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Meeting: Area Planning Committee Wellingborough
Date: Wednesday 22nd June, 2022
Time: 7.00 pm
Venue: Council Chamber, Swanspool House, Doddington Road, Wellingborough,
Northants, NN8 1BP

To:


Members of the Area Planning Committee Wellingborough

Councillor Paul Bell (Chair), Malcolm Waters (Vice-Chair), Jonathan Ekins, Ken Harrington, King Lawal, Lora Lawman and Malcolm Ward

Substitutes:

Councillors Tim Allebone and Philip Irwin

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<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer Tuesday 14 June 2022</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: Fiona Hubbard

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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 21 June 2022
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 21 June 2022

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Minutes of the Area Planning Committee Wellingborough

held at 7.00 pm on Wednesday 11th May, 2022 in the Council Chamber,
Swanspool House, Doddington Road, Wellingborough, Northants, NN8 1BP

Present:-

Members

Councillor Clive Hallam (Chair)
Councillor Matt Binley
Councillor Jonathan Ekins
Councillor Philip Irwin (Substitute)

Councillor Malcolm Waters (Vice Chair)
Councillor Ken Harrington
Councillor Lora Lawman

Officers

Ms J Sandhu (Interim Planning Management and Enforcement Lead Manager)
Mrs D Kirk (Senior Development Management Officer)
Mr N Bell (Legal Adviser)
Mrs F Hubbard (Senior Democratic Services Officer) (Committee Administrator)
Mrs E Robinson (Democratic Services Support Officer)

Also in attendance – Councillor Graham Lawman as an observer.

1 Apologies for non-attendance

It was noted that apologies for absence were received from Councillor Paul Bell, Councillor King Lawal and Councillor Malcolm Ward. Councillor Philip Irwin attended as a Substitute for Councillor Malcolm Ward.

2 Members' Declarations of Interest

The Chair invited those who wished to do so to declare interests in respect of items on the agenda.

There were no declarations received.

3 Minutes of the meeting held on 6 April 2022

RESOLVED:-

That the minutes of the Planning Committee held on 6 April 2022, be confirmed as a correct record and signed, subject to Councillor Scott Brown being added to the minutes as an observer.

4 Planning Application NW/22/00164/FUL 34 Howard Road, Wollaston

The Committee considered an application for an existing single storey rear projection. Part two storey part single storey rear extension and loft conversion with rear dormer and two front roof lights at 34 Howard Road, Wollaston.

The Senior Development Management Officer presented the report which detailed 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.

The Committee considered the planning application report.

It was recommended that planning permission be granted subject to the conditions set out in the report.

A request to address the meeting had been received from the applicant.

Mr Steve Solomon, the applicant, addressed the Committee and raised the following principal comments:

- (i) The applicant was in attendance to reassure any neighbour concerns that he was not developing the property to sell but it was no longer large enough for his grown up children and he was making it more suitable to live in for 5 people;
- (ii) He concurred with the Senior Development Officer's comments when she presented the report, that the property currently had parking provision for 2 car parking spaces, in a tandem arrangement, but the scheme had been amended to take into account comments by Highways, for the provision of triple car parking, therefore introducing an additional car parking space. It was noted that covered bicycle parking would also be provided. There was a condition in the report that prior to the loft and additional rear dormer extension, details of the permitted proposed covered bicycle parking should be submitted to and approved by the local planning authority. The applicant added that he was happy to provide 3 car parking spaces.

The Chair then invited the Committee to determine the application.

During the debate, the Committee considered it to be a well thought out scheme which provided the additional car parking space and a covered bicycle area; the applicant had complied with the rules as set out in Northamptonshire Parking Standards, to provide 3 car parking spaces in total and the applicant had done everything asked of him and there was no reason to refuse the planning application.

A member commented that she was disappointed that this planning application had come to Committee and referred to the adopted revised Officer Scheme of Delegation approved by Full Council on 31 March 2022. In relation to the objection submitted by Wollaston Parish Council there was no material planning consideration to refuse the application as the applicant was providing 3 car parking spaces. She added that Officers and Town or Parish Councils should liaise with each other. The Chair stated that this matter had been reported to Senior Officers.

It was proposed by Councillor Jon Ekins and seconded by Councillor Ken Harrington that planning permission be granted.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That planning permission be granted subject to the conditions (and reasons) numbered 1 to 5 in the report.

5 Appeal Information

RESOLVED:-

That the Appeal Information be noted.

6 Planning Appeal Decision Letter/s

RESOLVED:-

That the Planning Appeal Decision Letters be noted.

7 Close of meeting

Chair

Date

The meeting closed at 7:14 pm.

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Agenda Item 4



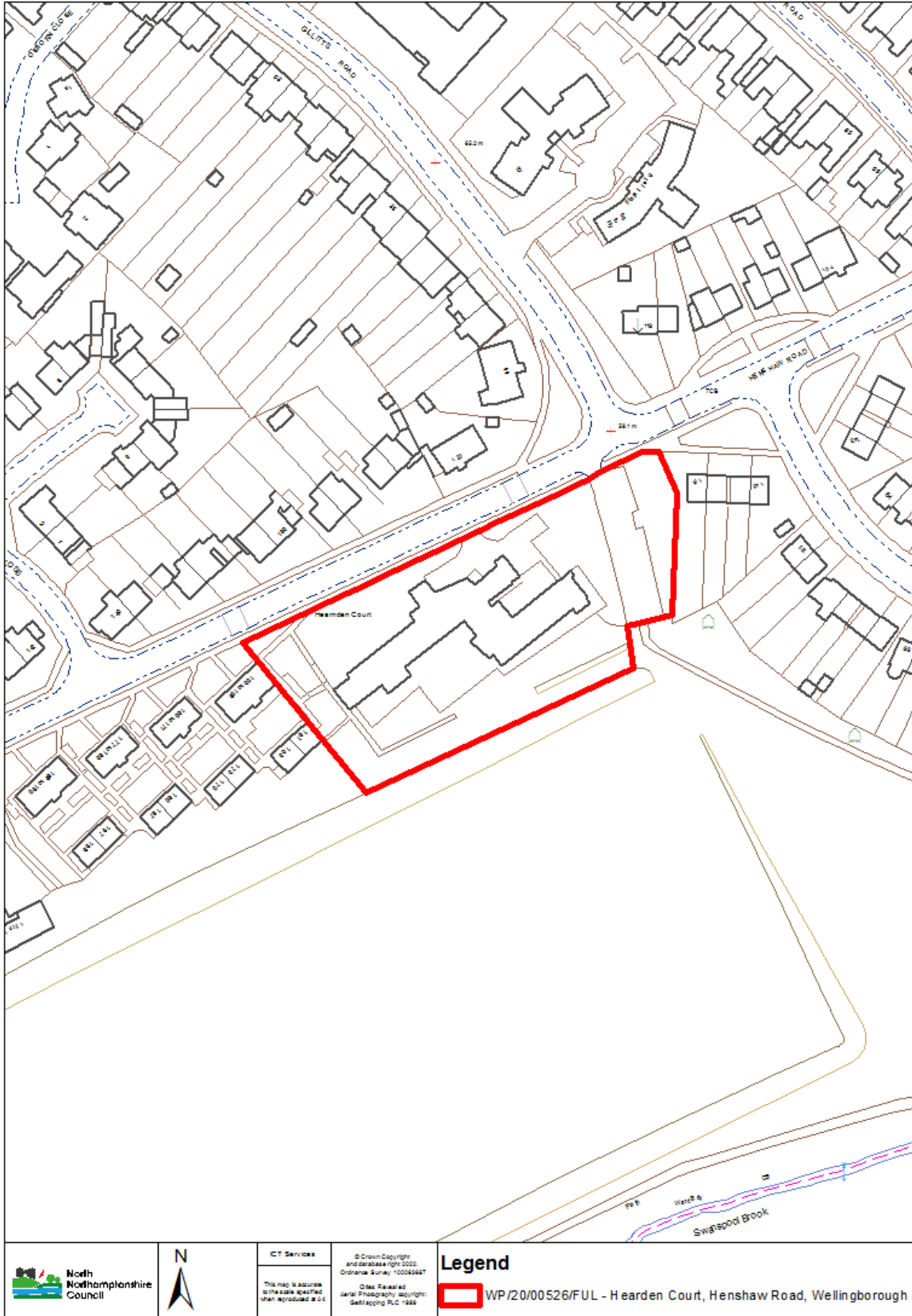
Application Reference	WP/20/00526/FUL	
Case Officer	Mr Duncan Law	
Location	Hearnden Court Henshaw Road Wellingborough Northamptonshire	
Development	Demolition of existing Hearnden Court. Development of 57 Extra Care flats plus communal spaces, landscaping and parking	
Applicant	Gary Chambers	
Agent	Sarah Eastham	
Ward	Swanspool	
Overall Expiry Date	1 December 2020	
Agreed Extension of Time	24 June 2022	
Checked	Interim Principal Planning and enforcement Manager	Jasbir Sadhu

Scheme of Delegation

This application is brought to committee as there are updates on the viability of the scheme as previously presented to a BCW planning committee meeting held on 6 January 2021.

1. Recommendation

1.1 That planning permission be **GRANTED** subject the completion of a Section 106 Legal Agreement and the conditions set out at the end of the annexed report or any further extension agreed in writing between the applicant and NNC and the conditions set out at the end of the report.



1.2 That should the Section 106 legal agreement not be completed by 31 January 2023 or any further extension agreed in writing between the applicant and NNC that it be delegated to the (Interim) Principal Planning and Enforcement Manager to **REFUSE** planning permission.

2. The Application Proposal and Background

2.1 Application reference WP/20/00526/FUL sought full permission for the demolition of the existing Hearnden Court development, to be replaced with residential blocks providing 57 Extra Care flats with a dining area, a catering kitchen, flexible lounge areas, shared gardens and terraces. A total of 57 Extra Care flats were proposed as part of this full application, providing a mix of 41 x 1-bedroom units and 16 x 2-bedroom units. All 57 these units will be Affordable, with some Shared Ownership options.

2.2 The full committee report including a full set of conditions and consultee responses as presented to BCW planning committee held on 6 January 2021 is appended for information as Appendix 1. It is noted that all planning matters were accepted by the planning committee therefore the matter for discussion relates solely to planning obligations.

3. Site Description and Surroundings

3.1 The 0.56-hectare application site located on the southern side of Henshaw Road to the south east of the centre of the growth town of Wellingborough. The development site is bounded by Croyland Park to the south and neighbouring residential properties and gardens to the east and west. The watercourse Swanspool Brook is located around 300 metres to the south of the site. The site is bounded to the north by Henshaw Road and neighbouring residential gardens to the east. Along the south boundary of the site there is a bank down to Croyland Park. To the west of the site is an area with residential blocks and landscaping. There are also many existing trees around the site.

3.2 The existing development on site consists of a two-storey residential building known as Hearnden Court, a carpark and access road linking Henshaw Road to Croyland Park in the east. The submitted Design and Access Statement describes Hearnden Court block as a 'traditional brick building from the 1960s which was poorly remodelled to extend to its current size in the 1990s. It has two wings joined by a communal lounge at the ground floor only and stepped down to follow the land contours with further ramped access down to a garden area'.

3.3 The site is surrounded and served by existing surface level parking, transport access, servicing, pedestrian routes, landscaping and utilities. There is a sizable change in level across the site, with a general northwest to Southeast fall, levels vary from around 62.50 to 55.50 above ordnance datum.

4. Relevant Planning History

WP/2000/0428	Approved Two no. lift installations for disabled access	13.09.2000
WP/1991/0103	Approved Refurbishment work and erection of new corridors and fire escape	17.04.1991
WU/1961/0045	Approved Four block of flats and eight bungalows	03.05.1961
WU/1961/0042	Deemed approved Block of flats and common room	08.05.1961
WP/2006/0177	Approved with conditions Remodelling, refurbishment and extension to convert warden's accommodation into 2 separate one-bedroom flats and provision of additional car parking.	24.05.2006
WP/2005/0192	Approved with conditions Remodelling, refurbishments and two storey rear extensions.	25.05.2005

5. Consultation Responses

A full copy of all comments received can be found in the appended committee report or on the Council's Website:

<https://www.wellingborough.gov.uk/viewplanningapplications>

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) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

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

Policy 1 (Presumption in favour of sustainable development)

Policy 3 (Landscape character)

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)

Policy 10 (provision of infrastructure)

Policy 11 (The network of urban and rural areas)

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 GI 4 (enhancement and provision of open space)
Policy GI 5 (enhancement and provision of sport and recreation facilities)
Policy H3 (Housing Needs of Older People);
Policy H4 (retirement housing, supported housing and care homes)

6.5 Other Relevant Documents:

Sustainable Design
Biodiversity
Upper Nene Valley Special Protection Area
Planning Out Crime in Northamptonshire
Parking
Air Quality

7. Evaluation

The proposal raises the following main issues:

- principle of development
- planning obligations

Principle of development

7.1 Application reference WP/20/00526/FUL proposed the delivery of an extra care housing scheme for older persons of 57 units, 41 x one bed and 16 x two bed apartments to replace the current older persons housing on the site. It was considered that given the existing use of the site as older person's accommodation the appropriateness of this site's location for this use has been established in principle. It was noted that the wider existing older persons housing on the site includes 37 flats/apartments and 8 bungalows.

7.2 The proposed development would meet an identified need as covered within policy 30 (f) of the JCS and is located within close proximity to the Wellingborough Town Centre which provides facilities such as health services, retail units, restaurants and other community uses. In addition, there are bus stops located within 400 metres to the site which provides sufficient access to public transport facilities. The proposed development was therefore considered to comply with policies 30 (f) of the JCS and H4 of the PBW and was therefore acceptable in principle.

7.3 A resolution to grant planning permission and delegate to the principal planning manager to approve the application subject to the completion of a Section 106 legal agreement and the conditions set out in the report was made by the BCW planning committee at the meeting held on at the 6 January 2021 on application reference WP/20/00526/FUL.

Planning obligations

7.4 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. Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms.

7.5 The NPPF at paragraph 57 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.

7.6 Policy 1 of the JCS – Presumption In Favour Of Sustainable Development states that where a development is otherwise acceptable, but an independent viability appraisal demonstrates that certain policy standards cannot be achieved, the Local Planning Authority will work with the applicant to consider alternative approaches to deliver the desired policy outcomes.

7.7 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. 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. 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.

7.8 Policy 30 (d) of the JCS states that the proportion of affordable housing the council will seek on sites may vary depending on the site and market provision. This policy allows, where site and market constraints dictate, an assessment of the viability of the scheme to be undertaken. Where there is a viability issue, the council seeks to ensure that the contributions that can be secured are used for the purposes of providing affordable housing, alongside the consideration of other site-specific planning obligations (such as education and healthcare).

7.9 The decision to approve application reference WP/20/00526/FUL was subject to the completion of an agreement by way of a section 106 covering the details of the financial contributions to be secured through legal agreement which were:

- Libraries Contribution of £5,105
- Healthcare Contribution of £28,979.06
- Contribution of £53,512.65 towards the ongoing maintenance of the existing good quality park and garden (Queensway 1)
- Provide Natural and Semi Natural Open Space on site of 1,314m². If this is not possible then a contribution of £36,161.28 could be required towards a project off site providing Natural and Semi Natural Greenspace
- Indoor Facilities Contribution of £13,769 (Sports Halls) and £14,730 (Swimming Pool) total £28,499
- SPA mitigation payment of £296.55 per dwelling total £16,903.35

Combined total obligations of £169,160.34

These contributions met the tests for obligations as outlined in the NPPF and are in accordance with CIL Regulations 122 and 123, and were considered reasonable, acceptable and appropriate to offset the impact from the development

7.10 The NPPF at paragraph 58 states 'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage'. On the 23 March 2022, the council was informed that Greatwell Homes (the applicant) had appointed Red Loft Property Consultants to carry out a financial viability assessment for the scheme, to inform discussions around the financial contributions sought within the Section 106 agreement. This report concluded that:

Based on the outcome of the objective viability appraisal assessment the scheme is not economically viable. It is therefore conclusive that the provision of all 57 residential units as affordable housing exceeds the maximum viable level for the site. The scheme is therefore unable to support any additional planning gain, including Section 106 or Section 278 contributions'.

7.11 Viability is defined as the ability of a development to meet its costs including the cost of planning obligations whilst ensuring an appropriate site value for the landowner and a market risk-adjusted return to the developer in delivering that project. Ultimately in setting the level of commuted sum for any development, it is limited to the level beyond which the scheme would be made 'unviable', in that the return to the developer and the landowner would fall below a level at which it is deemed that they would allow the scheme to come forward.

7.12 Policy 30 (d) states that the council will have regard to the current viability of developments. Where it has been demonstrated, to the council's satisfaction, that the provision of affordable housing is unviable, a flexible approach to achieving viability will be taken, including reviewing the proportion of affordable housing. As a 100% affordable scheme it has been put to the council that any additional planning gain, including Section 106 obligations would render the scheme unviable.

7.13 The financial viability appraisal was assessed on behalf of the council by independent expert surveyors at Bespoke Property Consultants who agreed with the financial viability assessment submitted and concluded:

'This appraisal shows a residual land value of -£6,530,758. This land value is below the benchmark land value by £6,530,759 and therefore the proposed scheme is not viable and cannot provide additional S. 106 contributions'.

7.14 The application proposes 100% of the 57 units as affordable units to be secured through the signing of a Section 106 legal agreement and, as outlined above. Consequently, and on balance, the proposal is considered to accord with paragraph 58 of the NPPF and JCS policy 30 (d) to move forward and bring benefit to key groups within the wider housing market.

8. CONCLUSION/PLANNING BALANCE

The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF with regard to viability and the provision of affordable housing., In line with policy 30 (d) of the JCS , the submitted viability assessment has been independently assessed and confirmed that no

financial contribution can be provided with a 100% affordable housing scheme. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions and the completion of an amended suitably worded agreement under Section 106 of the Town and Country Planning Act 1990.

9. RECOMMENDATION

9.1 That planning permission be **GRANTED** subject the completion of a Section 106 Legal Agreement and the conditions set out at the end of the annexed report or any further extension agreed in writing between the applicant and NNC and the conditions set out at the end of the report.

9.2 That should the Section 106 legal agreement not be completed by 31 January 2023 or any further extension agreed in writing between the applicant and NNC that it be delegated to the (Interim) Principal Planning Manager to REFUSE planning permission.

Appendix 1 – Committee report as presented to BCW Planning Committee at the meeting held on 6 January 2021



Committee Report

Printed: 10 December 2020

Committee Date: 6 January 2021
Extension of Time 11 January 2021

Case Officer Mr **Duncan Law**

WP/20/00526/FUL

Date received	Date valid	Overall Expiry	Ward
27 August 2020	1 September 2020	1 December 2020	Swanspool

Applicant Gary Chambers

Agent Sarah Eastham

Location Hearnden Court, Henshaw Road, Wellingborough, Northamptonshire, ,

Proposal Demolition of existing Hearnden Court. Development of 57 Extra Care flats plus communal spaces, landscaping and parking

Date of Case Officer's site visit: 03 November 2020

PLANNING HISTORY

WP/2000/0428	Approved Two no. lift installations for disabled access	13.09.2000
WP/1991/0103	Approved Refurbishment work and erection of new corridors and fire escape	17.04.1991
WU/1961/0045	Approved Four block of flats and eight bungalows	03.05.1961
WU/1961/0042	Deemed approved Block of flats and common room	08.05.1961
WP/2006/0177	Approved with conditions Remodelling, refurbishment and extension to convert warden's accommodation into 2 separate one bedroom flats and provision of additional car parking.	24.05.2006
WP/2005/0192	Approved with conditions Remodelling, refurbishments and two storey rear extensions.	25.05.2005

Reason for referral to committee -

- It is a major application for 30 dwellings or more and written objections have been received from more than four neighbouring households.

THE SITE AND SURROUNDINGS

The 0.56 Ha application site is described as being located on the Southern side of Henshaw Road to the South East of the centre of the growth town of Wellingborough.

Land Uses

The development site is bounded by Croyland Park to the South and neighbouring residential properties and gardens to the East and West. The watercourse Swanspool Brook is located around 300m to the South of the site. The site is bounded to the North by Henshaw Road and neighbouring residential gardens to the East. Along the South boundary of the site there is a bank down to Croyland Park. To the West of the site is an area with residential blocks and landscaping. There are also many existing trees around the site.

Existing Infrastructure

The existing development on site consists of a two-storey residential building known as Hearnden Court, carpark and access road linking Henshaw Road to Croyland Park in the East. The submitted Design and Access Statement describes Hearnden Court block as a 'traditional brick building from the 1960s which was poorly remodelled to extend to its current size in the 1990s. It has two wings joined by a communal lounge at the ground floor only and stepped down to follow the land contours with further ramped access down to a garden area'.

The site is surrounded and served by existing surface level parking, transport access, servicing, pedestrian routes, landscaping and utilities. There is a sizable change in level across the site, with a general Northwest to Southeast fall, levels vary from around 62.50 to 55.50 AOD.

APPLICATION PROPOSAL AND BACKGROUND

The application seeks full permission for the demolition of existing Hearnden Court. The proposed development consists of the construction of residential blocks providing 57 Extra Care flats with a dining area, a catering kitchen and flexible lounge areas and shared gardens and terraces.

Housing breakdown

A total of 57 Extra Care flats are proposed as part of this full application, providing a mix of 41 x 1-bedroom units and 16 x 2-bedroom units. All 57 these units will be Affordable, with some Shared Ownership options. The proposed tenure mix of this scheme is for 70 to 80% of the apartments to be for social rent with 20 to 30% for shared ownership to be determined.

The following documents were submitted in support of the application:

- Floor Plan
- Roof Plan
- Existing Site Plan
- Demolition Plan
- Proposed Site
- Flat Type Layouts
- Existing Elevations
- Long Sections
- Long Elevations

Street and Park Elevations
Short Elevations
Site Location Plan
CCTV Report
Design and Access Statement
Flood Risk Assessment
Energy Statement
Fire Strategy Statement
Landscape Concept Report
Thermal Comfort Report

NATIONAL GUIDANCE, DEVELOPMENT PLAN POLICY AND SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE

National Planning Policy Framework (NPPF) (19 February 2019)
Planning Practice Guidance (PPG)
National Design Guide (PPG) (September 2019)

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

Policy 1 (Presumption in favour of sustainable development)
Policy 3 (Landscape character)
Policy 5 (Water environment, resources and flood risk management)
Policy 6 (Development on Brownfield Land and Land Affected by Contamination)
Policy 8 (North Northamptonshire place shaping principles)
Policy 9 (sustainable buildings)
Policy 10 (provision of infrastructure)
Policy 28 (Housing Requirements)
Policy 29 (Distribution of New Homes)
Policy 30 (Housing mix and tenure)

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

Policy GI 4 (enhancement and provision of open space)
Policy GI 5 (enhancement and provision of sport and recreation facilities)
Policy H3 (Housing Needs of Older People);
Policy H4 (retirement housing, supported housing and care homes)

Supplementary planning documents/guidance:

Sustainable Design
Biodiversity
Upper Nene Valley Special Protection Area
Planning Out Crime in Northamptonshire
Parking

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED (Full text of responses shown in Appendix 1)

1. Northamptonshire Highways -

The local highway authority does not intend to raise an objection to the application on highway safety or capacity grounds.

2. BCW Planning Policy -

It is considered that weight and support should be given to the improving and expansion of older person's accommodation, as supported by Policy 30 of the JCS

and Policy H3 and H4 of the PBW.

3. BCW Environment Protection Officer - contaminated land -

No objections to make on this application for land contamination.

4. BCW Environment Health -

No objections subject to conditions.

5. BCW Landscape Officer

No comments received.

6. Northamptonshire Assistant Archaeological Advisor -

No comments to make.

7. Northamptonshire Police -

No objections subject to conditions.

8. Principal Project Officer, Ecology Northamptonshire County Council

No objections subject to conditions.

9. BCW Housing -

No objections.

10. Natural England -

No objections subject SPA payment.

11. Lead Local Flood Authority -

No objections subject to conditions.

12. Anglian Water -

No objections subject to conditions.

13. NNJPDU Design Officers -

The scheme is exceptionally composed through a strong understanding of the requirements of the extra care sector and will replace an aging and inappropriate building for this era. I am confident that the scheme will represent a significant uplift in design quality for Wellingborough and will act as a positive catalyst for future developments of this type.

14. Wellingborough Norse -

No objections subject to conditions.

15. Northamptonshire County Council Key Services (Education, Libraries, Broadband) and Northamptonshire Fire & Rescue Service (NFRS) -

No objections subject to conditions and obligations to be secured through Section 106.

17. Councillor Anslow - Swanspool Ward Councillor -

As Councillor for Swanspool Ward, I first saw the plans in August and I was impressed and pleased to see that Greatwell Homes were going to upgrade the

oldest of their residential sites, built in the 1960s and at the time considered first class. The design of the community spaces and the outdoor areas will be appreciated by the residents and I was particularly impressed with the way the residents were consulted on the plans. I

have one concern however and that is the loss of parking in the parking area which leads onto Croyland Park. I would not like to see this area unable to be used by the visitors to the park - dog walkers, footballers, families. It is good to see that more parking has been allocated to the development, but if it is only for Hearnden Court residents, then the impact on the residents of Henshaw Road will be mean that a road, that is already busy children being brought to Our Lady's School. In addition, the junction just outside the new development is busy and dangerous. I would be in favour of the development but would like to assure the users of the park, that the car park will still be available and that access to the park will still be allowed from Henshaw Road.

Applicant response to Councillor Anslow

We can confirm that the parking area to the east is designed for use by public visitors and park users in addition to residents and staff of the new development.

The carpark site will continue to provide pedestrian access to Croyland Park, maintaining connection with the park footpaths. The existing vehicle barrier will be retained, and vehicular access will be maintained for park maintenance and emergency vehicles as currently exists.

18. Neighbours -

Comments were received from 11 addresses; the objections are summarised as:

Overdevelopment/design/visual/layout

Parking

Conflict with school drop off

Access

Highway matters

Impact on level of daylight/privacy

Light pollution

Odour/noise generation

Contamination

Drainage

Retention of mature Poplar trees

ASSESSMENT AND REASONED JUSTIFICATION

The proposal raises the following main issues:

- conformity with the development plan, especially in relation to the (loss of employment site, loss of community facilities, inappropriate development in the open countryside etc) and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- effect on archaeology;
- effect on landscape visual amenity;
- sustainability
- effect on flood risk and surface water drainage;

- effect on foul sewage;
- effect on noise:
- noise on air quality;
- effect on biodiversity;
- effect on the Upper Nene Valley Special Protections Area;
- compliance with national space standard, national accessibility standards and affordable;
- effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development;
- 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;
- conditions

Conformity with the development plan 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."

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.

This proposal is for the delivery of an extra care housing scheme for older persons delivering 57 units- 41 one bed and 16 two bed apartments to replace the current older persons housing on the site which are considered to be not fit for purpose. The proposal is therefore on a brownfield site within Wellingborough town which is supported through JCS Policy 6 - Development on Brownfield Land and Land Affected by Contamination.

The current older person's scheme for demolition consists of 20 units and so the proposal would result in the sites expansion by an additional 37 units and would involve the demolition of the existing buildings on the site and the rebuilding of an accommodation block. The scheme would be 100% affordable rented units of which 70 to 80% of the apartments are to be for social rent with 20 to 30% for shared ownership to be determined. BCW Housing Officers acknowledged and support the proposed Affordable Housing Mix.

The proposal follows Policy 30 (f) of the JCS that supports the provision of both market and affordable housing specifically designed to meet the housing needs of older people, including extra-care accommodation. Policy H4 of the PBW also supports the provision of older persons housing where they are situated on sites with good access to local facilities and public transport.

It is considered that given the existing use of the site as older person's accommodation the appropriateness of this site's location for this use has been established in principle. It is noted that the wider existing older persons housing on

the site includes 37 flats/apartments and 8 bungalows. The proposed scheme would provide 57 flats and would therefore remove the existing bungalows. In the supporting text to Policy H3 and H4 of the PBW it states that bungalows are the most popular form of older person's accommodation with bedsits being the least popular. The benefits of the proposed 57 flats are considered on balance to outweigh the loss of the 8 existing bungalows.

The proposed development would meet an identified need as covered within Policy 30 (f) of the JCS and is located within close proximity to the Wellingborough Town Centre which provides facilities such as health services, retail units, restaurants and other A1 and A2 uses. In addition, there are bus stops located within close proximity to the site which provides sufficient access to public transport facilities. It is considered that infrastructure obligations could provide the offsetting required in respect of the impact on open space and sports provision and are discussed below.

The proposed development is therefore considered to comply with Policies 30 of the JCS and H4 of the PBW so is therefore acceptable in principle.

The application form at question five indicates that pre-application advice has been sought from the council. Paragraph 40 of the NPPF states that 'Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage'. The application has been subject to extensive pre application discussions that have formulated the submission in accordance with NPPF paragraph 41. In addition, the applicant has undertaken consultation with local residents including leaflet delivery and drop in event.

Design, layout and the effect on the character and appearance of the surrounding area

JCS policy 8 (d) (i) and (ii) describes the principles that proposed development must consider with regards to its effect on the character and appearance of an area. Through pre application and stakeholder engagement, the design proposals have 'been through a robust and iterative design refinement process which has been based on solid foundations of good urban design principles'.

Mass

Given the context of a long-standing residential use on site, the proposed heights are not considered to be harmful to the character and appearance of the wider area. The proposals are not considered to be excessively out of scale with the surrounding residential use, and the applicant has demonstrated with site sections and visualisations, how the buildings will be viewed. There are unlikely to be any adverse impacts on the area. Design officers at the NNJPDU, who have informed the scheme through pre-application discussions, recognised the 'that this scheme will be larger in height and bulk than the prevailing housing typologies' but that they 'do not have a particular issue pertaining to the context of the surrounding built form in relation to this proposal and considered the level of adverse impact to neighbouring properties to be acceptable.

Materials

The submitted plans indicate elevational materials of a simple tonal palette of traditional brickwork arrangements. The ground floor is delineated with brick

detailing that is described as reflecting 'the illustrated striations of the Wellingborough town centre historic buildings and 'grounds' the building into the falling site topography'.

The two bricks types to be used throughout the build include a light buff multi, and a darker red brown multi. Further visual interest will be added though the use of two mortar colours to the darker brick with small projections of coursing and recessed coursing to create 'a textured, rusticated patterning, a contemporary interpretation of the banding and detailing seen in the town centre. This approach creates depth, shadow and visual interest across elevations. A weatherproof colonnade is proposed to visually connect floors and enhance openings whilst providing cover for residents. The materials proposed integrate within the context of the site and overall, it is considered that there has been an overall uplift in design as a result of the proposals.

Design

The submitted elevations show a simple and confident approach to architectural design. The Henshaw Road elevation presents non-residential accommodation with the office, reception, staff and communal spaces. The simple brick colonnade treatment wraps around the base leading to the entrance provides a focal point. Unifying the development, the ground floor will have a feature brickwork base whilst the upper floors exhibiting floor to ceiling heights incorporating vertical and horizontal framing, depth and proportion, variation of material tone, and the incorporation of Juliet balconies with a projection head to define the main elevations. Windows are set within deep reveals to add depth to the façade, with thin framed windows within. Above the ground floor colonnades are residential floor levels of a consistent height across the whole development to maximise ceiling height.

Layout

As the site is constrained by surrounding land uses and neighbouring buildings, the layout is considered a sensible response to the site through an orientation that utilises key vantage and viewpoints.

As a result, the character of the development is locally inspired where appropriate and the design does allow for some visual interest through the careful use of detailing, and in part this is appropriate to the character of the area. The building's form, massing, rhythm and façade treatment are carefully designed to create some character and visual interest whilst exploiting the preferable views over Croyland Park. Internal garden areas offer 4 differing environments for residents. Design Officers at the NNJPDU considered the applicants to be 'innovative in their use of design and landscaping to create a development which will blend into Croyland Park'.

In conclusion, Design Officers at the NNJPDU stated that the 'final design is considered high quality and contemporary, whilst being in-keeping with the surrounding built environment. The scheme achieves some of the best design principles for extra care living through a well-considered design with a good level of attention to detail, and which I believe will offer exceptional living accommodation and will present an excellent precedent for developments of this type in the wider North Northants area'.

On balance, based on the illustrations shown, the proposed buildings will not be negative additions to the wider site which is considered to be in accordance with JCS policy 8 (d) (i) and (ii).

Effect on archaeology

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.

Through consultation, Northamptonshire County Council Archaeologist had no comment or objections which consequently is considered to accord with policy 2 (d) of the JCS.

Effect on landscape visual amenity

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.

The supporting Landscape Stage 3 report highlights that the intention is to 'reap the myriad therapeutic qualities of nature; to craft spaces that reinstate a sense of orientation and connection within the environment'.

In terms of open space, opportunities for formal and informal open space has been maximised throughout the application site. The proposal seeks to 'establish a loop route that allows residents and visitors to wander, explore and enjoy the external spaces in a secure setting' with a series of landscape character areas defined as:

Woodland Area - where pockets of woodland provide shade and screening
Residents' Garden - to encourage activity and community planting
Communal Garden - a shared space for existing and future residents
Flower Garden - a buffer area between existing and proposed development.

The submitted documents highlight the clear and legible approach taken to integrate the design of boundaries, access, parking, drainage, floorscape, trees, furniture, material and lightening with a suggested planting palate.

Notwithstanding the submitted plans showing the provision of planting within the application site, landscape conditions will be applied to agree full details of soft/hard landscaping. The site is capable of incorporating adequate levels of landscaping and should include a landscape buffer around the site boundaries in order to create a strong and attractive site boundary.

The scheme has benefited from extensive pre-application discussions with the NNJPDU Design Team that has resulted in the submitted proposal that required no amendments through the application. Consequently, provided that the detailed landscaping, tree protection and boundary treatments are secured by condition, the proposal is considered compliant with 3 (a), (b) and (e) of the JCS.

Sustainability

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.

Effect on flood risk and drainage

The JCS at policy 5 sets out a raft of sub policies aimed at preventing or reducing flood risk. The revised NPPF at chapter 14 sets out government views on how the planning system should consider the risks caused by flooding.

Northamptonshire County Council are the Lead Local Flood Authority (LLFA) responsible for all flood risk matters that do not relate directly to designated Main Rivers.

According to the Environment Agency Flood Map, the development site is located within in Flood Zone 1, which the NPPF defines as land assessed to be at low probability of tidal or fluvial flooding with less than a 1 in 1000 annual probability of flooding (<0.1%) in any year.

As per Table 2 of the Planning Practice Guidance (PPG) to the NPPF, the proposed 'Residential institutions such as residential care homes, children's homes, social services homes, prisons and hostels' use is classed as 'More vulnerable development'.

A Flood Risk Assessment was submitted in support of the application that considered the flood risk associated with the development proposals. The Lead Local Flood Authority (LLFA) was consulted and initially raised objections to the scheme, specifically a lack of supporting information. In response an updated Flood Risk Assessment and Pre-Planning Report from Anglian Water that accepted the flow rates proposed were provided by the applicant to the satisfaction of the LLFA subject to conditions.

The drainage scheme involves the use of blue roofs, rain gardens, permeable paving an underground attenuation tank with a flow control restricting the rate of flow to the Anglian Water surface water sewer.

Following ongoing liaison and discussion between the BCW, the Lead Local Flood Authority and the applicant's engineers pursuant to paragraph 38 of the NPPF in addition to the submission of additional information, the LFFA now considers the principle of the development to be acceptable, subject to the imposition of conditions which require the submission of full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment prior to the commencement of development on the site. With conditions imposed to secure a drainage scheme, the proposal complies with JCS policy 5.

The risk of flooding will not be increased on or off site and an adequate drainage system and method of surface water disposal will be secured through approval of condition details.

Effect on foul sewage

JCS policy 6 requires new development to be supported by the timely delivery of infrastructure. 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.

The Statutory Sewerage Undertaker for the area is Anglian Water who have advised 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 therefore take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

The application is considered to be in compliance with JCS policies 6 and 10 with regard to foul sewage.

Effect on noise

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.

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.

As the proposal will not result in any change in character and in consideration of surrounding land uses, the council's environmental protection officer has not identified noise emanating from the development once constructed as an area of concern.

The short-term impacts of the demolition and re-development on site will be controlled through the imposition of a Construction and Demolition Environmental Management condition that includes approval of procedures for maintaining good public relations including complaint management, public consultation and liaison with the Councils Environmental Protection Team.

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.

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'.

Effect on air quality

The JCS at policy 8 amongst other things, requires development not to result in an unacceptable impact on neighbours by reason of pollution.

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.

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.

The site's location in an existing residential area with surrounding residential use and the nature of the proposed use being the same as that existing, do not raise any air quality concerns; as such the proposal is acceptable with respect to air quality considerations and accords with policy 8 e (ii) of the JCS.

As the proposed development includes the provision for vehicle parking. A key theme of the revised NPPF is that developments should enable future occupiers to make "green" vehicle choices and paragraph 105 (e) "incorporate facilities for charging plug-in and other ultra-low emission vehicles". Policy 15 (c) of the JCS seeks for the design of development to give priority to sustainable means of transport including measures to contribute towards meeting the modal shift targets in the Northamptonshire Transportation Plan.

Informatives should be added to any permission seeking any gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh and to prepare for the increased demand for electric vehicles in future years appropriate infrastructure for electric vehicle charging points should be included within the development.

Subject to the imposition of a condition in relation to a construction demolition environmental management plan the proposed development would comply with policy 8 (e) (ii) of the JCS.

Effect on biodiversity

Paragraph 40 of the Natural Environment and Rural Communities Act, 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".

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

The revised NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.

The application relates to an existing residential use with no statutory wildlife protection and is therefore considered to have a neutral impact on biodiversity although there are enhancements to be secured through details of new nesting

opportunities for birds and bats either integral to or mounted to the buildings or mounted on suitable trees.

Through consultation, Northamptonshire County Councils' Principal Project Officer (Ecology) requested a ground-level tree inspection to be submitted pre-determination. This confirmed that the majority of trees on the site have 'negligible bat roost potential' but it did identify two trees (T14 and T20) that have a low bat roost potential. Consequently, a method statement was requested to be secured through a condition in the event that these two trees need to be felled.

In addition, as the southern boundary that overlooks Croyland Park is recognised as sensitive, a condition requiring an external lighting plan will be included. With the landscaping scheme boundary treatments as well as nesting opportunities, secured by condition, it is considered that the applicants have demonstrated that a net gain in biodiversity can be achieved on site in accordance with policy 4 of the JCS.

Subject to the imposition of conditions in relation to a method statement for checking bat roasts and lighting, the proposed development complies with policy 4 of JCS.

Effect on the Upper Nene Valley Special Protection Area

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').

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.

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.

The application is for development resulting in a net gain in residential units within 3km (linear distance) of the SPA. The HRA for the North Northamptonshire Joint Core Strategy identified that the in-combination impact of proposals involving a net increase of one or more dwellings will have an adverse effect on the integrity of the SPA unless avoidance and mitigation measures are in place. This is through an increase in visitors that will in turn increase the level of disturbance to the wintering waterbirds, particularly through dog walking. There will therefore need to be measures proposed to avoid or mitigate the impact from these dwellings to meet the Regulations.

The ruling by the Court of Justice of the European Union on the interpretation of the Habitats Directive in the case of *People Over Wind and Sweetman vs Coillte Teoranta* (ref: C 323/17) requires development relying on mitigation to no longer be considered at the screening stage but taken forward and considered at the

appropriate assessment stage. Therefore, as the application requires mitigation it will need to be considered at the appropriate assessment stage.

A Habitat Regulations Assessment to identify the likely effects of the proposed development on the SPA has been undertaken. A mitigation strategy has been proposed to avoid and mitigate likely significant effect on the Upper Nene Valley Gravel Pits SPA by making a financial contribution towards Strategic Access Management and Monitoring (SAMM) and/or other suitable measures. This would reduce the adverse impact of people visiting the SPA through specific measures and monitoring.

The mitigation strategy was adopted by the council on 20 December 2016 and identifies a mitigation contribution of £269.44 per dwelling (indexed linked, with a base date of 2016) to fund suitable mitigation. This could include fencing and screening, footpath diversions, wardening and monitoring. As of 1 October 2020, this contribution rose to £296.55 to take account of indexation.

The application is for the redevelopment of an existing site within the built-up area of Wellingborough. Accordingly, there is no loss of habitats upon which qualifying features rely.

Provided the applicant agrees to the SAMM contribution and that Natural England is satisfied that payment of the standard contribution provides adequate mitigation then significant harm can be suitably avoided and mitigated. Residential development in the area surrounding the Upper Nene Valley Gravel Pits SPA could lead to increased public access for recreation, e.g. from dog walking, which in turn can lead to disturbance of the notified bird populations and impacts to the ability of birds to use the site for feeding and roosting.

Adequate mitigation measures can be achieved by the payment of £296.55 per additional dwelling to fund a range of 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.

As a SPA mitigation payment of £ £296.55 per dwelling totalling £16,903.35 is to be secured through a Section 106 Legal Agreement, 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.

Housing mix, national space standards, national accessibility standards and affordable housing

Paragraphs 59-61 of the NPPF requires local planning authorities to boost the supply of homes, and to assess the size, type and tenure of housing need for different groups in the community, specifically referring to those who require affordable housing and people who rent their homes. Paragraph 64 states that planning decisions should expect at least 10% of homes should be available for affordable home ownership. 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. 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

Space Standards

The JCS at Policy 30 (b) requires the internal floor area of new dwellings to meet the National Space Standards as a minimum. The submitted details indicate that there are four proposed layouts for the flats with different floor space areas. All the layouts are single storey and meet Nationally Described Space Standards.

1. 54.99m² (1 bedroom 2 person)
2. 56.04m² (1 bedroom 2 person)
3. 62.79m² (1 bedroom 2 person)
4. 68.04m² (2-bedroom 3 person)

National Accessibility Standards

All units should achieve category 2 of the National Accessibility Standards as a minimum with at least one being wheelchair accessible. This is in accordance with the Housing Action Plan 2018-2023, which specifies that 5% of all affordable housing units should be wheelchair accessible. Lifetime Homes is superseded by Part M Building Regulations, all 57 units exceed Part M4(2)+ Building Regulations. Due to the nature of the use proposed, and the enhanced Part M4(2)+ achievement, the 5% requirement of dwellings to meet category 3 of the National Accessibility Standards is not considered applicable in this instance.

Housing Mix

Policy 30, (a) of the NNCJS identifies a need for developments providing accommodation for small households, including where appropriate developments designed to house older people which is met by the submitted proposal. Housing officers indicated that the Strategic Housing Market Assessment (SHMA) was revised in January 2015 and table 9.10 of this report identifies that the following breakdown of units is required to meet projected housing requirements 2011-2031:

- 1 bed (58%)
- 2 bed (10%)
- 3 bed (30%)
- Some 4+ bed (2%)

Although the proposal has a higher proportion of 2-bedroom units, it has been confirmed that the majority of the 2 bed apartments will be for sale as shared ownership. It is anticipated that sales demand will be mainly for 2 bed apartments and based on the fact this is Older Person's accommodation, the demand will be almost entirely 1- and 2-bedroom properties, as the proposal reflects. A small number of 2 beds will be for Affordable Rent, for which there is a known demand from the Housing Register. The scheme has been designed to provide sufficient flexible spaces that can cater for the demands of the residents, in terms of non-residential facilities BCW Housing Officers raised no objections in regard to the proposed housing mix which is considered to meet the needs of Older Persons..

Affordable Housing Mix

Policy 30 of JCS requires 30% affordable housing on developments of 5 or more dwellings Growth Towns. A total of 57 Extra Care flats are proposed as part of this full application, providing a mix of 41 x 1-bedroom units and 16 x 2-bedroom units. All 57 these units will be Affordable, with some Shared Ownership options. The proposed tenure mix of this scheme is for 70 to 80% of the apartments to be for Affordable Rent with 20 to 30% for shared ownership to be determined. BCW Housing Officers acknowledged and support the proposed Affordable Housing Mix.

Consequently, and on balance, the proposal is considered to accord with JCS Policy 30(a) (i) and (ii), (b), (c), (d) and (f).

Effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development

The JCS policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers. At paragraph 127 of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

Comments from nearby residential occupiers have been received through the consultation process with regards their views on how the proposed development would affect them and are noted. It is accepted that the proposal will introduce taller elements closer to the highway. In the response received from the NNJPDU's Design officer, it was acknowledged that 'this scheme will be larger in height and bulk than the prevailing housing typologies, I do not have a particular issue pertaining to the context of the surrounding built form in relation to this proposal and I consider the level of adverse impact to neighbouring properties to be acceptable'.

On consideration of the sun's orientation and location of the proposed development, any impact is very limited as the existing built form and orientation prevents late sun to some degree already. The comments of the nearby residential occupiers with regards their views on how the proposed development would affect them are noted. However, it is thought that the scheme would not have such a significant effect on the standard of amenity which is currently enjoyed by the adjacent residential occupiers to warrant refusal. There are no openings that present opportunities for overlooking above and beyond that already exist on the host properties. The development, on balance, does not raise any significant concerns with regard to residential amenity in accordance with JCS policy 8 (e) (i). However, it is thought that the scheme would not have such a significant effect on the standard of amenity which is currently enjoyed by the adjacent residential occupiers for the following reasons:

The site as a whole proposes 57 dwellings which meet or exceed the Nationally described space standards, issued by Central Government. Within the site internally, the blocks are considered to be sited good distances away from one another, in order to allow for a good level of light and outlook between the various blocks. Internal spaces maximise ceiling heights and glazing to habitable rooms to improve daylight levels. In addition, each resident will have access to communal amenity spaces.

The imposition of a suitably worded Construction Demolition Environmental Management Plan to include Noise Action Levels and site procedures to be adopted during the course of construction including working hours, intended routes for

construction traffic, details of vehicle wheel washing facilities, location of site compound, lighting and security and how dust and other emissions will be controlled.

All of the proposed dwellings are further considered to provide for a good level of natural light and outlook and as such, it is considered that on the whole, the development would provide a good level of accommodation for future end users of the site. Consequently, it is considered acceptable in terms of the impact on amenity of residents, workers and the public, and therefore the proposal is considered to comply with JCS policy 8 (e) (i).

Effect/Impact on highway safety in relation to (the proposed access arrangement and parking provision)

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. 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.

Access

The development will utilise the existing access from Henshaw Road that is considered by the local highway authority to be satisfactory.

Pedestrian Access

The existing route through the existing car park to Croyland Park remains as existing for pedestrians, park users, and vehicle access via the existing barrier gate at the south of the carpark.

Parking

Paragraphs 105 and 106 of NPPF 2019 set out very clearly the need to consider all the accessibility, public transport provision, anticipated car ownership levels, type and mix of residential units favouring an objective test on the overall impact on the highway network. It goes on to state that; 'Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport'.

It also states that developments which are an efficient use of land should be supported and that assessment would include the use of existing infrastructure. Paragraph 42-008-20140306 of the National Planning Practice Guidance expands on the NPPF, stating that 'Maximum parking standards can lead to poor quality development and congested streets, local planning authorities should seek to ensure parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable'.

The Northamptonshire Parking Standards for a residential home require one parking space per each full-time equivalent staff member and one visitor space per three beds. For the accommodation of 57 units this equates to approximately 20 visitor spaces and up to two staff spaces.

The main parking area shown on the submitted drawings is to continue to be shared with the pedestrian and vehicular access to Croyland Park for pedestrians and

maintenance vehicles to access the park. A total of 28 car spaces are provided (including 3 wheelchair spaces) and dedicated space for 21 Mobility Scooters. The applicant has indicated that this area will be landscaped, planted and resurfaced to provide 8 public spaces plus 17 spaces reserved for residents and staff of the new development. The parking bays are sized as NPS guidance - minimum 2.5m (W) x 5m (L) and disabled parking spaces to a minimum 3.6m (W) x 6.2m (L).

As the applicant has acknowledged the need to maintain parking provision for visitors to Croyland Park, the local highway authority did not raise an objection to the application on highway safety or capacity grounds.

The comments of residents regarding parking and access are noted however there is a net increase in parking provision of 12 spaces and the level of parking provision/access was considered by the local highway authority to be satisfactory. The proposed development would not, therefore, be likely to result in additional pressure to local highways. It is considered that the proposal meets the required parking standards and that the development would not result in additional harmful pressure to the highway as a result of potential off-site parking. The overall layout, parking, access and accessibility are considered on balance to be acceptable and compliant with JCS policy 8 (b) (i) and (ii).

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.

The revised NPPF at paragraphs 178 and 179 sets out policies on development involving contaminated land. The Councils Environmental Health Officer has reviewed the proposal and has raised no comments or objections in relation to contamination subject to a condition regarding the requirement to report any unexpected contamination to the Council. It is therefore considered that there would be no contamination issues related to this site that would prevent it being developed as proposed and therefore, subject to condition, the proposal accords with policy 6 of the JCS.

Crime and disorder

Section 17 of the Crime and Disorder Act 1998 details the need for the council to do all that it reasonably can to prevent, crime and disorder in its area.

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.

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

The revised NPPF at paragraph 127 (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.

The Northamptonshire Police Crime Prevention Design Advisor was consulted on matters pertaining to crime and disorder and, subject to a condition requiring details of site wide crime prevention and security measures, raised no objection. As such the scheme is considered in accordance with policy 8 (e) (iv) of the JCS.

Planning obligations and conditions

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.

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

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. The NPPF at paragraph 56 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.

If the committee resolves to approve the proposal, this will be subject to the completion of an agreement by way of a section 106 covering the details of the financial contributions to be secured through legal agreement which are:

draft Section 106 Heads of Terms

- Libraries Contribution of £5,105
- Healthcare Contribution of £28,979.06
- Contribution of £53,512.65 towards the ongoing maintenance of the existing good quality park and garden (Queensway 1)
- Provide Natural and Semi Natural Open Space on site of 1,314m². If this is not possible then a contribution of £36,161.28 could be required towards a project off site providing Natural and Semi Natural Greenspace
- Indoor Facilities Contribution of £13,769 (Sports Halls) and £14,730 (Swimming Pool) total £28,499

- SPA mitigation payment of £296.55 per dwelling total £16,903.35

Combined total obligations of £169,160.34

These contributions meet the tests for obligations as outlined at paragraph 204 of the NPPF and are in accordance with CIL Regulations 122 and 123, and are considered reasonable, acceptable and appropriate to offset the impact from the development.

Monitoring Planning Obligations

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. Monitoring fees cannot be sought retrospectively for historic agreements. A monitoring fee will be included within any Section 106 agreement for officer to monitor each obligation set out within any agreement.

Conditions

With regards to conditions, paragraph 56 of the revised NPPF states that planning conditions should 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 the advice on the use of planning conditions and also states the following:

- specific controls outside planning legislation may provide an alternative means of managing certain matters (for example, works on public highways often require highways' consent)
- conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning
- conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning.

It is considered that the recommended conditions meet the tests set out in the revised NPPF and the PPG.

CONCLUSION

The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions and the completion of a suitably worded agreement under Section 106 of the Town and Country Planning Act 1990 including the heads of terms set out above.

RECOMMENDATION

Delegate to the Principal Planning Manager to approve subject to the following conditions and following the completion of a Section 106 Planning Agreement.

Conditions/Reasons

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:

Received 27 Aug 2020

Hdn-Pte-Xx-01-Dr-A-10101 Floor Plan Level 01

Hdn-Pte-Xx-02-Dr-A-10102 Floor Plan Level 02

Hdn-Pte-Xx-03-Dr-A-10103 Floor Plan Level 03

Hdn-Pte-Xx-04-Dr-A-10104 Roof Plan

Hdn-Pte-Xx-Xx-Dr-A-10001 Existing Site Plan

Hdn-Pte-Xx-Xx-Dr-A-10003 Demolition Plan

Hdn-Pte-Xx-Xx-Dr-A-10010 Proposed Site Plan

Hdn-Pte-Xx-Xx-Dr-A-10400 Flat Type Layouts

Hdn-Pte-Xx-Zz-Dr-A-10200 Long Sections

Hdn-Pte-Xx-Zz-Dr-A-10300 Long Elevations

Hdn-Pte-Xx-Zz-Dr-A-10301 Street And Park Elevations

Hdn-Pte-Xx-Zz-Dr-A-10302 Short Elevations

Received 01 Sep 2020

Hdn-Pte-Xx-Xx-Dr-A-10000 Site Location Plan

Received 24 Sept 2020

Flood Risk Assessment, ver. 2 by Graphic Structures

Received 05 Oct 2020

Hdn-Pte-Xx-00-Dr-A-10100 - Amended Floor Plan - Level 00 - Amended

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. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment, ver. 2, dated 04/08/2020, and prepared by Graphic Structures, should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include
- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
 - ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting.
 - iii) Cross sections of control chambers and manufacturers hydraulic curves for flow controls.

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

4. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the local planning authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

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

Reason: To ensure the future maintenance of drainage systems associated with the development to reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework and Policy 5 of the Core Strategy for North Northamptonshire.

5. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, ver. 2, dated 04/08/2020, and prepared by Graphic Structures has been submitted in writing by a suitably qualified independent drainage engineer and approved 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 to reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework and Policy 5 of the Core Strategy for North Northamptonshire.

6. Vehicle visibility of 2.0 metre x 2.0 metres above a height of 0.6 metres must be provided and maintained in perpetuity on both sides of the vehicular access. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

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

7. No building shall be occupied until the car/vehicle parking areas shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking areas so provided shall be maintained as a permanent ancillary to the development 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.

8. No development shall take place above slab level until a hard and soft landscape scheme shall be 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; street lights; 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 first occupation of the building(s) or the completion of the development 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 in situ.

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.

9. No development shall take place (including any demolition, ground works, site clearance) until a method statement for soft felling trees T14 and T20 as identified on Tree and Ground Protection Plan drawing SJA479.HC.01.0 by Steve Jowers Associates and dated 27 October 2020 has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
 - a) purpose and objectives for the proposed works;
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - e) persons responsible for implementing the works;
 - f) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

10. All existing trees, woodlands and hedgerows to be retained as shown on the submitted drawings 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 (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, water-logging, 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 (a), (b) and (e) of the North Northamptonshire Joint Core Strategy.

11. No construction works shall be undertaken above slab level until details of new nesting opportunities for birds and bats 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 scheme shall include details of external bat roosting boxes, sparrow terraces, swift boxes and general nesting boxes and the development shall thereafter be carried out in accordance with the approved details prior to the occupation of the building.

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

12. No use of the building shall commence until details of site wide crime prevention and security measures to be included in the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: To design out anti-social 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 in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

13. No development shall take place in any phase including any works of demolition until a Construction and Demolition Environmental Management Plan (CDEMP) has been submitted to and approved in writing by the local planning authority. The CDEMP 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 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.
 - Routes for construction traffic
 - Method of demolition
 - Method of prevention of mud being carried onto the highway
 - Location of site compound
 - The erection and maintenance of security fencing/hoardings and lighting
 - Proposed temporary traffic restrictions
 - Parking of vehicles of site operatives and visitors
- The approved Construction and Demolition Environmental Management Plan for each 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.

14. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the local planning authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the local planning authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the local planning authority has been given shall development works recommence.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

15. No development shall take place above slab level until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated

infrastructure has been submitted to and approved in writing by the local planning authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

16. 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.

17. No dwelling hereby permitted shall be occupied until an external lighting plan has been submitted to and approved in writing by the local planning authority. Any external lighting must be directional and not illuminate any of the site boundaries. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the development and shall be subsequently retained in that form thereafter.

Reason: To ensure any protected species are adequately protected and in accordance with policy 4 of the North Northamptonshire Joint Core Strategy and in the interests of the amenities of surrounding occupiers of the development in accordance with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy.

18. The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission was granted; and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

Reason: To ensure the demolition is followed by immediate rebuilding, avoiding the unnecessary loss of buildings and to maintain the character and appearance of the area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

19. The development hereby approved shall be carried out in accordance with the materials specified on the approved plans.

Reason: To ensure that the external appearance of the building 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.

20. No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed for that building in accordance with the approved plans. Thereafter, all refuse and

recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site.

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

21. Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments including Roof guard railings have been submitted to and approved in writing by the local planning authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site. Development shall be carried out in accordance with the approved details and thereafter retained in that form.

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.

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 Public Health Act 1875 Town Improvement Clauses Act 1847 at S.64. 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 www.wellingborough.gov.uk
3. To prepare for the increased demand for electric vehicles in future years appropriate infrastructure for electric vehicle charging points should be included within the development.
4. The Borough Council of Wellingborough 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.

5. All gas fired boilers should meet a minimum standard of 40 mgNO_x/Kwh.
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. Notification of intention to connect to the public sewer under Section 106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
8. Notification of intention to connect to the public sewer under Section 106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
9. Protection of existing assets - 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. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact 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 our 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. With reference to fire hydrants, sprinkler systems and their associated infrastructure Condition, the developer will be expected to meet the full costs of supplying and installing the fire hydrant, sprinkler system and associated infrastructure.
For further information, please contact Linda Wilson: Water Officer for NFRS - ljwilson@northantsfire.org.uk.
13. Early registration of development sites is key to making sure occupants get a full fibre broadband service when they move in. More information can be found in the links below:

BT Openreach: <https://www.ournetwork.openreach.co.uk/property-development.aspx>
Virgin Media: <http://www.virginmedia.com/lightning/network-expansion/property-developers>

It is advised that ducting works are 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>.

14. Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the local highway authority or Statutory Undertaker and carried out at the cost of the applicant.

15. All redundant vehicular crossings must be stopped up, new and reused vehicular crossings constructed and modified as appropriate and all highway surfaces affected by the proposals reinstated in accordance with the specification of the local highway authority and subject to a suitable licence/agreement under the Highways Act 1980.

APPENDIX 1 – FULL CONSULTEE RESPONSES

1. Northamptonshire Highways -

Initial comments received 11.09.2020

Subject to compliance with the following requirements of the local highway authority no objection is raised to the application on highway safety or capacity grounds.

The main parking area appears to be shared with the pedestrian and vehicular access to Croyland Park which may result in use of parking spaces by the public at large and will continue to be used by pedestrians and maintenance vehicles to access the park. It should be confirmed that use of this area has the approval of the owner and that adequate means will be put in place to ensure that the safety of pedestrians is safeguarded and to control the use of the parking spaces to ensure that their use will be reserved for the parking requirements of the extra care flats only.

Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards and satisfy Policy 8 of the North Northamptonshire Joint Core Strategy.

All redundant vehicular crossings must be stopped up, new and reused vehicular crossings constructed and modified as appropriate and all highway surfaces affected by the proposals reinstated in accordance with the specification of the local highway authority and subject to a suitable licence/agreement under the Highways Act 1980.

Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the local highway authority or Statutory Undertaker and carried out at the cost of the applicant.

To prevent loose material being carried onto the public highway the driveway must be paved with a hard-bound surface for a minimum of 5m in rear of the highway boundary.

As appropriate, a positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.

Pedestrian to vehicle visibility of 2.0m x 2.0m above a height of 0.6m must be provided and maintained on both sides of the vehicular access.

Subsequent comments received following clarification from applicant in relation to parking provision. 11.11.2020

The original response of the local highway authority highlighted the parking requirement for the development and concerns relating to the shared use of the parking facility that is to be provided.

The Northamptonshire Parking Standards for a residential home require one parking

space per each full-time equivalent staff member and one visitor space per three beds. For the accommodation of 57 units this equates to say 20 visitor spaces and possibly a maximum of two staff spaces. The response made on behalf of the applicant acknowledges the need to maintain parking provision for visitors to Croyland Park and it is considered that the total parking provision made is satisfactory.

It is confirmed, therefore, that the local highway authority does not intend to raise an objection to the application on highway safety or capacity grounds.

2. BCW Planning Policy -

It is considered that weight and support should be given to the improving and expansion of older person's accommodation, as supported by Policy 30 of the JCS and Policy H3 and H4 of the PBW.

Whilst the use of the site as an extra care development is already established and supported in principle the proposal to extend the site to the extent suggested in this application would need to be assessed as to its design and its possible impacts on local character and amenity.

The design of the scheme should be considered against the criteria in Policy 8 of the JCS. The final design of the application should be assessed through a design review process.

The proposal should adhere to the space standards and accessibility standards in Policy 30 of the JCS.

Contributions towards open space and sports provision in accordance with Policy GI4 and GI5 of the PBW will be required to meet the needs resulting from the development. The level of contribution would vary dependent on the type of dwellings proposed, the onsite provision anticipated and the viability of the scheme.

The extra care units should have regard to the best practice guidance in the Study of Housing and Support Needs of Older People Across Northamptonshire by NCC in their design.

3. BCW Environment Protection Officer - contaminated land -

No objections to make on this application for land contamination.

Would advise the following is included in the event that unexpected contamination is discovered during the works:

In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the local planning authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the local planning authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the local planning authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

4. BCW Environment Health -

Initial comments received 21.10.2020

The site is located in a residential area with public open space to the rear, southern side, of the site. Henshaw Road appears to be a residential street but may provide a through route to/from parts of Wellingborough town centre. The PoS to the south of the site appears to be laid out as football pitches.

The application does not include any assessment of the noise environment at the site or any noise or air quality impacts arising from the development. There are no apparent proposals for the inclusion of electric vehicle charging facilities within the development.

Recommendations

It is recommended that, prior to the application being decided, the applicant should submit a noise impact assessment for the site to determine if the site and site layout as proposed is suitable for use. Where necessary, proposals for noise mitigation should be submitted. Any such assessment should take account of the guidance in:

ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development May 2017. Institute of Acoustics,

Chartered Institute of Environmental Health, Association of Noise Consultants.
(<https://www.ioa.org.uk/publications/propg>)

British Standard, BS8233:2014, Guidance on sound insulation and noise reduction for buildings. The British Standards Institution.

World Health Organisation (WHO) Guidelines for Community Noise

If the noise assessment indicates that a satisfactory internal noise environment cannot be achieved with windows open for ventilation, then the submitted thermal comfort assessment would need to be reviewed to take account of the changed circumstances.

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. The East Midlands region is looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of any planning application submitted I would recommend that the applicant be asked to propose what measures they can take as part of this new development to support sustainable travel and air quality improvements and for these measures to be conditioned through the planning consent if the proposals are acceptable. A key theme of the NPPF is that developments should enable future

occupiers to make "green" vehicle choices and (paragraph) 35 "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore, an electric vehicle recharging provision rate of 1 vehicle charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Before any demolition or construction work commences on site the applicant should submit a construction management plan which includes an assessment of the off-site impacts of construction noise and dust together with proposals for mitigating and minimising any impacts on the nearby sensitive receptors.

Conditions

If it is decided to approve the proposal before the additional information requested above is submitted it is requested that the following conditions are attached to the consent.

Noise

Prior to the commencement of development, a detailed scheme for achieving the noise levels outlined in BS8233:2014 and WHO community noise guideline values with regards to the residential units shall be submitted and approved in writing by the local planning authority. Once approved the scheme shall be implemented before first occupation of the residential units and therefore maintained in the approved state at all times. No alterations shall be made to the approved structure, including roofs, doors, windows and external facades and layout of units or noise barriers.

Reason: Details are required prior to the commencement of development in the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Demolition and construction

No development shall take place in any phase until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP for each phase 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 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 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.

Informative

To prepare for the increased demand for electric vehicles in future years appropriate infrastructure for electric vehicle charging points should be included within the development.

All gas fired boilers should meet a minimum emissions standard of 40mgNOx/Kwh.

Applicant response

We had discussed the requirement for all supplementary reports at pre-application stages and Noise and Air Quality assessments were not raised as being required for this application.

It is a scheme replacing an existing building of similar use and we do not believe it raises any undue concerns for noise at the site or arising from the development. Whilst a condition requiring a noise assessment is clearly preferable to a recommendation that a report is carried out pre-determination, we do question how such a scheme would impact on residential amenity and whether such a report is necessary at all here.

Subsequent Environmental Protection received comments 10.11.2020

Thank you for the additional information and background to this case.

With this knowledge, I am happy to withdraw my request for a noise impact assessment, however, a like for like replacement of use does not necessarily rule out the need for a noise impact assessment as the scheme design and noise environment may not be the same and the applicable noise assessment standards have changed in recent years.

I am happy to withdraw comments re. EV charging as clearly this is in the proposal and presumably meets the required standard of provision although not apparent from the documents available to me.

5. BCW Landscape Officer

No comments received.

6. Northamptonshire Assistant Archaeological Advisor -

No comments to make.

7. Northamptonshire Police -

Initial comments received 09.11.2020

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 of the North Northamptonshire Joint Core Strategy.

The applicant has made changes to the site in line with recommendations made (through the pre-application advice process). However not enough information has been provided within the application to reflect these changes to ensure that adequate security is implemented in the final build and form part of the final planning permission.

Detailed Security plan showing the following details: Boundary treatment and gate details including heights, door and window security ratings, mail delivery security. It is unclear from the details provided what heights the fencing will be. As discussed, this is particularly important along Croyland park edge. The boundary treatment should not allow casual intruders and free circulation to site once inside the boundary. The plan should be supported by a Security Statement. I consider the boundary treatment to form part of the Landscaping and site details. Lighting levels. Details of CCTV locations.

Policy 8 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'.

Subsequent comments following discussions with applicant 11.09.2020

If you are happy to proceed with a suitably worded condition, I am happy with the approach.

A condition worded similar to the below could be considered:

No use of the building shall commence until details of site wide crime prevention and security measures to be included in the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: To design out anti-social 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 in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

8. Principal Project Officer, Ecology Northamptonshire County Council

Initial comments received 23.10.2020

The demolition plan indicates that a number of trees are to be felled, however a tree survey has not been provided with the application. Given the proximity of Swanspool Brook I am a little concerned that the trees could have features which could be used by roosting bats. I am not convinced that a bat survey of the trees is needed at this stage, but a tree survey would offer some indication of whether an inspection for bats might be prudent.

Old maps suggest that Hearnden Court was originally built around a pond. It is not clear from aerial photos whether the pond still exists, and no information has been provided. If the pond no longer exists, then it is likely not an issue. However, if the pond does exist then I would want it checked by a suitably qualified ecologist to determine whether protected species are likely to be an issue whether detailed surveys are indicated. In the absence of a tree survey, and without knowing whether there is a pond on site the potential biodiversity impacts are unknown. Therefore, in my view the council currently does not have sufficient information to determine this application.

Subsequent comments following submission of Ground-level tree inspection 30.10.2020

Thanks for forwarding on the ground-level tree inspection for the above application for redevelopment of Hearnden Court. As expected, most of the trees on site have negligible bat roost potential. However, trees T14 and T20 both have low bat roost potential. Therefore, a method statement will be required in the event that either tree needs felling:

No development shall take place (including any demolition, ground works, site clearance) until a method statement for soft felling trees T14 and T20 as identified on Tree and Ground Protection Plan drawing SJA479.HC.01.0 by Steve Jowers Associates and dated 27 October 2020 has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

9. BCW Housing -

Initial comments received 05.11.2020

Policy 30, part (a) of the NNCJS identifies a need for developments providing

accommodation for small households, including where appropriate developments designed to house older people. This development falls within this requirement and so should be supported.

Policy 30, part (f) states that older people developments are to be encouraged both when provided as affordable housing and under general market provision. It is also stated within this part of Policy 30 a particular need to ensure any development is a viable option for current owner-occupiers seeking to downsize.

Policy 30 (d) of the adopted Joint Core Strategy requires 30% affordable housing on developments of 5 or more dwellings Growth Towns and Market Town, which equates to a minimum of 18 affordable units for this development. It is our understanding however that GWH intends to offer all 57 properties under this development as Affordable, with some Shared Ownership options.

Should the development be considered acceptable, a Section 106 agreement should be drawn up requiring 30% (based on JCS policy) of the dwellings to be constructed as affordable housing, with a split based on the data below in Affordable Housing Mix. As there is very limited demand for Social Rent in this sector, our expectation would be that the 30% AH is Affordable Rent, with the remaining 70% being split between further Affordable Rent, Shared Ownership and Market Sale.

All units should achieve Lifetime Homes Standard (Accessibility Category 2 in JCS - para 9.44 refers). Also, National Space Standards should be met in line with JCS policy.

Whilst GWH's commitment to Affordable Housing is commendable, the rest of my comment explains why for Older People's accommodation there is significant need for Market Sale properties which do not fall into the "Luxury" retirement bracket.

Affordable Housing Mix

Whilst in general the affordable housing should take the SHMA information into account, we also need to consider welfare reform (including size criteria in social housing) and current requirements of the Council's Housing Register. On this basis and based on the fact this is Older Person's accommodation, the demand will be almost entirely 1- and 2-bedroom properties, as the proposal reflects.

We do note however that the housing register data for over 60s does not necessarily correlate with people who are over 60 and have a care need which would be a priority criteria for any Extra Care scheme, though there is likely to be a degree of correlation. We would support joint working with Adult Social Care to identify those people who are both in need of housing and have a known care need.

Additionally, while the housing register has specific information for over 60s, we note that typically that age range for specialist older peoples accommodation starts at 55, and additionally we would recommend that there is some flexibility applied to any allocations policy in order that someone aged close to 55 with identified care needs and an accessible housing need would be given consideration.

The Strategic Housing Market Assessment (SHMA) was revised in January 2015 and table 9.10 of this report (page 18) identifies that the following breakdown of units is required to meet projected housing requirements 2011-2031:

1 bed (58%)
2 bed (10%)
3 bed (30%)
Some 4+ bed (2%)

Whilst this data points towards the notion that this proposal may include too many 2 bedroom units, this particular target group may not be fully reflected within those on the Housing Register, as they are more likely to be homeowners owning their property outright and so with limited need to apply for social housing. If existing residents in Hearnden Court are to be re-housed in the new extra care scheme it would be helpful to understand their housing needs (eg 1 or 2 bedroom, which tenure etc) as this could better inform our response for the remaining flats.

Market Position Strategy

Consideration should also be given to Northamptonshire County Councils Market Position Statement for Older People's Accommodation.

Northamptonshire County Council's Market Position Strategy for Older People demonstrates there is sufficient demand for Extra Care Older Person's scheme within Wellingborough, with the minimum desired scheme size being 40 units, which the proposed development exceeds.

This document also points out that 75% of older residents across Northamptonshire own their own home, meaning there is significant demand for open market extra care apartments. Greatwell Homes have not set out their intentions for the breakdown of tenures in the properties proposed, but we believe their intention is to offer a mixture of affordable rent and shared ownership.

We would hope to see a breakdown mixture of affordable rent, shared ownership and market sale which will enable this scheme to be a viable option for existing owner-occupiers in terms of ongoing affordability. An oversupply of two-bedroom properties for social rent risks residents being exposed to the Spare room subsidy.

Needs of Older People Study

Further consideration can be given to the below study, in which it was identified that the majority of older households in Northamptonshire were homeowners whereas most of the existing Older Person's stock was social rented.

As there is sufficient Social rented stock for older people to meet demand, the expectation is that any future Older Person's developments will meet a need for either affordable housing or market sale.

There is an expectation that any Extra Care scheme will offer additional facilities than general retirement housing, and this scheme does demonstrate significant communal space in which providers could come to provide use of services to residents such as hairdressers. It would be helpful to see full details of the proposed communal space.

We also note that there is a communal dining area/kitchen in the park-level of the development. It would be helpful if the applicant could share information on the proposed management of this café/restaurant area as it is not clear whether this will

be permanently resourced either by the applicant or a partner, or whether it will be utilised in the same manner as communal space for hairdressers and other facilities, ie ad-hoc provision. Our understanding is that Northamptonshire County Council would desire sufficient communal eating facilities, and a lack of this could cause issues with identifying suitable placements.

Space Standards

All the proposed layouts meet Nationally Described Space Standards.

Interim Accommodation for Existing Residents

The application is for demolition of the existing scheme, rather than redevelopment/refurbishment therefore it would be helpful if the applicant could share a proposed plan for interim or alternative accommodation for existing residents.

Applicant response to Housing Comments:

Joint Core Strategy

Greatwell Homes (GWH) confirm that the proposed tenure mix of this scheme is for 70 to 80% of the apartments to be for social rent with 20 to 30% for shared ownership. This mix will be form part of the Section 106 agreement.

We note that Lifetime Homes is superseded by Part M Building Regulations, and that all the 57 units exceed Part M4(2) Building Regulations.
Affordable Housing Mix

GWH confirm that the majority of the 2 bed apartments will be for sale as shared ownership. It is anticipated that sales demand will be mainly for 2 bed apartments. A small number of 2 beds will be for social rent, for which there is a known demand from the Housing Register.

Existing Residents

GWH confirm that all current residents of Hearnden Court are in 1 bed apartments or studios and if they wish to return to the new scheme, they will be offered 1-bedroom flats. There are however currently only 17 residents in Hearnden Court, and some have indicated that they will not return to the new scheme but will be happy to remain in the accommodation that they are to be offered as an alternative during the redevelopment.

Market Position Strategy

GWH confirm that an over-supply of 2-bedroom flats for social rent and the risk of resident exposure to Spare room subsidy is understood and is why the proposed 2 bed apartments will be mainly for shared ownership sales. There will be no outright sales. The few social rent 2 bed apartments will cater for customers with specific needs for whom the second bedroom will be an essential requirement.

Needs of Older People Study

GWH confirm that this new scheme has been designed to provide sufficient flexible spaces that can cater for the demands of the residents, in terms of non-residential facilities. Whatever form these take, whether it be an on-site shop, hairdresser etc, these will be resident led to ensure their long-term success and demand and therefore at this stage no specific details are available. The communal spaces are indicated on the drawings and in the Design and Access Statement with a dining area, a catering kitchen and flexible lounge areas and shared gardens and terraces.

It is anticipated that this scheme will provide one cooked meal a day to all residents as part of an accommodation offer. This will be provided via the on-site kitchen and dining area, which also will provide space for social activities and events. The management of the catering offer has not been agreed but will most likely be supplied by a third-party contractor, operating from the on-site facility.

Interim Accommodation for Existing Residents

GWH confirm that alternative accommodation of a similar standard has already been identified for all current residents. Greatwell Homes have been holding empty flats in other schemes for this purpose and consultation with existing residents on their choice of accommodation during the rebuild process is underway.

Subsequent comments from BCW Housing Officers following clarification from applicant 12.11.2020:

Joint Core Strategy

GWH's proposed Affordable Housing Mix is acknowledged, and the mix of tenures should be supported. As mentioned in the original comment, 75% of older residents across Northamptonshire own their own home which effectively means in order to avoid both Spare room subsidy and any implications around having to self-fund the cost of social care, these residents will be in need of ownership models of tenure as opposed to renting. This scheme's 30% shared ownership commitment would help to meet the needs of more backgrounds of older people in Northamptonshire.

It's acknowledged and welcomed all units exceed Part M4(2) Regulations

Affordable Housing Mix

Understood, this approach will help mitigate against risk of Spare room subsidy exposure.

Existing Residents

Understood and acknowledged.

Market Position Strategy

As mentioned previously, this approach is welcomed in reducing the risk of Spare room subsidy exposure for potential residents.

Need of Older People Study

Understood, GWH are encouraged to reach out to potential providers of the food service at an early stage to ensure the facilities are available as soon as residents begin to move in. We would advise GWH to contact Adult Social Care and the Care Quality Commission to explain the planned provision, as the package as described might risk the scheme being viewed as a residential care home which it is not. It might be more reasonable to make assumptions for planning purposes that the scheme will have capacity for residents to purchase 1 meal a day on site, should they wish to, rather than this being part of the package.

Interim Accommodation for Existing Residents

Understood.

10. Natural England -

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's Advice

Designated Sites [European] - Further Information Required

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document. Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Internationally and nationally designated sites

The application site is in close proximity to a European designated site and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations 2017'). The application site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area which is a European site. The site is also listed as a Ramsar Site and also notified at a national level as a Site of Special Scientific Interest (SSSI).

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The conservation objectives for each European site explain how the site should be restored and/or

maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have. The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Habitats Regulations have been considered by your authority i.e. the consultation does not include a Habitats Regulations Assessment. In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out. We recommend you obtain the following information to help undertake a Habitats Regulations Assessment.

Habitats Regulations Assessment Rationale

Increased visitor access to the Upper Nene Valley Gravel Pits SPA is recognised by Natural England as a threat to the favourable condition of the site, detailed within the Site Improvement Plan for the SPA. This is underpinned by a number of studies documenting disturbance to birds from activities such as dog walking within the SPA. A report titled "Visitor Access Study of the Upper Nene Valley Gravel Pits SPA" has explored the expected increases in visitor numbers as a result of new development (based on interviewing over 1000 groups who visited the site), and identifies that the majority of visitors originate from within 3km of the SPA, with most visitors arriving via a short car journey.

As a result of this evidence the North Northamptonshire Joint Core Strategy has identified that mitigation is needed for the likely effects of new residential developments proposed within 3km of the Upper Nene Valley Gravel Pits SPA. A mitigation Strategy has been developed as a Supplementary Planning Document (available to view [here](#)) and identifies the required mitigation as a financial contribution of £269.44 per new dwelling within the 3km zone. This will contribute towards a package of Strategic Access Management and Monitoring to include fencing, screening and wardens to manage visitors within the SPA. The Mitigation strategy has now been formally adopted and can be used by developers to mitigate impacts to the SPA. Provided the contribution is made, Natural England advises your Council that there is not likely to be an adverse effect on the integrity of the SPA.

Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended). This is because Natural England notes that the recent People Over Wind Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can however be considered during an appropriate assessment to determine whether a plan or project will have an

adverse effect on the integrity of the European site.

Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context. Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

11. Lead Local Flood Authority -

Initial comments received 21.09.2020

Having reviewed the applicant's submitted information located within,
1) Drawing 191510-GSL-ZZ-XX-SK-C-7001 rev 3 entitled Preliminary Drainage Scheme dated 4th August 2020 prepared by Graphic Structures
2) Henshaw Road Design and Access Statement dated August 2020 prepared by Pollard Thomas Edwards

We would advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

Subsequent comments following submission of updated Flood Risk Assessment 15.10.2020

Having reviewed the applicant's submitted information located within,
1) Flood Risk Assessment, ver. 2, dated 04/08/2020 and prepared by Graphic Structures.

We would advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

Our information requirements in support of a Full application are outlined in our document Local Standards and Guidance for Surface Water Drainage in Northamptonshire document: <https://www.floodtoolkit.com/wp-content/uploads/2017/09/Local-Standards-for-publication-v1.3-September-2017.pdf>

With reference to this document, we note that the submitted surface water drainage information fails on the following grounds:

1) The FRA (section 7.1) proposes to discharge the surface water into assumed Anglian Water 400 mm diameter surface water sewers running through the site. However, we expect to see a confirmation of the allowable rate and point of discharge which should be provided by Anglian Water. Please note that the rate and point of discharge set by the relevant Authority may have implications on the overall drainage scheme for the site and may need to be revised based on their requirements.

An Anglian Water re Planning Assessment is required

2) We expect to see the results of critical storm duration for each element of the drainage network should be determined by considering a full range of summer and winter storm durations from 15 minutes up to the 10080 minute (7 day) duration.

3) In support of a Full Application, we would ordinarily expect receipt of a detailed drainage plan (appropriately cross-referenced to supporting calculations) for the development which clearly indicates the location of all proposed drainage elements.

We note Drawing 191510-GSL-ZZ-XX-SK-C-7001 rev 3 entitled Preliminary Drainage Scheme does not detail MH numbers, pipe numbers, sizes or gradients.

4) Urban Creep is "The conversion of permeable surfaces to impermeable over time, eg surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas." The effect of Urban Creep over the lifetime of a development can increase impermeable areas by as much as 10%. For all residential developments within Northamptonshire, the proposed impermeable area for the site used in all calculations should include an additional allowance of 10% to account for the potential of Urban Creep. (CIRIA C753 V.6).

5) Section 4.3.2. of the SUDS Manual (CIRIA C697) refers to Development Runoff. Within this Section, it is acknowledged that additional datasets have been added to Flood Estimation Handbook (FEH) and rainfall depths obtained using FEH show significant differences from those obtained from Flood Studies Report (FSR) in some parts of the country. Within Northamptonshire, rainfall depths are often greater using more up to date FEH datasets than those using FSR, therefore for various storm events, greater run-off is produced, and additional attenuation is likely to be required.

FEH rainfall data is more up to date than FSR (England and Wales) therefore calculations should use this FEH data to determine the volume of surface water attenuation required on site. We recognise there are uncertainties associated with the use of any datasets. In particular, FSR rainfall data should be used where the critical storm duration is less than 60 minutes, as FEH data is less robust for short duration storms. FEH rainfall data can be used to determine the volume of storage required if the critical storm duration is greater than 30 minutes.

If FEH rainfall data is not used as described above, then sensitivity testing to assess the implications of FEH rainfall must be provided. This should demonstrate that the development proposals remain safe and do not increase flood risk to third parties.

Overcoming our concerns:

Our concerns can be overcome by submitting surface water drainage information

which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible, actively reduces flood risk overall.

We ask to be re-consulted on this requested surface water drainage information. We will provide you with bespoke comments within 21 days of receiving a formal re-consultation. We cannot support the application until adequate surface water drainage information has been submitted.

Upon submission of revised surface water drainage information, we may deem that the impacts of surface water drainage have been adequately addressed, pending the imposition of any relevant planning conditions. Or we may consider that the nature of the proposal, drainage solution or information submitted remains insufficient to overcome our concerns.

Please note that our comments only cover the surface water drainage implications of the proposed development.

Subsequent comments following submission of updated Flood Risk Assessment and Technical response 16.11.2020

Having reviewed the applicant's submitted information located within,

- 1) Flood Risk Assessment, ver. 2, dated 04/08/2020 and prepared by Graphic Structures.
- 2) Response to LLFA, ref 191510/ASB/01 dated 28 October 2020 prepared by Graphic Structures.

We would advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

Final comments following submission of updated Flood Risk Assessment and Pre-Planning Assessment Report 30.11.2020

Having reviewed the applicant's submitted information located within,

- 1) Pre-Planning Assessment Report Henshaw Road Reference: PPE-0107259 dated 24 November 2020 prepared by Anglian Water.

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

Condition

Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment, ver. 2, dated 04/08/2020 and prepared by Graphic Structures, should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include

- i) Details (ie designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection

chambers, outfalls/inlets and attenuation structures.

ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting

iii) Cross sections of control chambers and manufacturers hydraulic curves for flow controls

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

Condition

No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the local planning authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (eg open space play areas containing Suds) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

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

Reason: To ensure the future maintenance of drainage systems associated with the development to reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire

Condition

No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, ver. 2, dated 04/08/2020 and prepared by Graphic Structures has been submitted in writing by a suitably qualified independent drainage engineer and approved 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 to reduce the risk

of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire.

12. Anglian Water -

Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

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.

Section 2 - Wastewater Treatment

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.

Planning Report

Section 3 - Used Water Network

This response has been based on the following submitted documents: Preliminary drainage Scheme. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

(1) INFORMATIVE - Notification of intention to connect to the public sewer under Section 106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under Section 106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - 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.

(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE: 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 our 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.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a Sustainable drainage system (Suds) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable the application states not to utilise the public sewer, however the preliminary drainage scheme plan shows a connection of 8l/s to a public sewer. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations in to discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point with the manhole number specified, before a connection to the public surface water sewer is permitted. We have no public surface water sewers within the site boundary. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request that the agreed strategy is reflected in the planning approval

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the local planning authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

CONDITION No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the local planning authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the local planning authority.

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

(Officer note - details secured through LLFA conditions)

13. NNJPDU Design Officers -

The comments herein follow on from a number of pre-application discussions held over the course of a year after which amendments were made to the proposals, as well as a site visit undertaken by myself and a Landscape Architect colleague.

A review has been undertaken of the amended submitted information associated with this Full application, which takes into consideration the Hearnden Court area of the site only. A discussion was had in relation to the integration of the adjacent flats to the west and a submission of a hybrid application, however the preference has been to submit this site in isolation. Whilst I understand the rationale for this, it is disappointing that the LPA cannot assess this scheme as part of a wider redevelopment proposal as opposed to in isolation in a context which would be more favourable as a result of wholesale redevelopment. This is particularly the case of the flatted blocks to the west which are substantially lower in height, mass and bulk than the proposals. Outside of this area, whilst recognising that this scheme will be larger in height and bulk than the prevailing housing typologies, I do not have a particular issue pertaining to the context of the surrounding built form in relation to this proposal and I consider the level of adverse impact to neighbouring properties to be acceptable.

As outlined in previous responses to pre-application submissions the proposals have been through a robust and iterative design refinement process which has been based on solid foundations of good urban design principles. The final design is considered high quality and contemporary, whilst being in-keeping with the surrounding built environment. The scheme achieves some of the best design principles for extra care living through a well-considered design with a good level of attention to detail, and which I believe will offer exceptional living accommodation and will present an excellent precedent for developments of this type in the wider North Northants area.

It is my view that the proposals are innovative in their use of design and landscaping to create a development which will blend into Croyland Park, and I am pleased to see that positive discussions have been held with the Designing Out Crime Officer to ensure that tall perimeter security fences have not been applied which would detract from the open feel which was an original objective of the scheme.

Following the last pre-application meeting, I note that the architects have placed more emphasis on making the development more 'Wellingborough-specific' through strong design cues in the brickwork which reflect Croyland Abbey and other striated buildings throughout the Town. This is welcomed and I believe contributes strongly to a modern aesthetic, complemented by a strong and feature roofline which picks up on prominent gables found in the area, whilst harking back to its historic context in the surrounding area.

Only have one additional design comment to make relating to the guard railing to the flat roof elements of the proposal. I do not recall seeing this on earlier iterations, or perhaps attention was not drawn to these additions, however I do have some concern that they could appear quite incongruous and over-engineered on the parapet which could detract from the design.

In summary, I am very happy to recommend this proposal for approval on Urban

Design grounds. The scheme is exceptionally composed through a strong understanding of the requirements of the extra care sector and will replace an aging and inappropriate building for this era. I am confident that the scheme will represent a significant uplift in design quality for Wellingborough and will act as a positive catalyst for future developments of this type.

14. Wellingborough Norse -

Initial comments received 16.09.2020

In response to the above planning application we would like to comment as follows: The Design & Access Statement 5.4 Refuse states, "the refuse store accommodates 9 no. 1100 litre Eurobins - 3 for recycling, 5 for general waste which will provide sufficient volume for resident waste. This will give space for either additional recycling for staff/kitchens plus food recycling/clinical waste collection."

We would challenge this estimate and recommend reviewing the size of the refuse store to accommodate at least 16 no. 1100 litre Eurobins. This is based on a calculation of 140 litres general waste and 140 litres recycling per flat:

General waste: $(57 \times 140 = 7980 \text{ litres})/1100 = 7.25$ bins, say 7
Recycling: $(57 \times 140 = 7980 \text{ litres})/1100 = 7.25$ bins, say 7 bins
Possible clinical waste/food/kitchen waste storage: 2 bins
TOTAL: 16 Eurobins

Applicant response

With a fortnightly collection we have relooked at the waste calculations based on the BS5906. Assuming 57 flats, occupied by single or occasional couples, this results in 10no 100l Eurobins for waste and recycling. These residents will be receiving a minimum of one meal a day from the centralised kitchen and we will also be providing bins for kitchen waste and clinical waste which will be collected separately via a commercial contractor.

|Subsequent comments from Wellingborough Norse 01.10.2020

No further comment.

15. Northamptonshire County Council Key Services (Education, Libraries, Broadband) and Northamptonshire Fire & Rescue Service (NFRS) -

Responding on behalf of Northamptonshire County Council Key Services (Education, Libraries, Broadband) and on behalf of Northamptonshire Fire and Rescue Service (NFRS) on which this development would have an impact. Other County Council service areas may respond separately.

This response follows the principal guidance in the County Council's adopted Planning Obligations Framework and Guidance Document (2015), which follows the tests of paragraph 56 of the National Planning Policy Framework (2019) and is therefore relevant to this planning application.

From the information received regarding this application, it has been highlighted that

this will be a development of up to 57 extra care units comprising 41 x 1 bed units and 16 x 2 bed units. It is understood that this will, when taking into account the demolition of existing buildings within the site boundary, create a net increase in units as follows:

21 x 1 bed units

16 x 2 bed units

These figures have been used to guide this response.

Education

Due to the proposed restriction on the age of residents for this development, it is expected that there will be no pupils of Early Years, Primary or Secondary age fully resident in the dwellings delivered. As a result, no Section 106 obligations will be required from this scheme if approved in its current form towards education infrastructure. This position will be reviewed in the event of any changes proposed and/or effected during the planning process that would result in a wider age-range of residents than currently projected.

Libraries

Where a new development will generate additional need and library space requirement, the County Council requires contributions towards the costs of providing new, extended and/or improved library facilities to support the delivery of growth. This development is expected to impact on the current level of library provision as the new residents moving into the developments utilise existing facilities.

The County Council has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA). This includes:

A minimum standard of 30 sq. metres of new library space per 1,000 Population.

A construction and initial equipment cost on a per sq. metre basis (adjusted to reflect Northamptonshire building costs), based on BCIS building costs for public libraries.

In order to adequately serve the growing community, improvements to the Library service are planned which will enable more flexible spaces to be available to the public, with improved facilities and an increased range of services. A schedule of works will be determined subject to available budget. These improvements are intended to support the provision of Library services to meet the needs of current and planned for population growth, to ensure adopted national and local standards of service can be maintained, and to contribute towards delivery of the county's prevention and other strategies.

In order to establish a proportionate cost towards the new works, the County utilises cost multipliers as per our adopted guidance.

Local planning and library authorities are recommended to adopt a minimum tariff of £90 per person in new housing. This is adjusted for Northamptonshire to £88 per person, based on BCIS building costs. Further information on these calculations can be found in the County Council's Planning Obligations Framework and Guidance Document 2015.

A Libraries Contribution of £5,105 is therefore required, to contribute towards the

improvement, enhancement or expansion of Library facilities to serve the development. This figure will be reviewed, with a specific project identified, at such time as the Section 106 for the development is entered into.

Fire Hydrants and Sprinklers

New developments and associated infrastructure within Northamptonshire equates to an increase in visitors as well as traffic movements. This will inevitably lead to an increase in the spread of fire risk, which places additional demands on Fire and Rescue Service resources to ensure safe places are maintained, consistent with national Government expectations and guidance. Northamptonshire Fire and Rescue Service sets out its criteria for responding to incidents within its Standards of Operational Response (SOR). The standards outline how the Service will respond to different incident types which fall within its statutory responsibilities under the Fire and Rescue Services Act 2004.

New developments generate a requirement for additional fire hydrants and sprinkler systems in order for fires, should they occur, to be managed. An assessment of the site will need to be undertaken by the Water Officer of Northamptonshire Fire and Rescue Service in order to establish the precise requirement. It is expected however that this development may require a minimum of 1x fire hydrant to be provided and installed. The capital cost of each hydrant (including its installation) is £892 per hydrant, the cost of which is expected to be met by the developer in full.

Any hydrants and/or sprinkler systems, if required, should be installed at the same time as the rest of the water infrastructure and prior to any dwellings/commercial building being occupied. This is to ensure adequate water infrastructure provision is made on site for the fire service to tackle any property fire.

The final location of any fire hydrants and/or sprinkler systems for the new development must be agreed in consultation with the Northamptonshire Fire and Rescue Service Water Officer prior to installation and secured through a planning condition.

Below is a suggested standard condition for securing fire hydrants and sprinkler systems:

'No development shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the local planning authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

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

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

For further information, please contact Linda Wilson: Water Officer for NFRS (ljwilson@northantsfire.org.uk).

Broadband

The vision for the county to be at the leading edge of the global digital economy. To meet this challenge, we've set an ambitious target of 40% full fibre connectivity across the county by December 2023. To deliver on this, it is essential that new developments (both housing and commercial) are served by high quality full fibre networks. Access to the speeds, 1 gbps or faster, delivered by this technology will bring a multitude of opportunities, savings and benefits. It also adds value to the development and is a major selling point for potential residents and occupiers.

In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable full fibre connectivity for all new developments. To help developers, some fibre based broadband network providers such as Openreach and Virgin Media have dedicated online portals which provide assessment tools and technical help. There are also a variety of other suppliers operating in the area such as: Gigaclear, CityFibre and Glide. Further details of each of these as well as others can be found at the below web address:

<http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>

Early registration of development sites is key to making sure the people moving into your developments get a full fibre broadband service when they move in. More information can be found in the links below:

BT Openreach: <https://www.ournetwork.openreach.co.uk/property-development.aspx>

Virgin Media: <http://www.virginmedia.com/lightning/network-expansion/property-developers>

It is advised that ducting works are 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>

For further information on the project please visit www.superfastnorthamptonshire.net
Email us at: bigidea@northamptonshire.gov.uk

16. NHS Clinical Commissioning Group (CCG) -

The CCG can confirm there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed new development of 57 Extra Care Flats at Hearnden Court, Henshaw Road, Wellingborough, Northamptonshire. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients. If this were to be the case it could result in the population brought to the area by the new housing development experiencing difficulties accessing primary care health services. Therefore, the CCG and NHSE and I are seeking a financial contribution towards infrastructure support to ensure the new population has access to good quality primary health care services. Please find below a request for a financial contribution to healthcare along with

supporting information. This demonstrates how the request for financial contribution to healthcare provision is CIL compliant, meeting the relevant tests which require that the sums are -

- 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

Practices in the area have already formed groupings known as Primary Care Networks (PCNs), and under the NHS Direct Enhanced Service they have established and formalised agreements. Primary care networks are based on GP registered lists, typically serving natural communities of around 30,000 to 50,000 and will build on the core of current primary care services to enable greater provision of proactive, personalised, coordinated and more integrated health and social care. PCNs will act as the vehicle for the delivery of the local services across primary, community, secondary and social care services.

The Practice (s) in closest proximity to the proposed development is/are:

Abbey Medical Centre and Queensway Surgery

Therefore, it is reasonable to assume this/these Practice (s) will be most affected by the increase in population and will need to develop existing premises to accommodate the new growth.

Northamptonshire CCGs/NHSE and I are requesting a contribution from the developer towards the increased primary health care capacity directly attributable to the population of the proposed new development. Northamptonshire CCGs 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.

The cost per sqm has been identified by a quantity surveyor experienced in health care projects.

Additional patients to be accommodated

Cost of build /alterations/extension £/m² 1902 = £28,979.06

The potential impact if contributions are not made is that the necessary expansion to primary health care capacity to meet the demand from the proposed development will not be achieved.

17. Councillor Anslow - Swanspool Ward Councillor -

As Councillor for Swanspool Ward, I first saw the plans in August and I was impressed and pleased to see that Greatwell Homes were going to upgrade the oldest of their residential sites, built in the 1960s and at the time considered first class. The design of the community spaces and the outdoor areas will be appreciated by the residents and I was particularly impressed with the way the residents were consulted on the plans. I have one concern however and that is the loss of parking in the parking area which leads onto Croyland Park. I would not like to see this area unable to be used by the

visitors to the park - dog walkers, footballers, families. It is good to see that more parking has been allocated to the development, but if it is only for Hearnden Court residents, then the impact on the residents of Henshaw Road will be mean that a road, that is already busy children being brought to Our Lady's School. In addition, the junction just outside the new development is busy and dangerous. I would be in favour of the development but would like to assure the users of the park, that the car park will still be available and that access to the park will still be allowed from Henshaw Road.

Applicant response to Councillor Anslow

We can confirm that the parking area to the east is designed for use by public visitors and park users in addition to residents and staff of the new development.

The carpark site will continue to provide pedestrian access to Croyland Park, maintaining connection with the park footpaths. The existing vehicle barrier will be retained, and vehicular access will be maintained for park maintenance and emergency vehicles as currently exists.

Application Reference	NW/22/00185/FUL	
Case Officer	Mr Christopher Mohtram	
Location	5 Ryeburn Way Wellingborough NN8 3AH	
Development	Part two storey and part single storey rear extension and single storey front extension.	
Applicant	Mr S Thampapillai	
Agent	Mr M Rahman	
Ward	Brickhill and Queensway Ward	
Overall Expiry Date	18 May 2022	
Agreed Extension of Time	26 th June 2022	
Checked	Debbie Kirk	Senior Development Management Officer

Scheme of Delegation

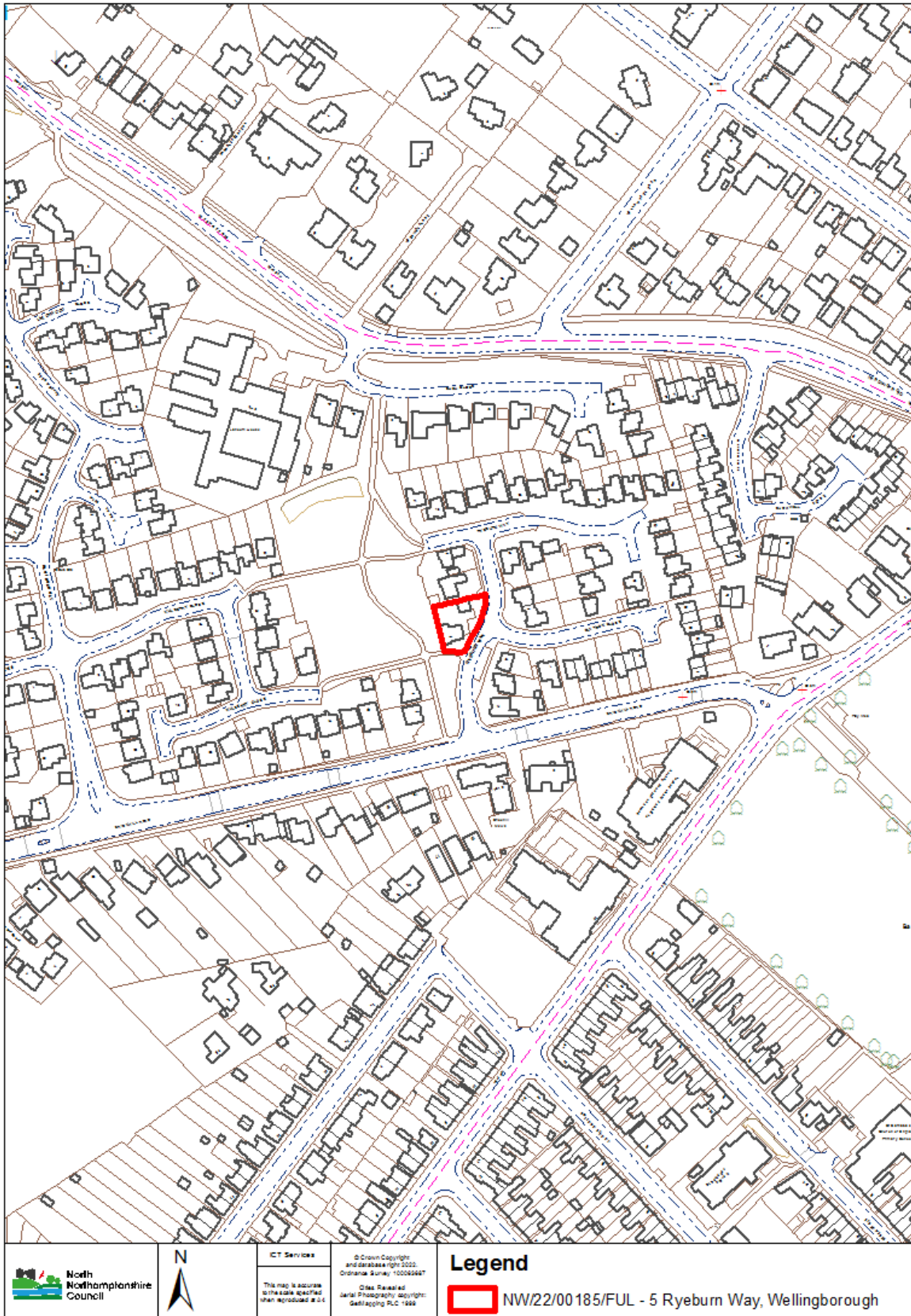
This application is brought to committee because it falls outside of the council's scheme of delegation as the proposal has received 6 neighbour objections.

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 Planning permission is sought for a part two-storey part single storey rear extension and a single storey front extension. The submitted plans indicate a small ground floor front extension with a mono pitched roof, the front door is enhanced with full length windows on either side. The single storey front extension would measure 1.3 metres deep by 5.4 metres wide with the ridge of the pitched roof height measuring 3.4 metres and an eaves height of 2.1 metres and will contain a cloak room area.



2.2 The part two-storey part single storey rear extension is designed with two projecting gable roofs at first floor level and a lean to roof at ground floor. The two-storey rear extension measures 3.6 metres deep on the eastern side and 2.0 metres deep on the western side with a width measuring 9.7 metres along the entirety of the rear wall. The two-storey rear extension would measure approximately 7.1 metres to the ridges and approximately 5 metres to the eaves. A 1.5-metre-deep single storey extension with a lean-to roof would project beyond the rear of proposed two storey extension. The lean to extension would measure approximately 3.2 metres at the highest point and 2.6 metres at the eaves. At ground floor rear extensions will contain a reconfigured and extended kitchen/lounge and dining room area, while at first floor, two existing bedrooms will be enlarged with each being served by new en-suites. The single storey rear extension will contain bi-fold doors with a window beside serving the enlarged ground floor area. At first floor, new windows are added for bedrooms 2 and 3 with a new window serving an en-suite.

3. Site Description and Surroundings

3.1 The application site consists of 5 Ryeburn Way, located within the town of Wellingborough as defined by D.20 (Wellingborough town boundary) proposals map of the Plan for the Borough of Wellingborough. Surrounding development includes an area of public open space to the west and a neighbouring residential property to its north. The application site consists of a two-storey detached dwelling with a detached double garage which is characteristic of the wider street scene.

3.2 Existing design features include a prominent Tudor style projecting gable to the front elevation. Vehicular access is taken from Ryeburn Way along the eastern boundary of the site with a driveway for one vehicle sitting at an oblique angle to the main dwelling house and an area of hardstanding for two vehicles in front of a detached double garage. Boundary treatments include a low picket fence to the front with hedgerows and a red brick wall to the flank and rear.

4. Relevant Planning History

WP/1993/0253	Approved with conditions Residential development including public open space and site for affordable housing (Amended scheme)	29.09.1993
WP/1994/0075	Approved with conditions Erection of 46 dwellings together with roads, sewers and all ancillary works	01.06.1994

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 Wellingborough Town Council - No objection

5.2 Neighbours/Responses to publicity - 6 Neighbour objection letters have been received; the main points raised:

- 6 comments in relation to concerns that following development the host dwelling will be used as a house in multiple occupation which could lead to increased parking issues and noise disturbance
- 1 comment in relation to the rear extension will considerably block daylight/sunlight in neighbouring properties & gardens.
- 1 comment in relation to disturbance generated by building work

5.3 Local highway authority (LHA) - does not intend to raise an objection to the application on highway safety or capacity grounds

5.4 NNC Strategic Lead for Private Sector Housing - cannot raise any objections based on what the property might become in the future and so do not have any objections at this stage.

6. Relevant Planning Policies and Considerations

Documents/Guidance:

National Planning Policy Framework (NPPF) (July 2021)

Planning Practice Guidance (PPG)

National Design Guide (PPG) (September 2019)

North Northamptonshire Joint Core Strategy (JCS)

Policy 1 (Presumption in favour of sustainable development)

Policy 3 (Landscape Character)

Policy 4 (Biodiversity and geodiversity)

Policy 8 (North Northamptonshire place shaping principles)

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

D.20 (Wellingborough town boundary)

Supplementary Planning Documents/Guidance:

Sustainable Design

Residential Extensions: a guide to good design

Parking

7. Evaluation

The proposal raises the following main issues:

- conformity with the development plan and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- effect on flood risk and surface water drainage;
- effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development;

- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- conditions

7.0 Conformity with the development plan and material considerations;

7.1 - Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *{i "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."}*

7.2 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.

7.3 This proposal is for the erection of extensions to a residential dwelling within the town of Wellingborough as defined by D.20 (Wellingborough town boundary) of PBW proposals map. The application site contains an existing dwelling with a lawful residential use. Extensions to existing dwellings houses are supported in principle.

7.4 Design, layout and the effect on the character and appearance of the surrounding area

7.5 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.

7.6 The government at paragraph 130 (a) – (d) of the revised NPPF attach 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 life time 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.

7.7 Paragraph 3.2 of the Residential extensions a Guide to good design supplementary planning guidance II requires that front extensions do not extend too far forward and should be well designed to avoid disfiguring the 'face' of the house. On corner sites particular attention should also be given to how the side of the extension is treated.

7.8 The scale, form and design of the proposed single storey front extension is considered to respond positively to the local character of the area, enlarging an existing property in an existing residential area. The single storey front extension is minimal in scale and is designed to complement the existing dwelling with the projecting roof pitch echoing the pitch of the existing front gable.

7.9 The part two-storey part single storey rear extension can be partially seen from street from the eastern boundary and the eastern side elevation would measure 5.1 metre at ground floor and 3.6 metres at first floor level. On its western elevation the

two-storey element would measure 2 metres at first floor and 3.5 metres at ground floor. These dimensions combined with its overall height of 7.1 metres on both its gables would not lead excessive massing of the property nor result in development that would be out of character with the wider street scene.

7.10 It is therefore considered that the proposed part two storey and part single storey rear and single storey front extensions would not be harmful to the visual appearance or character of the existing dwelling and would be acceptable regarding design. The design, roof pitches and proposed materials as indicated on the submitted plans are considered acceptable in terms of their impact on the character and appearance of the area. The layout as proposed is a sensible response to the site constraints and allows enough front and rear amenity space to remain. As the host property is a large detached two storey dwelling, and the proposal entails sympathetically designed extensions, the proposals would cause no unacceptable harm to the character and appearance of the building, the street scene or the locality and would be in accordance with policy 8 (d) (i) and (ii) of the JCS

7.11 Effect on flood risk and drainage

7.12 The JCS at policy 5 sets out a raft of sub policies aimed at preventing or reducing flood risk. The Environment Agency flood map indicates that the site is located within flood zone 1 which represents land outside the predicated extent of extreme flooding from rivers, having less than 0.1% annual probability of flooding from these sources. The overall risks from ground water flooding are low. As the extent of development is limited to a rear extension to an existing dwelling that is not located in a flood risk area, the proposal is considered to comply with policy 5 of the JCS.

7.13 Effect/impact on the living conditions of the neighbouring occupiers and the future occupiers of the development

7.14 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers whilst paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.15 The proposed scheme has received 6 objections from neighbouring properties, the main reason being that it will facilitate conversion of the host dwelling into a house of multiple occupation. This is considered by objectors to lead to greater footfall in the property with increased parking, leading to noise disturbance and harming the amenity of surrounding neighbouring properties.

7.16 It is noted however that the first floor rear extension does not increase the number of bedrooms but enlarge the existing ones and it remains a four-bedroom house. Furthermore, the applicant's agent has confirmed that the extension is to accommodate his client's family of 5. The objectors have not provided any substantial evidence that there is a saturation of houses in multiple occupation in the street and there have been no objections from the NNC private sector housing team.

7.17 An objection was received regarding loss of light from the proposed two storey rear extension, the objector is however not on the same street as the application site but sited on the street adjacent and not directly affected by the proposal. The host

property has no adjacent dwellings to its east nor west but does share a rear boundary with 7 Ryeburn Way. This property is orientated with its rear facing west and its southern flank abutting the boundary of No.5 with no direct facing windows towards the new first floor bedrooms of the proposed rear extension. A spacing and separation distance of approximately 12 metres currently exists between the rear elevation of the host dwelling and the flank elevation of number 7 Ryeburn Way. The two-storey rear extension spacing, and separation distance would be reduced to 8.4 metres which is considered sufficient to negate any unacceptable overlooking. Furthermore, existing vegetation and a 1.8-metre-high boundary brick wall also partially screens the extension from view at the ground floor.

One neighbouring comment has mentioned disturbance caused by buildings works, this is noted and not considered substantial as the building works are for extensions and not a long-term housing development. This will also be addressed through a standard 'considerate contractors'; informative being added to any planning permission. This seeks to 'limit the potential detriment of construction works on residential amenity, and recommends 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'.

7.18 In considering the spacing and separation distance from the neighbouring properties, the nature and scale of the front and rear extensions and the lack of overlooking concerns, the development is considered acceptable in relation to the impact upon the amenity of the neighbours and would comply with policy 8 (e) (i) of the JCS.

7.19 Effect/Impact on highway safety in relation to (the proposed access arrangement and parking provision)

7.20 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. 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.

7.21 The number of bedrooms within the property is unchanged at four and therefore existing parking provision is unaffected. The proposed householder development would be unlikely to encourage or cause unacceptable on-street parking, congestion and associated highway safety issues. There remains sufficient capacity within the application red line for the provision of a minimum of 3 off street parking spaces and the access, both of which are unaltered.

7.22 Overall, the parking provision on-site would meet local parking standards and is considered compliant with policy 8 (b) (ii) of the JCS as confirmed though a no objection response from the local highway authority.

7.23 Conditions

7.24 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 reiterates this advice.

8. CONCLUSION/PLANNING BALANCE

The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions

9. RECOMMENDATION

9.1 That planning permission be **GRANTED** subject to the conditions below:

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 plans/details:

Site Location Plan - Received 23.03.22

Existing, Proposed Floor Plans and Elevations A22-16-01 - Received 23.03.22

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 external surfaces of the development hereby permitted shall be constructed only of materials of a type and colour which match those of the existing building except where indicated otherwise on the approved drawings.

Reason: To ensure that the new work harmonises with the existing building and to ensure the development does not detract from the appearance of the locality in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

4. Before the development hereby permitted is first occupied, the proposed en-suite window at first floor level, north facing shall be fitted with obscure glazing to a minimum of Pilkington Level 3 and non-opening unless the openable parts are more than 1.70 metres in height above the floor level in the room which they are located. The obscure glazing shall be continuous and shall not incorporate any clear glazing features. It shall subsequently be retained as such in perpetuity.

Reason: In order to protect and safeguard the amenities of the adjoining occupiers, in accordance with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy

11. 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. The Party Wall Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes. The Act is separate from obtaining planning permission or building regulations approval. The applicant is advised to refer to this guidance to address any issues relating to the stone boundary wall.

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North Northamptonshire Area Planning Committee (Wellingborough)

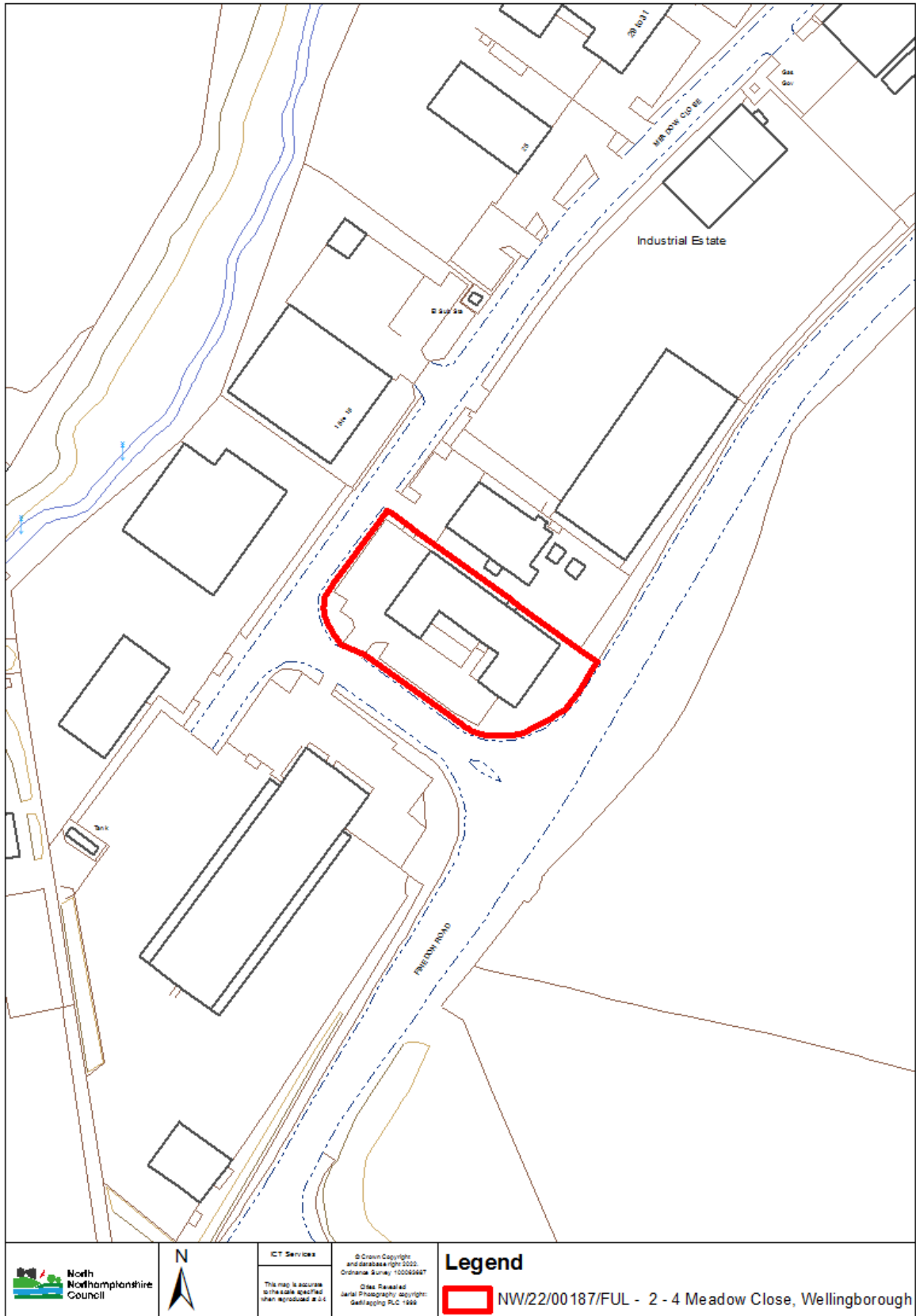
Application Reference	NW/22/00187/FUL	
Case Officer	Mr Graham Northern	
Location	2 - 4 Meadow Close Wellingborough NN8 4BH	
Development	The change of use from Use Class E(g) Office, to Use Class F1(f) Public Worship.	
Applicant	Mr Paul Cooper	
Agent		
Ward	Finedon Ward	
Overall Expiry Date	18 May 2022	
Agreed Extension of Time		
Checked	Senior Development Management Senior	Debbie Kirk

Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation because it forms a departure from planning policy as the proposed use does not fall within an employment use.

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 proposal seeks planning permission for a change of use to a place of Worship (Class F1 (F)).

2.2 The Church's expected weekly functional operation at Meadow Court would be as follows:

Sunday

- Main Service (10.30 am till approximately 2.00pm) – Expected attendance of 90 people
- Children's Sunday School (4.00 pm till approximately 6.00pm) – Expected attendance of 15 people
- Evening Service (7.00 pm till approximately 9.30pm) – Expected attendance of 40 people

Monday

- Office use – 3-10 people

Tuesday

- Office use – 3 -10 people

Wednesday

- Office use – 3 – 10 people
- Evening service (8.00 pm till approximately 9.30pm) – Expected attendance of 40 people

Thursday

- Office use – 3 -10 people
- Parent and toddler group (10.00am till approximately. 12.00noon) – Expected attendance 40 people

Friday

- Office use – 3- 10 people
- Youth service (7.00 pm till approximately. 9.00pm) – Expected attendance 20-30 people

Saturday

- Closed

2.3 The premises have the direct use of 36 parking spaces and 6 cycle spaces

2.4 The applicant has provided the following information in support of the proposals,

“...the Church activities will mainly fall in time periods that would have minimal, if not zero impact to the surrounding activities on the wider site.

Two of the closest organisations, Jewson and the Garage Door Centre both close at 5.00pm during the week, and are closed on Sundays. Further along Meadow Close, Howdens and Travis Perkins also close at 5.00pm and are again both closed on Sundays.”

“We consider the location at Meadow Close to be the ideal location for the Church to relocate to in Wellingborough:

- Its location minimises any potential disruption to any neighbouring parties;
- It provides the best-off street vehicle parking provision we can find in Wellingborough which mitigates any impact on wider infrastructure;
- It allows our existing members and visitors to utilise sustainable transport provision and car share as much as possible;
- It secures our future in Wellingborough;
- It allows us to continue and develop our every increasing and vital Community Role in supporting and working within local Communities and those in need within Wellingborough in these increasingly challenging and difficult times.”

Background

2.5 Compass Church was originally founded as a Charitable Trust in 2012 and became Compass Church Wellingborough (Charitable Incorporated Organisation) in 2016, Charity number 1166118.

2.6 Over the last ten years the Church has become well-established within the community and has steadily grown in membership.

2.7 The Church currently meets at the Castle Theatre in Wellingborough on Sundays for the main weekly service, and on Friday evenings for youth and community outreach programmes.

2.8 Compass Church are proposing to relocate the Church to vacant leasehold accommodation on the Ise Valley Industrial Estate, unit 2-4 Meadow Close, which is a non-residential area of Wellingborough.

2.9 The Church’s largest service is on a Sunday morning, and there are evening services of a smaller nature which will be generally held twice per week.

3. Site Description and Surroundings

3.1 The proposals relate to a vacant industrial unit situated on Meadow Close and adjacent Finedon Road on the entrance to the industrial estate. The building is single storey, built in brick with a clay pan tiled roof. Parking is located on hard surfacing to the front and wraps around the side of the building.

4. Relevant Planning History

WP/1995/0386	Approved with conditions Illuminated sign	14.09.1995
WP/1997/0310	Approved with conditions Placement of portakabin in car park	29.07.1997
BW/1985/0239	Approved with conditions Computer workshop and ancillary works	25.04.1985

BW/1979/1142	Approved with conditions Construction of roads, sewers and engineering services to serve future industrial development	16.04.1980
BW/1977/0653	Approved with conditions Construction of roads, sewers and engineering services to serve industrial development (Phase 1)	20.10.1977
BW/1976/0544	Approved with conditions Proposed layout of roads, sewers and engineering services to serve future industrial development	29.07.1976
BW/1975/0710	Refused Proposed roads, sewers and services to serve future industrial development	23.11.1975

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 Wellingborough Town Council – No objections

5.2 Neighbours/Responses to publicity – No comments received

5.3 Local highway authority (LHA) –Subject to compliance with the following requirement of the local highway authority no objection is raised to the application on highway safety or capacity grounds.

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.

5.4 NNC Environmental Protection Officer (contamination) –Has no comments or objections to this proposal concerning land contamination issues.

5.5 NNC environmental protection officer (noise and air quality)
Confirms has have no objections to this proposal.

5.6 Northamptonshire Police – No objections, make recommendations for the consideration of security and crime prevention measures.

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) (2021)
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)
- 5 (water environment, resources and flood risk management)
- 6 (development on brownfield land and land affected by contamination)
- 7 (Community Services and Facilities)
- 8 (North Northamptonshire place shaping principles)
- 22 (delivering economic prosperity)

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

Policies

- E 1 (established industrial estates)
- E 2 (non employment uses (non-b) in established industrial estates)

6.5 Other Relevant Documents:

Sustainable Design
Parking
Air Quality

7. Evaluation

The proposal raises the following main issues:

- principle of development and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- living conditions of the neighbouring occupiers;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- crime and disorder;

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.”*

7.2 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.

7.3 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’.

7.4 The proposal would involve the loss of an employment site. Policy 22 (c) of the JCS seeks to safeguard existing employment sites unless it can be demonstrated that there is no reasonable prospect of the site being used for that purpose or the loss of the employment site would resolve conflicts between land uses. Policy E2 of the PBW similarly seeks to retain employment uses unless specific criteria are met. The applicant has provided a marketing report which provides sufficient evidence of the marketing the site for employment uses to justify the loss of employment.

7.5 Prop-Search was formally instructed to market the subject property on 28 October 2020 - when two of the three tenant's leases expired; with the third coming to a natural conclusion in March 2021.

7.6 Prop-Search recommended that the offices premises – as a whole, but also in suites - should be advertised to the market, primarily through local business advertising, direct mailing and internet property portals. This would fully expose its availability to the market and to those parties most likely to put forward leasehold offers.

7.7 The report outlines a list of interested enquiries and the dates of these, but none resulted in a lease being obtained and gives reasoning for the premises not meeting interested parties requirements

7.8 The information provided demonstrates a suitable marketing exercise in line with policy 22 (c) of JCS.

7.9 It would also need to be considered whether the development of the site for a non-employment use on an industrial estate would meet the criteria set out in policy E2 of the PBW which are considered below.

- A. they will not have a negative impact on the character of the industrial estate and its role as an industrial and business location by, in isolation or in combination with other completed or committed development, prejudicing the maintenance of the overall balance of B uses within the area;*
- B. they will not prejudice the current and future operations of adjoining businesses;*
- C. if the proposal involves vacant land or buildings, there is clear and robust evidence of prolonged marketing with registered commercial agents at a reasonable price to demonstrate that there is no realistic prospect for continued employment use;*
- D. if the existing land or premises has environmental or amenity problems, there is clear evidence that these problems cannot be overcome, or the land or premises is not capable of adaptation for business or industrial use.*

7.10 Criteria (A) The proposals reflect a small proportion of the industrial estate at 592 square metres of floorspace and is not considered to prejudice the balance of B class uses in the wider area.

7.11 Criteria (B) The use proposed is mainly operational at evenings and the weekend with some level of office use (administration) through the day. As such the main activity is outside the conventional working day of surrounding uses and not considered to result in any conflict with their operations.

7.12 Criteria (C) as considered above the premises have been marketed and it is considered that there is currently no realistic prospect of an employment user re-using the site.

7.13 Criteria (D) it is not considered the site has any environmental or amenity problems.

Policy 7 (a) of the JCS seeks development to support and enhance community services and facilities where appropriate by providing them on site where necessary or contributing towards accessible, new or enhanced community facilities and services to meet the needs arising from the development utilising, where possible, opportunities for co-location or the use of existing suitable sites. The proposed re-use of an existing office premises on an allocated employment site on the eastern edge of Wellingborough would provide a permanent venue for an existing established church who currently rent space in Wellingborough Theatre.

7.14 As such it is considered that the proposals meet the criteria outlined in policy E2 of the PBW and as such a non-employment use on the site is considered an acceptable departure from the development plan and therefore the principal of a community use using an employment site is considered to be acceptable and would also comply with the criteria set out under policy 7 (a) of the JCS enhancing an existing community service

7.15 Design, layout and the effect on the character and appearance of the surrounding area

7.16 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.

7.17 The government at paragraph 130 (a) – (d) of the revised NPPF attach 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 life time 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.

7.18 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.

7.19 The proposals do not alter the external appearance of the building and as such are considered in accordance with policy 8 (d) (i) & (ii) of the JCS.

7.20 Living conditions of the neighbouring occupiers

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

7.22 At paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.23 No objections have been raised to the proposals by the town council or neighbours and given the location is within an industrial estate no residential properties are significantly affected. Additionally, as stated by the applicant the main activities will occur in evenings and on Sundays outside the business times of adjacent industrial users and as such the impact on these would be negligible. NNC environmental protection officer (noise and quality) has raised no objections to this proposal. As such the proposals are considered to comply with policy 8 (e) (i) of the JCS.

7.24 Highway safety

7.25 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.

7.26 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.

Parking

7.27 Parking accommodation should be provided in accordance with the Northamptonshire parking standards (2016) and satisfy policy 8 (b) (i) of the JCS.

7.28 Places of worship require 1 parking space per 30 square metres of floorspace which would necessitate a total of 20 parking spaces for the proposals. 36 parking spaces exist and as such the proposals more than comply with the parking standards.

7.29 Additionally as outlined by the applicant a number of the nearby units are not operational during the main congressional activities of the Church where the highest number of parishioners is expected with the largest service on a Sunday and two evening services of a smaller nature in the evenings of weekdays.

7.30 The demographics of the Church also mean that in general on a Sunday service around 30 cars are present with families arriving together.

7.31 The site is considered a good sustainable location which is accessible from the town centre, train station, by bus and via walking and the fact main activities occur outside adjacent business being active is a further benefit. The proposals as such are not considered to result in any significant detriment to highway capacity or safety. NNC highway engineer has raised not raised any technical objections to the application in relation to highway capacity and safety

7.32 As such the proposals are considered in accordance with policy 8 (b) (i) & (ii) of the JCS.

7.33 Crime and disorder

7.34 Section 17 of the Crime and Disorder Act 1998 details the need for the council to do all that it reasonably can to prevent, crime and disorder in its area.

7.35 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.

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

7.37 The revised NPPF at paragraph 130 (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.

7.38 The police have made recommendations that will assist in improving security and mitigate crime application site these include:

Details of the proposed internal layout including use areas should also be provided, this is to ascertain what security is required in each area. It should be noted that the existing windows and doors are secured with roller shutters.

The following should be considered:

- door entry access control (fob or keypad) and zoning, this allows areas to be secured that are not in use.
- CCTV (fixed cameras, not pan-tilt cameras)
- manually operated pedestrian and vehicle gates
- door hardening, locks and mail box / mail bag
- reinforcing single glazed windows (with anti-shatter film or bars/grilles only)
- intruder alarms including integrated smoke/heat detection. Alarms that can be zoned should be considered
- video intercom systems
- lighting (building mounted)
- secure rear access fencing and/or railings (no more than 2.1 metres high)

It is considered that a crime prevention and security statement can be conditioned d to secure adequate mitigation measures. As such with the imposition of a condition requiring a crime prevention and security statement the proposed change of use to a church would to accord with policy 8 (e) (vi) of the JCS.

8. CONCLUSION/PLANNING BALANCE

Although policy 22 (c) of the JCS and policy E2 of the PBW seek to retain existing and employment sites, policy It is considered by officers that the evidence submitted sufficiently demonstrates that there has been little interest in the site for suitable employment uses and as such it is acknowledged that alternative uses can now be considered. Based on the location of the site within an employment area officers

consider proposed community use by an existing established church in Wellingborough to be an acceptable departure from the development plan.

The proposed development contains enough on-site parking for the proposed use and is in a sustainable location close to Wellingborough railway station, within 400 metres of bus stops and within walking distance of the eastern part of Wellingborough.

The proposed development would not result in any unacceptable loss of residential amenity and a condition could be imposed to ensure that the development has adequate security and crime prevention measures.

In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to the conditions set out below

9. RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below.

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 plans:

Location and Site Plan Received 23.03.22

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. Prior to the commencement of the use a crime prevention and security statement shall be submitted to and agreed in writing by the local planning authority. The statement shall show the internal layout and facilitate measures to improve security and prevent crime. Consideration shall be had to the following:

- door entry access control (fob or keypad) and zoning, this allows areas to be secured that are not in use.
- CCTV (fixed cameras, not pan-tilt cameras)
- manually operated pedestrian and vehicle gates
- door hardening, locks and mail box/mail bag
- reinforcing single glazed windows (with anti-shatter film or bars/grilles only)

- intruder alarms including integrated smoke/heat detection. Alarms that can be zoned should be considered
- video intercom systems
- lighting (building mounted)
- secure rear access fencing and/or railings (no more than 2.1 metre high)

The statement shall outline measures to be implemented and a timetable for implementing these measures which shall thereafter be retained for the life of the planning permission

Reason: To ensure measures to prevent crime are adequately considered and where necessary implemented in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy

04. The use of the building hereby approved shall be restricted to that falling within Use class F1 (f) (for or in connection with, public worship or religious instruction) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 only.

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.

11. 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.



Appeal Information

Received appeals

Appeal Site	Ref. No.	Date Received	Status	Type of procedure
5 North Street Mears Ashby	NW/22/00003/FUL	11.05.2022	Appeal in progress	Fast Track Appeal
Barns South of 19 Hardwick Village Hardwick	NW/21/00802/FUL	23.05.2022	Appeal in progress	Hearing
Land adjacent 22 Hardwick Village Hardwick	NW/21/00815/FUL	23.05.2022	Appeal in progress	Hearing



Planning Appeal Decision Letter (and costs)

(a) 67-69 High Street, Finedon



Appeal Decisions

Site visit made on 30 May 2022

by Mr C J A Parker BA(Hons) PgCert MA MRTPI MCMi IHBC

an Inspector appointed by the Secretary of State

Decision date: 10th June 2022

Appeal A Ref: APP/H2835/W/21/3278926 67-69 High Street, Finedon NN9 5JN (Adjacent)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jilly Mann against the decision of Borough Council of Wellingborough (now North Northamptonshire Council).
 - The application Ref NW/21/00159/FUL, dated 12 February 2021, was refused by notice dated 11 June 2021.
 - The development proposed is described as '*The conversion of the existing building to a one bedroom dwelling, erection of a single storey rear extension and installation of rooflights. The works to the listed building include; demolition of rear outbuilding, replacement first floor, partial rebuild of part of front elevation, creation of new doorway in existing rear wall, reinstatement of existing panelling at ground and first floor and proposed structural works associated to roof strengthening*'.
-

Appeal B Ref: APP/H2835/Y/21/3278929 67-69 High Street, Finedon NN9 5JN (Adjacent)

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Jilly Mann against the decision of Borough Council of Wellingborough (now North Northamptonshire Council).
 - The application Ref NW/21/00160, dated 12 February 2021, was refused by notice dated 14 June 2021.
 - The works proposed are described as '*The conversion of the existing building to a one bedroom dwelling, erection of a single storey rear extension and installation of rooflights. The works to the listed building include; demolition of rear outbuilding, replacement first floor, partial rebuild of part of front elevation, creation of new doorway in existing rear wall, reinstatement of existing panelling at ground and first floor and proposed structural works associated to roof strengthening*'.
-

Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for the conversion of heritage centre to one bedroom dwelling, demolition of rear extension, erection of a single storey rear extension and installation of rooflights to rear (north) elevation. External alterations at 67-69 High Street, Finedon NN9 5JN (adjacent) in accordance with the terms of the application, Ref NW/21/00159/FUL, dated 12 February 2021 subject to the conditions set out in Appendix A.

Appeal B

2. The appeal is allowed and listed building consent is granted for the conversion of heritage centre to one bedroom dwelling, demolition of rear extension, erection of a single storey rear extension and installation of rooflights to rear (north) elevation. Internal and external works including replacement first floor, partial rebuild of part of front elevation, creation of new doorway in existing rear wall, reinstatement of existing panelling at ground and first floor and proposed structural works associated to roof strengthening at 67-69 High Street, Finedon NN9 5JN (adjacent) in accordance with the terms of the application Ref NW/21/00160, dated 12 February 2021 subject to the conditions set out in Appendix B.

Procedural Matters

3. The proposal concerns two appeals: Appeal A for planning permission and Appeal B for listed building consent. Whilst they are made under different legislation, and therefore have different considerations, I have considered both appeals in this single decision letter.
4. The Appellant indicates in the appeal forms the description of proposed development for planning permission and for listed building consent has been amended. These descriptions appear to approximately match the description used in the decision notices and what is shown on the submitted drawings. I have therefore used them to describe what planning permission and listed building consent has been granted for in the 'Decisions' section of this decision letter.
5. The Borough Council of Wellingborough was subsumed into North Northamptonshire Council as the unitary authority now operating as the local planning authority.
6. Lastly, the postal address for the appeal site is unclear. However it is clear from the submitted drawings as to the location that the planning permission and listed building consent relate to. I have proceeded on this basis.

Application for costs

7. An application for costs was made by Mrs Jilly Mann against Borough Council of Wellingborough. This application is the subject of a separate Decision.

Background and Main Issues

8. The main issue for both Appeals is:
 - The effect of the proposals on highway safety; and,
 - Whether the proposed works would preserve the listed building, its setting or any features of special architectural or historic interest it possesses.

Reasons

Highway safety

9. The appeal site is located on the northern side of the highway 'High Street' in Finedon. Number 69 High Street is located to the west, the grounds of Finedon

- Infant School are located to the north and east. The appeal site contains a single storey stone building which was formerly a Quaker Meeting House. The proposal seeks the conversion of this building, understood to be last used as a local heritage centre, to a one-bedroom dwellinghouse.
10. I saw during my site inspection that there is a large amount of on-street parking located outside and near to the appeal site. In the main this is not controlled by double yellow lines – though I note that outside the nearby school there are wavy yellow lines restricting stopping outside the entrance. I did not see any parking restrictions such as permits or limited hours of parking visible nor have I been directed to any by the Council in this location. It is therefore possible for vehicles to park outside the appeal site on the public highway without controls. I also saw that locally there is a mix of off-street parking provided and some dwellings where it is not.
 11. The reason for refusal for both planning permission and listed building consent states: *'The proposed scheme would provide no on-site parking to serve the occupiers who would reside in the development. Only on street parking on a bend with a rise with poor visibility when vehicles are parked would serve the proposed dwelling resulting in unsafe and inconvenient parking to the detriment of highway safety and the general amenity of the area. The shortfall in off-street parking results in the proposed development being contrary to policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.'*
 12. Policy 8 (b) of the *North Northamptonshire Joint Core Strategy 2011-2031 (CS)* indicates that development should prioritise the needs of pedestrians, cyclists and public transport users by resisting developments that would prejudice highway safety and ensure a satisfactory means of access and provision of parking...in accordance with adopted standards.
 13. The local planning authority have provided a copy of a document entitled *Northamptonshire Parking Standards, September 2016* with the covering information indicating that this was adopted by Northamptonshire County Council in 2016. Chapter 9, *Parking Standards for Use Class*, sets out that the parking standards are guidance. On page 22 this set out for use class C3: *Dwellinghouses for a one-bedroom dwelling this should be 1 space per dwelling plus 1 visitor space across the development.*
 14. The council's case is partly that there is no off-street parking provided and there is no space on the street. However, the context of the proposed development is important. The proposal in this case relates to the conversion of a single small building into a one-bedroom dwelling. The building is already present and visitors by car to its previous use would have had to park on the highway.
 15. Furthermore there is the potential for unrestricted parking on street already outside of the appeal site. Whilst I note the concerns raised by the Council and the risk of injury to pedestrians due to poor visibility around the rising bend, I have been provided with little evidence that this is a particular existing issue within this locality. Moreover, a parked vehicle would cause drivers to slow down further within this residential area should future occupiers have a need to park one near to the appeal site. As such, safe on street parking is already provided adjacent to the appeal site.

16. The appeal site is located within the centre of Finedon, near to services such as open spaces, schools, shops, churches and bus stops along Wellingborough Road. Future occupiers would therefore be able to access day-to-day services locally and/or have reasonable links to public transport to access those not found locally. I am reinforced in this by the assessment of the Council's professional planning officer who observed in the committee report; *'the site is close to the centre of the village, which could reduce the need for a car'*.
17. Whilst the proposal would technically breach the guidance set out in the Parking Standards document, this needs to be applied pragmatically as a guide. In this case, future occupiers of the proposal and their visitors would have access to satisfactory parking on-street adjacent and near to the appeal site. Accordingly the proposals would accord with Policy 8 of the CS, which seek the aforesaid aims. It would also accord with Paragraph 111 of the *National Planning Policy Framework* (the Framework) which sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Listed building

18. Put simply, Sections 16(2) and 66(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* (PLBCAA) as amended, set out that in considering whether to grant listed building consent or planning permission, that special regard shall be had to the desirability of preserving the building, its setting or any features of special architectural or historic interest it possesses.
19. The appeal site comprises the listed Grade II as 'John Drage Chapel of Rest and attached walls'. The appeal site also includes a small stone outbuilding. Within the site to the east of the building is a burial ground associated with the former use of the site as a Quaker Meeting House. The significance of the listed building derives in part from it being an early example within Northamptonshire of a Quaker meeting house and the architectural features it possesses.
20. A number of alterations and extension is proposed as shown on the submitted drawings. The Council did not state in its reasons for refusal that the proposal would fail to preserve the listed building or its setting. Moreover, the Council's historic environment and archaeological advisers did not raise any objections to the proposals, subject to the imposition of conditions. I see no reason to disagree and find that the proposal would, at the very least, preserve the significance of the designated heritage asset.
21. In the absence of evidence to the contrary, and paying particular regard to the duties imposed on decision makers under the PLBCA, I find that the proposal would preserve the listed building and its features of special architectural or historic interest it possesses.

Other Matters

22. Concerns have been raised by nearby neighbours and Finedon Town Council. I consider these before considering conditions and an overall conclusion. With regard to the adjoining neighbour's barn, drawing 19125s/F01 P2 labelled 'Foundations, General arrangement and details' show that existing walls would be reused and any new walls would not abut the barn. If there was any need for construction works or surveys to take place on adjoining land, then this

would follow other regulatory regimes such as building regulations or party wall legislation.

23. I acknowledge the Town Council's concerns over the loss of the most recent use of the building as a heritage centre and that it is considered inappropriate to use it as a residential dwelling. However, as considered above, the proposal is in the centre of the town, where a number of residential uses are present. It is unclear therefore as to why the use proposed is inappropriate in this location or for this building. I do not find that these other matters indicate that the dismissal of permission and consent is justified in this case.

Conditions

24. The local planning authority and interested parties suggest a number of conditions. I consider these in light of Paragraph 55 of the Framework and the national Planning Practice Guidance and the use of planning conditions. The Appellant has confirmed in writing that they agree with the suggested pre-commencement conditions, should they meet the above requirements.

Appeal A

25. Conditions requiring the proposed development to be started within three years and in accordance with submitted drawings are necessary for the avoidance of doubt and to provide certainty. A condition requiring archaeological work and a written scheme of investigation for building recording and programme of historic building recording are necessary and reasonable in order to protect archaeology above and below ground.
26. A condition requiring a schedule of external finish materials is necessary to preserve the character and appearance of the listed building. Conditions requiring evidence of a bat licence or that one is no longer required by a suitably qualified ecologist, and relating to enhanced bat roosting measures is necessary and reasonable to protect protected species. An external lighting plan is also necessary in order to minimise the impact of the proposal on bats.
27. Conditions requiring landscaping details and removing some permitted development rights, under Classes E and F of the GPDO 2015, are necessary and reasonable in order to safeguard the character and appearance of the area. The approval of details for the provision of cycle parking by condition is not necessary in this case given that there is ample room around and inside the building for the storage of bicycles. A condition relating to limit water usage is necessary and reasonable in order to comply with Policy 9 of the CS and also to help promote sustainable living.
28. A condition requiring sections of any proposed doors, rooflights and windows is not necessary to preserve the listed building as such matters can be covered within the approval of listed building consent. Similarly, a condition relating to the colour of rainwater goods could be dealt with under the grant of listed building consent.

Appeal B

29. In terms of any grant of listed building consent, conditions relating to the start of implementation is necessary to provide certainty. A plans condition is not necessary as this would be covered by the condition attached to the planning permission. Similarly, conditions relating to archaeological surveys and written

schemes of investigation are not necessary as this would be considered under a condition of the grant of planning permission.

30. Conditions relating to finish materials, external reconstruction and or repointing of masonry, flashings and verge treatments to the roof, scale drawings of windows, rooflights and doors, internal finish materials, rainwater goods are coloured black, and a sample panel for the exposed barn wall (and where appropriate approval of such details), are necessary and reasonable in order to preserve the listed buildings and special features of architectural or historic interest it possesses.

Conclusion

31. Appeal A would not conflict with the adopted development plan when considered as a whole and there are no material considerations indicating a decision otherwise than in accordance with it. For the reasons given above I conclude that Appeal A should be allowed subject to conditions.
32. Appeal B would, at the very least, preserve the listed building. For the reasons given above, I conclude that the appeal should succeed.

C Parker

INSPECTOR

Appendix A – Conditions for APP/H2835/W/21/3278926

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location,
Block Plan,
South-West Elevation and Upper Roof Plan as Existing 535-9,
Block Plan and South-West Elevation Existing/Proposed 535-19-D,
Proposed Floor Plans Demolition Works 535-13A,
Proposed Elevations Demolition Works 535-14A,
Proposed Ground, First and Lower Roof Plans 535-30-G,
Proposed General Details 535-32-D,
Internal Elevations 535-33,
Proposed Elevations and Sections 535-31G,
Foundations General Arrangement and Details 19125S/F01-P2,
Existing Roof Arrangement and section 19125S/S01-P1, and;
First Floor and Roof Level General Arrangement and Details 19125S/S02-P3.
- 3) No development shall take place until details of the implementation of a programme of archaeological work in accordance with a written scheme of investigation undertaken by a suitably qualified person has been submitted to and approved in writing by the Local Planning Authority.

This written scheme will 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-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in writing with the Local Planning Authority); and,
 - (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (such as Northamptonshire ARC) 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.
- 4) No development, including demolition and/or commencement of any works shall take place until a programme of historic building recording commensurate with Historic England Level 1/2/3/4 as set out in *Understanding Historic Buildings, Historic England (2016)* (or similar or replacement document), has been secured and undertaken in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. A bound hard copy and digital copy of the recording report must be deposited with the North Northamptonshire Historic Environment Record (or any such replacement organisation) prior to the occupation of the development, or within three months of the recording survey being completed, whichever is sooner.

- 5) Prior to commencement of works, a schedule of all external finish materials, including the proposed brick (to be laid as specified in Flemish bond), proposed lime mortar, stone, roofing materials which are to be retained and reused with matching natural slate to make up any difference, ridge tiles and chimney pots shall be submitted to and approved in writing by the local planning authority. Development and works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.
- 6) No works to the front elevation, porch, or roof shall commence until 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 (or any regulations revoking or re-enacting or amending those regulations) 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 that the specified activity/development will require a licence.
- 7) Full details of enhanced roosting measures to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the extension above slab level. The measures shall be informed by the mitigation and compensation recommendations set out in Section 9.0 and Appendix 3 of the Ecological Impact Assessment: Bats, Former Quaker House, High Street, Finedon, NN9 5HU (Greenwillows Associates Ltd, September 2020). The measures shall be implemented in accordance with the approved details prior to first occupation of the dwelling and retained thereafter.
- 8) Prior to first occupation of the dwelling hereby permitted, an external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. If any lighting is required within the vicinity of existing or newly created bat features, it shall be low level, with baffles to direct the light away from the features, thus preventing severance of bat commuting and foraging routes. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the development and shall be retained in that form thereafter.
- 9) Prior to first occupation of the dwelling hereby permitted full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing and proposed finished levels or contours; means of enclosure/boundary treatment; areas of hard surfacing materials; retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities. The development shall be carried out in accordance with the approved details. 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. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the dwelling.

- 10) Notwithstanding the provisions of Classes E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure or hard surface shall be erected or placed within the site area outlined in red on the Site Plan without planning permission from the Local Planning Authority.
- 11) The dwelling 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).

Appendix B - Conditions for APP/H2835/Y/21/3278929

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) Prior to commencement of works, a schedule of all external finish materials, including the proposed brick (to be laid as specified in Flemish bond), proposed lime mortar, stone, roofing materials which are to be retained and reused with matching natural slate to make up any difference, ridge tiles and chimney pots shall be submitted to and approved in writing by the local planning authority. Development and works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.
- 3) Prior to the commencement of external reconstruction or repointing of masonry, including any making good and repointing required to the exposed adjoining barn wall, a written method statement shall be provided describing in detail the proposed method of down-taking and reconstruction. This shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved method statement. Use of mechanical cutting tools should be avoided in down-taking masonry to avoid damage to the historic building fabric.
- 4) Prior to any roofing work, details of proposed detailing of upstand flashings where walls and stacks are met, and verge treatments, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 5) Prior to installation, a schedule of drawings that show details of all proposed windows, including conservation rooflights, and doors, in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of framing, grazing bars, cills, and ironmongery, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

- 6) Prior to commencement of internal fit out, a schedule of internal finish materials, including specification of new timber panelling at first floor including the detailing of any moulding or profiling, to match existing, shall be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved materials and details specified and shall be permanently maintained as such.
- 7) Rainwater goods shall be black painted or powder-coated metal and shall be permanently maintained as such.
- 8) A sample panel demonstrating the proposed making good and re-pointing of the adjoining exposed barn wall shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The sample panel shall be in accordance with the approved written method statement. The works shall be completed in accordance with the approved details before the dwelling is first occupied.

***** END OF CONDITIONS *****



Costs Decisions

Site visit made on 30 May 2022

by **C J A Parker BA(Hons) PgCert MA MRTPI MCMi IHBC**

an Inspector appointed by the Secretary of State

Decision date: 10th June 2022

Costs application A in relation to Appeal Ref: APP/H2835/W/21/3278926 67-69 High Street, Finedon NN9 5JN (Adjacent)

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mrs Jilly Mann for a full award of costs against North Northamptonshire Council (replacing Borough Council of Wellingborough).
 - The appeal was against the refusal of planning permission for *the conversion of heritage centre to one bedroom dwelling, demolition of rear extension, erection of a single storey rear extension and installation of rooflights to rear (north) elevation. External alterations.*
-

Costs application B in relation to Appeal Ref: APP/H2835/Y/21/3278929 67-69 High Street, Finedon NN9 5JN (Adjacent)

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 20, 89 and Schedule 3, and the Local Government Act 1972, section 250(5).
 - The application is made by Mrs Jilly Mann for a full award of costs against North Northamptonshire Council (replacing Borough Council of Wellingborough).
 - The appeal was against the refusal of listed building consent for *the conversion of heritage centre to one bedroom dwelling, demolition of rear extension, erection of a single storey rear extension and installation of rooflights to rear (north) elevation. Internal and external works including replacement first floor, partial rebuild of part of front elevation, creation of new doorway in existing rear wall, reinstatement of existing panelling at ground and first floor and proposed structural works associated to roof strengthening.*
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Decisions

1. The applications for an award of costs is allowed for both Application A and B, in the terms set out below.

Preliminary Matters

2. This document considers two applications for costs – Application A in respect of an appeal against the refusal of planning permission and Application B in respect of the refusal of listed building consent. It therefore comprises two decisions; one relating to A and one to B.
3. Details of the potential costs incurred have been submitted as part of the applications for costs. However, this is not necessary as any such costs will be resolved between the parties, as per the Orders at the end of this document, or determined through the relevant Court(s) if not agreed. Any sums stated do not inform my considerations which are restricted to the matters set out in Paragraph 4 below.

Reasons

4. The Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

Application A

5. Put simply, the Applicant considers that the Council have acted unreasonably by ignoring the advice of professional officers at committee and not substantiating its reason for refusal, it is vague and the Council does not state how it could be remedied.
6. With regard to the ignoring of professional advice provided at the Committee; it is within a Planning Committee's scope to disregard or not favour the advice from their professional officers. However, if that is the case then any reasons for refusing planning permission should be substantiated.
7. The reason for refusal stated:
8. *'The proposed scheme would provide no on-site parking to serve the occupiers who would reside in the development. Only on street parking on a bend with a rise with poor visibility when vehicles are parked would serve the proposed dwelling resulting in unsafe and inconvenient parking to the detriment of highway safety and the general amenity of the area. The shortfall in off-street parking results in the proposed development being contrary to policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.'*
9. The Council, as the local planning authority, did not provide any detailed technical evidence to substantiate this assertion at appeal. Moreover, the Council's case did not appear to acknowledge the practical implications of the existing context of the appeal site or nearby highways. For example, it is possible for anyone to park outside the appeal site should they wish to as there are no obvious parking restrictions. This is the situation at present, so it is unclear as to how the proposal to convert a building into a small one-bedroom dwellinghouse would result in a significant level of harm to highway safety.
10. The lack of justification for this sole reason for refusal, even when there had been further opportunity at appeal to undertake such assessments, is unreasonable. This has resulted in the delaying of development which should have been permitted.
11. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has been demonstrated and that a full award of costs is justified in the case of Application A.

Application B

12. Put simply, the Applicant considers that the planning committee refused the listed building consent using a reason which would not result in development which compromises preserving the building or its setting or any features of special architectural or historic interest.
13. The reason for refusal of listed building consent is the same as that used for the refusal of planning permission. More concerning is the fact that in terms of heritage matters the local planning authority and its professional advisors did

not appear to object to the proposal. The reason for refusal focusses solely on parking and highway safety rather than any consideration of the duty to preserve listed buildings.

14. The omission of such considerations, and the refusal of listed building consent on a planning rather than heritage ground is fundamentally erroneous as suggested by the Applicant. It was open to the local planning authority to determine the application for listed building consent on its own merits against the duties set out in the *Planning (Listed Buildings and Conservation Areas) Act 1990*, as amended, and not finding any harm or failure to preserve the listed building, grant listed building consent.
15. Instead, the Council resolved to refuse listed building consent for a reason that did not really relate to preserving the historic environment. This was unreasonable. Moreover, if the Council had acted within the powers afforded to it as the local planning authority in determining an application for listed building consent which it did not find failed to preserve the listed building, then an appeal could have been avoided in respect of the listed building consent.
16. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has been demonstrated and that a full award of costs is justified in the case of Application B.

Costs Orders

Application A

17. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that North Northamptonshire Council shall pay to Mrs Jilly Mann, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
18. The applicant is now invited to submit to North Northamptonshire Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

Application B

19. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that North Northamptonshire Council shall pay to Mrs Jilly Mann, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
20. The applicant is now invited to submit to North Northamptonshire Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

C Parker

INSPECTOR