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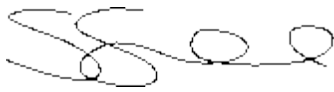


**North
Northamptonshire
Council**

Meeting: Planning Committee (South)
Date: Wednesday 20th March, 2024
Time: 7.00 pm
Venue: Council Chamber, Swanspool House, Doddington Road, Wellingborough, NN8 1BP

To members of the Planning Committee (South)

Councillor Jennie Bone (Chair), Councillor Lee Wilkes (Vice-Chair), Councillor Melanie Coleman, Councillor Scott Brown, Councillor Kirk Harrison, Councillor Philip Irwin, Councillor Bert Jackson, Councillor Barbara Jenney, Councillor King Lawal, Councillor Lora Lawman, Councillor Andy Mercer, Councillor Steven North and Councillor Malcolm Ward

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<p>Sanjit Sull, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer Tuesday 12 March 2024</p>			

*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

Committee Administrator: Louise Tyers

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon Tuesday 19 March 2024
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon Tuesday 19 March 2024

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Minutes of a meeting of the Planning Committee (South)

At 7.00 pm on Wednesday 24th January, 2024

Held in the Council Chamber, Swanspool House, Doddington Road, Wellingborough, NN8 1BP

Present:-

Members

Councillor Jennie Bone (Chair)
Councillor Melanie Coleman
Councillor Scott Brown
Councillor Philip Irwin
Councillor Bert Jackson

Councillor Lee Wilkes
Councillor Barbara Jenney
Councillor Lora Lawman
Councillor Andy Mercer
Councillor Malcolm Ward

Officers

Nigel Bell, Planning Solicitor
Chris Law, Senior Development Management Officer
Katherine Hale, Principal Development Management Officer
Carol Mundy, Senior Democratic Services Officer – Committees/Members
Emma Robinson, Democratic Services Support Officer

40 Apologies for non-attendance

Apologies for non-attendance were received from Councillors Gill Mercer and Steven North. Councillor Kirk Harrison did not attend.

The Chair extended the congratulations of the Committee to Councillor Gill Mercer on her appointment to the Executive and it was noted that she would no longer sit on this Committee.

41 Minutes of the meeting held on 22 November 2023

RESOLVED that the minutes of the meeting held on 22 November 2023 be approved and signed as a correct and accurate record of the meeting.

42 Members' Declarations of Interests (if any)

The Chair invited those members who wished to do so to declare any interests in respect of an item on the agenda.

Resolved that the following be noted:

NW/23/00526/FUL – Earls Barton Primary School
Councillor Brown made a personal declaration as his Son attended Earls Barton Primary School.

Councillor Irwin stated that as a supply teacher, he could be deployed to Earls Barton Primary School.

Councillor Jackson informed the committee that he had visited both sites referenced on the agenda.

All confirmed that they came to the committee with an open mind.

43 NW/23/00526/FUL - Earls Barton Primary School, 1-5 Broad St, Earls Barton

The Committee considered an application for the construction of a new teaching block comprising of five classrooms, relocation and enlargement of on-site staff car parking provision, formation of a new vehicular crossover to proposed car park from Churchill Road, removal of two mobile classrooms, minor alterations to existing KS1 and KS2 buildings to allow interface with new teaching block and associated landscaping and external works at Earls Barton Primary School.

Senior Development Management Officer, Chris Law, presented the report to Committee, detailing the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

He referenced the Committee update where one objector had withdrawn her objection after further consideration.

Regarding page 14, 5.10 NNC Ecology, he asked that it be noted that the Landscape Environmental Management Plan should cover the Biodiversity Net Gain (BNG) of 30 years and not 20 years as shown in the report.

One request to address the Committee had been received from Marie Lally, the Head Teacher of Earls Barton Primary School.

She spoke in relation to the need for further classrooms and referenced the additional demand the school was facing with the housing developments in the village. There was also a need for a staff car park which would result in 35 spaces, an increase of 18, to that currently available. Mr Kulvinder Obhi was also present to answer any technical questions that the committee had.

The Chair thanked the speaker and asked the Committee if they wish to ask any questions of the speaker or Mr Obhi for the purpose of clarity.

No questions were raised.

The Chair invited the Committee to determine the application.

Members asked where, during the building stage, the containers would be stored as initially it had been mooted that these would be on the Library car park, with a loss of several spaces.

Mr Law clarified that the building work would be carried out in phases with the work on the car park included in the first phase, this would enable part of the car park to be used during the second phase of the building work.

Reference was made to the field where the car park would be located as it frequently flooded, and it was thought that there was an underground spring. A question was asked over where such water would drain too in the future.

Mr Law confirmed that there was a known issue with a broken drain and there were two conditions within the planning permission in relation to resolving this.

A question was asked about adequate provision for parents dropping off pupils who travelled to school by car.

Mr Law referenced the travel plan within the report but stated that such provision was not included within the plan.

Reference was made to the existing entrances in Broad Street and whether they would remain open. It was clarified that these were the main entrances to the school, used by many and would remain open.

It was proposed by Councillor Brown and seconded by Councillor L Lawman that the planning permissions be granted, subject to the conditions within the report.

On being put to the vote the motion was declared carried

Resolved that planning permission be granted subject to the conditions contained within the report.

44 Exempt Items

Resolved that under Schedule 12A of the Local Government Act 1972 Part 1 Paragraph 5 that any press and public be asked to leave the meeting during discussion on the following item.

45 NE/23/00321/FUL - 1 Scarborough Street, Irthlingborough, NN9 5TT

The Committee considered the exempt report relating to an application for planning permission for the conversion of the former working men's club at 1 Scarborough Street, Irthlingborough, into eight two-bedroom apartments and five one-bedroom apartments, with change of use from Sul Generis (formerly A4) drinking establishment to C3 residential.

The application was the subject of an appeal against non-determination lodged with the Planning Inspectorate and therefore Committee would not be able to determine the application.

The Chair permitted Councillor Maxwell, as ward councillor, to address the meeting.

Members discussed the report and raised questions and concerns.

The Chair invited members to consider the officer recommendation within the report, that had the local planning authority retained the power to make the decision, such decision would have been to grant the application, subject to conditions and the completion of a Section 106 legal agreement.

The motion was proposed by Councillor Mercer and seconded by Councillor Irwin and on being put to the vote this was declared carried with six votes in favour, two against and one abstention.

The Chair asked members if they agreed to making such decision available to the Planning Inspector as part of the appeal. Members were concerned that this decision had been made confidentially and that it would now be made available and asked for advice from the monitoring or legal officer.

Mr Bell, Legal Adviser, confirmed that the minutes would only give a summary of the discussion and the decision, that had it still been in the local authority's power to make, would be provided to the Planning Inspectorate to assist in the appeal process.

It was proposed by Councillor Irwin and seconded by Councillor Brown that the information be provided. On being put to the vote there were seven votes in favour and two against.

Resolved that:

- (i) had the local planning authority retained the power to make a decision, such decision would have been to grant the application, subject to conditions and the completion of a Section 106 legal agreement.
- (ii) the Planning Inspectorate be informed of the above.

46 Close of meeting

There being no further business the Chair closed the meeting at 7.55pm.

Chair

Date



North Northamptonshire South Area Planning Committee (Wellingborough)

Application Reference	NW/24/00001/FUL	
Case Officer	Mr Chris Law	
Location	1 - 3 High Street Wollaston Wellingborough NN29 7QE	
Development	Proposed change of use from Offices (Class E (g) (i)) to 4 no. one bedroom apartments and associated external alterations.	
Applicant	Mr D Jackson	
Agent	Mr Roy Hammond	
Ward	Irchester Ward	
Overall Expiry Date	27 February 2024	
Agreed Extension of Time	22 March 2024	
Checked	Senior Development Management Officer (Acting up Duties)	Debbie Kirk

Scheme of Delegation

This application is brought before the Area Planning Committee because it falls outside of the Council's Scheme of Delegation as the proposal has received more than 5 neighbour objections which constitute substantive material planning considerations and the Chair and Vice Chair of the Committee agree that the objections received contain substantive material planning considerations, determination of which cannot be resolved outside of a committee resolution.

1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the conditions listed at the end of the report

2. The Application Proposal and Background

- 2.1 The application seeks planning permission for the conversion of a building used most recently as offices, into 4 x 1-bedroom flats, two on the ground floor and two on the first floor. The proposed conversion consists of a communal entrance hall to the ground floor with access to units 1 and 2 and a separate bin and cycle store. On the first floor the communal hallway leads to units 3 and 4. External changes to the fenestration are also proposed to facilitate the conversion.
- 2.2 Planning permission was granted by NNC Wellingborough Area Planning Committee for a similar scheme comprising of 3 x 2-bedroom flats under reference NW/21/01055/FUL in February 2022.
- 2.3 The site has also previously been the subject of 2 applications for prior approval under Class O of Part 3 Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a proposed: Change of Use from Offices (Class B1(a)) to Dwelling houses (Class C3). Their reference numbers are NW/21/00529/PAJ (creation of three 2 bedroom flats) and WP/20/00604/PAJ (creation of three flats) both were refused.
- 2.4 Application reference WP/20/00604/PAJ was refused as the proposal was not considered to be permitted development as it was considered to be curtilage listed and therefore did not comply with the regulations set out in Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.5 Following this refusal, an application reference NW/21/00279/LDE for a lawful development certificate to determine if the land which 1-3 High Street Wollaston occupies should not be considered curtilage listed to The Gables 55 London Road Wollaston, was submitted. The certificate was approved, and it was determined that at the date of the application the property was not curtilage listed based on the evidence submitted.
- 2.6 Application reference NW/21/00529/PAJ for prior approval was subsequently submitted, but was refused for the following two reasons:
- (1) It is considered that the proposal would have a detrimental impact on highway safety and a lack of parking provision for the number of flats being sought. There is not enough information submitted with the application to fully assess whether the application would have a severe residual cumulative impact on the road network. Therefore, the application is contrary to schedule 2, part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and paragraph 109 of the National Planning Policy Framework.
 - (2) The configuration of the proposed flats as shown on the submitted plans would not provide an acceptable situation for future occupiers of the flats from a light and outlook perspective. The number of proposed habitable room windows in the rear elevation would create harmful amenity issues

for neighbouring properties in relation to overlooking and loss of privacy and at first floor level would need to be obscure glazed to prevent unacceptable overlooking concerns. This is not considered to be an acceptable situation in amenity terms and as such the proposal is contrary to schedule 2, part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and paragraph W and paragraph 127 (f) in the National Planning Policy Framework.

3. Site Description and Surroundings

- 3.1 The application site contains a two-storey building situated within the village of Wollaston to the south of Wellingborough. The site is located at the southern end of the High Street and is adjacent to a Grade II Listed Building No.55 London Road. Access to the rear of the site is gained from London Road. The site is not situated within the Wollaston Conservation Area.

4. Relevant Planning History

NW/21/01055/FUL	Approved with conditions Proposed change of use from offices (Class B1(a)) and a garage to 3 no. dwellinghouses 3 x 2 bedrooms (Class C3)	17.02.2022
WP/20/00604/PAJ	Prior approval declined Notification for prior approval for a proposed change of use of a building from office use (Class B1a) to residential (3 no. flats) (Class C3)	16.11.2020
NW/21/00279/LDE	Established Use Application for a lawful development certificate to determine that the land which 1-3 High Street Wollaston occupies should not be considered curtilage listed to The Gables 55 London Road Wollaston	13.05.2021
NW/21/00529/PAJ	Prior approval/notification refused An application to determine if prior approval is required under Class O of Part 3 Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for a proposed: Change of Use from Offices (Class B1(a)) to Dwellinghouses (Class C3). Creation of three 2 bedroom flats. All habitable rooms to have adequate ventilation and natural light	19.07.2021
WP/1997/0415	Approved with conditions	05.11.1997

	Demolition of car showroom and construction of double garage	
WP/1997/0414	Approved with conditions Demolition of car showroom, erection of double garage and change of use from commercial to residential	05.11.1997
WP/1991/0337	Refused Change of use to shop A1 classification	04.09.1991
WR/1964/0026	Approved Building for car spraying	03.04.1964
WR/1964/0010	Approved with conditions Car showroom and sales office	08.04.1964
WR/1962/0058	Refused Use of building for paint spraying	19.07.1962
BW/1977/0523	Approved with conditions Extension to existing store	21.07.1977
BW/0075/0006	Refused Proposed illuminated projecting sign	06.03.1975
WP/1999/0432	Approved with conditions Construction of ramp for vehicular access to garage building	26.11.1999
WP/1991/0317	Approved with conditions Demolition of part of stone wall and construction of new wall	04.09.1991
WP/1991/0316	Approved with conditions Demolition of car showroom and formation of private access, change of use from commercial to residential use	04.09.1991
WP/2001/0002	Approved with conditions Redevelopment of Car Showroom to Offices	23.05.2001
WP/2001/0003	Approved with conditions Redevelopment of existing commercial premises	23.05.2001

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website
<https://www.wellingborough.gov.uk/viewplanningapplications>

5.1 **Wollaston Parish Council**

Wollaston Parish Council neither object or support the planning application and respect that the previous planning permission was approved under reference NW/21/01055/FUL. The parish council feels strongly that the planning committee should take into account the local residents' concerns regarding this application.

5.2 **Neighbours/Responses to publicity**

Neighbour notifications were sent on 12 January 2024 to numbers 2, 7, 8 and 56 High Street, numbers 55 and 65 London Road with a deadline for responses to be provided in writing to the local planning authority by 6 February 2024.

A site notice was also posted adjacent to the site on 12 January with a deadline for any views to be provided in writing to the local planning authority of 5 February 2024.

7 letters of objection have been received from neighbours in the vicinity of the application site.

The issues raised are summarised below:

- no requirement for this type of development in the village but there is a requirement for small office space
- concerns regarding a lack of parking provision leading to unsafe/illegal parking;
- danger for road users and pedestrians;
- overdevelopment of the site;
- no rear access and overlooking at the rear to a private parking area;
- density and design are out of character with existing properties, the local plan and the adjacent listed building;
- concerns regarding parking of vehicles during construction of the development;
- concerns regarding access for emergency vehicles;
- increased demand on community facilities such as doctors.

5.3 **Local Highway Authority (LHA)**

First response dated 23.01.2024

The local highway authority does not presently accept the application for the following reasons:

- Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards and satisfy policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.
- Whilst the Planning Statement indicates that the proposed development requires a lesser provision of parking accommodation the application does not include the parking survey submitted in support of the earlier application for development of the site. This should be included for completeness of information.
- Prior to the occupation of the development the existing access made redundant by this application shall be closed and the area reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.

- The applicant should be advised to discuss arrangements for refuse collection with the appropriate person at NNC Waste.
- Any ground floor doors and/or windows shall be hung so as not to open outwards over the highway.

Second response dated 12.02.2024 following comments received from the applicant on the above and the extant permission

Although the parking beat survey prepared in support of the previous application was undertaken more than two years ago it is not considered that the results are likely to differ significantly if a new survey was to be carried out.

The parking survey indicates that sufficient, albeit limited, on street accommodation can be found in the vicinity of the application site. Whilst the local highway authority does not intend to raise an objection to the application on highway safety or capacity grounds it is emphasised that this form of parking provision imposes demands upon car owners and will oblige them to seek spaces possibly at some distance from their homes. It is generally noted that where parking provision for a development is inadequate or not conveniently located, residents and visitors will park on verges and streets that have not been designed for that purpose, leading to unsightly and possibly dangerous roads in and around developments.

5.4 NNC Senior Built Heritage Consultant

There are no objections to the proposals. The proposals will not result in any adverse impact on the special interest and significance of the designated heritage asset.

5.5 NNC Assistant Archaeological Advisor

No objections.

5.6 NNC Environmental Protection Officer (Land contamination)

No comments or objections to make with regards to land contamination issues.

5.7 Northamptonshire Police Crime Prevention Design Advisor

No objections but recommends informatives in relation to security features for the development.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (December 2023)
 National Planning Practice Guidance (NPPG)
 National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 2 (historic environment)
- 4 (biodiversity and geodiversity)
- 8 (North Northamptonshire place shaping principles)
- 9 (sustainable buildings and allowable solutions)
- 11 (network of urban and rural areas)
- 28 (housing requirements and strategic opportunities)
- 29 (distribution of new homes)
- 30 (housing mix and tenure)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policy:

SS1 (villages)

6.5 Wollaston Neighbourhood Plan

Policies:

- T1 (the loss of existing parking provision)
- T2 (residential parking in new developments)
- T4 (superfast broadband)
- H1 (number of new homes)
- H2 (housing mix)
- H5 (small sites)

6.6 Other Relevant Documents:

- Sustainable Design Supplementary Planning Document (2009)
- Biodiversity Supplementary Planning Document (2015)
- Planning Out Crime in Northamptonshire Supplementary Planning Guidance (2004)
- Upper Nene Valley Gravel Pits SPA Supplementary Planning Document (2015)
- Parking Standards SPD 2016
- Residential Extensions: a guide to good design SPG (2002)
- Air Quality and Emissions Mitigations Supplementary Planning Document (2020)

7. Evaluation

The key issues for consideration are:

- principle of development and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- sustainability;
- heritage assets;
- archaeology;
- noise;
- air quality;
- the Upper Nene Valley Special Protections Area;
- living conditions of future occupiers (compliance with national space standard, national accessibility standards);

- living conditions of the neighbouring occupiers;
- housing mix;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- crime and disorder;
- conditions.

7.1 **Principle of Development and material considerations** - Section 38(6) of the 1990 Planning and Compulsory Purchase Act 2004 states that *“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.”*

7.1.2 Policy 1 of the JCS is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.1.3 In addition to the specific NPPF requirements set out above, paragraph 132 states that ‘applicants will be expected to work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably’.

7.1.4 The application form indicates that no pre-application advice or assistance has been sought from the council. The NPPF from paragraph 41 extols the virtues of applicants engaging in pre application discussion with the council to resolve any issues that may arise to help applicants avoid any unnecessary delays and costs.

7.1.5 Policy 11 (2) (a) of the JCS states that rural development will be limited to that required to support a prosperous rural economy or that which is meeting a locally identified need. Policy 11 (2) (b) of the JCS indicates that this will be met largely on small scale infill sites within villages on sites where it would not materially harm the character of the village, or local amenity, or exceed the capacity of local infrastructure. Policy H5 of the WNP also supports small scale infill development on suitable sites within the village in principle.

7.1.6 Policies 28 and 29 of the JCS set out the housing targets and distribution over the plan period 2011 - 2031. The majority of the new development delivered across North Northamptonshire is to be in the urban growth towns and rural development is to be limited to that meeting a locally arising need. Wollaston is a named village within the JCS that has an identified plan period requirement for a minimum of 160 dwellings. The JCS settlement hierarchy consists of four tiers; Growth Towns, Market Towns, Villages and Open Countryside. Wellingborough is identified as a Growth Town and is the focus for most of the growth. The remaining settlements, including Wollaston, fall under the 'Villages' category, a view reinforced through policy SS1 of the Plan for the Borough of Wellingborough (PBW).

- 7.1.7 Villages are defined as being able to accommodate development to meet its own need or a level of growth has been identified in the JCS or a Neighbourhood Plan. This proposal is for 4 additional residential units on a site within the village of Wollaston, as defined by the policies map of the adopted Wollaston Neighbourhood Plan (WNP). Policy H1 of the WNP 'number of new homes provision' states that an allowance for 160 new homes to be built will be made within the Village Boundary between 2011 and 2031 on sites allocated in the Plan, on windfall sites and on sites already granted planning permission.
- 7.1.8 Policy H5 of the WNP is clear that planning permission will be granted for small scale residential development within the 'village boundary' provided that the design and layout fulfil the criteria outlined in policy H5 of the WNP 'small sites'.
- 7.1.9 The application site is an existing building located within the existing built-up area of Wollaston, and within the village boundary. Small scale infill developments are supported in principle within policy 11 (2) (b) of the JCS and policy H5 of the WNP. As such the principle of the development is broadly acceptable. It is still necessary however to consider the proposals in relation to the other more detailed policies in the development plan and other material considerations discussed below.
- 7.2 Design, layout and the effect on the character and appearance of the surrounding area**
- 7.2.1 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.
- 7.2.2 Policy H5 (small sites) of the WNP defines the design and layout principles small scale development must consider which includes:
- (1) respect the important characteristics and features of the site and includes high quality landscaping;
 - (2) respect the scale, form and character of neighbouring development;
 - (3) makes a positive contribution to the built environment, including use of appropriate materials and architectural features.
- 7.2.3 The government at paragraph 135 (a) – (d) of the revised NPPF attaches great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the lifetime of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 7.2.4 The National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be

read alongside the separate planning practice guidance on design process and tools.

- 7.2.5 The application relates to an existing building within the village, and the submitted plans indicate that in order to support the proposed conversion and change of use, some alterations to the front and rear elevations will be made to reflect the revised floorplan and to create a front elevation more akin to a residential property. There is an existing garage door and pedestrian door on the front elevation, and these are proposed to be replaced with a door to the communal hallway, a louvred door to the bin/cycle store, a 3 pane window and a single pane window at the ground floor level. At the first floor the existing openings at the front will be retained, but new windows are proposed to be installed. At the rear the windows at the first-floor level are proposed to be changed to three replacement windows, and at the ground floor, the existing garage door and window will be removed, and 3 windows installed.
- 7.2.6 The applicant has submitted details of the proposed external materials and window/door designs and specifications. The front elevation is proposed to be infilled with stone used from the new openings and on the rear elevation, matching red bricks. The windows are proposed to be double glazed timber casements painted white and the doors are proposed to be composite finished in white. These materials are considered acceptable and should be conditioned. The introduction of pedestrian doors and windows along the front elevation will not be out of keeping on this part of the High Street and will be residential in its overall character and appearance, which is considered appropriate for this part of the High Street and the village, and will make a positive contribution to the immediate and wider street scene. Subject to the aforementioned condition relating to materials, it is considered that the proposed development is acceptable and will comply with policy 8 (d) (i) & (ii) of the JCS and policy H5 of the WNP.

7.3 **Sustainability**

- 7.3. Policy 9 of the JCS is clear that development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential development should incorporate measures to limit use to no more than 105 litres/person/day and external water use of no more than 5 litres/person/day or alternative national standard applying to areas of water stress. To ensure compliance with this policy, a planning condition is recommended.

7.4 **Effect on heritage assets**

- 7.4.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 7.4.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

- 7.4.3 Policy 2 of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment.
- 7.4.4 With regards the revised NPPF, chapter 16 sets out government advice on conserving and enhancing the historic environment. Paragraph 207 sets out its guidance where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 208 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 213 informs that not all elements of a conservation area will necessarily contribute to its significance.
- 7.4.5 The application site is not within the conservation area and is not listed, it is however adjoined to a Grade II listed building (The Gables) which is located at No. 55 London Road. Whilst it has been confirmed through the approval of a certificate of lawful development (reference NW/21/00279/LDE) that 1-3 High Street is not considered curtilage listed, it is considered that due to its proximity to the Listed Building, that it has the potential to impact the building through any change to its setting.
- 7.4.6 The NNC Senior Built Heritage Consultant has advised that the proposals will not result in any adverse impact on the special interest and significance of the designated heritage asset (the adjacent listed building). As previously mentioned, a condition to ensure the external materials and windows and doors are implemented in accordance with the submitted details is recommended to ensure the impact on the adjacent listed building is acceptable.
- 7.4.7 It is considered that subject to the imposition of the aforementioned condition the proposed development would comply with policy 2 (a) and (b) of the JCS and advice contained within chapter 16 of the NPPF.
- 7.5 Archaeology**
- 7.5.1 JCS policy 2 (d) requires that where proposals would result in the unavoidable and justifiable loss of archaeological remains, provision should be made for recording and the production of a suitable archive and report.
- 7.5.2 With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment and in particular paragraph 194 advises that, where appropriate, when determining an application which could affect a heritage asset with archaeological interest the council should, where appropriate, require developers to submit a field evaluation.
- 7.5.3 The proposed development relates to the conversion of an existing building, as such the NNC Assistant Archaeological Advisor has commented they have no objections to the proposed development.
- 7.5.4 The development would comply with policy 2 (d) of the JCS.

7.6 **Noise**

- 7.6.1 To ensure quality of life and safer and healthier communities the JCS at policy 8 (e) (ii) states that new development should be prevented from contributing to or being adversely affected by unacceptable levels of noise.
- 7.6.2 Chapter 15 of the revised NPPF gives advice on how local planning authorities should prevent new development from being adversely affected by unacceptable levels of noise pollution. The NPPF further advises that decisions should focus on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.
- 7.6.3 The PPG offers detailed advice on Noise which was updated on 24 December 2014.
- 7.6.4 It should be identified that the council's environmental protection service has powers to deal with any unacceptable noise the development may create as necessary under the provisions of the Environmental Protection Act 1990.
- 7.6.5 The council's environmental protection service has powers to deal with any unacceptable noise caused by building works as necessary under the provisions of the Environmental Protection Act 1990 and it has published a leaflet entitled 'considerate contractor advice note'.
- 7.6.6 The application site is constrained and there is potential for disruption to neighbouring properties and the highway during the construction; this has also been raised as a concern by neighbours in the vicinity of the site. As such it is considered that details of a Construction Traffic Management Plan and a Construction Environmental Management Plan should be conditioned to ensure that the impact to the neighbours and the adjacent highway during the construction of the development is acceptable.
- 7.6.7 It is not considered that there will be any issues of noise relating to the use of the development for residential.
- 7.6.8 Subject to the aforementioned conditions, the development would comply with Policy 8 (e) (i) or (ii) of the Joint Core Strategy.

7.7 **Air quality**

- 7.7.1 The JCS at policy 8 amongst other things, requires development not to result in an unacceptable impact on neighbours by reason of pollution.
- 7.7.2 To ensure quality of life and safer and healthier communities the JCS at policy 8 (e) (i) requires development not to have an unacceptable impact on amenities by reason of pollution, whilst 8 (e) (ii) goes further by stating that both new and existing development should be prevented from contributing to or being adversely affected by unacceptable levels of air pollution.

- 7.7.3 Chapter 15 of the revised NPPF offers broad advice on how local planning authorities should prevent both existing and new development from being adversely affected by unacceptable levels of air pollution.
- 7.7.4 The PPG at paragraph 001 of the air quality section dated 6 March 2014 states that 'It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit'. The guidance goes on to explain the implications for local authorities if national objectives are not met which this will include measures in pursuit of the objectives which could have implications for planning. The PPG at paragraph 009 demonstrates how considerations about air quality fit into the development management process.
- 7.7.5 The East Midlands region is looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance.
- 7.7.6 The proposed development does not include off road parking provision and therefore provision for electric vehicle charging cannot be provided as part of the development.
- 7.7.7 An Informative should be added to any permission seeking any gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh.
- 7.7.8 Subject to an informative relating to gas boilers, the development would comply with policy 8 (e) (i) & (ii) of the JCS.
- 7.8 **Effect on the Upper Nene Valley Special Protection Area**
- 7.8.1 The Upper Nene Valley Gravel Pits Special Protection Area (SPA)/Ramsar site is legally protected by the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').
- 7.8.2 Policy 4 of the JCS on biodiversity and geodiversity states that developments likely to have an adverse effect either alone or in-combination on the Upper Nene Valley Gravel Pits Special Protection Area must satisfy the requirements of the Habitat Regulations and avoid or mitigate any impacts identified.
- 7.8.3 The Upper Nene Valley Gravel Pits Supplementary Planning Document (SPD) has been produced to help local planning authorities, developers and others ensure that development has no adverse effect on the SPA, in accordance with the legal requirements of the Habitats Regulations. The SPD has been developed with Natural England and the RSPB. A Mitigation Strategy adopted as an addendum to the SPA SPD provides further guidance for development within the 3km zone of the SPA and details a specific financial contribution for each new dwelling towards Strategic Access Management and Monitoring (SAMM) to avoid and mitigate impact.
- 7.8.4 Since these policies were adopted there has been a ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). This requires development relying on mitigation in relation to the Habitats Regulations to no longer be considered at the screening

stage, but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained.

7.8.5 A Habitat Regulations Assessment to identify the likely effects of the proposed development on the SPA has been undertaken. It is considered that a planning decision on the merits of the proposed development can be taken as the applicant has made a total SPA mitigation payment of **£1454.48** (£363.62 per dwelling) made under section 111 of the Local Government Act 1972 and the development meets the criteria set out in the SPA SPD for this approach to be taken. Part of this payment was made under a previous prior approval refused (reference WP/20/00604/PAJ) and a top up payment has since been paid to make up the difference.

7.8.6 The proposed development would comply with Policy 4 of the JCS and with the requirements of the SPA SPD. The contribution provided will be used for measures to reduce the impacts of the proposed development and allows a conclusion of no adverse effect on the integrity on the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site.

7.9 **Housing mix**

7.9.1 Policy 30 (a) (i) of the JCS seeks the mix of house types within developments to reflect the need to accommodate smaller house households with an emphasis on the provision on small and medium sized dwellings (1 to 3 bedroom) include where appropriate dwellings designed for older people.

7.9.2 Policy 30 (a) (ii) of the JCS seeks to ensure there would not be an overconcentration of a single type of housing where this would adversely affect the character or infrastructure of the area.

7.9.3 Policy H2 of the Wollaston Neighbourhood Plan is clear that developments should include a mix of dwelling types and sizes to meet the needs of different sectors of the community in the plan area.

7.9.4 The application proposes the creation of 4 x one-bedroom flats in the village of Wollaston, in a primarily residential area. It is not considered that the creation of these units would result in the overconcentration of a single type of housing in this area, where there is a mixture of houses of various sizes and styles. The creation of the four self-contained units would instead make a positive contribution to the housing stock in the village. The proposed units would meet a housing need through the provision of 4 small sized dwellings in the village and comply with the aim of policy 30 (a) (i) of the JCS.

7.9.5 The proposal is therefore considered to comply with policy 30 (a) (i) & (ii) of the JCS and policy H2 of the WNP.

7.10 **National Space Standards**

7.10.1 The JCS at Policy 30 (b) requires the internal floor area of new dwellings to meet the National Space Standards as a minimum.

7.10.2 The submitted drawings and schedule demonstrate that each of the 4 x one-bedroom 2-person occupancy apartments meet the minimum requirements of the national space standards in terms of the gross internal area, built-in storage and bedroom sizes/widths.

7.10.3 The development would comply with policy 30 (b) of the JCS.

7.11 **National Accessibility Standards**

7.11.1 Policy 30 (c) seeks new dwellings to meet category 2 of the National Accessibility Standards as a minimum.

7.11.2 A condition would be imposed on any planning permission to ensure that the dwellings met category 2 of the National Accessibility Standards

7.11.3 The proposal therefore conforms to policy 30 (c) of the JCS.

7.12 **Living conditions of the neighbouring occupiers**

7.12.1 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.12.2 At paragraph 135 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.12.3 It is noted that a previous application for prior approval (reference NW/21/00529/PAJ) which was refused in 2021 had a reason for refusal related to amenity and the possible impact of overlooking to the occupiers of the adjacent property at No.7 High Street from the windows to the rear. There was concern that these windows would give rise to unacceptable overlooking to the private amenity area of this property.

7.12.4 In the planning, design and access statement submitted in support of the previous planning permission (reference NW/21/01055/FUL) the agent noted that there are existing unobscured windows at first floor of the building that is used as an office. It is noted that views into the parking /amenity area of the adjacent property are possible, as well as into the access which is shared by others (but not the application property) to the rear of the site. However, it is considered that there are windows existing at the rear elevation, and they will not lead to any increased level of overlooking than would be possible when the building has been used as an office. Notwithstanding this, it is considered that a degree of overlooking into the rear garden/parking area is not unusual in a built up area, and that that as the building to be converted is located in the village centre in a mixed use part of the village, that the level of overlooking that would be possible is acceptable and would not give rise to an unacceptable impact upon the amenity and privacy of the neighbouring occupiers. Planning permission has also previously been granted for this property to be converted to residential use and this remains extant.

7.12.5 Overall, it is considered that the change of use to residential from the existing office use will not give rise to any increased overlooking or loss of privacy to

the neighbouring property at number 7, or to the occupiers of the property opposite. The proposed development is considered to comply with policy 8 (e) (i) of the JCS.

7.13 Highway safety

- 7.13.1 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.
- 7.13.2 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.
- 7.13.3 Paragraph 115 of the NPPF also confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.13.3 Policies T1 and T2 of the Wollaston Neighbourhood Plan relates to residential parking in new developments and states the need for parking provision within new residential developments will not result in loss of existing parking provision and satisfactory new parking on site. Proposals will be assessed against the flexible approach outlined in the Northamptonshire Place and Movement Guide or any successor document. Proposals should:
1. provide sufficient parking to meet the assessed need;
 2. ensure that any additional on-street parking does not result in significant congestion for other road users or a serious threat to road safety; and
 3. avoid the creation of car-dominated environments through the appropriate location, layout and detailed design of the parking spaces.

Parking

- 7.13.4 Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards (2016) and satisfy policy 8 (b) (ii) of the JCS. A one-bedroom unit should provide one allocated parking space.
- 7.13.5 The current building has a vehicular access into the garage area on the ground floor of the building and this is proposed to be removed as part of the conversion. The local highway authority recommends a condition is imposed to ensure this access is closed and reinstated in accordance with their requirements. A further condition recommending all ground floor windows and doors shall be hung to open outwards onto the highway is also recommended.
- 7.13.6 The application therefore proposes no off-road parking provision to serve the development. A louvred door on the front elevation which provides access to a bin and cycle store is proposed and this would ensure secure covered cycle parking is provided for the 4 dwellings.
- 7.13.7 The applicant states in the planning statement that planning permission was granted under the previously approved planning permission (reference

NW/21/01055/FUL) for 3 x 2-bedroom dwellings that 6 parking spaces on street would have been required. This amended scheme requires 4 on street spaces and would therefore have less impact on the on-street parking than the extant scheme.

- 7.13.8 Following concerns raised by the local highway authority, local residents and Wollaston Parish Council regarding the lack of parking provision an updated parking beat survey was requested to be undertaken. The applicant cited the previously mentioned reason that this application would require fewer parking spaces on street than the previously approved scheme and questioned the need for an additional survey. The response from the agent was as follows:

“There is an extant planning permission in place for 3 x 2 bedroom apartments which the Council as planning authority must have regard to. It remains fully open for my client to implement the extant permission, and that opportunity is at worst a possibility (noting fallback case law wording). The approved scheme has a parking demand of 6 spaces based on the adopted standards. The revised scheme has a parking demand of 4 spaces, confirming a net reduction in demand.

Given that the Council accepted a parking free development which benefits from a live permission, and given that this proposal results in a lesser parking demand - all representing the established planning fallback (which again is a very significant material consideration), there is no justification to request a parking beat survey and no grounds for reaching a different conclusion on the parking issue on this revised scheme.

Even if there has been a material change in parking stress since the time of the last parking beat survey (November 2021), which there is no evidence of, given the established fallback including reduced parking demand, such circumstances are immaterial to the consideration of this application. In short, this proposal would at worst result in no greater impact on a potential parking issue, compared to that arising from the extant scheme, but likely (based on standards) a reduction in impact - those facts should be the main consideration and rational conclusion of the Council.”

- 7.13.9 The local highway authority responded stating:

“The comments of the applicant regarding parking aspects of the above development are noted. Although the parking beat survey prepared in support of the previous application was undertaken more than two years ago it is not considered that the results are likely to differ significantly if a new survey was to be carried out.

The parking survey indicates that sufficient, albeit limited, on street accommodation can be found in the vicinity of the application site. Whilst the Local Highway Authority does not intend to raise an objection to the application on highway safety or capacity grounds it is emphasised that this form of parking provision imposes demands upon car owners and will oblige them to seek spaces possibly at some distance from their homes. It is generally noted that where parking provision for a development is inadequate or not conveniently located, residents and visitors will park on verges and streets that

have not been designed for that purpose, leading to unsightly and possibly dangerous roads in and around developments.”

7.13.10 It is therefore considered that whilst the council does not have an up to date parking beat survey submitted in support of this application, there are no objections from the local highway authority as they have indicated that the proposal would result in less parking demand than the previously approved scheme, and the findings from the previous parking beat survey would be unlikely to be significantly different to the current situation. Paragraph 115 of the NPPF is clear that development should only be refused on highway grounds if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be ‘severe’. The lack of an objection from the local highway authority confirms this is not the case.

7.13.11 It is however considered prudent to restrict the use of the dwellings to that of a C3(a) use only, as was imposed on planning permission reference NW/21/01055/FUL. This restriction would prevent a change to C4 use and C3 (b) or C3 (c) which would allow for occupation for up to 6 people living together as a single household and receiving care. It is considered that due to the lack of dedicated off street parking that the council will need to review any further changes to the building to ensure that any further increased demand for parking will not lead to an unacceptable impact upon the amenity of future and existing residents of the development and wider area.

7.13.12 Subject to the aforementioned conditions, the development would comply with Policy 8 (b) (i) and (ii) of the JCS.

7.14 **Crime and disorder**

7.14.1 The JCS at policy 8 (e) (iv) sets out the policy requirement for new development to seek to design out crime and disorder and reduce the fear of crime.

7.14.2 The adopted designing out crime supplementary planning guidance gives detailed advice this issue.

7.14.3 The revised NPPF at paragraph 135 (f) state that decisions should aim to ensure that developments create safe, inclusive and accessible environments which promote health and wellbeing with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.

7.14.4 The Northamptonshire Police Crime Prevention Design Advisor raises no objections to the scheme but recommends informative are added to any decision for the following items:

- All Door sets should be PAS 24 2022 security rated this includes the bin store and individual apartment doors.
- All ground floor glazing including safety glazing should have at least one pane of laminated safety glass to a minimum-security standard of BS EN356:2000 Class P2A.
- All doors and windows in domestic dwelling should meet the requirements of Approved Document Q of Building Regulations.

Northamptonshire Police recommend the use of 3rd party accredited products.

- The entry way is large enough to include an airlock area. This area should include communal mailboxes. The letterboxes should meet the requirements of the Door and Hardware Federation standard Technical Standard 009 (TS009).
- The application must meet the requirements of Part Q building regulation 2015 in relation to security as stated by the regulation. Part Q states: The guidance in this approved document applies to new dwellings only; this includes dwellings formed by a material change of use.

7.14.5 Subject to the aforementioned informatives the development would comply with Policy 8 (e) (vi) of the JCS.

7.15 **Conditions**

7.15.1 The revised NPPF at paragraph 56 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG re-iterates this advice.

7.15.2 It is considered that the proposed conditions meet the tests set out in the NPPF and the provisions of the PPG.

8. **Other Matters**

8.1 **Broadband**

8.1.1 Policy T4 of the WNP requires all new development to be subject to a condition requiring the provision of ducting, allowing for providing fibre optic cable into each individual dwelling enabling superfast broadband delivery to new dwellings. Subject to the imposition of this condition, the proposed development would comply with policy T4 of the WNP.

8.2 **Local amenities**

It is noted that concern has been raised by a local resident in relation to the increased demand the development could have on the existing capacity of the local doctor's surgery. While the concern is noted, as the development is for less than 10 dwellings, no S106 planning obligations would be sought for healthcare or other areas, as the scale of the development is below the threshold for planning obligations to be sought.

8.3 **Equality**

The Equality Act 2010 contains the 'public sector equality duty' which requires the Council to consider both positive and negative impacts of a decision on those with protected characteristics under the Act. In relation to this application the provision of 4 category M4(2) dwellings described as "accessible and adaptable dwellings" in the Building Regulations is proposed. Where adaptable and accessible homes are being proposed as part of a development, this is a positive impact which advances equality of opportunity between people who share and do not share the protected characteristic of

age and disability and would help to foster good relations between them. It should also be noted that all dwellings would meet the national space standards.

- 8.4 **Health Impact Assessment** – Paragraph 92 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable support healthy lifestyles for example, access to local shops and community facilities, layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of this aims to be achieved and therefore it is considered acceptable on health impact grounds.

9. CONCLUSION/PLANNING BALANCE

- 9.1 The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF specifically in relation to promoting sustainable development, raising design standards, compliance with the NDSS and NAS, provision of small dwellings to meet a housing need in the village, suitable crime prevention measures, neighbouring amenity and the amenity of future residents, and highway safety and capacity considerations. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions.

10. RECOMMENDATION

- 10.1 That planning permission be **GRANTED** subject to the following conditions

11. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawings/details:

Drawing number 0206_00_000 Rev 00 – (Site Location Plan) (registered 2 January 2024)

Drawing number 0206_00_11- Rev 00 – (Proposed Ground Floor Plan) (registered 2 January 2024)

Drawing number 0206_00_111 Rev 00 – (Proposed First Floor Plan) (registered 2 January 2024)

Drawing number 0206_00_200 Rev 00 – (Proposed Front Elevation) (registered 2 January 2024)

Drawing number 0206_00_201 Rev 00 – (Proposed Rear Elevation) (registered 2 January 2024)

Drawing number 0206_21_901 Rev 00 – (Materials Schedule and Proposed Windows/Doors) (registered 4 January 2024)

Drawing number 0206_31_701 Rev 00 – (Window details) (registered 4 January 2024)

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

3. The development hereby approved shall be carried out in accordance with the external materials and window/door designs specified on the hereby plans approved in condition 2 (drawings numbers 0206_21_901 Rev 00 and 0206_31_701 Rev 00), or such other materials/details that have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the external appearance of the development is satisfactory and to not detract from the character and appearance of the area in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

4. The premises shall be used for C3 (a) use only and for no other purpose including any other purpose in Class C3 of Part C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). Other uses within this Use Class may not be appropriate in these premises by reason of lack of dedicated on-site parking provision in accordance with policy 8 (b) (i) and (e) (i) of the North Northamptonshire Joint Core Strategy.

5. The dwellings hereby approved shall incorporate measures to limit water use to no more than 105 litres per person per day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

6. The dwellings hereby approved shall be built to meet the requirements of the national Accessibility Standards in category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

Reason: To ensure that the development complies with the national accessibility standards and policy 30 (c) of the North Northamptonshire Joint Core Strategy.

7. The provision of ducting, allowing for providing fibre optic cable into the dwelling to enable superfast broadband shall be installed prior to the first occupation of each dwelling.

Reason: To ensure the development is served by superfast broad band in accordance with policy T4 of the Wollaston Neighbourhood Plan.

8. Prior to the first occupation of the development hereby approved the existing access made redundant by this permission shall be removed and the area reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.

Reason: In the interests of highway safety in accordance with policy 8 (b) (i) of the North Northamptonshire Joint Core Strategy.

9. Any ground floor doors and/or windows shown on the hereby approved plans shall be hung so as not to open outwards over the highway.

Reason: In the interests of highway safety in accordance with policy 8 (b) (i) of the North Northamptonshire Joint Core Strategy.

10. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the local planning authority. The approved CTMP shall be adhered to throughout the construction period. The CTMP shall provide for:

- access arrangements and arrangements for the parking of vehicles of site operatives and visitors;
- full details of a Routing Agreement; including a routing map to be given to all construction traffic drivers;
- the days of the week and hours of the day for the site to operate;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the

- development;
- wheel washing facilities and arrangements;
- arrangements for dust management including sheeting of vehicles.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development accordance with policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

11. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include site procedures to be adopted during the course of construction including:
 - Procedures for maintaining good public relations including complaint management, public consultation and liaison;
 - Arrangements for liaison with the Councils Environmental Protection Team;
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the local planning authority, shall be carried out only between the following hours 08:00 hours and 18:00 hours on Mondays to Fridays and 08:00 and 13:00 hours on Saturdays and; at no time on Sundays and Bank/Public Holidays;
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
 - Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites, shall be used to minimise noise disturbance from construction works;
 - Procedures for emergency deviation of the agreed working hours;
 - Control measures for dust and other air-borne pollutants;
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The approved construction environmental management plan shall be adhered to throughout the construction process.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development accordance with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy.

12. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 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 approved development is consistent with the relevant provisions in the framework.

2. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken.

To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site boundary during construction should be carried out only between the following hours:

0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.

3. Prior to occupation of the newly created premises(s), the street numbering for this development or conversion - residential and commercial, must be agreed with the Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on the outside of the property. Application forms for Street Naming and Numbering are available at <https://www.northnorthants.gov.uk/planning-and-building-control/street-naming-and-numbering>
4. All gas fired boilers should meet a minimum standard of 40 mgNOx/Kwh.
5. The local highway authority recommends the applicant should discuss arrangements for refuse collection from the development with NNC Waste.
6. Northamptonshire Police recommend the following security measures should be incorporated into any development:
 - All Door sets should be PAS 24 2022 security rated this includes the bin store and individual apartment doors.
 - All ground floor glazing including safety glazing should have at least one pane of laminated safety glass to a minimum-security standard of BS EN356:2000 Class P2A.
 - All doors and windows in domestic dwelling should meet the requirements of Approved Document Q of Building Regulations. Northamptonshire Police recommend the use of 3rd party accredited products.
 - The entry way is large enough to include an airlock area. This area should include communal mailboxes. The letterboxes should meet the requirements of the Door and Hardware Federation standard Technical Standard 009 (TS009).
 - The development must meet the requirements of Part Q building regulation 2015 in relation to security as stated by the regulation. Part Q states: The guidance in this approved document applies to new dwellings

only; this includes dwellings formed by a material change of use.

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North Northamptonshire South Area Planning Committee (Wellingborough)

Application Reference	NW/22/00903/FUL	
Case Officer	Mr Graham Northern	
Location	Land Area 19C Residential Stanton Cross Irthlingborough Road North Wellingborough	
Development	Demolition of former farm buildings and erection of 60 dwellings (consisting of 4 one bed units, 11 two bed units 3 of which are bungalows, 21 three bed units and 24 four bed units) with associated public open space and infrastructure. Means of access from Lamport Way, with additional footpath/cycle linkage.	
Applicant	Grace Homes	
Agent	Mark Flood	
Ward	Finedon Ward	
Overall Expiry Date	29 March 2023	
Agreed Extension of Time	30 June 2024	
Checked	Senior Development Management Officer	Debbie Kirk

Scheme of Delegation

This application is brought to the Area Planning Committee because it falls outside of the Council's Scheme of Delegation as the senior planning officer considers that the application should be referred to the relevant Planning Committee; and the senior planning officer considers that the application would affect the wider public interest.

Option A

Four affordable rented units + SPA mitigation payment as currently indexed at £21,817.20 (current rate from 1 April 2023 to 31 March 2024) and payment for off-site biodiversity net gain credits (circa £131,250).

Option B

To pro rata split the contribution between relevant parties as per the table below giving a viable section 106 contribution of £365,744.60 after the SPA mitigation payment. In this option the developer would also be liable still for the obligation to pay for biodiversity net gain credits to enable a net gain off the site. (circa £131,250).

S106 Contributions	Request	Allowance Viable	
	£873,289.00	£387,559.00	
Gravel Pit Restoration	£19,345.00	£ 21,817.20	
Sub Total	£853,944.00	£365,741.80	42.83%
	£568,646.00	£243,551.08	42.83%
Libraries	£13,871.00	£ 5,940.95	42.83%
Allotments	£4,105.00	£1,758.17	42.83%
Off-site sports	£147,224.00	£63,056.04	42.83%
Off-site amenity / POS	£7,833.00	£3,354.87	42.83%
GP primary healthcare / NHS	£112,266.00	£48,083.53	42.83%
Total	£853,945.00	£365,744.64	

Option C

If two social rented 2x1 bed affordable dwellings were provided with the following S106 contributions.

S106 Contributions	Request	Social Rent	%
Affordable Housing		2 x 1 bed	
Gravel Pit Restoration	£19,345.00	£ 21,817.20	112.78%
Education	£568,646.00	£51,526	9.08%
Libraries	£13,871.00	£ 1,259	9.08%
Allotments	£4,105.00	£373	9.08%
Off-site sports	£147,224.00	£13,366	9.08%
Off-site amenity / POS	£7,833.00	£711	9.08%
GP primary healthcare / NHS	£112,266.00	£10,192	9.08%
Total	£853,945.00	99,344	11.38
	100%	11.38%	

In this option the developer would also be liable still for the obligation to pay for biodiversity net gain credits to enable a net gain off the site. (circa £131,250).

1. Recommendation

- 1.1 Planning permission be **GRANTED** subject the completion of an appropriate S106 legal agreement by **30 June 2024** or any further extension of time agreed in writing between the applicant and the Local Planning Authority, and subject to the conditions set out at the end of the report; and
- 1.2 Should the S106 legal agreement not be completed by **30 June 2024**, or any further extension of time agreed in writing between the applicant and the Local Planning Authority, that it be delegated to the Executive Director for Place and Economy to **REFUSE** planning permission.

2. The Application Proposal and Background

- 2.1 The proposals seek full planning permission for the demolition of former farm buildings and the erection of 60 dwellings (consisting of 4 one bed units, 11 two bed units 3 of which are bungalows, 21 three bed units and 24 four bed units) with associated public open space and infrastructure. The means of access would be from Lamport Way, with an additional footpath/cycle linkage.
- 2.2 The site lies adjacent to where planning permission under reference NW/23/00024/FUL has been granted for 3 detached dwellings within the grounds of Irthlingborough Grange. The Grange itself will be retained as a private residence.
- 2.3 The farm buildings which are to be demolished are shown on drawing number 702 (tree constraints plan) within the Arboricultural Impact Assessment (reference JSL4522_770 Version 3 dated 19.02.2024). The buildings which are to be demolished would all be within phase 1 of the development.
- 2.4 Amended plans and a design and access statement were received in December 2023 in order to address the comments raised by the urban design consultant along with a written response to the urban design comments and a response to consultees outlining the applicant's actions to address the matters raised.
- 2.5 The application was also accompanied by an ecological appraisal, a biodiversity net gain assessment, an arboricultural impact assessment, a financial viability statement, flood risk assessment, planning statement, sustainability statement, drainage strategy, heritage statement and a ground contamination assessment.

3. Site Description and Surroundings

- 3.1 The site is located approximately 3 kilometres to the east of Wellingborough town centre adjacent to Irthlingborough Grange and within the Stanton Cross sustainable urban extension (SUE).
- 3.2 The site has an area which measures 2.8 hectares (7.03 acres) and is irregularly shaped. It has a high point of around 61 metres above ordnance datum (AOD) in the northwest corner and falls away to a low point of around 46.5 metres AOD in the south corner.

- 3.3 The Stanton Cross SUE wraps around the site with existing residential development along the western boundary in part and northern boundaries already. A recent application has been submitted for residential development to the east with associated highway infrastructure planned to the south. Directly to the west of the site is Irthlingborough Grange, which is a substantial landmark building.
- 3.4 Irthlingborough Grange itself will be retained as a private residence. Planning permission reference NW/23/00024/FUL was granted on 27 September 2023 for 3 two storey 5 bedrooomed dwellings and associated access and landscaping, within the grounds of Irthlingborough Grange.
- 3.5 The boundary to the site of planning permission reference NW/23/00024/FUL abuts the application site and the relationship between the two proposals and Irthlingborough Grange has been fully considered in the resulting designs for the application scheme.
- 3.6 Due to the partially developed surroundings and topography distant views of the site are only glimpsed from the south across the Nene valley.
- 3.7 Vehicular access can only be taken from Lamport Way which lies adjacent to the northern boundary of the application site.
- 3.8 Provision for this access has been included as part of the Stanton Cross SUE infrastructure approvals. There are no existing public rights of way within or adjacent to the application site, however they are included in schemes to the east and south.

The site has been used for a number of purposes in the past and contains a variety of buildings and hard standings. The buildings have been used as offices, storage and for farm purposes but none are considered worthy of retention. The southern half of the site has been used for livestock in the distant past but is now largely overgrown. A small portion of the site in the southwest was formerly ornamental gardens to Irthlingborough Grange.

- 3.9 There are a number of trees within the site and around the perimeter that would potentially be affected by proposed scheme. Tree surveys undertaken by the applicants appointed arboriculture consultant have evaluated these trees and provided recommendations for root protection areas. It is worth noting that many of the trees within the site are category C which is the lowest tier to be considered for retention. Existing hedges are found along sections of the southern and eastern edges of the application site.
- 3.10 There are no existing waterbodies within the site, however there are a number of drainage ditches along the eastern edge which provide an outfall for storm drainage. There are two service easements cross the northern segment of the site with fixed exit locations along the eastern boundary.

4. Relevant Planning History

WP/15/00259/OUT	Approved with conditions Outline application with some matters reserved for residential development of up to 38 dwellings and demolition of all buildings on site. Access, scale and layout to be determined at this stage. AMENDED LAYOUT - updated flood risk assessment	04.07.2016
WP/18/00710/PAJ	Prior approval declined Notification for prior approval for a proposed change of use of a building from office use (B1(a)) to a dwelling house (Class C3) - Conversion of detached office building into residential accommodation of 6 no. units, comprising 4 no. 3 bedroom units and 2 no. 4 bedroom units with associated parking and private gardens	12.12.2018

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

1. **Wellingborough Town Council** - no objection in principal; subject to NNC planning officers making sure that the pre application advice has been met.
2. **Neighbours/Responses to publicity –**
Publicity

Neighbour consultation letters were sent on 04.01.2023 and given until 29.01.2023 to respond. The occupiers of 22, 32, 34, 45, 47 & 49 Lamport Way; 1 & 2 Fortheringhay Road; The Old Granary, Grange Farm, Irthlingborough Road; 39, 41, 43, 55, 57, 59 and 61 Sulgrave were notified.

A site notice was posted on 06.01.2023 and expired on 30.01.2023.

A press notice was published in the Northamptonshire Telegraph on 12.01.2023 and expired on 05.02.2023.

Neighbour Responses

6 letters of objection from three households have been received from occupiers in the vicinity of the site in Sulgrave Way and Fortheringhay Road which raise the following concerns:

- Privacy.
- noise and air quality impact on existing dwellings from the additional traffic which would be generated by the proposed development.
- One road into site will result in traffic problems.
- Effects on ecology and existing wildlife such as bats, foxes and squirrels.
- Re-location of proposed affordable housing near existing housing on Sulgrave Way, requested relocated to the opposite side along Lamport Way or replaced with bungalows.

-fence line adjacent to the area of public open space off Lamport Way be planted with trees to help with privacy and noise.

Response from an Interested Party

An objection has been received from a neighbouring landowner (Stanton Cross Developments) who advises that:

-The proposed scheme for 60 units discharges foul water into drains provided by Stanton Cross Developments (SCD). There is an agreement between SCD and one of the current landowners to service drainage for the site the capacity is limited to 38 homes.

-The drain discharges to a foul water pumping station to the north of the proposed scheme, within our development parcel 16. Pumping stations are designed for specific design capacities, which includes an allowance for emergency storage should the pumping station fail. This is set out in a S104 agreement with statutory undertaker Anglian Water. Discharge of more than 38 homes may give rise to a risk of foul water flooding.

-The development also relies on cycle way links to the south and east with no onward connectivity, and which require land within SCD control. The applicant cannot deliver this.

3. Local highway Authority (LHA)

13.02.2024

It is acknowledged that the roadway giving access to plots 1 to 11 and 22 – 25 at Parcel 19 Stanton Cross is a tertiary road which is to be constructed to an adoptable standard and offered for adoption as highway maintainable at the public expense.

The amended refuse and recycling plan and refuse tracking plans JIG015-106 Rev C (Refuse and Recycling); 19001-SCGF-5-SK002 Rev A (Grange Farm Refuse Tracking Plan); appear satisfactory, and no objection is raised to the proposals on highway safety or capacity grounds.

06.01.2023

No objections to the application on highway safety or capacity grounds.

The application site is not affected by a Public Right of Way.

4. **Anglian Water** – no objections subject to conditions in relation to a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network and a surface water management strategy.
5. **Environment Agency** – no objections subject to a condition in relation to any contamination not previously identified found during the construction process a remediation strategy should be provided detailing how this contamination will be dealt.
6. **NNC Senior Built Heritage Consultant**– The proposals, in particular the boundary treatments, are appropriate and preserves the importance of the locally important building at Grange Farm. There are no objections to the proposals.
7. **NNC Archaeology Advisor** – no objections subject to condition requiring a programme of archaeological building recording.

8. **NNC Senior Project Manager Developer Contributions** – financial contributions towards early years, primary and secondary education and Wellingborough library.
9. **Northamptonshire ICB and NHSE** – seek a financial contribution of £112,266.00 towards infrastructure support to ensure the new population has access to good quality primary care services.
10. **The Ramblers** – no objections. The proposal does not affect a public right of way.
11. **NNC Environmental Protection (contamination)** – reviewed the Ground Investigation Report by Soiltechnics Ref STT5298-G01 regarding the above application. The report highlights some areas of contamination which requires either further investigation or remediation. Recommend a condition in relation to ground assessment and remediation.
12. **NNC Waste Planning** – (19.02.2024)
No longer have concerns around the amended layout shown on drawing number JIG015-106 Rev C (Refuse and Recycling).
13. **Northamptonshire Police** –
Have the following comments, which if implemented will reduce the likelihood of crime, disorder and anti-social behaviour occurring. This is in the interest of the security and quality life of future occupants of the development in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

Plots 5-10 & 26-35 have a rear boundary that is 45-centimetre timber knee rail fence. This is not a suitable boundary treatment in an urban environment. The rear of the properties do adjoin open countryside but the site is not in open countryside, (as stated within the design and access statement)“ The Stanton Cross SUE wraps around the site with existing residential development along the western boundary in part and northern boundaries already.” . Should the applicant wish to allow views across the countryside they should install a boundary treatment that will allow this, while still providing security to the gardens and dwellings. This can be achieved with decorative panelling, railings, mesh and hit and miss to name a few. Recommended the boundary treatment is no lower than 1.5 metres in height. This will not only help to secure the gardens but also protect the hedgerow.

Officer Response - The boundary treatment plan has been updated. There is a mature hedgerow south of plots 5 – 10 (now plots 2 to 6 on the updated layout) and this is to be retained. Post and rail fencing will be installed, not knee rail fencing to provide security and permit overlooking of the proposed footway cycleway to the south.

Plots 26 to 35 will have an 1800-millimetre close board fence on their rear boundary which marries in with the proposals made as part of the reserved matters planning application for adjacent parcel 17B.

Plot 4: The garage that abuts the public open space should be reconsidered. The garage reduces surveillance and provides a canvass for graffiti, as well as a surface for rebound ball games. It would be preferable for a dwelling to provide surveillance (with defensible space) over this area.

Officer Response - The layout has been updated and no garage now exists adjacent to this area of open space.

- When the lighting scheme has been produced it is important that as well as adopted areas being considered that unadopted areas are similarly treated for safety and security reasons.

Private driveways must have some street lighting and a lux plan for these areas should be supplied. This will prevent residents from installing their own light sources which are often bright, angled PIR lighting. These cause areas of bright light and very dark area and increase fear of crime. These also cause neighbour disputes and can be harmful to the local wildlife and the dark sky agenda. Policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy Seeking to design out antisocial behaviour and crime and reduce the fear of crime through the creation of safe environments that benefit from natural surveillance, defensible spaces and other security measures having regard to the principles of the 'Secured by Design'

Officer Response - Noted, a condition will be imposed requiring details of lighting scheme over private driveways.

14. **Natural England** - as submitted, the application could have potential significant effects on the Upper Nene Valley Gravel Pits Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Habitats Regulations Assessment (HRA).
- Wintering bird survey, including nocturnal and diurnal counts in surrounding arable fields.
- Consult British Trust for Ornithology (BTO) data.
- Submit a Construction Environment Management Plan (CEMP).
- Provide a feasibility assessment for offsite Biodiversity Net Gain (BNG).

Without this information, Natural England may need to object to the proposal.

Officer Response: Information set out in the desktop study confirmed that no statutory or non-statutory designations are present within or adjacent to the site. Upper Nene Valley Gravel Pits SPA / Ramsar Site / SSSI is located 280 metres to the east of the site, subject to the implementation of recommended mitigation measures, it is considered that the proposals will have no adverse effects on the integrity of the designations. All other designations are sufficiently separated from the site such that no adverse impacts are predicted. A financial contribution towards the Strategic Access and Monitoring fund in the Upper Nene Valley Ramsar Pits SPA/Ramsar. This contribution will mitigate for the cumulative effects of the residential development within 3 kilometres of the SPA.

15. **NNC Ecology Officer**

Having reviewed the ecological impact assessment report provided am satisfied that any protected species and other issues can be addressed by condition once the net gain requirements are satisfied.

16. Urban Design Consultant

The design and layout of the originally submitted scheme fails to meet national and local policy and is not acceptable in its current form. Key issues relate to:

- Layout and wider connectivity
- movement and street hierarchy
- pedestrian environment/amenity
- provision of open space
- lack of character and placemaking,
- lack of sensitive design to heritage
- a poor reference to Stanton Cross as a whole.

Recommendation

- Amendments required to address the above (layout/basic principles first)

Officer Response – Amended plans received outlining changes in response to the above which are covered in the report below under urban design.

17. NNC Senior Planning Policy Officer

No objections request financial contributions – towards open space and off-site sports facilities.

18. NNC Sustainability Consultant

(06.04.2023)

NNC sustainability consultant has reviewed the sustainability statement which accompanied the planning application and recommended additional information be provided to demonstrate how an overall carbon saving of 31% over Part L 2021. No energy calculations have been provided to demonstrate this claim.

No information on material efficiency has been provided. Typically, Green Guide ratings and site waste management plans with waste targets would demonstrate this requirement.

(29.02.2024)

NNC sustainability consultant advised that the original comments were about a part of the policy which refers to using ‘materials efficiently’ rather than materials that contribute toward thermal efficiency of a building as the applicant’s response details. The best approach to this would be if the applicant can make commitments to some ‘materials efficiency’ measures.

Officer Response: The applicant has agreed to the imposition of a condition requiring the submission of a resource efficiency plan setting out measures to minimise the materials needed, to minimise the waste of materials and to maximise reuse/recycling of remaining material waste materials to address the above requirement.

(05.03.2024)

NNC sustainability consultant advised that these “banners” with the SAP results were what was needed to confirm the percentage of ‘As Designed’ carbon reductions. The scale of the carbon savings would be more than 90%.

NNC sustainability consultant recommends a condition requiring 'As Built' calculations to demonstrate that the carbon reductions have been met prior to the occupation of the relevant dwellings in each phase or sub-phase. Exactly what the percentage of carbon savings target should be required at 'As Built' should be discussed with the applicant. It's recognized that some things will inevitably change so the Council should not demand the precise percentage currently predicted but the applicant does need to be obliged to achieve close to any ambitious figure that may weigh in their favour during the decision. NNC sustainability consultant suggests an 'As Built' condition requiring an 85% carbon reduction (% DER<TER). This condition could be phased to allow for some parts of the site to sign off this 'As Built'; before other parts of the site are completed.

Officer Response: The applicant considers any condition in relation to a carbon reduction should align with planning policy not the applicant's proposal and would accept a condition requiring the development in any phase or sub-phase to exceed the requirements of the 2021 building regs Part L in terms of a carbon reduction by 20%, which would equate to a combined 51% reduction on Part L 2013 of the building regulations (which required developments to achieve a 31 % carbon reduction).

Recommended the imposition of conditions in relation to minimising water use, details of air source heat pumps and photovoltaic solar panels, the submission of a resource efficiency plan setting out measures to minimise materials needed, minimise waste of materials and maximise reuse/recycling of remaining material waste and as Built SAP DER and TER outputs demonstrating an 51 % carbon reduction.

19. NNC Lead Local Flood Authority

The information in relation to the proposed surface water drainage scheme for the proposed development is now acceptable. Recommends conditions in relation to a drainage verification report and a Site-specific Drainage Maintenance Plan

20. Commission for Darker Skies

Whilst there appears to be limited information regarding exterior and street lighting, the Commission for Darker Skies (CFDS) assumes that there will be street lighting and that this will be adopted by Highways PFI in due course. CFDS does not consider the street lighting, as designed and adopted by the Highways Private Finance Initiative (PFI), to be detrimental to the night sky.

However, CFDS hopes that privately maintained street lighting is avoided as this becomes a maintenance liability. Unfortunately, private street lighting is becoming a common occurrence on developments. Too often there appears to be minimal provision for future maintenance and, with that lack of provision, suitable maintenance of a lighting asset is lost rendering this asset a liability.

21. NNC Landscape Officer

The trees within the avenue leading to The Grange and most of the trees within the garden are to be retained (under planning permission reference NW/23/00024). The design and access statement for parcel 19C may be taken to imply that only category C trees are to be removed. Many are, but the trees within G7 are category B, however as they are fruit trees of limited visual amenity value which would be difficult to develop around their loss would be acceptable.

The tree survey does not extend on the eastern boundary hedge line northwards to include an oak tree which is an important feature, but as is not shown cannot tell if it would be retained with the green link between parcels 19C and 17B. This should be clarified.

Officer Response: the applicant confirmed the oak tree lies outside the application within parcel 17A and is to be retained.

22. **NNC housing development officer**

If the planning committee members preference is the option which provides the four units of affordable, we would want to see them delivered as affordable rented, with the two ground floor units provided as M4(3). However, it may be difficult to find a Registered Provider who is willing to take such a small number of units. The housing development team would be happy to assist with this and could write out to Registered Providers if needed, perhaps Riverside would be the obvious starting point as they are the Registered Provider for several other parcels on Stanton Cross.

It is noted that the other proposal does not meet 100% of the required S106 contributions anyway, and therefore neither option appears acceptable. If, however it is decided to prioritise the overall S106 contributions over the provision of these four units, then clearly it is a concern that no affordable housing will be provided on this parcel. Therefore, would be seeking to meet this shortfall elsewhere (on another parcel) if possible, especially given that the overall affordable contribution on Stanton Cross has already been reduced by viability to 5%.

23. **NNC environmental protection officer (noise and air quality) (22.02.2024 - response 2)**

Have reviewed the submitted information for the above application and confirm that have some concerns about noise from road traffic and noise and vibration from the proposed pumping station adversely affecting the amenities of future occupiers of the proposed dwellings.

The development is situated within close proximity to the proposed Route 11. Noise from traffic may impact the amenities of future occupiers, both inside dwellings and in external amenity spaces. Although the original noise report submitted with the outline planning permission states that proposed roads have been considered, the applicant should demonstrate that the noise criteria within 'British Standard BS8233:2014 - Guidance on sound insulation and noise reduction for buildings' will be achieved.

The proposal also includes a sewage pumping station which the applicant confirms will be positioned 18 metres from plot No.2 (the nearest proposed dwelling). If the pumping station is a 'Type 3' and meets certain criteria in accordance with Sewerage Sector Guidance Appendix C, it would exceed the minimum distance of 15 metres required between wet wells and habitable buildings. As details of the proposed pumping station have not been provided, unable to verify that the distance complies with relevant guidance. However, as the pumping station is intended for adoption under an agreement with Anglian Water in accordance with Section 104 of the Water Industry Act 1991. Would be satisfied that the required criteria will be met. Would recommend however that, as low frequency noise and vibration can result from the operation of pumping stations, conditions are imposed to ensure loss of amenity to nearby occupiers does not occur.

Recommends the following conditions are imposed in relation to:

- the submission of a demolition and construction management plan throughout the construction process.
- details of the operation noise levels of the pumping station are provided prior to installation and within three months of completion of the pumping station, a noise assessment of the operational pumping station be undertaken to assess noise (including low frequency noise) and vibration from the station to ensure that there is no loss of amenity to the nearest residential dwelling;
- a scheme demonstrating compliance with achieving the noise levels outlined in British Standard BS8233:2014 - Guidance on sound insulation and noise reduction for buildings and the Acoustics Ventilation and Overheating - Residential Design Guide (January 2020 Version 1.1. - Association of Noise Consultants & Institute of Acoustics) with regards to the residential units.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2023)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

Policy 1 (Presumption in Favour of Sustainable Development).
Policy 2 (Historic Environment)
Policy 3 (Landscape Character)
Policy 4 (Biodiversity and Geodiversity)
Policy 5 (water environment, resources, and flood risk management)
Policy 6 (development on brownfield land and land affected by contamination)
Policy 7 (community services and facilities)
Policy 8 (North Northamptonshire place shaping principles)
Policy 9 (sustainable buildings and allowable solutions)
Policy 10 (provision of infrastructure)
Policy 11 (network of urban and rural areas)
Policy 19 (the delivery of green infrastructure)
Policy 28 (Housing Requirements)
Policy 29 (Distribution of New Homes)
Policy 30 (Housing Mix and Tenure)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policy GI4 (Enhancement and Provision of Open Space)
Policy GI5 (Enhancement and Provision of Sport and Recreation Facilities)
Policy H1 (Urban Housing Allocations)
Policy H3 (Housing Needs of Older People)
Policy H5 (Self-Build and Custom Housebuilding)
Policy Site 1 (Wellingborough East).

- 6.5 **Supplementary planning documents/guidance:**
Sustainable Design Supplementary Planning Document (2009)
Biodiversity Supplementary Planning Document (2015)
Planning Out Crime in Northamptonshire Supplementary Planning Guidance (2004)
Upper Nene Valley Gravel Pits SPA Supplementary Planning Document (2015)
Northamptonshire Parking Standards Supplementary Planning Document (2016)
Air Quality and Emissions Mitigations Supplementary Planning Document (2020)
Trees and Landscape Supplementary Planning Document (2013)
Sports Provision Developer Contributions Supplementary Planning Document (2020)
Open Space Developer Contributions Supplementary Planning Document (2020)
Nene Valley Design Brief: Stanton Cross (2022)

7. Evaluation

The key issues for consideration are:

- principle of development and material considerations.
- design, layout and the effect on the character and appearance of the surrounding area.
- heritage assets.
- archaeology.
- landscape character and visual amenity.
- flood risk and surface water drainage.
- foul sewage.
- noise.
- biodiversity.
- the Upper Nene Valley Special Protections Area.
- living conditions of future occupiers (compliance with national space standard, national accessibility standards).
- living conditions of the neighbouring occupiers.
- housing mix.
- affordable housing
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision.
- contamination.
- crime and disorder.
- sufficiency of the planning obligations to secure community benefits and mitigate existing infrastructure.
- viability
- conditions and planning obligations

7.1 **Principle of Development and material considerations** - Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.”*

7.1.1 Policy 1 of the JCS is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

- 7.1.2 In addition to the specific NPPF requirements set out above, paragraph 137 states that ‘applicants should work closely with those affected by their proposals to evolve designs that take into account the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot’.
- 7.1.3 The application form at question five indicates that pre-application advice has been sought from the council. The NPPF from paragraph 41 extols the virtues of applicants engaging in pre application discussion with the council to resolve any issues that may arise to help applicants avoid any unnecessary delays and costs. The council issued a pre-application inquiry decision letter under reference NWP/21/00042/PREF on 23 April 2021 for a proposed development of 61 new homes together with public open space, roads, sewers, associated works and demolition of existing farm buildings.
- 7.1.4 The proposal seeks 60 new dwellings on a site that is within the boundary of the allocated Wellingborough East Sustainable Urban Extension (WEAST SUE) (Stanton Cross). This specific parcel of land is excluded from the approved outline planning permissions for the wider Wellingborough East SUE.
- 7.1.5 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:
- (A) WEAST should be a comprehensively planned and developed site with each individual parcel making proportionate contributions towards the overall infrastructure requirements on the site.
 - (B) Developments on WEAST should be well integrated within the SUE and with surrounding existing uses.
 - (C) Residential developments on WEAST should include a mix of house types, sizes and tenures.
 - (F) Proposals should seek to reduce reliance on the car, and should seek to enhance opportunities for walking and cycling.
 - (G) The SUE should contribute towards creating a multi-functional Green Infrastructure network.
 - (L) Development on the SUE should seek to contribute to achieving a net gain in biodiversity.
 - (M) Developments should have no harmful impact on existing or proposed occupiers.
- 7.1.6 The proposed development of 60 dwellings would make a positive contribution towards meeting the housing targets set out in policies 28 and 29 of the JCS.
- 7.1.7 This should be weighed against other policy criteria set out in this report. Overall, the WEAST SUE is a major and significant development in meeting the housing needs for North Northamptonshire. The appropriate and sustainable development of parcels within the WEAST SUE that meet the criteria in policy Site 1 of the PBW would be supported in principle.
- 7.1.8 However, there are other material considerations set out below which also need to be considered.

- 7.2 **Design, layout and the effect on the character and appearance of the surrounding area**
- 7.2.1 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.
- 7.2.2 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:
- (B) Developments on WEAST should be well integrated within the SUE and with surrounding existing uses.
- 7.2.3 Nene Valley area of Stanton Cross, the Nene Valley Design Brief (2022) is a key document to guide and assess development on the application site to ensure it responds well to existing and future development at Stanton Cross. The Nene Valley Design Brief provides key development principles, parameters and guidance for the development of the southern area of Stanton Cross. Irthlingborough Grange Farm application site is located to the centre of the design brief area.
- 7.2.4 Paragraph 135 (a) – (d) of the revised NPPF attaches great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area, not just for the short term but over the lifetime of a development. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Accordingly, development should be sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change. Further development ought to establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 7.2.5 The National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance (PPG) and should be read alongside the separate planning practice guidance on design process and tools.

Design

- 7.2.6 The urban design consultant made initial comments raising matters which they considered needed improvement which were:
- Layout, movement and street hierarchy
 - pedestrian environment/amenity and wider connectivity
 - provision of open space
 - lack of character and placemaking,
 - lack of sensitive design to heritage
 - Putting the development in the context of Stanton Cross as a whole.

A meeting was held where the above points were discussed and subsequently the applicant submitted amended plans in response to the above matters. The urban design consultant considered that the applicant had introduced a number of positive

design features, such as the creation of a gateway plot, street scene symmetry and the provision for a footpath link in the southwest corner of the site. This amended application was accompanied by an updated design and access statement to reflect the changes which have been made to the layout and elevational appearance of the development.

Layout, movement and street hierarchy

7.2.7 There is only one vehicular access to this development provided under a legal agreement on the northern edge from Lamport Way. The site is not included within the wider outline planning permission for Stanton Cross SUE, and this is a full planning application, not a reserved matters application. However, footways and cycleways have been included to the east, southeast and southwest to improve connectivity and permeability from the site to the wider Stanton Cross SUE. The street hierarchy consists of a primary street with footways on either side running north/south and east/west with a secondary shared surface street with a turning head accessed off the primary street. A number of shared driveways are proposed with no more than 5 dwellings accessed off each ensuring dwellings front onto the public open space fronting Lamport Way; the public open space adjacent to the southern elevation of Irthlingborough Grange and the cycleway in the south west corner and the open space containing the Sustainable Urban Drainage Scheme ('Suds'). The proposed layout includes good connections for pedestrians and cyclists to link with the wider Stanton Cross SUE.

Pedestrian environment/amenity/ connectivity

7.2.8 The applicant has sought to address concerns raised by the urban design consultant about connectivity to the wider Stanton Cross SUE by adding a footway/cycle link to the east to tie in with a footway/cycleway being provided on parcel 17b. Two footway/cycle links are also proposed to the southeast and southwest corner of the site to tie in with a cycleway/footway being provided on parcel 19a. These additional footway/cycleways would improve north/south and east/west connectivity.

7.2.9 Access to local facilities, including the new Stanton Cross primary school to the north and to Wellingborough Station and the larger scale recreation spaces is viable on foot, and bicycle.

Provision of open space

7.2.10 There are three areas of public open space, each serving a specific function and located to compliment and connect with green areas to be provided in parcels 17b and 19a of the Stanton Cross SUE.

7.2.11 Public open space: one area would be located at the site entrance with Lamport Way where the existing topography is challenging, and three existing trees are proposed to be retained. It is intended to create a green entrance to the proposed development which can also be enjoyed by residents of the now completed Bellway housing development. It should be noted that no public open space was provided within the layout of the Bellway housing development on parcel 16.

7.2.12 Public open space: a second area would be in the southeast corner of the proposed development where the surface water attenuation basin is located at the lowest point of the site, designed to be predominantly dry and green other than in times of heavy rainfall. This area of public open space would abut green space and green corridors to be provided on parcel 17b and accords with the development masterplan, creating

a green node. There are existing trees to be retained in this location and biodiversity net gain requires part of the pond area to remain wet to provide habitat and scrub planting beneath the existing tree canopies.

- 7.2.13 Public open space: a third area, would be designed to preserve the best views of the southern facade of Irthlingborough Grange and there is existing high-quality trees proposed to be retained, to provide a green transition between the consented development to the west and to abut the green east / west corridor to the south of the proposed development.
- 7.2.14 It should be noted that significant areas of public open space have been provided or are planned across the wider Stanton Cross SUE.
- 7.2.15 The applicant has provided better connectivity through the introduction of links to the southeast and southwest corners connecting parcel 19a as well as seeking to provide footway and cycle links to the east connecting parcel 17b. The proposals as such provide on-site public open space as well as good connectivity to other areas which also have provision of public open space. With the application struggling in terms of viability it is considered by officers to provide a good balance of public open space and connectivity without undermining the proposed development.

Character and Placemaking

- 7.2.16 The updated Design and Access Statement, the amended materials plan and the amended boundary treatment plan provide details of improvements to the character and placemaking of the proposed amended response to the site layout, elevational treatments and boundary treatments. The scale of the proposed development would fit in with the scale of the existing and proposed development on the wider Stanton Cross SUE.
- 7.2.17 The designs have been updated to create nodal points and character areas. The dwelling mix, orientation and street scene have been updated at plots 50 to 55 to provide a coherent design, with dwellings positively fronting onto this area of public open space.
- 7.2.18 The key nodal point at the heart of the site near to Irthlingborough Grange has been updated to include buff brick, stone cills and headers and a brick or natural stone wall to the east of Irthlingborough Grange.
- 7.2.19 Irthlingborough Grange is a private residential dwelling, and the current and future occupiers' privacy has been respected through the provision of an area of private amenity space to the east of Irthlingborough Grange. The amended scheme includes the provision of a new limestone wall to provide privacy whilst helping to tie in the adjacent development. It is noted that Irthlingborough Grange sits approximately 2.5 metres above the proposed development to the east and will as a remain prominent feature when viewed from the east and south.

Lack of sensitive design to heritage

- 7.2.20 Irthlingborough Grange is an existing farmhouse immediately adjacent to the proposed development and has both aesthetic and heritage 'appeal'. The urban design consultant from Place Services considered that the heritage asset should be emphasised as part of any proposed layout and considered the inclusion of a wall did not embed the heritage asset but exacerbated its isolation. The senior built heritage

consultant, from Place Services instructed by North Northamptonshire Council, has reviewed the amended layout and considers that “the proposals, particularly the boundary treatments, are appropriate and preserve the importance of the locally important building at Grange Farm. There are no objections to the proposals.”

- 7.2.21 Whilst Irthlingborough Grange is a building of local significance, its northern and eastern façade are not of high quality, the extension and renovation works undertaken in the late 1990s are apparent. Irthlingborough Grange is not listed and does not form part of this planning application. Irthlingborough Grange is to be retained and part of the garden area will be developed with 3 no. two storey 5 bedrooomed dwellings and associated access and landscaping under planning permission reference NW/23/00024/FUL. The key western elevation would not be affected by the proposed development. The inclusion of an area of public open space containing existing mature trees, adjacent to the southern elevation would enhance the setting of this elevation of Irthlingborough Grange and provide a positive outlook for plots 6, 7 and 8 whose frontages face onto the area of proposed public open space.

Putting the development in the context of Stanton Cross SUE as a whole.

- 7.2.22 This amended development does not form part of the outline planning permission for the wider Stanton Cross SUE but would respond positively to existing and proposed development on all boundaries. The amended landscape masterplan includes details of the surrounding residential schemes and illustrates how this proposed amended development would positively fit within the wider Stanton Cross SUE. Only one vehicular access is legally possible into the application site, the relatively steep topography of the site also needs to be taken into consideration and the need to respect to the setting of Irthlingborough Grange, an existing private residential dwelling of local importance.

- 7.2.23 The proposed amended layout, landscaping, floor and elevational plans are now considered to have satisfactorily taken on board the advice of the urban design consultant and produced a development that will be in keeping with wider Stanton Cross SUE and the character and appearance of the immediate and wider area. The proposed development would comply with policy 8 (d) (i) & (ii) of the JCS and policy site 1 (B) of PBW.

7.3 Landscape character and visual amenity

- 7.3.1 Policy 3 (a), (b) and (e) of the JCS states that development should be located and designed in a way that is sensitive to its landscape setting retaining and where possible enhancing the distinctive qualities of the landscape character area which it would affect.

- 7.3.2 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:

- (G) The SUE should contribute towards creating a multi-functional Green Infrastructure network.

- 7.3.3 An amended phase 1 arboricultural impact assessment (Version 3 dated 19.02.2024), which includes a retention and removal strategy scheme in order to facilitate the development proposals for the site. The strategy shows that trees T54 (ash) a category C2 tree, T55 (wild cherry) a category B2 tree and T56 (wild cherry)

a category B2 tree which front onto Lamport Way would be retained in a proposed area of public open space. T57 (field maple) a category C1 tree and tree group G10 (ash) located adjacent to the western boundary of plot 50 would be removed to facilitate development in this part of the site. T52 (goat willow) a category C2 tree and T53 (ash) a category C2 tree would also be removed. The landscape principles plan indicates that a new native shrub mix and tree planting would be planted adjacent to the western boundary of plot 50 and new trees would be planted centrally in the area of public open space adjacent to Lamport Way to mitigate for the loss of T52 (goat willow), T53 (ash) and T57 (field maple) and tree group G10 (ash).

- 7.3.4 G9 a group of sycamore and ash trees and T48 (ash) a category C1 tree located to the rear of plots 57 and 58 would be removed. T47 (ash) a category C1 tree located to the rear of plot 60 would be retained. T49 (sycamore) a category C1 tree also located to the rear of plot 60 would be removed to facilitate the development of this plot.
- 7.3.5. T34 (copper beech) a category A1 tree, whose trunk is located within the grounds associated with Irthlingborough Grange but whose canopy would partially overhang an area of proposed public open space to the south and would be retained. T38 (Rowan) a category C1 tree would be removed from an area of proposed public open space to the south of Irthlingborough Grange. T40 (apple) a category C1 tree and H5 hedgerow would be removed to facilitate the development in this section of the site. T39 (sycamore) a category A1 tree and G4 (mix of holly, sycamore, weeping cutleaf birch, tree of heaven, damson, wild cherry), Norway spruce and whitebeam) would be retained in an area of proposed public open space to the south of Irthlingborough Grange, except for two trees in G4, being removed. This area of public open space would provide an appropriate landscape visual setting for Irthlingborough Grange.
- 7.3.6 Hedgerow H6 on the southern boundary to the rear of plots 2 – 5 would be retained in the amended landscaping proposed scheme save for a 4-metre-wide section required to be removed for the installation of a footway to link parcel 19a. The retention of hedgerow H6 will assist with biodiversity net gain. The first row of trees adjacent to G8 a group of ash, field maple, wild cherry and hawthorn trees would be removed, and the remainder would be retained along the southeastern boundary in open space containing the proposed SUDs. T45 (Lombardy poplar) a category B1 tree located adjacent to the eastern boundary of the proposed Suds would be removed. Hedgerow H7 to the side of plots 26 and 16 would be retained save for a 4-metre section required to be removed for the installation of a footway to link to parcel 17b.
- 7.3.7 The trees within G7 (apple and wild cherry trees) are category B, however as they are fruit trees of limited visual amenity value which would be difficult to develop around their loss would be considered by NNC landscape officer to be acceptable. T44 (Lombardy poplar) is a category C tree which is proposed to be removed. T50 ((Common Oak) a category B1 would be removed from the rear garden of plot 47. T46 (ash) and T51 (wild cherry) are category U trees and required to be removed.
- 7.3.8 The trees within G6 (wild cherry, field maple, crab apple, sycamore and elder) are to be removed in their entirety. Area of shrubs S1, S2, S7, S8, S9 and S10 are proposed to be removed.

- 7.3.9 NNC landscape officer identified that the tree survey does not extend on the eastern boundary hedge line northwards to include an oak tree which is considered by NNC landscape officer to be an important feature. The applicant has confirmed that the Oak tree, is outside of the application site boundary. The proposed landscaping scheme for parcel 17B, confirms the Oak Tree is to be retained as part of an extant reserved matters consent on parcel 17b Stanton Cross.
- 7.3.10 The amended landscape masterplan shown on drawing number GL1950 01 Rev C includes details of the surrounding residential schemes and illustrates how this development will fit within the wider Stanton Cross SUE.
- 7.3.11 Fully detailed landscaping plans will be provided through the imposition of a conditions in relation to the landscaping scheme to be associated with the individual dwellings and a separate landscaping scheme for the proposed three areas of public open space. A condition should also be imposed for a landscape environmental maintenance plan for the proposed areas of public open spaces and existing landscaping to be retained within these areas.
- 7.3.12 The removal of existing trees on the site would be compensated by new tree planting within the public open spaces to be provided, and planting in the front and rear gardens of each individual dwelling.
- 7.3.13 The proposed new landscaping would include the provision of native species with biodiversity benefits to enhance the green character of the development and improve its ecological value.
- 7.3.14 No objections have been received on landscape grounds and it is considered the landscape masterplan proposals would take into account the landscaping strategy for the wider Stanton Cross SUE and puts forward a sympathetic proposed landscape principals' scheme that will enhance the proposed residential scheme as a whole.
- 7.3.15 Subject to conditions in relation to tree protection throughout the construction process, detailed hard and soft landscaping scheme for the individual dwellings and areas of public open space and a landscape environmental management plan the proposed development would be in accordance with policy 3 (a), (b) and (e) of the JCS and policy site 1 (G) of PBW.

7.4 **Sustainability**

- 7.4.1 Policy 9 of the JCS is clear that development should incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. All residential development should incorporate measures to limit use to no more than 105 litres/person/day and external water use of no more than 5 litres/person/day or alternative national standard applying to areas of water stress. The sustainability report received details a proposed water specification which should achieve this target. To ensure compliance with this policy, a planning condition is recommended.
- 7.4.2 North Northamptonshire South Planning Committee Policy 9 (2) (a) of the JCS "The layout and design of sites, buildings and associated landscaping should: a. Maximise the use of passive solar design to address heating and cooling;"

NNC sustainability consultant considers that the applicant has considered orientation of dwellings in the site plan to optimise solar gains in as many of the homes as the site and other design restraints allow.

- 7.4.3 Policy 9 (2) (b) “Where technically feasible, enable access to or provision of decentralised energy networks, or safeguard future opportunities to do so without major disruption.

NNC sustainability consultant considers developments of this density and number of individual homes are unlikely to achieve better energy performance with a network than with the individual heat pumps currently proposed. Therefore, allowing for current or future network connection is impractical and not beneficial in this case.

- 7.4.4 North Northamptonshire South Planning Committee Policy 9 of the JCS “Development should incorporate measure to ensure high standards of resource and energy efficiency and reduction in carbon emissions”.

NNC sustainability consultant’s original response sought the applicant to provide information on ‘material efficiency’. The applicant outlined that all their dwellings would achieve a category ‘A’ Energy Performance Certificate (EPC) rating. The specification for these proposed dwellings will include the following: -

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- Increased loft insulation.
 - Improvements to cavity wall insulation.
 - Upgrading the floor insulation.
 - Under floor heating downstairs.
 - Type of boiler specified.
 - Improvements in the glazing specification.

- 7.4.5 These energy saving enhancements will be complimented through the provision to each dwelling of air source heat pumps with external units sited in discreet locations typically in rear gardens and photo voltaic solar panels appropriately located on the external roof of each dwelling. All dwellings will be provided with Electric Vehicle charging points. The applicant has confirmed that the design and siting of the air source heat pumps, the photo voltaic solar panels and electric charging points can be conditioned.

- 7.4.6 NNC sustainability consultant original comments were about a part of the policy which refers to using ‘materials efficiently’ rather than materials that contribute toward thermal efficiency as the applicant’s response above details. NNC sustainability consultant considers that the best approach to this would be if the applicant can make commitments to some ‘material efficiency’ measures. The applicant has agreed to the imposition of condition requiring the submission of a resource efficiency plan setting out measures to minimise materials needed, minimise waste of materials and maximise reuse/recycling of remaining material waste to address this point.

- 7.4.7 NNC sustainability consultant original comments indicated that an overall carbon saving of 31% over Part L 2021 (which is a requirement of the current building regulations) would be achieved by the development but sought for sample draft calculations to be provided to justify the carbon savings claimed. The applicant has submitted predicted EPC and SAP ratings for two dwelling types on plot 54 (3 bed

detached) and plot 60 (4 bed detached) proposed to be built at this development together with the following data confirming the DER and TER. NNC sustainability consultant has confirmed that the SAP results were what was needed to confirm the percentage of 'As Designed' carbon reductions. The scale of the carbon savings is more than 90%. All the proposed dwellings would exceed the minimum current saving of 31% over part L of the 2021 building regulations and achieve an EPC 'A' Rating. NNC sustainability consultant suggested a condition be imposed requiring 'As Built' calculations to demonstrate that targets have been met prior to the occupation of any associated dwelling in each phase or sub-phase to ensure that the proposed as built carbon reduction (% DER<TER) would be more than 85%. The applicant considers any condition in relation to a carbon reduction should align with planning policy not the applicant's proposal and would accept a condition requiring the development in any phase or sub-phase to exceed the requirements of the 2021 building regs Part L in terms of Carbon reduction by 20%, which would equate to a combined 51% reduction on Part L 2013 of the building regulations (which required developments to achieve a 31 % carbon reduction).

- 7.4.8 Subject to the imposition of conditions requiring measures to limit use to no more than 105 litres/person/day and external water use of no more than 5 litres/person/day; details of the siting and design of solar photovoltaic panel(s) to be installed, shown on elevation and roof plans for each dwelling/house type and details of the siting and type of external air source heat pumps to be installed the proposed development; the submission of a resource efficiency plan setting out measures to minimise materials needed, minimise waste of materials and maximise reuse/recycling of remaining material waste and maximise reuse/recycling of remaining material waste and provide the as Built SAP DER and TER outputs to demonstrate more than an 51 % carbon reduction would be achieved on the dwellings in any phase or sub-phase, the development would be comply with policy 9 of the JCS.

7.5 **Effect on heritage assets**

- 7.5.1. The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
- 7.5.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.
- 7.5.3 Policy 2 of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment.
- 7.5.4 With regards the revised NPPF, chapter 16 sets out government advice on conserving and enhancing the historic environment. Paragraph 207 sets out its guidance where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 208 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 213 informs that not all elements of a conservation area will necessarily contribute to its significance.

- 7.5.5 The application was accompanied by a heritage statement. The site does not contain any listed buildings or lie within a conservation area; however, Irthlingborough Grange and its setting are of local heritage importance. Irthlingborough Grange is approached via a tree-lined avenue from Irthlingborough Road and comprises a former farmhouse dating to the first quarter of the 19th century, a later walled garden to the west, a workshop/garage to the north-east of the farmhouse, and three ranges arranged around a farmyard to the north of the workshop/garage. North of these ranges are three further buildings, set in another farmyard. These buildings comprise a former barn which has been converted at some point into offices and two north-to-south aligned cart sheds. There is a landscaped garden stocked with mature trees to the south of the farmhouse.
- 7.5.6 NNC senior built heritage consultant considers the proposals, particularly the boundary treatments, are appropriate and preserve the importance of the locally important building at Irthlingborough Grange Farm. NNC senior built heritage consultant has raised no objections to the proposals.
- 7.5.7. It is agreed that the Irthlingborough Grange's northern and eastern façade are not of high quality, the extension and renovation work undertaken in the late 1990s are apparent. Irthlingborough Grange is not listed and furthermore does not form part of this planning application. Irthlingborough Grange will be retained, and the garden area developed under planning permission reference NW/23/00024/FUL, which permitted the erection of 3 no. two storey 5 bedroomed dwellings and associated access and landscaping, within the curtilage of Irthlingborough Grange. It is however considered that these proposals provide a design response that would be sympathetic and preserve the character and setting of Irthlingborough Grange. The proposed development would comply with policy 2 (a) and (d) of the JCS.
- 7.6 **Archaeology**
- 7.6.1 JCS policy 2 (d) requires that where proposals would result in the unavoidable and justifiable loss of archaeological remains, provision should be made for recording and the production of a suitable archive and report.
- 7.6.2 With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment and in particular paragraph 211 advises that, local planning authorities should require developers to record and advance understanding of the significance of heritage assets to be lost (wholly or in part) in a manner appropriate to their importance and impact and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such a loss should be permitted.
- 7.6.4 The site lies to the east of Irthlingborough Grange. NNC archaeological advisor advises that ground investigations have shown that the land around Irthlingborough Grange has been quarried, and no evaluation or investigation of archaeological levels is envisaged.
- 7.6.5 However, as the Heritage Statement notes, elements of the farm buildings are likely to be of a similar age to the house and are undesignated heritage assets. As the buildings are to be demolished there will be an adverse effect on their significance. On this basis NNC archaeological advisor recommends a programme of Level 2 building recording (as defined by Historic England, Understanding Historic Buildings, 2016) should be carried out by condition on planning permission granted for the site.

NNC archaeological advisor would provide a brief for the building recording, if required.

7.6.6 Evidence for the development and use of the buildings will be lost due to demolition. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected.

7.6.7 Subject to the imposition of a condition for an archaeological programme of works as per paragraph 211 the revised NPPF the proposed development would comply with policy 2 (d) of the JCS.

7.7 **Flood risk and drainage**

7.7.1 The JCS at policy 5 sets out a raft of sub policies aimed at preventing or reducing flood risk.

7.7.2 The revised NPPF at chapter 14 sets out government views on how the planning system should take into account the risks caused by flooding. The planning practice guidance under the chapter titled 'flood risk and climate change' gives detailed advice on how planning can take account of the risks associated with flooding in the application process.

7.7.3 The application Flood Risk Assessment notes that the Environment Agency's outline Indicative Flood Mapping confirms that the application site is situated within Flood Zone 1, land which has less than a 1 in 1,000 annual probability of river or sea flooding.

7.7.4 All potential sources of flooding to the proposed development have been considered and it has been demonstrated that the site will not be at any significant risk of flooding. The proposed development would not exacerbate the risk of flooding to third parties either upstream or downstream from the site.

7.7.5. The Environment Agency have raised no objections to the proposals in relation to flooding.

7.7.6. Anglian Water have recommended a condition be imposed requiring a 'a surface water management strategy'.

7.7.7. The application was accompanied by the following documents.

- Letter from Land Director at Grace Homes dated 30 January 2024 re: the allowable catchment for the northern ditch and the attenuation pond.

- Drawing number 19001 PDS Design Model SUDs.

- 19272_SW NETWORK 1 NORTH Drainage calculations dated 04.01.2024 by Woods Hardwick (74 pages).

- 19272_SW NETWORK 2 SOUTH Drainage calculations dated 04.01.2024 by Woods Hardwick (98 pages).

- Letter from Woods Hardwick Infrastructure dated 5 January 2024 reference 19001-A entitled 'Drainage Strategy Statement'.

- Drawing number 19001-SCGF-5-SK001 Rev I (Stanton Cross Wellingborough, Grange Farm Levels and Drainage Strategy) dated on 23rd October 2023, produced by Woods Hardwick.

- Drawing Number 35872CVLS-01 (Topographical Survey Sheet 1 of 1) dated on 28 June 2022, produced by Survey Solutions.
- Drawing Number 17411/WEAST/5/1054 Rev D (Stanton Cross, Surface Water Drainage Masterplan dated on 15th November 2021, produced by Woods Hardwick.

- 7.7.8 NNC LLFA have reviewed the above documents and advised that the proposed surface water drainage strategy for the proposed development, which is split into two catchments or networks, and is a reason why the development will be phased is acceptable subject to the imposition of conditions in relation to a verification report for the installed surface water drainage and a site-specific management plan. The applicant has advised as a result of the surface water drainage strategy being split into two catchments or networks; the development will be constructed in two phases.
- 7.7.9 Subject to the imposition of conditions requiring a verification report for the installed surface water drainage for each phase or sub-phase and a site-specific management plan for each phase or sub-phase the proposed development would comply with condition 5 of the JCS.

7.8 **Foul sewage**

- 7.8.1. JCS Policy 10 (b) requires new development to minimise increases in the demand for additional/expanded water infrastructure. Whilst policy 10 (c) states that planning permission will only be granted if it can be demonstrated that there will be sufficient infrastructure capacity provided within an agreed timescale to support and meet all the requirements which arise from the proposed development. Policy 10 (d) continues by saying that the council and developers should work with infrastructure providers to identify viable solutions to deliver infrastructure where appropriate by phasing conditions, the use of interim measures and the provision of co-located facilities.
- 7.8.2 The NPPF at paragraph eight and elsewhere identifies the provision of infrastructure as part of the economic role as one of the three dimensions of sustainable development.
- 7.8.3 The PPG under the chapter entitled 'water supply, wastewater and water quality' at paragraph 20 provides advice on the particular considerations that apply in areas with inadequate wastewater infrastructure. The PPG explains that if there are concerns regarding the capacity of wastewater infrastructure, applicants will be asked to provide information as to how wastewater will be dealt with. The PPG goes on to provide advice on a number of scenarios regarding the preference to connect to the public sewerage system and the acceptable alternatives.
- 7.8.4 Anglian Water Services have confirmed that the foul drainage from this development is in the catchment of Broadholme Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
- 7.8.5. Anglian Water recommend that a condition is imposed requiring a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network.

- 7.8.6. A neighbouring landowner objected to the proposed scheme for 60 units which discharged foul water into drains provided by Stanton Cross Developments (SCD). An agreement between SCD and one of the current landowners to service foul drainage from the site limited the capacity to 38 homes. The drain discharges to a foul water pumping station to the north of the proposed scheme, within neighbouring development parcel 16. The interested party advised that pumping stations are designed for specific design capacities, which includes an allowance for emergency storage should the pumping station fail. This is set out in a S104 agreement with statutory undertaker Anglian Water. Discharge of more than 38 homes may give rise to a risk of foul water flooding.
- 7.8.7 The applicant has advised that 'discussions have continued with Vistry in relation to the foul drainage and the drainage strategy has been developed to ensure that capacity at the existing foul pump station (located on Lamport Way and which is the subject of a dated S104 adoption agreement) will not be compromised. This will involve telemetry and additional storage capacity at the applicant's proposed foul pumping station but is a viable solution – details are included on Woods Hardwick drawing number 19001-SCGF-5-SK001 Rev I (Levels and Drainage Strategy) which was submitted and reviewed by the relevant consultees. Vistry has also offered as an alternative connection to their proposed foul sewers within parcel 17b as this would mean the existing pump station on Lamport Way could move onto maintenance with Anglian Water Services Liaison sooner and the applicant will be continuing discussions with Vistry once they have planning certainty on their scheme and indeed on Vistry's proposed scheme for 17b'.
- 7.8.8 A foul pumping station with associated telemetry to ensure controlled storage and discharge rate is proposed to be located at the southern end of the SUDs Pond and to the east plot 2 in phase 2 on drawing number JIG015-100 Rev D (Planning Layout). A spacing and separation distance of 18 metres would be retained between the western elevation of the pumping station and the eastern flank elevation of nearest dwelling (plot 2).
- 7.8.9 The applicant has asked if the precise details of the foul pumping station to serve phase 2 could be the subject of a planning condition, any proposed design would need to comply with best practice and Anglian Water Services Liaison will need to be involved during the S104 agreement technical approval process. Drawing number JIG015-100 Rev D (Planning Layout) shows where the proposed foul pumping station in phase 2 will be sited, However, as part of a condition the applicant would provide details of a general arrangement plan, sections, installation elevations including external materials, the height, type and colour of any fencing and gates, hardstanding's and route to the final connection. Most of the works associated with the foul pumping station would be below ground level with the expectation perimeter fencing and a prefabricated cabinet that would accommodate a local power supply and communications.
- 7.8.10 It should be noted Anglian Water have not objected to the foul drainage strategy but recommended that a condition is imposed requiring a scheme for on-site foul water drainage works, including a connection point and discharge rate to the public network. The applicant has confirmed that the development will be built in phases and therefore the foul water drainage strategy for the development will be brought forward in phases.

7.8.11 Subject to the imposition of a condition requiring a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network and details of the foul pumping station to be installed to serve phase 2 the proposed development would comply with policy 10 (b), (c) and (d) of the JCS.

7.9 **Noise**

7.22.1. To ensure quality of life and safer and healthier communities the JCS at policy 8 (e) (ii) states that new development should be prevented from contributing to or being adversely affected by unacceptable levels of noise.

7.9.2. Chapter 15 of the revised NPPF gives advice on how local planning authorities should prevent new development from being adversely affected by unacceptable levels of noise pollution. The NPPF further advises that decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

7.9.3 There is potential for noise disturbance to existing and future residents throughout the demolition and construction of the proposed housing development. NNC environmental protection officer recommends a condition should be imposed in relation to the submission of a demolition and construction environmental management plan.

7.9.4 A foul pumping station with associated telemetry to ensure controlled storage and discharge rate is proposed to be located at the southern end of the SUDs Pond and to the east plot 2 in phase 2. There is potential for noise to emanate from a foul pumping station and advice in the sewerage sector guidance specifies the minimum spacing and separation distance between a particular type of pumping station and a residential dwelling. A spacing and separation distance of 18 metres would be retained between the western elevation of the pumping station and the eastern flank elevation of nearest dwelling (plot 2), which has a dining room window at the ground floor in this elevation.

7.9.5 The applicant has asked if the precise details of the foul pumping station could be the subject of a planning condition relating to phase 2, the design proposed would comply with best practice and Anglian Water Services Liaison will need to be involved during the S104 agreement technical approval process.

7.9.6 NNC environmental protection officer (noise and air quality) has reviewed the information which accompanied this planning application and confirms that there are some concerns about noise from road traffic and noise and vibration from the proposed pumping station adversely affecting the amenities of future occupiers of the proposed dwellings. Neighbour objections have also been received in relation to noise from the additional traffic generated by the development on existing residents on neighbouring parcels.

7.9.7 The development is situated within close proximity to the proposed Route 11. NNC environmental protection officer (noise and air quality) considers that noise from traffic may impact the amenities of future occupiers, both inside dwellings and in external amenity spaces. Although the original noise report submitted with the outline planning permission for the wider Stanton Cross (Wellingborough East) SUE states that proposed roads have been considered, the applicant should demonstrate that the

noise criteria within 'British Standard BS8233:2014 - Guidance on sound insulation and noise reduction for buildings' will be achieved.

7.9.8 The proposal also includes a sewage pumping station which the applicant confirms will be positioned 18 metres from plot No.2 (the nearest proposed dwelling). If the pumping station is a 'Type 3' and meets certain criteria in accordance with Sewerage Sector Guidance Appendix C, it would exceed the minimum distance of 15 metres required between wet wells and habitable buildings. As details of the proposed pumping station have not been provided, NNC environmental protection officer (noise and air quality) is unable to verify that the distance complies with relevant guidance. However, as the pumping station is intended for adoption under an agreement with Anglian Water in accordance with Section 104 of the Water Industry Act 1991. NNC environmental protection officer (noise and air quality) would be satisfied that the required criteria will be met. NNC environmental protection officer (noise and air quality) would recommend however that, as low frequency noise and vibration can result from the operation of pumping stations, conditions are imposed to ensure loss of amenity to nearby occupiers does not occur.

7.9.9 Subject to the imposition of conditions in relation to a D&CEMP; details of the foul pumping station to be installed to serve phase 2; details of the operation noise levels of the pumping station are provided prior to installation and within three months of completion of the pumping station, a noise assessment of the operational pumping station be undertaken to assess noise (including low frequency noise) and vibration from the station to ensure that there is no loss of amenity to the nearest residential dwelling; a scheme demonstrating compliance with achieving the noise levels outlined in British Standard BS8233:2014 - Guidance on sound insulation and noise reduction for buildings and the Acoustics Ventilation and Overheating - Residential Design Guide (January 2020 Version 1.1. - Association of Noise Consultants & Institute of Acoustics) with regards to the residential units; the proposed development would comply with policy 8 (e) (i) of the JCS.

7.10 **Biodiversity**

7.10.1 Section 40 of the Natural Environment and Rural Communities Act 2006, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity."

7.10.2 The JCS at policy 4 – biodiversity and geodiversity, sets out policy requirements for the protection and where possible, a net gain in biodiversity.

7.10.3 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:

- (L) Development on the SUE should seek to contribute to achieving a net gain in biodiversity. Proposals must ensure there is no adverse impact either alone or in combination to the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site. Mitigation may involve providing alternative greenspace within the development and access and visitor management measures within the SPA.

- 7.10.4 The revised NPPF at chapter 15 'protect and enhance biodiversity and geodiversity' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.
- 7.10.5 Neighbour objections have been received in relation to the effects of the proposed development on ecology and existing wildlife such as bats, foxes and squirrels. The application was accompanied by an ecological appraisal by Allied Ecology which sets out the results of the baseline ecological survey work and desktop study, carried out in order to establish the likely effects of the proposals in respect of the features of interest identified, and phase 2 survey work undertaken in respect of bats, carried out in line with relevant best practice guidance.
- 7.10.6 Information set out in the desktop study confirmed that no statutory or non-statutory designations are present within or adjacent to the site. Upper Nene Valley Gravel Pits SPA / Ramsar Site / SSSI is located 280 metres to the east of the site, subject to the implementation of recommended mitigation measures, it is considered that the proposals will have no adverse effects on the integrity of the designations. All other designations are sufficiently separated from the site such that no adverse impacts are predicted. A financial contribution towards the Strategic Access and Monitoring fund in the Upper Nene Valley Ramsar Pits SPA/Ramsar. This contribution will mitigate for the cumulative effects of the residential development within 3 kilometres of the SPA.
- 7.10.7 Survey work undertaken at the site has established that the existing hedgerows and off-site tree line represent important ecological features, whilst the other on-site habitats are of negligible importance. Specific survey work undertaken at the site in respect of bats recorded the presence of bat roosts of low conservation importance in buildings B1, B2, B3, B4, B6 and B7, whilst specific survey work undertaken in respect of reptiles did not record the presence of this species group within the site. Habitats within the site also have the potential to support other protected species, including badger and nesting birds. Proportionate recommendations for mitigation and / or compensation measures are provided in respect of habitats and faunal species, in order to ensure that these features of interest remain fully safeguarded under the proposals. NNC principal projects officer (ecology) was satisfied with the mitigation and safeguarding measures in relation to protected species subject to conditions being imposed requiring the all the mitigation and safeguarding measures recommendations set out in the Ecology Appraisal by Allied Ecology on fauna being implemented at the appropriate stage of the development; in relation to bats a mitigation licence being obtained from Natural England prior to any demolition works in any phase or sub-phase and details of faunal enhancements being provided in each phase or sub-phase;
- 7.10.8 Prior to any demolition, ground works or vegetation clearance it is recommended that a condition be imposed that "no development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority."
- 7.10.9 The applicant has provided an updated landscaping masterplan, which establishes the landscape principles for the proposed development and shows the creation of three areas of public open space, one at the entrance to the proposed site, which would include the retention of three existing trees; another area to the south of Irthlingborough Grange which would support the retention of existing trees and

vegetation and a third area would create new scrubland habitat in the vicinity of the SUDs basin to mitigate the loss of this specific habitat. The hedgerow habitat assessment also includes the retention of the hedgerow along the southern boundary. All plantings on site will need to be managed over time, a condition should be imposed requiring a landscape and ecological management plan (LEMP).

7.10.10 The application has been supported by a Biodiversity Net Gain Assessment updated February 2024 (Version 2) and Statutory Biodiversity Metric Calculations. The updated biodiversity assessment submitted shows a potential loss of 3.75 biodiversity units, the applicant has agreed to facilitate this along with a 1% net gain on or offsite via a habitat bank. The applicant has advised that 'the most expedient and impactful delivery for any offsite gains – which are predominantly scrub and improved grassland creation, whether via a 'habitat bank', BioFarm or actual physical delivery on land they control in the district or potentially land Vistry control at Stanton Cross. However, that strategy can only be resolved and submitted for approval post planning permission in accordance with proposed condition 16 and will require procurement of detailed designs for on-site delivery, which will form part of the landscape proposals to be approved by separate condition'. NNC ecology officer has asked the applicant's ecology consultant to provide pre and post condition assessments to assist with current dialogue taking place in relation to biodiversity net gain for the site. The applicant would agree to the imposition of a condition in relation to offsetting any loss not able to be delivered on site through an offsite credit potentially via a habitat bank or Bio Farm. The outcome of the current dialogue in relation to offsetting 1% biodiversity net gain will be set out in the update papers.

7.10.11 Subject to conditions in relation to all the mitigation and safeguarding measures recommendations set out in the Ecology Appraisal by Allied Ecology on fauna being implemented at the appropriate stage of the development; in relation to bats a mitigation licence being obtained from Natural England prior to any demolition works in any phase or sub-phase and details of faunal enhancements being provided in each phase or sub-phase; a construction environmental management plan (CEMP: Biodiversity) and a Biodiversity net gain plan and the outcome of the current dialogue in relation to biodiversity net gain plan credits the proposed development would be likely to comply with policy 4 of the JCS.

7.11 **Effect on the Upper Nene Valley Special Protection Area**

7.11.1 The Upper Nene Valley Gravel Pits Special Protection Area (SPA)/Ramsar site is legally protected by the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').

7.11.2 Policy 4 of the JCS on biodiversity and geodiversity states that developments likely to have an adverse effect either alone or in-combination on the Upper Nene Valley Gravel Pits Special Protection Area must satisfy the requirements of the Habitat Regulations and avoid or mitigate any impacts identified.

7.11.3 The Upper Nene Valley Gravel Pits Supplementary Planning Document (SPD) has been produced to help local planning authorities, developers and others ensure that development has no adverse effect on the SPA, in accordance with the legal requirements of the Habitats Regulations. The SPD has been developed with Natural England and the RSPB. A Mitigation Strategy adopted as an addendum to the SPA SPD provides further guidance for development within the 3km zone of the SPA and

details a specific financial contribution for each new dwelling towards Strategic Access Management and Monitoring (SAMM) to avoid and mitigate impact.

7.11.4 Since these policies were adopted there has been a ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). This requires development relying on mitigation in relation to the Habitats Regulations to no longer be considered at the screening stage but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained.

7.11.5. It is considered that a planning decision on the merits of the proposed development can be taken, as the applicant has agreed to make a SPA mitigation payment of **£363.62 April 2023 per dwelling (60 x £363.62 = £21,817.20)** to be secured as a planning obligation through a section 106 agreement and the development meets the criteria set out in the SPA SPD for this approach to be taken.

7.11.5 The proposed development would comply with Policy 4 of the JCS and with the requirements of the SPA SPD. The financial contribution provided will be used for measures to reduce the impacts of the proposed development and allows a conclusion of no adverse effect on the integrity on the Upper Nene Valley Gravel Pits Special Protection Area and Ramsar Site.

7.12 **Housing mix**

7.12.1 Policy 30 (a) (i) of the JCS seeks to the mix of house types within developments to reflect the need to accommodate smaller house households with an emphasis on the provision on small and medium sized dwellings (1 to 3 bedroom) include where appropriate dwellings designed for older people.

7.12.2 Policy 30 (a) (ii) of the JCS seeks to ensure there would not be an overconcentration of a single type of housing where this would adversely affect the character or infrastructure of the area.

7.12.3 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:

- (C) Residential developments on WEAST should include a mix of house types, sizes and tenures.

7.12.4 The proposed scheme will provide a range of homes from 1-4 bedrooms in a variety of sizes and types. This includes 2 x 2 bed bungalows, 4 x 1 bed maisonettes, 10 x 2 semi-detached dwellings, 6 x 3 bed semi -detached dwellings, 19 x 3 bed detached dwellings and 19 x 4 bed detached dwellings.

The accommodation schedule proposes the following units:

Bedrooms	Number of units
One	4
Two	12
Three	25

7.12.5 As such the proposed development would provide a variety of unit sizes with the majority in the 1 to 3-bedroom size. The proposed development would comply with policy 30 (a) (i) & (ii) of the JCS and policy Site 1 (C) PBW.

7.13 **National Space Standards**

7.13.1 The JCS at Policy 30 (b) requires the internal floor area of new dwellings to meet the Nationally Described Space Standards (NDSS) as a minimum.

7.13.2 The amended design and access statement includes a NDSS compliance checklist for each house type which includes the gross internal area, built in storage and whether the bedrooms would be double or single. The NDSS compliance checklist and associated floor plans for each house type demonstrates that the proposed dwellings would be either in alignment or exceed the minimum gross internal floor areas and built in storage areas set out in the NDSS. The proposed internal widths and floor area for double and single bedrooms either meets or exceed the technical standards.

7.13.3 The proposed development would comply with policy 30 (b) of the JCS.

7.14 **National Accessibility Standards**

7.14.1 Policy 30 (c) seeks new dwellings to meet category 2 of the National Accessibility Standards (NAS) as a minimum.

7.14.2 All units should achieve category 2 of the NAS as a minimum with at least six being wheelchair accessible. This is in accordance with the Housing and Economic Needs Assessment (HENA) for North Northamptonshire, which seeks 10% of all housing units to be wheelchair accessible. The affordable dwellings (if required) are one bed maisonettes, the proposed ground floor units on plots 36 and 38 would comply with category M4 (3) of the NAS.

7.14.3 All the new dwellings will comply with category 2 of Part M of the Building Regulations as a minimum. In addition, it should be noted that the bungalows on plots 26 and 27 and the ground floor maisonettes on plots 36 and 38, 4 in total, would comply with category 3 (wheelchair accessible) of Part M of the Building Regulations. Due to viability issues the site can only deliver 5% or 4 wheelchair accessible market and affordable dwellings.

7.14.4 Subject to the imposition of a condition requiring all dwellings to comply category 2 and plots 26, 27, 36 and 38 due to viability issues would only provide four category 3 of the NAS the proposed development would generally comply with policy 30 (c) of the JCS.

7.15 **Affordable Housing**

7.15.1 Policy 30 (d) seeks on private sector development of 15 or more (net) or where combined gross floor area of dwellings will 1,500 square metres in the growth towns and market towns the local planning authority will seek the provision of affordable housing in line with the following targets:

20% of total dwellings in growth or market towns.

The precise proportion and tenure mix of affordable housing would take into account the need identified in the Strategic Housing Market Assessment (SHMA) and the viability of the development.

- 7.15.2 This requirement would necessitate 12 dwellings of the proposed 60 dwellings to be affordable and would render the proposals unviable. A viability assessment has been independently assessed which verifies that the proposed development cannot facilitate the full affordable housing requirement set out under policy 30 (d) of the JCS and as such there are three options: Option 1 would seek 4 affordable rented units to be provided; Option 2 would seek no affordable dwellings and a financial contribution towards other community facilities as set out at the top of this report or option 3 would seek 2 affordable rented units and financial contributions towards community facilities as set out at the top of this report.
- 7.15.3 Objections have been received from occupiers in Sulgrave Way who assumed that affordable housing units were being proposed on plots 58 – 59, these units are proposed by the applicant as two-bedroom semi-detached market dwellings. The applicant has confirmed that if the option for four affordable housing units is chosen, these would be located at plots 36 to 39 inclusive. These units would consist of 4 one-bedroom affordable rented maisonettes and can be viewed on house type drawing numbers JIG 15 220 Rev A (A1B (S) -540/627 Grange Character Area Maisonette floor plans and elevations) and JIG-015 221 Rev A (A1B(S) 540/627 maisonette). Or if the option for only two affordable units these would on plots 36 and 37 these units would consist of 2 one-bedroom affordable rented maisonettes. NNC housing development officer is supportive of the provision of 4 one bed affordable rented maisonettes with the two ground floor units provided as M4(3) as this would meet a housing need for one bed affordable rented units.
- 7.15.4 Although the proposed development would not meet the target for the provision of 20% affordable dwellings set out under policy 30 (d) of the JCS the applicant has submitted a viability assessment setting out what the development could bear in relation to affordable housing and/or financial contributions. NNC's independently appointed viability assessor has advised that 'on the basis that many of the applicant's viability inputs are reasonable, although some of the inputs are not agreed with, it is agreed overall that the scheme on a policy compliant basis is unviable and unable to deliver 20% affordable housing and the full S106 contributions.
- 7.15.5 NNC's independently appointed viability assessor has advised that based on the inputs adopted in the appraisals and set out throughout the report prepared for and on behalf of NNC, it is considered that it is reasonable under:

Option 1 - Four affordable rented units + SPA mitigation payment as currently indexed at £21,817.20 (current rate from 1 April 2023 to 31 March 2024) and the payment for the biodiversity net gain credits of circa £131, 250.

Option 2 - To pro rata split the section 106 contribution of £365,744.60 + SPA mitigation payment as currently indexed at £21,817.20 (current rate from 1 April 2023 to 31 March 2024) and the payment for the biodiversity net gain credits of circa £131, 250.

Option 3 - Two affordable rented dwellings plus contributions totalling circa £99,344 (11.38% of the total requested) including the full SPA mitigation payment as currently

indexed at £21,817.20 (current rate from 1 April 2023 to 31 March 2024) and the payment for the biodiversity net gain credits of circa £131, 250.

7.15.6 If the members of the south area planning committee determined that option 1 the provision of 4 one bed affordable rented maisonettes with the two ground floor units provided as M4(3) was the council's priority, or option 3 two affordable rented dwellings with one ground floor unit provided as M4 (3) plus S106 contributions as the council's priority these would subsequently be secured as planning obligations through a S106 legal agreement.

7.16 Living conditions of the neighbouring occupiers

7.16.1 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.16.2 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:

- (M) Developments should have no harmful impact on existing or proposed occupiers.

7.16.3 At paragraph 135 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.16.4 The proposed dwellings have been organised around the principal areas of public open space and the movement framework. The quantum of development would be balanced against the green infrastructure, service restrictions and topography to deliver a new neighbourhood that would sit in harmony with its surroundings.

7.16.5 The proposed dwellings have been laid out to positively address the public realm with principal entrances facing onto the street or the public open space. The perimeter block principle would ensure future residents have a degree of privacy and security to the of rear private garden areas.

7.16.6 The objections received are noted, however a number are from existing residents on Sulgrave Way which raise loss of privacy as a concern. The proposed new dwelling's namely plots 50 to 60 would either back or side onto existing dwellings in Sulgrave Way. A first-floor rear to flank elevation spacing and separation distance of between 12 metres and 16.5 metres would be retained between the proposed dwellings and the existing dwellings in Sulgrave Way. A minimum first floor back-to-back spacing and separation distance of 22 metres would be retained between proposed dwellings and numbers 57 and 59 Sulgrave Way, the closest dwellings. A minimum ground floor back-to-back spacing and separation distance of 20 metres would be retained between proposed dwellings and numbers 57 and 59 Sulgrave Way. These proposed back-to-back and flank to rear spacing and separation distances are reasonable and would not result in unacceptable loss of privacy between existing and proposed dwellings. There may be some degree of disturbance and noise through the construction process of the proposed dwellings however this is considered short term and unavoidable and not considered of sufficient significance to cause undue harm. A condition should be imposed requiring a Construction Environmental Management Plan throughout the construction process.

- 7.16.7 The council's environmental protection service has powers to deal with any unacceptable noise caused by building works as necessary under the provisions of the Environmental Protection Act 1990 and it has published a leaflet entitled 'considerate contractor advice note'.
- 7.16.8. The layout indicates that plots 26 – 46 would either back onto or side onto dwellings which have approval under reserved matters consent reference NW/22/00755/REM in parcel R17b. Each of the proposed dwellings would have reasonably sized associated private rear gardens which would be enclosed by either close boarded fencing, walls, post and rail fencing and existing established hedgerows.
- 7.16.9 The proposed development would provide acceptable amenity and privacy for both existing and future residents and would comply with policy 8 (e) (i) of the JCS and policy Site 1 (M) of PBW.

7.17 Highway safety

- 7.17.1. JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.
- 7.17.2 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.
- 7.17.3 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:
- (H) Proposals should seek to reduce reliance on the car, and should seek to enhance opportunities for walking and cycling.
- 7.17.4 A Transport Statement (TS) accompanied this application and sought to gauge the potential impact of the proposed development on the surrounding highway network and to identify sustainable alternatives to single occupancy vehicle (SOV) use.
- 7.17.5 A preliminary audit of the sustainable travel options which will be available to the future occupiers of the proposed residential development demonstrated that the site could be considered to lie in a 'sustainable' location in terms of walking, cycling and accessibility to public transport services; in addition to access to services and facilities.
- 7.17.6 The TS concludes that 'from the recorded accident data obtained from the CrashMaps traffic collision data website, there is not a specific accident-related problem that exists in the vicinity of the proposed development site. It is also not anticipated that the safety of existing road users on the local highway network will be put at significant or adverse risk because of the proposed development'.
- 7.17.7 A neighbour objection has been received in relation to the effects of the additional traffic created by the proposed development of 60 dwellings on the surrounding highway network. An impact assessment has been undertaken and included within the TS which calculated the likely vehicular trip generation of the proposed development site. Based upon the figures extracted from the TRICS database, a proposed development of 60 residential dwellings has been calculated to generate a total of 28 two-way trips during the AM peak hour and 28 two-way trips during the PM

peak hour. This number would be less than the 30 two-way trip thresholds used to determine potential significant development traffic. On this basis the applicant has not been required to undertake further modelling to assess the impact of the proposed development on the local highway network as the preliminary assessments have found that the impact is not significant.

7.17.8 The TS concludes that ‘the surrounding highway network provides sufficient capacity to accommodate the additional traffic expected to be generated from the site during the peak hours’. NNC highway engineer has raised no objections to the proposed development in relation to highway capacity and safety.

7.17.9 Access and Pedestrian Access

The application site has a single point of vehicular access from Lamport Way established as part of the wider development infrastructure approval. This is the only location the development adjoins a public highway and no additional vehicular connections to the wider highway network are not possible due to the approved layout on parcel 17b which only supports a footway/cycleway access to the east and the proposed layout on parcels 19a and 19b which only support footway/cycleway access in the southeast and southwest corners of the site. A neighbour objection has been received in relation to the site having only one access. NNC highway engineer have confirmed that a scheme of 60 dwellings is only required to provide one access point. The access to the proposed development would take the form of a simple priority T-junction off Lamport Way, which has already been constructed. The proposed primary access road would be constructed as a 5.5-metre-wide carriageway, with 2.0-metre-wide footways either side; and will also feature tactile paving and dropped curbs. Visibility splays of 2.4 metres x 43 metres would also be provided.

7.17.10 The scheme approved reserved matters consent under reference NW/22/00755/REM on parcel 17 B Stanton Cross directly to the east includes the provision of a cycleway running from north to south close to the shared boundary. Provision has been made for a cycleway connection from this proposed scheme. This north to south route connects with an east to west link in parcel 19 Stanton Cross directly to the south of this site. Two footpath connections to this route are proposed. The western boundary adjoins private land and there are no opportunities to make connections in that direction from within the site. The connections proposed would improve permeability across the wider area encouraging and permitting more sustainable travel choices than the car.

7.17.11 The adoptable highway proposed includes a traditional street with two footways and a shared surface which provides a clear hierarchy directing movement back towards the site entrance. Additional private drives provide access to no more than 5 dwellings, which would be maintainable by the future occupiers of the dwellings accessed off these driveways.

7.17.12 The arrangement and length of roads would encourage safe and considerate driving and no additional traffic calming would be required. It is the applicant’s intention that all highways will be adopted by the local highway authority, and they have therefore been designed and will be constructed to the NNC adoptable highway standards.

7.17.13 Subject to conditions in relation to details of full engineering, drainage, street lighting and constructional details of the streets proposed for adoption; no dwelling or dwellings shall be occupied until the estate street affording access to those

dwelling(s) has been completed to binder course; and details of the proposed arrangements for future management and maintenance of the proposed streets within the development the proposed development would comply with policy 8 (b) (i) of the JCS) and policy site 1 (H) of PBW.

7.17.14 **Parking**

Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards (2016) and satisfy policy 8 (b) (i) of the JCS. A one-bedroom unit should provide one allocated parking space. A two- and three-bedroom unit should provide two allocated parking spaces. A four-bedroom unit should provide three allocated parking spaces. The development should include 25% unallocated visitor parking in laybys 2 metres in depth. A double garage can be counted as one parking space. The third space on 4-bedroom units and above can count a single garage as a parking space if additional ancillary external storage is provided, such as a shed. An additional 0.25 on street parking provision will be required.

7.17.15 Drawing number JIG015-103 Rev B (Parking Dispersion) shows how the allocated parking have been provided for each dwelling and is arranged in a convenient and practical location. This may be adjacent to the flank elevation of the dwelling/garden or located in bays in front the dwellings. The double and single garages are not counted as parking spaces on this scheme, although many would comply with the minimum required sizes. A total of 144 allocated parking spaces have been provided through the proposed parking dispersion scheme.

7.17.16 Drawing number JIG015-103 Rev B (Parking Dispersion) shows how the unallotted parking spaces for visitors have been provided throughout the site within adoptable highways, shared drives or adjacent to public open space. A total of 11 visitor parking spaces are proposed throughout the proposed scheme.

7.17.17 Northamptonshire parking standards supplementary planning document (2016) requires 135 allocated parking spaces (144 provided) and 15 unallocated parking spaces. The proposed scheme would deliver 9 on plot visitor spaces and 11 off plot, so the proposed scheme complies.

7.17.18 The proposed garages would be located a minimum of 5.5 metres back from the edge of the highway. Secure cycle storage has been provided to every dwelling either within garages if provided or in sheds within private gardens. These will be covered and lockable to provide security and promote sustainable travel choices. Drawing number JIG015-103 Rev B shows a total of 56 garages will be used as cycle stores and those dwellings without garages will be provided with sheds in the rear gardens as shown on drawing number GHL IGW (cycle store details). NNC highway engineer has not raised any objections to the proposed allocated, unallocated parking or covered cycle stores.

7.17.19 Subject to conditions requiring the parking plan and the enclosed cycle stores to be implemented the proposed development would comply with policy 8 (b) (ii) of the JCS and the Northamptonshire Parking Standards (2016).

7.18 **Contamination**

The JCS at policy 6 says that local planning authorities will seek to maximise the delivery of development through the re-use of suitable previously developed land

within the urban areas. Where development is intended on a site known or suspected of being contaminated a remediation strategy will be required to manage the contamination. The policy goes on to inform that planning permission will be granted where it can be established that the site can safely and viably be developed with no significant impact on either future users of the development or on ground surface and waters.

- 7.18.1 The revised NPPF at paragraphs 189 and 190 sets out policies on development involving contaminated land. The planning practice guidance also offers detailed government advice on this topic.
- 7.18.2 NNC environmental protection officer (contamination) reviewed the Ground Investigation Report by Soiltechnics reference STT5298-G01 and advises that the report highlights some areas of contamination which requires either further investigation or remediation. A condition is recommended for further investigations, a remediation strategy and verification report to validate any remediation.
- 7.18.3 The Environment Agency advises that the applicant has indicated that the proposed development involves land which is known to be contaminated. The Environment Agency reviewed the Ground Investigation Report (reference: STT5298-G01) dated May 2021 with regards to the risk posed to controlled waters. Based on the available information, the Environment Agency have no objection to the proposed development and a recommend a condition be imposed if unexpected contamination is found during construction works, then works in should cease and a remediation strategy should be provided.

Subject to the imposition of a condition in relation to further ground investigation works, a remediation strategy and a verification report to validate any remediation the proposed development and a condition if unexpected contamination is found during construction works, works should cease and a remediation strategy be provided the proposed development would comply with policy 6 of the JCS.

7.19 **Crime and disorder**

- 7.19.1 The JCS at policy 8 (e) (iv) sets out the policy requirement for new development to seek to design out crime and disorder and reduce the fear of crime.
- 7.19.2 The adopted Planning Out Crime in Northamptonshire Supplementary Planning Guidance (2004) gives detailed advice this issue.
- 7.19.3 The revised NPPF at paragraph 135 (f) state that decisions should aim to ensure that developments create safe, inclusive and accessible environments which promote health and wellbeing with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.
- 7.19.4 Northamptonshire police raised initial concerns in relation to the proposed crime prevention measures for the development and these matters were combined with the changes sought by the urban design consultant to increase surveillance and improve crime prevention.
- 7.19.5 The boundary treatments have been amended, on drawing number JIG015 105 Rev C. The elevational details of the fencing, rails, and walls to be installed are shown

on drawing number GHL/IGW/Boundary Treatment Details. There is a mature hedgerow (H6) to the south of plots 2 to 6 on the updated layout is now to be retained. Timber post and four rail fencing measuring 1.2 metres will be installed, in lieu of the originally proposed 0.45-metre-high knee rail fencing to provide security and surveillance of the proposed footway cycleway and footway to the south.

- 7.19.6 Plots 26 to 35 will have a 1.8 metre close board fence on their rear boundary which would match the boundary treatment proposals made as part of the reserved matters planning consent reference NW/22/00755/REM for the adjacent parcel 17B.
- 7.19.7 The single garage to plot 4 which was positioned adjacent to the public open space contained the SUDS on the originally submitted plans has been omitted. The proposed amended layout adjacent to the public open space containing the SUDS has been re-designed and a pumping station is now proposed to be positioned adjacent to the open space containing the SUDS. The house type for plot 2 has windows serving habitable rooms in the front and eastern flank elevation which would provide surveillance onto the public open space and adjacent proposed pumping station.
- 7.19.8 Northamptonshire police recommend that any lighting scheme should provide lighting to both adopted areas and unadopted areas for safety and security reasons. Private driveways should include street lighting and a lux plan for these areas should be provided. This would prevent future residents from installing their own light sources which are often bright, angled PIR lighting. These cause areas of bright light and very dark area and increase fear of crime. These can also cause neighbour disputes and can be harmful to the local wildlife and the dark sky agenda. Details of adopted street lighting and unadopted lighting to private driveways and parking courtyards should be secured through conditions.
- 7.19.9 Subject to the imposition of conditions in relation to the implementation of the boundary treatment scheme, details of adopted street lighting and unadopted lighting to private driveways and parking courtyards the amended proposed development would comply with policy 8 (e) (vi) of the JCS and paragraph 135 (f) of the revised NPPF.

7.20 Housing to meet the Needs of Older People

- 7.20.1 There are other types of specialist housing that a scheme of this size should seek to make provision for. Policy H3 of the PBW sets a requirement for developments of over 50 dwellings to provide a proportion of dwellings to meet the needs of older people.
- 7.20.2 The precise proportion should take into account the local need, the scale of the development proposed, the location of the scheme and scheme viability. This could be in the form of age restricted properties, sheltered or extra care properties, properties designed to category 3 accessibility standards or the provision of bungalows.
- 7.20.3 The proposed scheme includes the provision of 2 two bed bungalows on plots 26 and 27 and two 1 bed ground floor maisonettes which have been designed to category 3 accessibility standards.

7.20.4 The proposed development would provide a proportion of dwellings to meet the needs of older people and would therefore comply with policy H3 of PBW.

7.2 Self-build and custom housebuilding

7.21.1 Policy H5 of the PBW similarly requires sites of over 50 dwellings to provide 5% of the units for custom or self-build housebuilding. The provision will take account of:

- evidence of local need;
- the nature of the development proposed; and
- the viability of the development.

7.21.2 Serviced building plots which have been appropriately marketed at a prevailing market value and which have not been sold after 6 months can be built out by the developer.

7.21.3 NNC self-build register shows a demonstrable need. 5% on this scheme would represent 3 dwellings.

7.21.4 The applicant's financial viability statement by CBRE dated September 2022 confirms that no self-build plots could be delivered on this site. NNC appointed viability assessor has advised that the proposed scheme is not viable and able to provide both the full level policy level of 20% affordable housing, 3 self-build plots and the sought S106 contributions.

7.21.5 The applicant has provided a financial viability statement which demonstrates that the proposed development cannot comply with policy H5 of PBW and deliver 3 self-build plots due to the viability of the development. NNC appointed viability assessor concurs with these findings that no self-build plots can be delivered on site as part of this development.

7.22 Planning obligations

7.22.1 The Community Infrastructure Levy Regulations 2010 at paragraph 122 sets out limitations on the use of planning obligations under section 106 of the Town and County Planning Act 1990, as amended, to secure community benefits for a scheme. It applies where a relevant determination is made which results in planning permission being granted for development.

7.22.2 Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms. A planning obligation may only constitute a reason for granting planning permission if it meets the following tests. Is the obligation:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

7.22.3 In addition to the above regulations the government has recently updated its PPG with regards to planning obligations and below is summary in relation to how the salient elements of the guidance have an influence on this proposal.

Local planning authorities should ensure that the combined total impact of planning conditions, highway agreements and obligations does not threaten the viability of the sites and scale of development identified in the development plan.

- 7.22.4 The government repeatedly states in its guidance that obligations must be entirely necessary, and they must be fully justified and evidenced.
- 7.22.5 Applicants should submit evidence on scheme viability where obligations are under consideration and wherever possible, this should be open book.
- 7.22.6 The NPPF states that planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This advice is reiterated under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010.
- 7.22.7 Policy 7 (a) of the JCS seeks the provision on site where necessary or contributing towards accessible, new or enhanced community services and facilities to meet the needs arising from a development.
- 7.22.8 Policy 10 (a) seeks develop either to make direct provision or contribute towards the provision of infrastructure required by the development either alone or cumulatively with other developments.
- 7.22.9 Policy 10 (c) seeks planning permission to only be granted if it can be demonstrated that there is or will be sufficient infrastructure capacity provided within an agreed timescale to support and meet all the requirements arising from a proposed development.
- 7.22.10 Policy Site 1 of the PBW sets out the policy criteria that development within the WEAST SUE should adhere to, the criteria of most relevance to this proposal are listed below:
- (A) WEAST should be a comprehensively planned and developed site with each individual parcel making proportionate contributions towards the overall infrastructure requirements on the site.

Primary education

- 7.22.11 In terms of Primary Education, the Stanton Cross development is expected to provide sufficient capacity to accommodate the full pupil yield that it will generate, including those that are expected to reside within these development proposed in this application. In total, it is expected that this will require a minimum of 2x new 2 form of entry (FE) primary schools to be provided. As such, it is appropriate that this development contribute proportionately towards the cost of delivery this additional capacity within the SUE.
- 7.22.12 The current estimated cost of delivering a new 2FE primary school is in the region of £9 million (based on recent build costs and minimum standards established through the Department for Education's specifications)/ The level of contribution required from this development will equate to approximately 4% of this cost – being directly proportionate to the number of pupils expected to be generated (15 pupils being 4% of the capacity of a 2FE school).
- 7.22.13 This equates to a S106 financial contribution of **£360,000** (subject to indexation) towards delivery of a new 2FE primary school at Stanton Cross (Wellingborough)

East) SUE or within the Wellingborough area. If this financial contribution is not received in full then NNC will have to make up any shortfall.

Secondary education

7.22.14 With regards to Secondary Education, capacity across the Wellingborough area is extremely limited, with all schools operating at or above 97% capacity and above the Department for Education's recommended thresholds, with continued high demand for places expected to continue based on current forecasts.

7.22.15 As a result, the Council is exploring options to extend existing schools, as well as deliver a new secondary school on the Stanton Cross (Wellingborough East) SUE to meet the cumulative demand for places arising from housing growth.

7.22.16 A financial contributions secured through a S106 agreement towards provision of additional Secondary Education capacity and facilities is therefore requested in order to adequately mitigate the impact of the proposed development and to ensure that children residing in the properties can be accommodated in a local school.

7.22.17 Based on the proposed dwelling mix, a forecast S106 contribution of **£247,346** (subject to indexation) will be required towards delivery of new secondary school on Stanton Cross (Wellingborough East) SUE or extended secondary education capacity and facilities in the Wellingborough area that will serve the residents of the proposed development.

Library

7.22.18 A Libraries Contribution of **£13,871** (subject to indexation) is required, to contribute towards the improvement or enhancement of Wellingborough library facilities to serve the development.

Health

7.22.19 The Practice (s) in closest proximity to the proposed development are Albany House Medical Centre and Abbey Medical Practice. As such these practises will be most affected by the increase in population.

7.23.20 Northamptonshire ICB/NHSE have requested a contribution from the developer towards the increased primary health care capacity directly attributable to the population of the proposed new development. Northamptonshire ICB will be working with the practice/s local to the development, to establish specifically where there is scope to expand/improve capacity to effectively care for the additional patients.

7.22.21 A financial request of **£112,266.00** is sought towards the improvement of Albany House Medical House Centre and /or Abbey Medical Practice and /or other primary healthcare facilities in the Wellingborough area.

Open Space/Sport

7.22.22 Policy Site 1 (A) of the PBW requires development on WEAST (Stanton Cross) to make proportionate developer contributions towards the infrastructure of the SUE. Policy 10 (a) and (c) of the JCS requires that development must be supported by the delivery of infrastructure, services and facilities necessary to meet the needs arising from the development.

7.22.23 Policies GI4 and GI5 set out the contributions that could be required from new development towards open space and sports provision. Through using the standards in table 5.1 of the PBW it ensures that contributions to open space and sports are proportionate to the size of development proposed. The open space and sports contribution calculations using the methodology set out in the Open Space: Developer Contributions SPD and Sports Provision Developer Contributions SPD. The results can be summarised as follows:

Typology Preferred Provision	Typology Preferred Provision
Park and Garden and/or Amenity Greenspace	On site provision of 3,932 m2
Natural and Semi-natural greenspace	On site provision of 2,830 m2
Allotments	On site provision of 472 m2 or an off site contribution of £4,104.75 to a suitable project
Children's play area	On site provision of 102m2 within the open space or an offsite contribution of £7,832.52 to a suitable project within 480m
Playing Pitches	Offsite contribution of £77,160 towards various sports pitch provision
Sports Halls	Offsite contribution of £33,239 towards a suitable project
Swimming Pools	Offsite contribution of £36,825 towards a suitable project

NNC strategic lead in leisure has advised that following a meeting with the Cricket County board it has been established that there is not currently a need that the council can evidence for cricket.

NNC strategic lead in leisure have reviewed the KKP playing pitch strategy for East Northants as the NNC Playing Pitch Strategy is under development and have referred to its findings that football pitches in the East Northants locality are generally of a poor standard that can be improved by investment to improve drainage and maintenance to support local clubs who use them. There has been limited investment in these pitches since this report was written.

With the County Football association, NNC strategic lead in leisure have identified 5 football sites around Irthlingborough:

1. Central recreation ground – Irthlingborough
2. Saffron Road Recreation ground
3. Higham Town FC
4. Finedon Volta Juniors – Huxlow Academy
5. Stanwick Recreation Ground – Stanwick Rovers FC

NNC strategic lead in leisure proposes that each of these sites would receive a contribution of S106 to be match funding for an application to the Football Foundation grass pitch maintenance fund to undertake required works to improve these sites.

The playing pitch contrition of **£77,160** should be used towards the expansion and /or improvement of playing fields at the Irthlingborough Central Recreation Ground, Saffron Road Recreation Ground, Higham Town FC, Finedon Volta Juniors at Huxlow Academy and/or Stanwick Recreation Ground.

NNC strategic lead in leisure seeks an off-site sports hall off site contribution of **£33,239** towards a suitable project at Pemberton Leisure Centre – Rushden.

NNC strategic lead in leisure seeks an off-site swimming pool off site contribution of **£36,825** towards a suitable project at Splash Pool, Rushden.

A total off-site sports contribution off **£147,224** is sought towards indoor and outdoor sports facilities. As viability is an issue NNC strategic lead in leisure has recommend that any reduced financial contribution be used towards the expansion and /or improvement of playing fields at the Irthlingborough Central Recreation Ground, Saffron Road Recreation Ground, Higham Town FC, Finedon Volta Juniors at Huxlow Academy and/or Stanwick Recreation Ground.

NNC planning policy officer advised that there is no existing allotment provision within the catchment area of the site there is open space of this typology proposed within the wider Stanton Cross SUE which would be within 720 metres. A financial contribution of **£4,104.75** could be provided towards enhancing this site to negate the impacts of these proposed additional dwellings. Rather than on-site provision.

The need for on-site play equipment has not been identified however, a locally equipped area of play (LEAP) and neighbourhood rear of play (NEAP) has been proposed as part of reserved matters consent reference NW/23/00045/REM for Ise Valley Public Open Space which lies to the northeast of the application site and would be within walking distance of the site. A LEAP and NEAP are proposed as part of reserved matters application reference NW/23/00044/REM for Ridge Park public open space. This application is still pending consideration.

Monitoring Planning Obligations

7.22.24 Local planning authorities can charge a monitoring fee through section 106 planning obligations, to cover the cost of monitoring and reporting on delivery of that section 106 obligation. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation. A monitoring fee will be included within any S106 agreement for officer to monitor each obligation set out within any agreement.

Viability

7.22.25 The applicant submitted a financial viability statement prepared by CBRE dated September 2022 which has been reviewed by NNC appointed viability assessor who has advised that 'on the basis that many of the applicant's viability inputs are reasonable, although some of the inputs are not agreed with, it is agreed overall that the scheme on a policy compliant basis is unviable and unable to deliver 20% affordable housing and the full S106 contributions'.

7.22.26 NNC appointed independent viability assessor completed a viability assessment review in June 2023 and considered that the development's viability was being impacted by several factors including the proposed density, recent cost inflation, the current housing market and very significant abnormal costs which are justified in their

inclusion in the technical reports that accompany the planning application. An updated

7.22.27 NNC appointed independent viability assessor in an updated planning viability review update dated 08.03.2024 recommends that given the passage of time since the original assessment was completed in June 2023, and with the recent and likely ongoing improvement in the housing market since late 2023, the original June 2023 NNC report's recommendations regarding a future viability review mechanism would be strongly recommended to be secured through a planning obligation in a S106 agreement. This would help protect the Council's position and would capture any improvements over time by way of additional S106 or off-site affordable housing contributions and prevent land banking.

7.22.28 NNC appointed independent viability assessor in a planning viability assessment update dated 08.03.2024 considers that the proposed scheme could support one of the three options set out below. Members of the area planning committee need to determine the council's priorities and the preferred option as part of any decision on this application.

Option A

7.22.29 Four one-bedroom affordable rented units + SPA Gravel Pit Restoration payment as currently indexed at £21,817.20 and a sum of circa £131,250 towards off site credits for biodiversity net gain.

Option B

7.22.30 To pro rata split the contribution between relevant parties as per the table below giving a viable section 106 contribution of £365,744.64 after the full SPA Gravel Pit Restoration payment of £21,817.20 . Plus, a sum of circa £131,250 towards off site credits for biodiversity net gain.

Consultee	Request	Allowance Viable	
	£873,289.00	£387,559.00	
SPA Gravel Pit Restoration	£19,345.00	£ 21,817.20	100%
Sub Total	£853,944.00	£365,741.80	42.83%
Education	£568,646.00	£243,551.08	42.83%
Libraries	£13,871.00	£ 5,940.95	42.83%
Allotments	£4,105.00	£1,758.17	42.83%
Off-site sports	£147,224.00	£63,056.04	42.83%
Off-site amenity / POS	£7,833.00	£3,354.87	42.83%
GP primary healthcare / NHS	£112,266.00	£48,083.53	42.83%
Total	£853,945.00	£365,744.64	

Option C

7.22.31 If two social rented 2x1 bed affordable dwellings were provided with the following S106 contributions.

S106 Contributions	Request	Social Rent	%
Affordable Housing		2 x 1 bed	
Gravel Pit Restoration	£19,345.00	£ 21,817.20	112.78%
Education	£568,646.00	£51,526	9.08%
Libraries	£13,871.00	£ 1,259	9.08%
Allotments	£4,105.00	£373	9.08%
Off-site sports	£147,224.00	£13,366	9.08%
Off-site amenity / POS	£7,833.00	£711	9.08%
GP primary healthcare / NHS	£112,266.00	£10,192	9.08%
Total	£853,945.00	99,344	11.38
	100%	11.38%	

In this option the developer would also be liable still for the obligation to pay for biodiversity net gain credits to enable a net gain off the site. (circa £131,250).

Agreed Heads of Terms

7.22.32 If the area planning committee resolves to approve the proposal, this will be subject to the completion of an agreement by way of a section 106 securing appropriate planning obligations to mitigate the impacts of the development.

7.23 Conditions

7.23.1 The revised NPPF at paragraph 56 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG re-iterates this advice.

7.23.2 It is considered that the recommended heads of terms and the conditions meet the tests set out in the CIL, revised NPPF and the PPG.

8. Other Matters

8.1.1 **Lighting** – Commission for Darker Skies (CFDS) advises that ‘whilst there appears to be limited information regarding exterior and street lighting, CFDS assumes that there will be street lighting and that this will be adopted by NNC highways PFI in due course. CFDS does not consider the street lighting, as designed and adopted by the NNC highways Private Finance Initiative, to be detrimental to the night sky.

8.1.2 CFDS hopes that privately maintained street lighting is avoided as this becomes a maintenance liability. Private street lighting is becoming a common occurrence on developments. Frequently there appears to be minimal provision for future maintenance and, with that lack of provision, suitable maintenance of a lighting asset is lost rendering this asset a liability’.

8.1.3 Conditions should be imposed requiring details of street lighting and private lighting for private driveways.

8.2 **Waste Management Facilities Strategy**

- 8.2.1 The amended layout has been designed to accommodate the local authority refuse collection requirements. Drawing number JIG015-106 Rev C (Refuse and Recycling) shows refuse /recycling storage and bin collection points for the whole development.
- 8.2.2 The houses would be provided with refuse containers 3 x 240 litre bins to meet the local authority refuse collection requirements and each dwelling has been provided with a designated bin storage area in each rear garden. Residents of houses adjacent to the highway would leave their wheeled bins adjacent to the public footway for collection on the appropriate day.
- 8.2.3 Residents of houses accessed from private driveways without turning provision would place their bins at a dedicated collection points adjacent to the adoptable highway on the appropriate day. These are identified on the refuse and recycling plan and would be approved as part of this application. An area of slabbing or block paving is shown on the layout for the collection areas. The amended refuse and recycling scheme shown on drawing JIG015-106 Rev C includes 3 new waste storage areas to the front of plots, 7, 19 and 52, to give residents the opportunity to store their wheelie bins within an acceptable drag distance to the adoptable highway. These are likely to be timber enclosures (not roofed), using hit and miss fencing. The proposed refuse/recycling storage areas would all sit adjacent to proposed public open space and would be designed into the detailed landscape plans for these areas, to ensure they are sufficiently screened.
- 8.2.4 NNC waste team expressed concerns about the originally submitted waste strategy plan for the site which showed an area of contrasting road surface serving plots 1 to 11 and 22 to 25 which may not have been suitable for use by refuse vehicles. NNC waste team requested confirmation that these sections of road were to be built to adoptable standards and for a refuse swept path analysis plan to be provided. Amended drawing number 19001-SCGF-5-SK002 Rev A (Grange Farm Refuse Plan) confirms that the block paved roadway serving plots 1 to 11 and 22 to 25 would be constructed to an adoptable standard and demonstrates that refuse vehicles would be able to manoeuvre satisfactorily in the turning heads and enter and leave the streets in a forward direction.
- 8.2.5 NNC highway engineer acknowledge that the roadway giving access to plots 1 to 11 and 22 – 25 at Parcel 19C, Stanton Cross would consist of a tertiary road which is to be constructed to an adoptable standard and offered for adoption as highway maintainable at the public expense. NNC highway engineer has confirmed that the amended refuse and recycling plan and refuse tracking plans JIG015-106 Rev C (Refuse and Recycling); 19001-SCGF-5-SK002 Rev A (Grange Farm Refuse Tracking Plan) would appear to be satisfactory, and no objection would be raised to the proposals on highway safety or capacity grounds.
- 8.2.6 NNC waste team have reviewed the content shown on drawing number JIG015-106 Rev C (Refuse and Recycling) and confirmed that the no longer have any concerns about the proposed layout in relation to waste and recycling collection points and storage of the receptables on plot.

- 8.3 **Equality Implications**– The scheme could include the provision of 4 affordable housing units consisting of 4 social rent units if this option is chosen. Or the provision of 2 affordable housing units consisting of 2 social rent units if this option is chosen. The scheme would include the provision of 56 category M4(2) dwellings described as “accessible and adaptable dwellings” in the Building Regulations and 4 category M4 (3) dwellings described as “wheelchair accessible” in the building regulations are proposed; and the provision of two bungalows. It should also be noted that all dwellings would meet the national space standards.
- 8.4 **Health Impact Assessment** – Paragraph 92 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable support healthy lifestyles for example, through the provision of safe and accessible green infrastructure, sport facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds. In addition, a contribution towards health care services would be provided if options 2 or 3 are chosen.

9. CONCLUSION/PLANNING BALANCE

- 9.1 The proposals seek the construction of 60 new dwellings on a site that is within the boundary of the allocated Wellingborough East Sustainable Urban Extension (SUE) (Stanton Cross). This specific parcel of land is excluded from the approved outline planning permissions for the wider Wellingborough East SUE. The proposed development of 60 dwellings would make a positive contribution towards meeting the housing targets for the growth town of Wellingborough and North Northamptonshire set out in policies 28 and 29 of the JCS.
- 9.2 The proposed amended layout, landscaping, floor and elevational plans are now considered to have satisfactorily taken on board the advice of the urban design consultant and produced a development that will be in keeping with wider Stanton Cross SUE and the character and appearance of the immediate and wider area. The proposed development would comply with policy 8 (d) (i) & (ii) of the JCS and policy site 1 (B) of PBW.
- 9.3 The removal of existing trees on the site would be compensated by new tree planting within the three areas of public open spaces to be provided and maintained through a private management company, and planting in the front and rear gardens of each individual dwelling. The proposed new landscaping would include the provision of native species with biodiversity benefits to enhance the green character of the development and improve its ecological value. The landscape masterplan proposal has taken into account the landscaping strategy for the wider Stanton Cross SUE and puts forward a sympathetic proposed landscape principals’ scheme that will enhance the proposed residential scheme as a whole and address the residents’ concern about additional landscaping to protect the privacy of existing residents on the area of public open space adjacent to Lamport Way. The proposed development would be in accordance with policy 3 (a), (b) and (e) of the JCS and policy site 1 (G) of PBW.
- 9.4 The sustainability report which accompanied the application provide details of proposed water specifications which should achieve the targets set out under policy 9 to minimise internal and external water use. The applicant has considered the orientation of dwellings in the site plan to optimise solar gains in as many of the homes

as the site and other design restraints allow. All the proposed dwellings would exceed the minimum current carbon saving of 31% over part L of the 2021 building regulations and achieve an EPC 'A' Rating. The energy saving enhancements specified in the assessment will be complimented through the provision to each dwelling of air source heat pumps and photo voltaic solar panels appropriately located on the external roof of each dwelling. All dwellings will be provided with Electric Vehicle charging points. The applicant has agreed to the imposition of condition requiring the submission of a resource efficiency plan setting out measures to minimise materials needed, minimise waste of materials and maximise reuse/recycling of remaining material waste to address this point. The proposed development would comply with policy 9 of the JCS.

- 9.5 The proposed development, particularly the boundary treatments, are considered by NNC senior built heritage consultant to be appropriate and would preserve the importance of the locally important building at Irthlingborough Grange Farm. The proposed development would provide a design response which would be sympathetic and preserve the character and setting of Irthlingborough Grange. The proposed development would comply with policy 2 (a) and (d) of the JCS.
- 9.6 The site lies within flood zone 1 and the accompanying flood risk assessment demonstrates that the site will not be at any significant risk of flooding. The proposed development would not exacerbate the risk of flooding to third parties either upstream or downstream from the site. The proposed surface water drainage strategy for the proposed development, is split into two catchments or networks, and is a reason why the development will be phased is acceptable. The proposed development would comply with policy 5 of the JCS.
- 9.7 Due to an existing foul pumping station which lies adjacent to the application site have limited capacity the development includes a foul pumping station with associated telemetry to ensure controlled storage and discharge rate. The proposed foul pumping station would be located at the southern end of the SUDs Pond and to the east plot 2. A spacing and separation distance of 18 metres would be retained between the western elevation of the pumping station and the eastern flank elevation of nearest dwelling (plot 2) which would comply with Anglian Water guidelines to protect residential amenity from noise produced by the pumping station. The proposed development would comply with policy 10 (c) and (d) and 8 (e) (i) of the JCS.
- 9.8 The proposed development would provide acceptable amenity and privacy for both existing and future residents and would comply with policy 8 (e) (i) of the JCS and policy Site 1 (M) of PBW.
- 9.9 The TS concluded that 'the surrounding highway network provides sufficient capacity to accommodate the additional traffic expected to be generated from the site during the peak hours'. NNC highway engineer has raised no objections to the proposed development in relation to highway capacity and safety. The proposed access from Lamport Way and principal and secondary highways and footways to serve the development are considered by NNC highway engineer to be acceptable. The proposed development would deliver additional cycleway/footway links to the east, southeast and southwest of the site and provide permeable connections to the wider Stanton Cross SUE. The proposed allocated and unallocated parking would comply

with the parking standards SPD. The development the proposed development would comply with policy 8 (b) (i) and (ii) of the JCS and policy site 1 (H) of PBW.

- 9.10 NNC principal projects officer (ecology) was satisfied with the recommendations and mitigation in relation to protected species subject to the details of faunal enhancements being conditioned. The applicant has agreed to 1% BNG which would be likely to be mitigated either on or off site through a condition. The applicant has agreed to make a SPA mitigation payment of £21,817.20 (60 x £363.62) under the section 106 agreement and the development meets the criteria set out in the SPA SPD for this approach to be taken. Subject to the outcome of the current dialogue with the applicant in relation to BNG the proposed development would be likely to comply with policy 4 of the JCS.
- 9.11 The proposed development would provide a variety of unit sizes with the majority in the 1 to 3-bedroom size. The proposed development would comply with policy 30 (a) (i) & (ii) of the JCS and policy Site 1 (C) PBW.
- 9.12 All the proposed dwelling would comply with policy 30 (b) of the JCS and comply with or exceed the minimum gross internal areas and built in storage set out in nationally described space standards. The single and double bedrooms would comply with the minimum width and floor areas for single and double bedrooms.
- 9.13 All the new dwellings will comply with category 2 of Part M of the Building Regulations as a minimum. The bungalows on plots 26 and 27 and the ground floor maisonettes on plots 36 and 38, 4 in total, would comply with category 3 (wheelchair accessible) of Part M of the Building Regulations. The proposed development would comply with policy 30 (c) of the JCS.
- 9.14 The proposed scheme includes the provision of 2 two bed bungalows on plots 26 and 27 and two 1 bed ground floor maisonettes which have been designed to category 3 accessibility standards. The proposed development would provide a proportion of dwellings to meet the needs of older people and would therefore comply with policy H3 of PBW.
- 9.15 Policy 30 (d) of the JCS seeks 20 % of dwellings in SUE's to be affordable. This requirement would necessitate 12 dwellings of the proposed 60 dwellings to be affordable and would render the proposals unviable. A viability assessment has been independently assessed which verifies that the proposed development cannot facilitate the full affordable housing requirement set out under policy 30 (d) of the JCS and as such either 4 affordable rented units are to be provided or no affordable dwellings.
- 9.16 Policy H5 of the PBW similarly requires sites of over 50 dwellings to provide 5% of the units for custom or self-build housebuilding. The provision will take account of evidence of local need the nature of the development proposed, and the viability of the development. NNC self-build register shows a demonstrable need. 5% on this scheme would represent 3 dwellings. The applicant's financial viability statement by CBRE dated September 2022 confirms that no self-build plots could be delivered on this site. The proposed development cannot comply with policy H5 of PBW and deliver 3 self-build plots.

- 9.17 NNC appointed viability assessor has advised that the proposed scheme is not viable and able to provide both the full level policy level of 20% affordable housing, 3 self-build plots and the sought S106 contributions to mitigate harm to community facilities under policy 10 (a), (c) and (d) and policy site 1 (A) of PBW.
- 9.18 NNC appointed viability assessor recommended the scheme could sustain a reduced level of S106 contributions at circa £387,559 including the SPA mitigation payment in full and a payment of circa £131 250 towards credits for off-site biodiversity net gain; or four affordable rented units (4 x 1-bedroom maisonettes) together with the full gravel pits SPA contribution currently £21,817 and a payment of circa £131 250 towards credits for off-site biodiversity net gain. Or a third option would be the provision of two affordable social rented dwellings and £99,344 in S06 contributions including the SPA mitigation payment of £21,817 in full and £21,817. NNC appointed independent viability assessor concurs with these findings that no self-build plots could be delivered as part of this development. NNC appointed independent viability consultant recommends a viability review mechanism to be included as a planning obligation in any S106 agreement. This would help protect the Council's position and would capture any improvements over time by way of additional S106 or off-site affordable housing contributions.
- 9.19 NNC appointed viability assessor has identified that the proposed development cannot provide the full affordable housing provision and S106 planning obligations in accordance with policy 30 (d) of the JCS and policies 7 (a), 10 (a) and (c) of the JCS and policies GI4, GI5 and site 1 (A) of PBW. A decision is required to be made by the area planning committee to determine which option should be agreed to in light of contributions available to mitigate any harm to either the provision of on-site affordable housing or the provision of community facilities identified in the viability assessment.
- 9.20 Planning permission be **GRANTED** subject the completion of an appropriate S106 legal agreement by **30 June 2024** or any further extension of time agreed in writing between the applicant and the Local Planning Authority, and subject to the conditions set out at the end of the report; and
- 9.21 Should the S106 legal agreement not be completed by **30 June 2024**, or any further extension of time agreed in writing between the applicant and the Local Planning Authority, that it be delegated to the Executive Director for Place and Economy to **REFUSE** planning permission.

10. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawings:

Location Plan JIG015-010 received 28 December 2022
JIG 15 200 Rev A (P4B (D) -2029 Elevations) received 19 December 2023.
JIG 15 201 Rev A (P4B (D) -2029 Floor Plans) received 19 December 2023.
JIG 15 202 Rev A (P4B (D) -1778 Elevations) received 19 December 2023.
JIG 15 203 Rev A (P4B (D) -1778 Floor Plans) received 19 December 2023.
JIG 15 204 Rev A (P4B (D) -1635 Elevations) received 19 December 2023.
JIG 15 205 Rev A (P4B (D) -1635 Floor Plans) received 19 December 2023.
JIG 15 206 Rev A (P4B (D) -1437 Elevations) received 19 December 2023.
JIG 15 207 Rev A (P4B (D) -1437 floor plans) received 19 December 2023.
JIG 15 208 Rev A (P3B (D) -1284 floor plans and elevations) received 19 December 2023.
JIG 15 209 Rev A (P3B (D) -1258 floor plans and elevations) received 19 December 2023.
JIG 15 210 Rev A (P3B (D) -1258W floor plans and elevations) received 19 December 2023.
JIG 15 211 Rev A (P3B (D) -1437 floor plans and elevations) received 19 December 2023.
JIG 15 212 Rev A (P3B (D) -1085 floor plans and elevations) received 19 December 2023.
JIG 15 213 Rev A (P3B (S) -1085 floor plans and elevations) received 19 December 2023.
JIG 15 217 Rev A (P2B (S) - 862 floor plans and elevations) received 19 December 2023.
JIG 15 218 (A3B (S) - 1010 floor plans and elevations) received 19 December 2023
JIG 15 219 (A2(B) -791 floor plans and elevations) received 19 December 2023.
JIG 15 220 Rev A (A1B (S) -540/627 Grange Character Area Maisonette floor plans and elevations) received 19 December 2023.
JIG 15 221 Rev A (A1B (S) -540/627 Maisonette floor plans and elevations) received 19 December 2023.
JIG 15 222 (P3B (D) -1230 Site Frontage Character Area floor plans and elevations) received 19 December 2023.
JIG 15 223 (P4B (D) -1635 Site Frontage Character Area floor plans and elevations) received 19 December 2023.
JIG 15 224 (P3B (D) -1230 Grange Character floor plans and elevations) received 19 December 2023.
JIG 15 226 (P4B (D) -1637 Site Frontage floor plans and elevations) received 19 December 2023.
JIG015-100 Rev D Planning Layout received 12 February 2024.
JIG015-100 Rev D (Planning Layout including phasing) received 12 February 2024.
JIG015-102B Storey Heights received 19 December 2023.
JIG015-103 Rev B (Parking Dispersion) received 19 December 2023.
JIG015-104B Materials received 19 December 2023.
JIG015-105 Rev C (Boundary Treatments) received 12 February 2024.
JIG015-106 Rev C (Refuse and Recycling) received 12 February 2024.
19001-SCGF-5-SK002 Rev A (Grange Farm Refuse Tracking Plan) received 12 February 2024.
GHL/IGW Cycle Storage Details received on 08 February 2024.
GHL/IGW/Boundary Treatment Details received on 08 February 2024.
GL1950 01C Landscape Masterplan received 19 December 2023.
JSL4522_700 Tree Constraints Plan 1 received 28 December 2022.
JSL4522_701 Tree Constraints Plan 2 received 28 December 2022.
JSL4522_702 Tree Constraints Plan 3 received 28 December 2022.

Letter from Land Director at Grace Homes dated 30 January 2024 re: the allowable catchment for the northern ditch and the attenuation pond (3 pages) received 30 January 2024.

Drawing number 19001 PDS Design Model SUDs received 30 January 2024.

19272_SW NETWORK 1 NORTH Drainage calculations dated 04.01.2024 by Woods Hardwick (74 pages) received 16 January 2024.

19272_SW NETWORK 2 SOUTH Drainage calculations dated 04.01.2024 by Woods Hardwick (98 pages) received 16 January 2024.

Letter from Woods Hardwick Infrastructure dated 5 January 2024 reference 19001-A entitled 'Drainage Strategy Statement' received 16 January 2024.

Drawing number 19001-SCGF-5-SK001 Rev I (Stanton Cross Wellingborough, Grange Farm Levels and Drainage Strategy) dated on 23rd October 2023, produced by Woods Hardwick received 26 October 2023.

Drawing Number 35872CVLS-01 (Topographical Survey Sheet 1 of 1) dated on 28 June 2022, produced by Survey Solutions received 28 December 2022.

Drawing Number 17411/WEAST/5/1054 Rev D (Stanton Cross, Surface Water Drainage Masterplan dated on 15 November 2021, produced by Woods Hardwick received 16.02.2024.

Stanton Cross Flood Risk Assessment Update Version 2, Report Reference 17411/FRA-U, dated on 15th November 2021, produced by Woods Hardwick (257 pages) received 16 January 2024.

Design and Access Statement Part 1 19 December 2023.

Design and Access Statement Part 2 19 December 2023.

Planning Statement received 28 December 2022.

Ecology Appraisal by Allied Ecology for Irthlingborough Grange, Wellingborough NN8 1RG dated November 2022 (reference 22021 ecological appraisal VF) received 19 December 2023.

Biodiversity Net Gain Assessment updated February 2024 (Version 2) received 16 February 2024.

Heritage Statement received 28 December 2022.

Transport Statement received 28 December 2022.

Sustainability Report received 21 February 2023.

Email below from land director Grace Homes dated 29.02.2024 in relation to data confirming the DER and TER for plots 54 and 60 received 29.02.2024.

Arboricultural Impact Assessment (reference JSL4522_770 Version 3 dated 19.02.2024) received 19.02.2024.

Reason: To define the permission for the avoidance of doubt and in accordance with best practice guidance set out in paragraph 022 of the National Planning Practice Guidance.

3. No drainage works shall commence in any phase or sub-phase until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas are to be constructed in any phase or sub-phase until the works have been carried out in accordance with the surface water strategy for that phase or sub-phase so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

4. Prior to the construction above damp-proof course in any phase or sub-phase, a scheme for on-site foul water drainage works for each phase or sub-phase, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the local planning authority. The approved-on site foul water drainage works shall be implemented prior to the first occupation of any dwelling in that phase or sub-phase.

Reason To prevent environmental and amenity problems arising from flooding.

5. If, during development, contamination not previously identified is found to be present at the site in any phase or sub-phase then no further development shall be carried out in that phase or sub-phase until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy for each phase or sub-phase shall be implemented as approved.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with policy 6 of the North Northamptonshire Joint Core Strategy and paragraphs 180 (e) and (f) of the revised National Planning Policy Framework.

6. No development shall take place until a programme of archaeological building recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. This written scheme shall include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) fieldwork in accordance with the agreed written scheme of investigation.

(ii) post-fieldwork analysis and documentary research.

(iii) completion of post-fieldwork analysis, preparation of site archive ready for deposition at a store (Northamptonshire Archaeological Record Centre) approved by the local planning authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, and the results made available, in accordance with policy 2 (d) of the North Northamptonshire Joint Core Strategy and paragraph 213 of the National Planning Policy Framework.

7. No development shall take place in any phase or sub-phase until an assessment of ground conditions to determine the likelihood of any ground, groundwater or gas contamination of the site has been carried out in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination'. The results of this survey detailing the nature and extent of any contamination in any phase or sub-phase, together with a strategy for any remedial action in any phase or sub-phase deemed necessary to bring the site to a condition suitable for its intended use, shall be submitted to and approved by the local planning authority before construction works commence in that phase or sub-phase. Any remedial works shall

be carried out in accordance with the approved strategy for that phase or sub-phase and validated by submission of an appropriate verification report prior to first occupation of the development in that phase or sub-phase.

Reason: To ensure that the site is fit for its proposed purposes and any potential risks to human health, property, and the natural and historical environment, are appropriately investigated and minimised in accordance with policy 6 of the North Northamptonshire Joint Core Strategy.

8. Prior to the first occupation of any dwelling in a phase or sub phase details of a lighting scheme for the lighting of the shared private driveways shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the lux levels of each light and a plan showing the position, type and extent of the lighting over the area to be lit. The approved scheme shall be implemented prior to the first occupation of the associated dwelling in a phase or sub phase and shall be retained in that form thereafter or such other details that shall have been submitted to and approved in writing by the local planning authority and thereafter retained in that form.

Reason: To ensure that there is adequate lighting over the associated private driveways and to reduce the fear of crime through the creation of a safe environment and accord with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

9. No occupation shall take place until a Verification Report for the installed surface water drainage system for each phase or sub-phase based on the approved Flood Risk Assessment, stage 1 prepared by Halcrow on July 2002 and ES Supplement 2015: Stanton Cross, Wellingborough has been submitted in writing by a suitably qualified drainage engineer to and approved in writing by the Local Planning Authority. The details 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.
 - e. CCTV confirmation that the system is free from defects, damage and foreign objects.

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

10. No occupation and subsequent use of the development shall take place until a detailed, site-specific drainage maintenance plan for each phase or sub-phase is submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Such maintenance plan should:
 - a. Provide the name of the party responsible, including contact name, address, email address and phone number.
 - b. Include plans showing the locations of features requiring maintenance and how these should be accessed.
 - c. Provide details on how surface water each relevant feature shall be maintained and managed for the lifetime of the development.
 - d. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to

conduct the required routine maintenance.

Reason: To ensure the future maintenance of the sustainable drainage structures.

11. No development shall take place above slab level in in each phase or sub-phase until details of a hard and soft landscape scheme for the dwellings for each phase or sub-phase have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, supply sizes and proposed densities; and a tree planting details drawing. The planting plans shall include existing trees to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels; visibility splays; streetlights; proposed and existing functional services above and below ground. All hard and soft landscape works shall be carried out in accordance with the approved details for each phase or sub-phase and prior to the first occupation of any associated dwelling or the completion of the development in that phase or sub-phase whichever is the sooner, or in accordance with a programme agreed in writing with the local planning authority. If within a period of two years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity. Thereafter the hard and soft landscape works shall be maintained and retained.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with policy 3 (a), (b) and (e) of the North Northamptonshire Joint Core Strategy.

12. The dwellings hereby approved shall incorporate measures to limit water use to no more than 105 litres per person per day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

13. All existing trees, woodlands and hedgerows to be retained shown on drawing numbers 711 Rev B (tree removal and protection plan) and 712 Rev B (tree removal and protection plan) shall be fully protected in accordance with the latest British Standards (currently BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations') by the time construction begins. All protective measures must be in place prior to the commencement of any building operations in that phase or sub-phase (including any structural alterations, construction, rebuilding, demolition and site clearance, removal of any trees or hedgerows, engineering operations, groundworks, vehicle movements or any other operations normally undertaken by a person carrying on a business as a builder). The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, waterlogging, changes in level, building materials and all other operations. All protective measures shall be maintained in place and in good order until all work is complete, and all equipment, machinery and surplus materials have been removed from the site. Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be

installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with policy 3 (b) and (e) of the North Northamptonshire Joint Core Strategy.

14. The existing trees and/or hedgerows shown to be retained on drawing numbers 711 Rev B (tree removal and protection plan) and 712 Rev B (tree removal and protection plan) shall be protected in accordance with BS 5837:2012 and shall not be damaged or destroyed, uprooted, felled, lopped or topped during the construction period of the development without the prior written consent of the local planning authority.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with policy 3 (b) and (e) of the North Northamptonshire Joint Core Strategy.

15. No construction works shall be undertaken above slab level in any phase or sub-phase until details of faunal enhancements including bat boxes, bird boxes, bee bricks and hedgehog domes either integral to or mounted to the buildings or mounted on suitable trees has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the any associated building or plot in that phase or sub-phase.

Reason: To maintain and enhance local biodiversity and ecology in accordance policy 4 of the North Northamptonshire Joint Core Strategy

16. No development shall take place on any part of the site until a written 30-year Biodiversity Gain Plan (BGP) for 3.75 biodiversity units has been submitted to and approved in writing by the local planning authority. The approved BGP shall be strictly adhered to and implemented in full for its duration and shall contain the following;
- a) Description and evaluation of the features to be managed.
 - b) Ecological trends and constraints on site that may influence management.
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans.
 - d) Description of the management operations necessary to achieving aims and objectives'.
 - e) Prescriptions for management actions.
 - f) Preparation of a works schedule, including annual works schedule.
 - g) Details of the monitoring needed to measure the effectiveness of management.
 - h) Details of the timetable for each element of the monitoring programme; and
 - i) Details of the persons responsible for the implementation and monitoring.
 - j) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets.
 - k) Reporting and monitoring on year 1, 2, 5, 10, 20 and 30, with biodiversity reconciliation calculations at each stage.

Reason: To maintain and enhance local biodiversity and ensure the impacts of the development on biodiversity are sufficiently mitigated in order to comply with policy 4

(a) (ii) and (iii) of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. No dwelling shall be occupied in any phase or sub-phase until the associated refuse store, and or facilities allocated for storing of recyclable materials, as shown drawing number JIG015-106 Rev C (Refuse and Recycling) has been completed in accordance with the approved plans or such other details that shall have been submitted to and approved in writing by the local planning authority and thereafter retained in that form.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

18. No building shall be occupied in in any phase or sub-phase until the associated parking area shown on drawing number JIG015-103 Rev B Parking Dispersion for that building has been constructed, surfaced and permanently marked out. The parking areas so provided shall permanently maintained and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

19. Prior to the occupation of the relevant dwelling in any phase or sub-phase the boundary treatment details shown drawing number JIG015-105 Rev C (Boundary Treatments) shall have been implemented as approved or in accordance with such alternative details which shall have been submitted to and approved in writing by the local planning authority. The approved boundary treatments shall thereafter be retained.

Reason: To provide adequate privacy, to protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

20. Prior to the first occupation in any phase or sub-phase details of full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details for that phase or sub-phase, unless an alternative timetable is otherwise agreed in writing with the local planning authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with policies 8 (b) (i) and 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

21. No dwelling or dwellings shall be occupied until the estate street affording access to those dwelling(s) has been completed to binder course.

Reasons: To ensure that the streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety in accordance with policies 8 (b) (i) and 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

22. No dwellings shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase or sub-phase development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details for that phase or sub-phase.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

23. No dwelling shall be occupied, or the use commenced in any phase or sub-phase until the cycle parking provision shown on drawing numbers drawing numbers JIG015-100 Rev D

(Planning Layout) and GH/IGW Cycle Storage have been completed to that associated dwelling. Thereafter, the cycle parking provision shall be kept free of obstruction and shall be available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with policy 8 (b) (i) of the North Northamptonshire Joint Core Strategy.

24. No development above slab level shall take place until samples of the external materials to be used in the construction of the dwellings in any phase or sub-phase have been submitted and approved in writing by the local planning authority. The development of the dwellings in each phase or sub-phase shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from the appearance of the locality in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

25. All dwellings hereby approved in any phase or sub phase shall be built to meet the requirements of the national Accessibility Standards in category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015). On plots 36 and 38 in phase 1 and plots 26 and 27 in phase 2 the dwellings hereby approved shall be built to meet the requirements of national Accessibility Standards in Category 3 (wheelchair use) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

Reason: To ensure that the development complies with the national accessibility standards and policy 30 (c) of the North Northamptonshire Joint Core Strategy.

26. No development shall take place until a Construction Traffic Management Plan (CTMP) for each phase or sub-phase has been submitted to, and approved in writing by, the local planning authority. The approved CTMP for each phase or sub-phase shall be adhered to throughout the construction period. The CTMP shall provide for:
- access arrangements and arrangements for the parking of vehicles of site

operatives and visitors.

- full details of a Routing Agreement; including a routing map to be given to all construction traffic drivers.
- the days of the week and hours of the day for the site to operate- loading and unloading of plant and materials.
- storage of plant and materials used in constructing the development
- wheel washing facilities and arrangements.
- arrangements for dust management including sheeting of vehicles;

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development accordance with policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

27. No development shall take place until a Demolition and Construction Environmental Management Plan (CEMP) for each phase or sub-phase has been submitted to and approved in writing by the local planning authority. The CEMP shall include site procedures to be adopted during the course of construction including:
- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
 - Arrangements for liaison with the Councils Environmental Protection Team.
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the local planning authority, shall be carried out only between the following hours 08:00 hours and 18:00 hours on Mondays to Fridays and 08:00 and 13:00 hours on Saturdays and; at no time on Sundays and bank/public holidays.
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites, shall be used to minimise noise disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours.
 - Control measures for dust and other air-borne pollutants.
 - Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The approved construction environmental management plan for each phase or sub-phase shall be adhered to throughout the construction process.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development accordance with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy.

28. Prior to the construction of any dwelling above slab level in any phase or sub-phase a scheme for the provision of charging points for electric vehicles shall be submitted to and approved in writing by the local planning authority. The scheme shall identify the dwellings that will benefit from a charging point for electric vehicles, the location of any charging point for electric vehicles and the type of charging point to be installed. The approved scheme for each phase or sub-phase shall be implemented prior to the first occupation of each dwelling to which the charging point shall relate.

Reason: To negate the effects of the development on local air quality and accord with advice contained within 116 (e) of the National Planning Policy Framework.

29. No development shall take place above slab level in each phase or sub-phase until details of a hard and soft landscape scheme for the areas of public open space in each phase or sub-phase have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, supply sizes and proposed densities; and a tree planting details drawing. The planting plans shall include existing trees to be retained and/or removed accurately shown with root protection areas; streetlights; elevational and floor plan details of the proposed communal bin store enclosures; proposed and existing functional services above and below ground. All hard and soft landscape works shall be carried out in accordance with the approved details and prior to the completion of the development in each phase or sub-phase whichever is the sooner, or in accordance with a programme agreed in writing with the local planning authority. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity. Thereafter the hard and soft landscape works shall be maintained and retained.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with policy 3 (a), (b) and (e) of the North Northamptonshire Joint Core Strategy.

30. Before any dwelling is first occupied in any phase or sub-phase a landscape, management plan shall be submitted to and approved, in writing, by the local planning authority. The landscape management plan should include:
- (a) drawings showing the extent of the landscape management plan i.e. only showing the areas to which the landscape management plan applies, areas of private ownership should be excluded.
 - (b) (i) Written Specification detailing all operation and procedures for soft landscape areas. inspection, watering, pruning, cutting, mowing,
(ii) clearance and removal of arisings and litter, removal of temporary items (fencing, guards and stakes) and replacement of failed planting. All operations and procedures for hard landscape areas.
(iii) inspection, sweeping, clearing of accumulated vegetative material and litter, maintaining edges, pressure washing and application of chemical
 - (c) all operations and procedures for surface water drainage system; inspection of linear drains and swales, removal of unwanted vegetative material and litter.
 - (d) a maintenance task table which explains the maintenance duties across the site in both chronological and systematic order.

The landscape management plan shall be carried out as approved for each phase or sub-phase.

Reason: To ensure that appropriate arrangements will be made for the management and maintenance of an approved landscape scheme for all communal areas in accordance with policy 3 (e) of North Northamptonshire Joint Core Strategy.

31. No occupation in any phase or sub-phase shall take place until the finished floor levels shown on drawing number 19001-SCGF-5-SK001 Rev I (Stanton Cross Wellingborough, Grange Farm Levels and Drainage Strategy) have been

implemented unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority. Any alternative scheme shall be subsequently implemented before any dwelling in that phase or sub-phase is occupied.

Reason: In the interests of the character and appearance of the area and to comply with policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

32. The development shall be delivered in accordance with the phasing shown on drawing number JIG015-100 Rev D (Planning Layout including phasing) unless an alternative phasing plan is submitted to and agreed in writing by the local planning authority.

Reason: To align with the drainage strategy for the development and to comply with policy 10 (c) and (d) of the North Northamptonshire Joint Core Strategy.

33. Notwithstanding the details shown on drawing number JIG015-100 Rev D (Planning Layout) prior to the commencement of any development in phase 2, details of the proposed pumping station serving phase 2 shall be submitted to and approved in writing by the local planning authority. The submitted details shall include a general arrangement plan, sections, installation elevations including external materials, the height, type and colour of any fencing and gates, hardstandings and route to the final connection. The approved scheme shall be installed and completed prior to the occupation of the first dependant dwelling on the pumping station serving phase 2.

Reason: To ensure that there is adequate foul drainage infrastructure provided to serve phase 2 of the development and to accord with policy 10 (c) and (d) of the North Northamptonshire Joint Core Strategy.

34. Prior to installation, a report specifying the operational noise levels of the pumping station to serve phase 2 of the hereby approved development shall be submitted to and approved in writing by the local planning authority. The report shall include a frequency analysis (including low frequency noise) and any noise and vibration mitigation measures required to implemented in order to protect the amenities of nearby dwellings.

Within three months of completion of the pumping station to serve phase 2, a noise assessment of the operational pumping station shall be undertaken. The report shall assess noise (including low frequency noise) and vibration from the station to ensure that there is no loss of amenity to the nearest residential dwelling. The scheme shall ensure that the low frequency noise emitted from the station is controlled so that it does not give rise to a exceedance of the Low Frequency Criterion Curve for the 10 to 160Hz third octave bands inside residential accommodation as described in Defra's 'Procedure for the assessment of low-frequency noise disturbance' (NANR45, Dec 2011). The pumping station serving phase 2 shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating.

Reason: To protect the residential amenity of the locality in accordance with policy 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

35. No development shall take place above slab level in any phase or sub-phase until a scheme demonstrating compliance with achieving the noise levels outlined in British Standard BS8233:2014 - Guidance on sound insulation and noise reduction for buildings and the Acoustics Ventilation and Overheating - Residential Design Guide (January 2020 Version 1.1. - Association of Noise Consultants & Institute of Acoustics) with regards to the residential units in that phase or sub-phase shall be submitted to and approved in writing by the local planning authority. Once approved the scheme shall be implemented before first occupation of the associated residential units in that phase or sub-phase and thereafter be maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

Reason: In the interest of safeguarding residential amenity in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy

36. No development above slab level shall take place in any phase or sub-phase until a scheme for photovoltaic solar panels to each dwelling house have been submitted to and approved in writing by the local planning authority. The scheme shall include details of the siting photovoltaic solar panels on the roof of each dwelling house or detached garage and the type of photovoltaic solar panels to be installed. The development of any associated dwelling house in any phase or sub phase shall thereafter be carried out in accordance with the approved details.

Reason: To provide on-site renewable energy in accordance with policy 9 of the North Northamptonshire Joint Core Strategy.

37. No development above slab level shall take place in any phase or sub-phase until a scheme for air source heat pumps to each dwelling house have been submitted to and approved in writing by the local planning authority. The scheme shall include details of the siting of the air source heat pumps and the type of air source heat pump to be installed. The development of any associated dwelling house in any phase or sub phase shall thereafter be carried out in accordance with the approved details.

Reason: To provide on-site renewable energy in accordance with policy 9 of the North Northamptonshire Joint Core Strategy.

38. No development shall take place above slab level until samples of the materials to be used in the ground surface areas for each phase and sub-phase within the development hereby permitted have been submitted to and approved in writing by the local planning authority. Each phase or sub-phase of the development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the area and to minimise the effect of development on the area in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

39. Prior to the commencement of any construction works in any phase or sub-phase a resource efficiency plan setting out measures to minimise materials needed, minimise waste of materials and maximise reuse/recycling of remaining material waste shall be submitted to and approved in writing by the Local Planning Authority. The approved resource efficiency plan for each phase and sub-phase shall be implemented throughout the construction process.

Reason: To ensure the development includes sustainable design principles set out in policy 9 (2) (b) of the North Northamptonshire Joint Core Strategy

40. All mitigation and safeguarding measures recommendations set out in the Ecology Appraisal by Allied Ecology for Irthlingborough Grange, Wellingborough NN8 1RG dated November 2022 (reference 22021 ecological appraisal VF) received 19 December 2023; on fauna shall be implemented at the appropriate stage of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with policy 4 (a) (ii) and (iii) of the North Northamptonshire Joint Core Strategy.

41. No demolition of any existing buildings in any phase or sub-phase shall in any circumstances commence unless the local planning authority has been provided with either:
- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
 - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
 - c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider.

Reason: To ensure that no harm is caused to bats in accordance with the Conservation of Habitats and Species Regulations 2017.

42. No development shall take place in any phase or sub-phase until a construction environmental management plan (CEMP: Biodiversity) for that phase or sub-phase has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity for any phase or sub-phase shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure existing biodiversity features are adequately protected during the construction process and to accord with policy 4 of the North Northamptonshire Joint Core Strategy.

43. Before any dwelling is first occupied in any phase or sub-phase a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan for each phase or sub-phase will be implemented in accordance with the approved details.

Reason: To accord with policy 4 of the North Northamptonshire Joint Core Strategy.

44. Prior to the commencement of any construction works in any phase or sub-phase a resource efficiency plan setting out measures to minimise materials needed, minimise waste of materials and maximise reuse/recycling of remaining material waste shall be submitted to and approved in writing by the Local Planning Authority. The approved resource efficiency plan for each phase and sub-phase shall be implemented throughout the construction process.

Reason: To ensure the development includes sustainable design principles set out in policy 9 (2) (b) of the North Northamptonshire Joint Core Strategy

45. Prior the first occupation any associated dwelling in any phase or sub-phase as Built SAP DER and TER outputs demonstrating a 51 % carbon reduction shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development includes sustainable design principles set out in policy 9 (2) (b) of the North Northamptonshire Joint Core Strategy.

Informative/s

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 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 approved development is consistent with the relevant provisions in the framework.

2. Prior to occupation of the newly created premises(s), the street numbering for this development or conversion - residential and commercial, must be agreed with the Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on the outside of the property. Application forms for Street Naming and Numbering are available at <https://www.northnorthants.gov.uk/planning-and-building-control/street-naming-and-numbering>
3. The North Northamptonshire Council encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken. To limit the potential detriment of construction works on residential amenity, it is recommended that all works and ancillary operations which are audible at the site boundary during construction should be carried out only between the following hours: 0800 hours and 1800 hours on Mondays to Fridays and 0800 and 1300 hours on Saturdays and at no time on Sundays and Bank Holidays.
4. All gas fired boilers should meet a minimum standard of 40 mgNO_x/Kwh.
5. The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure) by partnering with a telecommunications provider or providing on site infrastructure to enable the premises to be directly served - this should be gigabit capable and where possible, full fibre connectivity. This supports the government's Gigabit programme and local targets to see 80% full fibre and 90% gigabit coverage by the end of 2028. Developers should approach telecoms providers at the earliest opportunity to agree gigabit-ready infrastructure and connectivity plans. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations.

Efficiencies can be secured if ducting works and other network infrastructure is planned early and carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series Underground Cable Ducts. These documents can be found at: <http://www.standardsforhighways.co.uk/ha/standards/mchw/index.htm>. Streetworks UK Guidelines on the Positioning and Colour Coding of Underground Utilities' Apparatus can be found here National Joint Utilities Group (streetworks.org.uk). Proposals should also be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R. Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach
Developer Portal (openreach.co.uk)
Virgin Media
<http://www.virginmedia.com/lightning/network-expansion/property-developers>
Gigaclear
networkbuildcare@gigaclear.com (rural areas and some market towns)
OFNL (GTC)
<http://www.ofnl.co.uk/developers>
CityFibre
<http://cityfibre.com/property-developers>

Details

of other fibre network providers operating locally can be found here
<http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>. For help and advice on broadband connectivity in North Northamptonshire email the Superfast Northamptonshire team at bigidea.ncc@northnorthants.gov.uk

6. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
7. The foul drainage from this development is in the catchment of Broadholme Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
8. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Anglian Water Development Services Team 0345 606 6087.
9. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
10. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Anglia Water Development Services Team on 0345 606 6087.
11. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact Anglian Water Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should

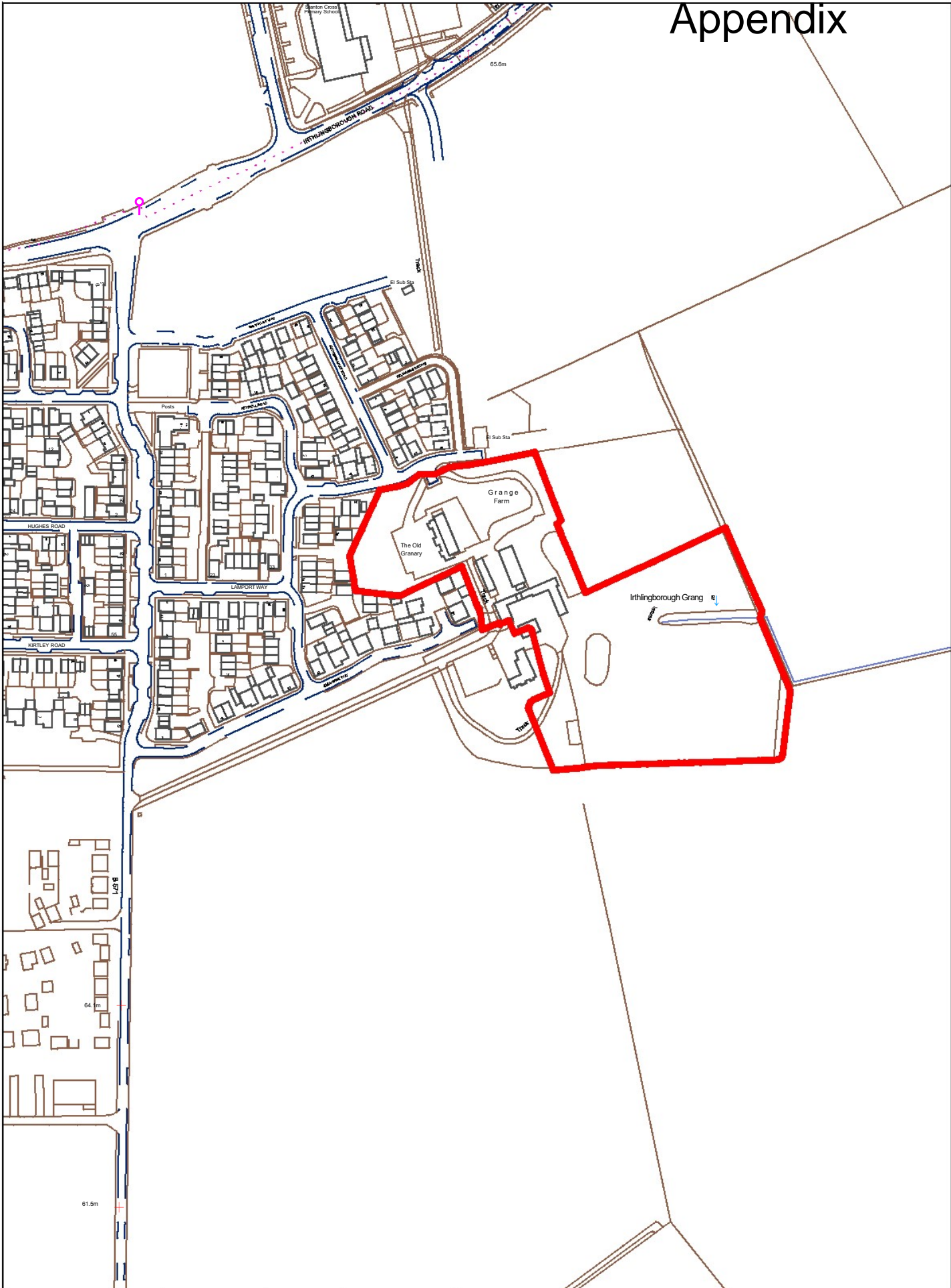
be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

12. Contractors and sub-contractors must have regard to BS 5228-1: 2009 + A1:2014 Code of Practice for Noise Control on Construction and Open Sites, BS5228:-2: 2009 + A1: 2014 Code of practice for noise and vibration control on construction and open sites - Vibration, the Control of Pollution Act 1974, BS 6472-1992 Guide to the Evaluation of human exposure to vibration in buildings, BS 7385-2:1993 Evaluation and measurement for vibration in buildings - Guide to damage levels from ground borne vibration, Institute of Air Quality Management (IAQM) Guidance on Assessment of Dust from Demolition & Construction 2011-2031, and Institute of Air Quality Management (IAQM) Guidance on Air Quality Monitoring in the vicinity of Construction & Demolition Sites 2018.

Local residents that may be affected by any construction work shall also be notified in writing, after the Demolition and Construction Environmental Management Plan has been approved in writing by the Local Planning Authority

Works audible at the site boundary outside the approved hours may result in the service of a Notice restricting the hours. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

13. Where the noise mitigation scheme relies on closed windows to achieve the recommended internal noise criteria, the following additional information should be submitted: details of alternative means of ventilation, an overheating assessment demonstrating thermal comfort of future occupiers of dwellings will not be adversely impacted.



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