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Ian Benn  
14 School Hill  
Irchester  
WELLINGBOROUGH  
NN29 7AN

Date: 28 August 2018

Your Ref:

Our Ref: PRE/18/00105/PRENF

**Without Prejudice**

Dear Mr Benn

**Application No: PRE/18/00105/PRENF**

**Proposal: Proposed subdivision of dwelling**

**Location: The Old School House, 14 School Hill, Irchester**

I refer to your letter and plans received on 9<sup>th</sup> July 2018 in connection with the above proposed development.

I have completed my assessment and have the following comments to make.

The site is located within the village of Irchester, outside of any conservation area and not considered to be affected by the proximity of listed buildings.

### **Conformity with the Development Plan**

Section 38(6) of the Planning & Compulsory Purchase Act 2004 replaces section 54(A) of the Town & Country Planning Act 1990 and states that if regard is to be had to the development plan for the purpose of any determination under the Planning Act, the determination must be made in accordance with the plan, unless material considerations indicate otherwise:

The development plan for the purposes of this statutory provision comprises:

- The North Northamptonshire Joint Core Strategy (JCS);
- Borough of Wellingborough Local Plan (LP)
- Emerging Plan for the Borough of Wellingborough (PBW)
- Irchester Neighbourhood Plan

The relevant policies in the North Northamptonshire Joint Core Strategy are:

Policy 1 (presumption in favour of sustainable development);  
Policy 8 (North Northamptonshire place shaping principles);  
Policy 9 (sustainable buildings);  
Policy 11 (the network of urban and rural areas);  
Policy 28 (housing requirements);

Adopted Wellingborough Local Plan  
Policy G4 (Villages)

Emerging Plan for the Borough of Wellingborough (PBW)  
Policy SS1 (Villages)

This pre-application enquiry seeks advice as to whether the subdivision of the dwelling at 14 School Hill would amount to development requiring planning permission and, if so, whether such development would be likely to be acceptable.

### **Whether it amounts to Development**

The enquiry proposes “the creation of an internal annexe” within the dwellinghouse, for use by friends and extended family members. The enquiry does not propose any external alterations. Development (which triggers the requirement for planning permission) is defined in section 55 of the Town and Country Planning Act 1990 (TCPA), as either the carrying out of operations on land or the making of a material change of use of land. In this case it is clear that the enquiry does not propose any operational development.

The proposal refers to a “self-contained annexe” to provide short term accommodation for friends or extended family. The drawing attached indicates the separation of the accommodation from the rest of the house and the provision of further shower room and toilet, and kitchen accommodation. The suggestion is that the accommodation would not be occupied by persons who would live as part of the main household (as would generally the occupants of a granny annexe) but would live independently of the main household, having the exclusive use of the normal range of facilities to enable everyday living. In other words, the house would be converted into two dwellings, sharing only a front door and hallway.

The use of the annexe unit for short term ‘letting’ could be seen as akin to a unit of holiday accommodation, although, other than in exceptional circumstances (not applicable here), such units are regarded as dwellinghouses.

Section 55(3) of the TCPA makes clear that the use of a dwellinghouse as more than one dwelling involves a material change in the use of the building. Thus, it would amount to development requiring planning permission.

### **Principle**

In terms of the location, the site is within the village and therefore would have access to community infrastructure and services to meet day to day needs.

Irchester is one of the four largest villages as stated with the JCS and therefore has a number of services and facilities in comparison to other villages within the Borough. It is therefore considered to be a sustainable location in terms of a village. Policy 8 of the JCS requires development to be well integrated with cycle, pedestrian and public transport routes to limit car use and well connected to existing services and facilities. It is likely that this proposal could demonstrate compliance with this policy in this regard.

### **Amenity**

Policy 8(b) of the JCS seeks to ensure a satisfactory access and parking provision for new or altered dwellinghouses. There is some commentary concerning on site parking, but little detail is provided. I would draw your attention to the NCC Highway standing advice publication which sets out compliant access arrangements and to the Northamptonshire Parking Standards advice at <https://www3.northamptonshire.gov.uk/councilservices/northamptonshire-highways/transport-plans-and-policies/Documents/NorthamptonshireParkingStandards.pdf>

which indicates the highway authority's requirements for vehicle parking for dwellings of varying sizes.

Policy 8(e) of the JCS seeks to ensure quality of life for residents both surrounding the site and the future residents of the unit itself. The proposed external alterations are unlikely to adversely impact neighbour amenity, although an intensification of the use might be perceived to. The unit itself (and the host dwelling) would need to comply with the National Space Standards at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524531/160519\\_Nationally\\_Described\\_Space\\_Standard\\_Final\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf). Subdivision of amenity space would usually be required to ensure an adequate level of amenity and privacy for the occupiers of each of the units.

### **Conclusion**

The proposed subdivision constitutes development requiring planning permission and, as such, would need to provide a range of accommodation that would be compliant with national and local planning policy, especially in terms of space within the units, car parking and access and private amenity space. Further details on these points would need to be submitted before it could be confirmed that the proposal would not be in conflict with development plan policy.

**The advice given above is the informal opinion of an officer only and it will not fetter or bind other officers or councillors if they are called upon to make a recommendation or take a decision on any formal planning application.**

**In addition, the council cannot accept responsibility for any action you or your client may take as a result of receiving this advice. Furthermore, this advice has been formulated without the benefit of receiving comment from other statutory and non-statutory consultees or responses from members of the public which could result in a different recommendation to the advice given.**

I hope the above advice is of assistance. I can be contacted on the above number if you require further clarification in this matter

Yours sincerely,



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