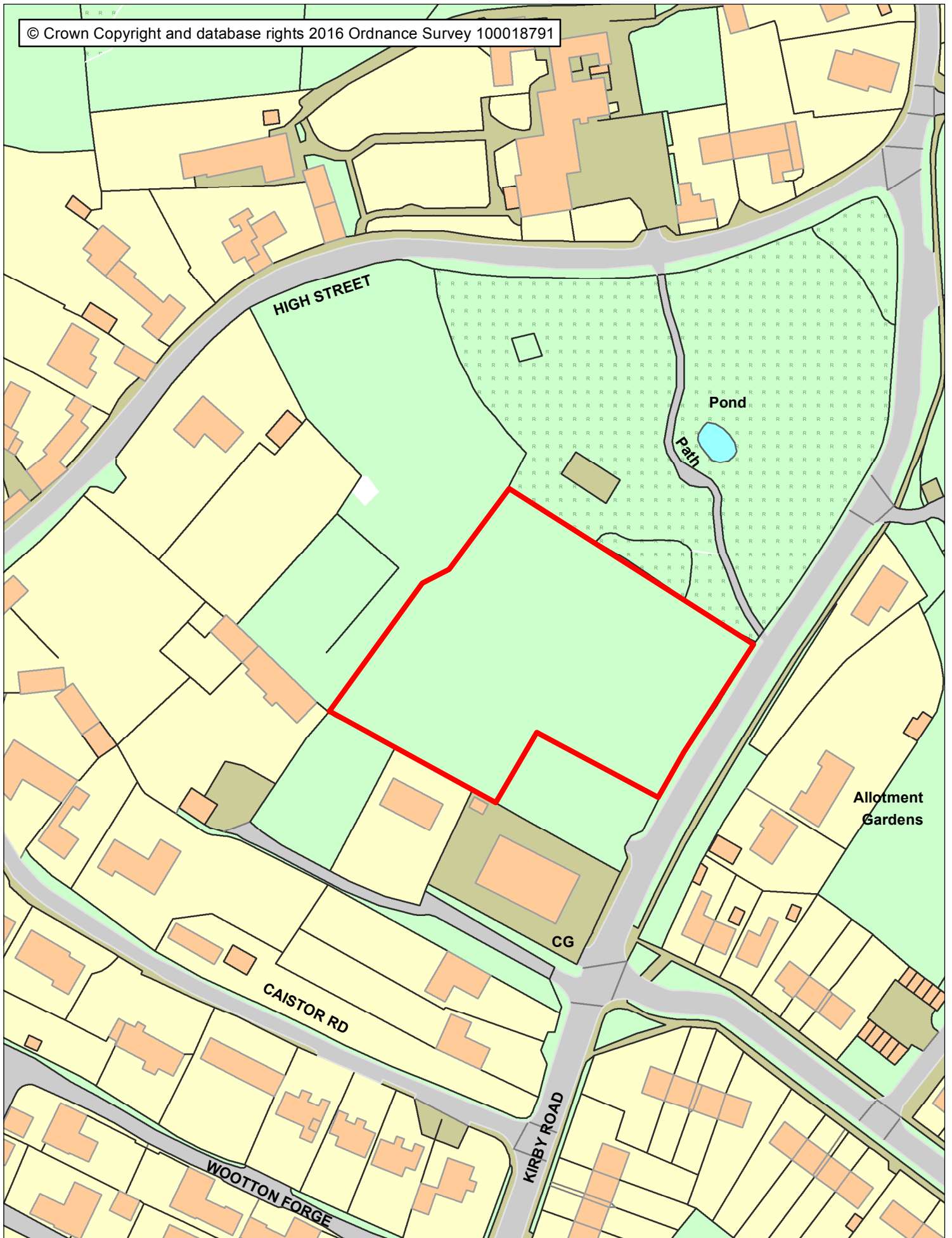
- The application is supported by:
  - a planning statement;
  - a housing statement;
  - a pre-planning assessment report for Anglian Water;
  - a flood risk and drainage technical note;
  - a design and access report;
  - a sustainable design checklist;
  - an outline site waste management plan;
  - an aboricultural pre-development survey;
  - a heritage impact assessment;
  - an archaeological evaluation;
  - a transport statement;
  - an extended phase 1 habitat survey; and
  - a phase 1 environmental risk assessment.
- In support of the amended plans – which are detailed in the conditions – tree constraints plans, access plans, drainage technical note and a transport technical note were submitted.
- Two pre-application submissions in relation to the development of 10 dwellings on the same site. Responses sent from the LPA on the 06/01/17 and 18/07/17.

### **Officer to Contact:**

Mr Nigel Gould

Tel No: 01536 464159

Email: [nigel.gould@corby.gov.uk](mailto:nigel.gould@corby.gov.uk)



**Land at Kirby Road, Gretton**  
**Planning Application Reference: 18/00024/DPA**  
**Planning Committee Date: April 2018**

Scale: 1:1,250

