



Name and address of agent:

**Mr Andrew Beard
Andrew Beard Planning
Spindrift
83 Main Road
Portskewett
Caldicot
NP26 5UG**

Name and address of applicant:

**Mr LLOYD Chattell
Nene Valley GHT
112 Overstone Road
Sywell
Northamptonshire
NN6 0AW**

NOTICE OF REFUSAL

Town and Country Planning Act 1990 (as amended)

Part I – Particulars of application

**Date Valid:
20 November 2024**

**Application Number:
NW/24/00674/FUL**

Location:

112 Overstone Road, Sywell, Northampton, NN6 0AW

Description:

Change of use from Dwelling (use class C3) to church (use class F.1f) with associated parking and landscaping.

Part II – Particulars of application

North Northamptonshire Council having considered a valid application for the above development, in pursuance of its powers under the above mentioned Act:

REFUSE PERMISSION

for the development as described in Part I above and in accordance with the application and plans submitted, subject to the following reason/s:

- 1. The proposed change of use of the site to a church (Use Class F1 (f)) would result in the loss of a residential dwelling in the rural area and it has not been demonstrated that the facility could not be provided more sustainably at a larger settlement nearby. The proposal has not demonstrated that the use of existing suitable sites and co-**

location/sharing of facilities has been explored. The proposed development would be contrary to policy 7 (a) and 11 (2) (a) of the North Northamptonshire Joint Core Strategy and paragraph 98 of the National Planning Policy Framework.

2. The change of use of a residential dwelling to a church and use of the rear garden as a car park would result in an unacceptable change to the residential character of the site and this section of Overstone Road. This would have a negative impact on the overall character and appearance of the immediate and wider locality. The proposed development would be contrary to policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.
3. The loss of residential garden and its replacement with a large area of hardstanding for car parking would not conserve or enhance the character of the site and the proposed landscaping would not sufficiently mitigate the harm caused from this loss. The proposed development would be contrary to policy 3 (a) and (e) of the North Northamptonshire Joint Core Strategy.
4. The proposed biodiversity net gain measures set out in the submitted biodiversity net gain assessment are not achievable and the development would not therefore achieve a net gain in biodiversity of at least 10%. The proposed development would be contrary to policy 4 of the North Northamptonshire Joint Core Strategy and paragraph 187 (d) of the National Planning Policy Framework.
5. The increase in noise from vehicular movements and use of the site as a church will have a negative impact on the amenity of the neighbouring residential occupiers and occupiers in the vicinity due to the intensity of use of the site. The proposed development would be contrary to policy 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy and paragraph 135 (f) of the National Planning Policy Framework.
6. The application has not sufficiently demonstrated that the proposed off road parking provision would be usable through the submission of vehicular tracking drawings. This could result in vehicles reversing out of the site increasing the potential for conflicts between vehicles, pedestrians and other highway users. The proposed development would be contrary to policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy and paragraphs 116 and 117 (c) of the National Planning Policy Framework.

INFORMATIVE/S:

1. This refusal is based on the following submitted plans/reports:
Drawing number NVGHT-573-SUR-010 - Site Location Plan (registered 20 November 2024)
Drawing number NVGHT-573-SUR-020 - Existing Floor Plan and Elevations (registered 20 November 2024)

Drawing number NVGHT-573-PA-010 - Proposed Floor Plan, Elevations and Block Plan (registered 20 November 2024)
Planning Statement by Andrew Beard Planning (report reference ABP/0566 dated 14 November 2024) (registered 20 November 2024)
Baseline Habitat Condition Assessment by Arbtech dated 10 September 2024 (registered 20 November 2024)
Biodiversity Net Gain Assessment Issue 2 by Arbtech dated 30 September 2024 (registered 20 November 2024)
Biodiversity Metric Spreadsheet (registered 20 November 2024)

2. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 39 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the proposed development is consistent with the relevant provisions in the framework.

3. **Link to Policies for Refusals -**
https://www.nnpjdu.org.uk/site/assets/files/1086/joint_core_strategy_2011-2031_high_res_version_for_website.pdf

Decision Date

15 January 2025

Signed:

George Candler 
Executive Director Place and Economy

Officer Ref: CL

NOTES:

1. In reaching this decision the Council has implemented the requirement in the National Planning Policy Framework to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.
2. A full report is available at www.northnorthants.gov.uk/papps

PURCHASE NOTICES:

If permission is refused, whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

RIGHT OF APPEAL:

If you are aggrieved by the decision of the local planning authority to refuse permission, then you can appeal to the Secretary of State under s.78 of the Town and Country Planning Act 1990.

The rules for lodging an appeal are set out in Article 37 of Town & Country Planning (Development Management Procedure) (England) Order 2015. The following is a summary of the rules:

1. If you wish to appeal against this decision you must do so on the relevant appeal form. Householder appeals can be made online at <https://www.gov.uk/appeal-householder-planning-decision>. Full planning appeals can be made on line at <https://www.gov.uk/appeal-planning-decision> . If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0303 444 5000.
2. Completed appeals (forms and supporting documents set out in the appeal form) must be received by the Planning Inspectorate within the relevant time scale set out in the table below. The Secretary of State has the power to allow a longer period for you to give notice of an appeal but will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeal Type	Time Period
*Householder/minor commercial appeal with no enforcement action taken or pending	12 weeks from date of this decision notice
Full planning appeal against decision where no enforcement action taken or pending	6 months from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"> • within two years before the date of the planning application, or • before the date of this planning decision and still in force. 	28 days from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"> • on or after the date of this planning decision, and • is still in force. 	The earlier of the following dates: <ul style="list-style-type: none"> • 28 days from date enforcement notice is served, or • Six months from date of this decision notice. (12 weeks from date of decision notice for householder applications)

* Please note appeals against householder/minor commercial decisions only have 12 weeks from date of the decision notice. The definition of minor commercial may be found at [Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).

These time scales are in relation to the appeal against the planning decision. **The time scales for appeals against the enforcement notice (as set out in the enforcement notice) are not affected by this decision.**

3. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

4. If you intend to submit an appeal that you would like examined by inquiry then you must notify the local planning authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

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