

North Northamptonshire Area – Delegated reports

Application Reference	NW/22/00447/FUL
Case Officer	Debbie Kirk
Location	Plots 9 and 11 (to be known as 32 and 34) The Sorrels Isham Kettering Northamptonshire NN14 1HU
Development	Proposed development of 2 x 4-bedroom residential dwellings (redesign of previously approved dwellings under references WP/19/00079/FUL and WP/17/00452/VAR) for Plots 9 and 11.
Applicant	Lewis
Agent	Mr Alan Brown
Ward	Earls Barton Ward
Overall Expiry Date	16 August 2022
Agreed Extension of Time	16 September 2022

Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation because Isham parish council have objected to the application and the officer recommendation is to approve.

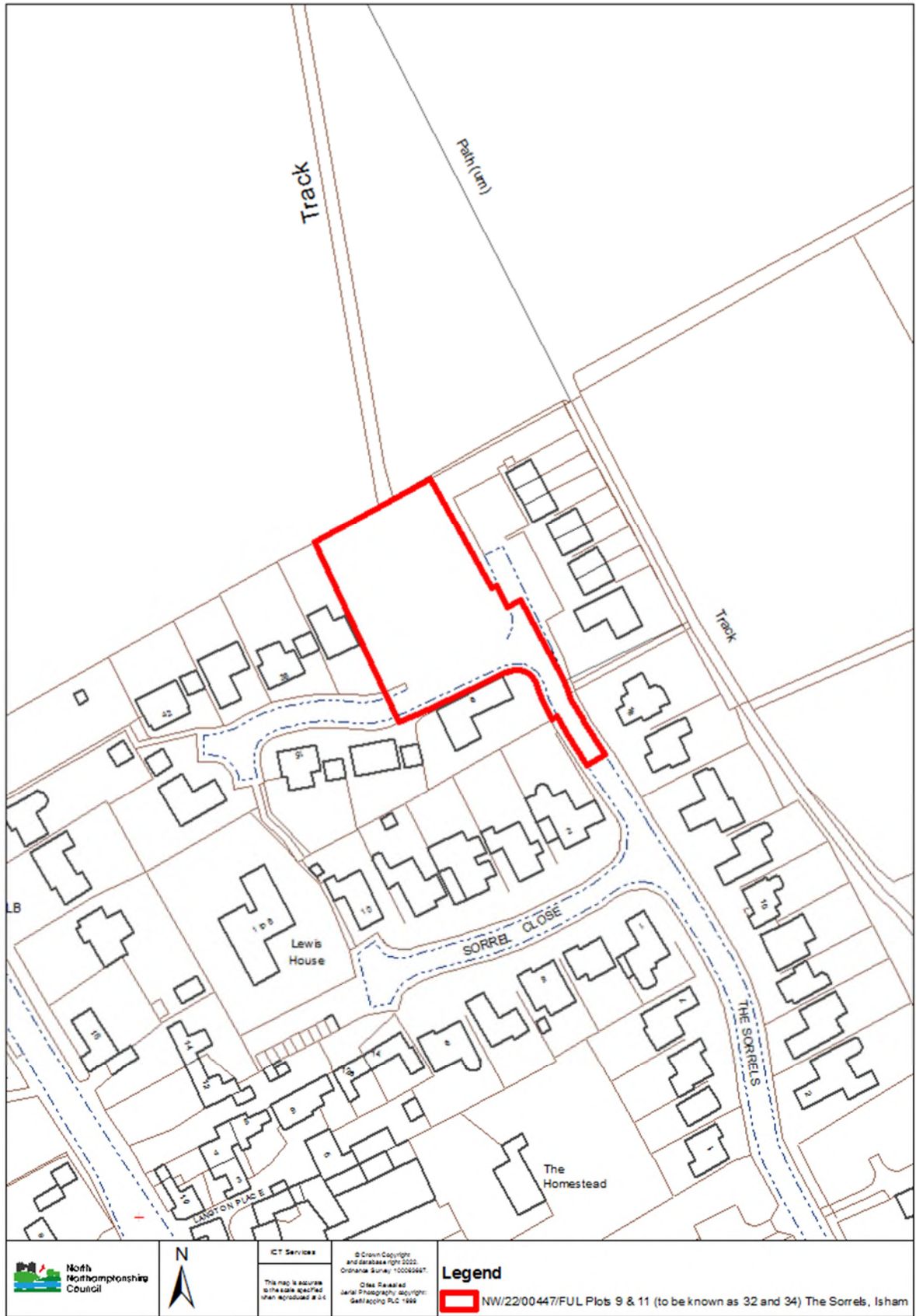
1. Recommendation

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

2. The Application Proposal and Background

- 2.2. This application seeks planning permission for two 4-bedroom residential dwellings which have redesigned previously approved dwellings under planning permission references WP/19/00079/FUL and WP/17/00452/VAR for plots 9 and 11.

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2.2 Plot 9 was approved under planning permission reference WP/20/00079/FUL as a 4-bedroom 8-person market dwelling with a linked double garage. Drawing number L/SI/21/003 seeks the addition of two 2 storey 1.45 metre projecting gables on the rear elevation of the dwelling.

2.3 Plot 11 (formerly plot 9) was allowed on appeal and approved under BCW reference WP/17/00452/VAR as a 4-bedroom 8-person market dwelling with a linked double garage. Drawing number L/SI/21/003 seeks to redesign a two-storey rear projection widening the extension by approximately 1.2 metres and increasing the rear projection by approximately a further 3.7 metres.

2.4 The application was accompanied by a design and access statement, an ecology and tree information update dated 15.2.2022, a drainage layout and updated surface water drainage calculations for plots 9 and 11.

Background

2.5 An appeal reference APP/H2835/W/16/3146992 (WP/15/00769/FUL) was allowed and planning permission granted on 18 August 2016 by the planning inspectorate for the erection of 16 dwellings including 6 affordable dwellings and the creation of a vehicular access. A unilateral undertaking was agreed as part of the appeal for the provision of 6 affordable housing units and a primary school contribution of £50,766 payable as to 50% thereof prior to the first occupation of the 1st dwelling and the remaining 50% thereof prior to the first occupation of the 9th dwelling.

2.6 Planning permission reference WP/17/00452/VAR was granted on 5 February 2018 for a variation of condition 2 of Appeal reference: APP/H2835/W/16/3146992 to allow minor variations to development. This is a planning permission for the erection of 16 dwellings including 6 affordable dwellings and is accompanied by a deed of variation to the S106 obligations which were entered into for the scheme allowed at appeal. The deed of variation effectively transposes those obligations to the new varied permission. This planning permission has been implemented and 7 of the units are currently occupied.

2.7 Approval of details reserved by conditions reference WP/17/00112/CND was granted partial discharge consent on 15 March 2017 for details submitted pursuant to conditions 3 (external materials), 4 (site levels), 5 (boundary treatment), 6 (hard & soft landscape works), 8 (landscape management plan), 9 (tree protection plan), 10 (improvement of prow TM13), 11 (method of surface water drainage), 13 (archaeology) and 14 (bat survey) of appeal decision ref: APP/H2835/W/16/3146992

2.8 Planning permission reference WP/19/00079/FUL was granted on 6 June 2019 for the erection of 10 dwellings with associated landscaping (net increase of 2 dwellings on development permitted under reference WP/17/00452/VAR) - plot 10 approved as a bungalow now seeks be changed to a house, plots 1-7 (inclusive) layout redesigned to include 9 plots.

2.9 A deed of variation was completed by the applicant and the local planning authority for the following:

Forty percent of the dwellings (7 in total) were to be affordable dwellings consisting of the following mix:

- 4 one bedroomed (2 person) affordable rent dwellings;
- 1 two bedroom (4 persons) affordable rent dwelling;
- 2 two bedroom (4 persons) shared ownership dwellings;

2.10 No more than 75% of the market housing shall be occupied until the affordable housing units have been offered to transfer to a registered provider on terms that accord with the relevant Home England requirements current at the date of the affordable housing units.

2.11 The balance of the primary education contribution £25,383.00 shall be paid before the occupation of the 9th dwelling. An addition primary contribution of £3,968.00 shall be paid before the occupation of the 9th dwelling.

2.12 This permission has been implemented as plot 10 (shown on drawing number L/SI/18/24 B as plot 12) has been completed and on the day of the officer site visit (15/04/20) was up for sale.

2.13 Plots 1, 2, 3, 4, 6, 7 and 10 were delivered under this planning permission. Plot 10 is occupied and plots 2,3,4,6 and 7 are due to be occupied imminently (end of June 2022) and plot 1 is still being worked upon internally and is due to be occupied in July 2022.

2.14 The trigger for the outstanding S106 planning obligations set out above is prior to the occupation of the 9 dwelling.

2.15 Variation to planning permission reference WP/20/00123/VAR was granted on 25.01.2021 for a variation of condition 2 of planning permission reference WP/19/00079/FUL for the variation of affordable housing provision. The permission sought to change plot 5 of the approved scheme from a 1-bedroom affordable rent unit to a 2-bedroom affordable rent unit.

2.16 The applicant entered into a third supplemental deed of variation with the local planning authority and Northamptonshire County Council in relation to change to the affordable unit from a one bedroom to a two-bedroom unit result in the following: Affordable Housing

Forty percent of the dwellings (7 in total) were to be affordable dwellings consisting of the following mix:

- 3 one bedroomed (2 person) affordable rent dwellings;
- 2 two bedroom (4 persons) affordable rent dwellings;
- 2 two bedroom (4 persons) shared ownership dwellings;

Education

2.17 As a result of changing from a one-bedroom unit which attracts no education contribution a two-bedroom dwelling would attract an additional education contribution of £1,614 index linked.

2.18 The trigger for the outstanding S106 planning obligations set out above is prior to the occupation of the 9 dwelling.

2.19 The Senior Project Manager – Developer Contributions has confirmed that the education contribution in relation to this development has been paid in full, including as required by the subsequent Deeds of Variation (dated 30/01/2018, 06/06/2019, and 25/01/2021).

2.20 Based on the proposals put forward with this application, it is understood that there will be no change to the approved mix of units and therefore no change to the overall level of contribution required, and the developer will not require a further Deed of Variation in respect of this application in this respect.

3. Site Description and Surroundings

3.1 The application site which was originally approved under an allowed appeal reference APP/H2835/W/16/3146992 (WP/15/00769/FUL) is part of an irregularly shaped rectangular parcel of land located outside of the north-eastern corner of the village. Revisions to the originally approved layout have been permitted under references WP/17/00452/VAR, WP/19/00079/FUL and WP/20/00123/VAR. The application site lies within the village policy line shown on the village inset map for Isham in the PBW. Access to the site is provided via The Sorrels and the new estate road has been implemented.

3.2 The application site forms an infill of the originally approved development. Plots 9 and 11 have the benefit of extant planning permissions for similar forms of development, the key difference is the floor area is greater in this application.

3.3 On the northern boundary there are no trees which have the benefit of tree preservation orders. Two-metre-high metal fencing runs along the northern, southern and eastern boundaries. A 1.8-metre-high close boarded fence and 2-metre-high temporary metal fence runs along the western boundary with plot 12. The road infrastructure, and part of the footways have been constructed and plots 10, 12, 13, 14, 15, 16, 17 and 18 on drawing number L/SI/22/003 are occupied.

3.3 Plots 2,3,4,5,6 and 7 on drawing number L/SI/22/003 have been transferred to a registered provider (Greatwell Homes) and construction was due to be completed by the end of June 2022. At the time of the site visit by the case officer on 23 June 2022 plots 2,3,4,5,6 and 7 (affordable dwellings were unoccupied).

3.4 Plot 1 on drawing number L/SI/22/003 is under construction and due to be completed in July 2022.

3.5 The site is crossed by public rights of way: TM001, TM013 and TM016 which link into the wider public rights of way network. Public right of way TM1 currently runs between plot 1 and 18 Sorrells Close.

4. Relevant Planning History

WP/14/00736/FUL	Refused Erection of 21 dwellings (including 11 affordable dwellings) and creation of vehicular access. AMENDED AND ADDITIONAL PLANS. AMENDED AND ADDITIONAL INFORMATION. Appeal Withdrawn.	11.03.2015
WP/15/00188/FUL	Refused Erection of 9 dwellings (including 5 affordable dwellings) and creation of vehicular access - re-submission. Appeal allowed and planning permission granted on 4 November 2015.	03.06.2015
WP/15/00769/FUL	Refused Erection of 16 dwellings (including 5 affordable dwellings) and creation of vehicular access. AMENDED LAYOUT PLAN. ADDITIONAL INFORMATION. FURTHER ADDITIONAL INFORMATION. Appeal allowed and planning permission granted on 18 August 2016.	14.03.2016
WP/16/00621/AMD	Approved with conditions Application for a non-material amendment to planning permission ref: WP/15/00769/FUL to allow amendment to site layout to accommodate Inspector's requirement to provide 40% affordable content on the site (Appeal Ref: APP/H2835/W/16/3146992)	14.12.2016
WP/17/00112/CND	Part discharged Details submitted pursuant to conditions 3 (external materials), 4 (site levels), 5 (boundary treatment), 6 (hard & soft landscape works), 8 (landscape management plan), 9 (tree protection plan), 10 (improvement of prowl TM13), 11 (method of surface water drainage), 13 (archaeology) and 14 (bat survey) of appeal decision ref: APP/H2835/W/16/3146992	15.03.2017
WP/17/00210/FPD	Agreed Application for a diversion of public footpaths TM13 and TM16 in the parish of Isham to enable planning permission to be implemented - Amended plan recd 15 05 17	16.06.2022

WP/17/00452/VAR	Approved with conditions Variation of condition 2 of Appeal reference: APP/H2835/W/16/3146992 to allow minor variations to development	05.02.2018
NW/21/00911/VAR	Application invalid on receipt Variation of condition 2 (substitution of approved plans) of planning permission ref: WP/20/00123/VAR - Alterations to house designs of plots 9 and 11	

5. Consultation Responses

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

5.2 Isham Parish Council

Object to the proposed extensions on both properties identified above.
The reasons are - firstly this development, in our opinion, does not adequately have sufficient drainage as we have pointed out from the beginning. Properties which existed prior to the development that did not experience flooding, and have since the development, still are at risk due to the lack of drainage in the new development. Allowing further enlargement will only, in the parish council opinion, exasperate the risk of flooding.

These plots already had permission and should have been built, but now that the entrance across the field from Station Road to carry out the development works has been removed it means that the only access to execute the works in bringing in labour and materials and removing excavation and surplus is through the narrow roads of the village. Not only are the roads narrow but are further restricted by parked vehicles and due to the location of the infant and primary school are very busy at drop off and pick up times. We experienced these problems with access at the start of the development when verges were damaged which resulted in the developer installing the access across the field from Station Road. We would therefore request that now they will have to come in through the village planning restrictions should be added to restrict access through the village to only 10.00am to 2.30pm Monday to Friday.

5.3 Neighbours/Responses to publicity

No comments received.

5.4 Local highway authority (LHA)

Does not intend to raise an objection to the application on highway safety or capacity grounds.

5.5 NNC archaeological advisor

No comments to make on the proposals.

5.6 NNC Senior Project Manager –Development Contributions

Confirmed the education contribution in relation to this development has been paid in full, including as required by the subsequent Deeds of Variation (dated 30/01/2018, 06/06/2019, and 25/01/2021).

Based on the proposals put forward with this application, it is understood that there will be no change to the approved mix of units and therefore no change to the overall level of contribution required, and the developer will not require a further DOV in respect of this application in this respect.

5.7 NNC environmental protection officer (noise and air quality)

No comments received.

5.8 NNC environmental protection officer (contamination)

Has no objections to make on this application for land contamination.

Recommends a condition is imposed in the event that any unexpected contamination being discovered during the works.

5.9 Northamptonshire Police

Has no formal objection or comment to the application in its current form.

5.10 NNC surface water drainage team

Would advise that there is **sufficient** information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development and that it is acceptable subject to the following conditions being imposed:

- 'No development shall take place on plots 9 and 11 until a detailed scheme for the ownership and Maintenance for every element of the surface water drainage system proposed on plots 9 and 11 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 plan of plots 9 & 11 including access points, maintenance access easements and outfalls. Maintenance operational areas are 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.

- No occupation of plot 9 shall take place until a Verification Report for the installed surface water drainage system for these plots based on the approved drainage design as shown in drawing 181193/S/E05 prepared by SEA Structural Engineers 16/06/2022 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) 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.

- No occupation of plot 11 shall take place until a Verification Report for the installed surface water drainage system for these plots based on the approved drainage design as shown in drawing 181193/S/E05 prepared by SEA Structural Engineers 16/06/2022 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) 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'.

5.11 Anglian Water

No comments received.

5.12 NNC housing development officer

Has reviewed the application and has no comments to make from an affordable housing perspective.

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)
- 2 (historic environment)
- 3 (landscape character)
- 4 (biodiversity and geodiversity)
- 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)
- 9 (sustainable buildings and allowable solutions)
- 10 (provision of infrastructure)
- 11 (network of urban and rural areas)
- 28 housing requirements and strategic opportunities)
- 29 distribution of new homes)
- 30 housing mix and tenure)

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

Policy

SS1 (villages)

6.5 Other Relevant Documents:

Sustainable Design

Biodiversity

Trees on Development Sites

Planning Out Crime in Northamptonshire

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;
- archaeology;
- landscape character and visual amenity;
- flood risk and surface water drainage;
- foul sewage;
- noise;
- air quality;
- biodiversity;
- living conditions of future occupiers (compliance with national space standard, national accessibility standards);
- living conditions of the neighbouring occupiers;
- housing mix;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- contamination;
- crime and disorder;

- sufficiency of the planning obligations to secure community benefits and mitigate existing infrastructure;
- conditions

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 application form at question five indicates that pre-application advice or assistance has been sought from the council. The NPPF from paragraph 41 extols the virtues of applicants engaging in pre application discussion with the council to resolve any issues that may arise to help applicants avoid any unnecessary delays and costs.

7.5 The principle of residential development on the site was originally allowed through an appeal by the planning inspectorate. Since the appeal was allowed the PBW has been formally been adopted.

7.6 Policy SS1 of PBW seeks the village boundaries shown on the policies map to be used to interpret whether sites are within or adjoining villages for the purposes of policies 11 and 13 of the JCS. The village inset map for Isham shows that the application site lies within the village policy line. Therefore, the principle of residential development on the application site would be acceptable and the proposed development would comply with policy SS1 of the PBW.

7.7 However, the proposed scheme needs to be assessed against more detailed policies in the JCS and this is discussed below;

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

7.9 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.

7.10 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.

7.11 The proposed layout shown on drawing numbers L/SI/22/002 (landscaping details), L/SI/22/003 (site plan showing development progress) and L/SI/21/001 (plots 9 and 11 site plan) includes the changes to be made to plots 9 and 11.

7.12 Plots 9 was approved under reference WP/20/00123/VAR as a 4-bedroom 8-person market dwelling with a linked double garage and seeks the addition of two 2 storey 1.45 metre projecting gables on the rear elevation of the dwelling. The proposed changes to the previously approved layout and rear elevation of the dwelling would not be highly visible features in the street scene and would only be seen from the rear of number 11 and the fronts of plots 5-8.

7.13 Plot 11 (formerly plot 9) was approved under reference WP/17/00452/VAR as a 4-bedroom 8-person market dwelling with a linked double garage and seeks to redesign a two-storey rear projection widening the extension by approximately 1.2 metres and increasing the rear projection by approximately a further 3.7 metres. The proposed changes to the previously approved layout and rear elevation of the dwelling would not be a visible feature in the street scene and would only be visible from the rear gardens of plot 9 and the occupied plot 12. The design treatment of plot 11 would be like planning permission reference NW/21/00095/FUL which granted on 25 March 2021 a two storey and single storey rear extension at 38 The Sorrells. The two-storey element increased rear projection.

7.14 The proposed changes to the layout and elevational treatment of plots 9 and 11 would enhance the proposed character and appearance of the dwellings and would not have any adverse effects on the immediate or wider street scene.

7.15 No parish council or neighbour objections have been raised in relation to the effect of the proposed development on the character and appearance of the area.

7.16 The proposed varied development is considered to comply with policy 8 (d) (i) and (ii) of the JCS and advise set out under paragraph 130 (a) – (d) of the NPPF.

7.17 Landscape character and 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.

7.18 The design and access statement dated June 2022 states 'the application is not supported by an updated tree survey because no trees will be impacted by the proposed development. Root protection areas for all trees on the overall

development are some distance away from plots 9 and 11 as can be seen from the proposed site drawings'.

7.19 The currently proposed landscaping scheme shows hedge planting being provided along the northern boundary of the site. The front gardens to each of the proposed dwellings are proposed to be open plan to match the layout of existing dwellings in The Sorrells. The frontages of the proposed dwellings would include a mix of grass seeded/turf and trees to soften the visual appearance of the immediate and wider area.

7.20 No parish council or neighbour objections have been raised in relation to the effect on landscape visual amenity.

7.21 Subject to the imposition of conditions requiring the detailed landscaping scheme to be implemented the proposed development would not comply with policy 3 (a) (b) and (e) of the JCS.

7.22 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 110 litres/person/day and external water use of no more than 5 litres/person/day or alternative national standard applying to areas of water stress. To ensure compliance with this policy, a planning condition is recommended.

7.23 Effect on heritage assets: conservation area

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.24 Policy 2 (a) and (b) of the JCS set out the policy background for the protection, preservation and enhancement of the historic environment.

7.25 Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

7.26 The application is an alteration of an existing approved scheme and lies outside of the Isham conservation area. The net alterations to the scheme would cause no harm to the nearby conservation area.

7.27 No parish council or neighbour objections have been raised in relation to the effect of the proposed development on the setting of the conservation area.

7.28 The proposed development would comply with policy 2 (a) and (b) of the JCS and special attention has been paid to the need to preserve or enhance the character or appearance of a conservation area as required by Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.29 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.

7.30 With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment and in particular paragraph 194 advises that, where appropriate, when determining an application which could affect a heritage asset with archaeological interest the council should, where appropriate, require developers to submit a field evaluation.

7.31 Northamptonshire archaeological officer has no comments to make on the proposals.

7.32 No parish council or neighbour objections have been raised in relation to the effect on archaeology.

7.33 The proposed development would comply with policy 2 (d) of the JCS.

7.34 Flood risk and drainage

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

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

7.36 A flood risk assessment and drainage strategy accompanied planning permission reference WP/19/00079/FUL and identified the site as being located in flood zone 1 defined as low risk. EA map 'flood risk from surface water' indicates that the site has a low risk from surface water flooding. The environment agency raised no objections to the proposals submitted under planning permission reference WP/19/00079/FUL.

7.37 The proposed storm water strategy is to drain to new soakaways, roof areas will drain via geo - modular storage crates located in the gardens. Private drives and roads will drainage via the use of permeable block paving. The design of the attenuation will be for all permeable areas on the site to accommodate storms up to the 1 in in 100-year event and allow for the increase in storm intensities up to 40%.

7.38 The impermeable areas of the roofs have been increased by 10% to take into account urban creep.

7.39 The local lead flood authority has reviewed the proposed drainage layout contained within drawing number 18193/S/EO5 for plots 9 and 11 and the storm water drainage calculations for the drive and roofs of plots 9 and 11 and considers there is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development and that it is acceptable subject to conditions being imposed in relation to a detailed scheme for the ownership and maintenance for every element of the surface water drainage

system proposed on plots 9 and 11 and a verification report for the installed surface water drainage system for plots 9 and 11 based on the approved drainage design as shown in drawing 181193/S/E05 prepared by SEA Structural Engineers 16/06/2022.

7.40 Parish council objections have been raised in relation to inadequate drainage to serve the development resulting in flooding occurring on the existing highway during heavy downpours. The applicant has confirmed in writing that 'the proposed extensions to plans already approved would not drain on to the road and would be to soakaways in the individual gardens, a considerable distance away from original Sorrels properties. The applicant has additionally advised in writing 'the road is now functioning as a permeable road now that the tarmac surface has had holes inserted and block paving laid'. The local lead flood authority has confirmed that their response to this application deals solely with surface water considerations within the applicants proposed area as the drainage in this area is intended to be dealt with through infiltration. The applicants submitted information indicates that no further consideration of the drainage system is required at this point. The local lead flood authority understand that both the current application and previously highlighted areas are located very close together but any comment with regards to the acceptability of the current application should not be considered as comment on the wider surface water situation and vice-versa. If there continues to be a wider concern with regards to flood risk in this area a separate discussion with the local lead flood authority based on evidence relevant to the location flooding will be required.

7.41 Subject to the imposition of conditions in relation to a detailed ownership and maintenance scheme for every surface water drainage element on plots 9 and 11 and a verification report on plots 9 and 11 for the installed surface water drainage system, the proposed development would comply with policy 5 of the JCS and advice contained within of the revised NPPF.

7.42 Foul sewage

JCS Policy 10 (b) requires new development to minimise increases in the demand for additional/expanded water infrastructure. Whilst policy 10 (c) states that planning permission will only be granted if it can be demonstrated that there will be sufficient infrastructure capacity provided within an agreed timescale to support and meet all the requirements which arise from the proposed development. Policy 10 (d) continues by saying that the council and developers should work with infrastructure providers to identify viable solutions to deliver infrastructure where appropriate by phasing conditions, the use of interim measures and the provision of co-located facilities.

7.43 The NPPF at paragraph eight and elsewhere identifies the provision of infrastructure as part of the economic role as one of the three dimensions of sustainable development.

7.44 The PPG under the chapter entitled 'water supply, wastewater and water quality' at paragraph 20 provides advice on the particular considerations that apply in areas with inadequate wastewater infrastructure. The PPG explains that if there are concerns regarding the capacity of wastewater infrastructure, applicants will be asked to provide information as to how wastewater will be dealt with. The PPG goes on to provide advice on a number of scenarios regarding the preference to connect to the public sewerage system and the acceptable alternatives.

7.45 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 local planning authority grant planning permission.

7.46 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to Anglian Water sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water would then advise the developer of the most suitable point of connection.

7.47 No neighbour objections have been raised in relation to effects of foul water.

7.48 The proposed development would comply with policy 6 and 10 (c) of the JCS

7.49 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.

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

7.51 The PPG offers detailed advice on Noise which was updated on 24 December 2014.

7.52 Residents may experience noise some disturbance throughout the construction of the development, but once construction of the development is completed both existing and future residents should not experience unacceptable noise disturbance.

7.53 The council's environmental protection service has powers to deal with any unacceptable noise caused by building works as necessary under the provisions of the Environmental Protection Act 1990 and it has published a leaflet entitled 'considerate contractor advice note.'

7.54 NNC environmental protection officer has made no comments to this planning application in relation to noise.

7.55 The parish council have raised an objection in relation to the construction access for plots 9 and 11 to execute the works in bringing in labour and materials and removing excavation and surplus through the narrow roads of the village which are further restricted by parked vehicles and due to the location of the infant and primary school are very busy at drop off and pick up times. The occupiers of residential dwellings in the vicinity of the site experienced these problems with access at the start of the development when verges were damaged which resulted in the developer installing the access across the field from Station Road. This access has now been closed. The parish council have requested that now construction traffic in association with the development of plots 9 and 11 will come in through the village

planning restrictions should be imposed to restrict access through the village to only 10.00 to 14.30 Monday to Friday.

7.56 On the original planning permission reference which was allowed at appeal under reference APP/H2835/W/16/3146992 (WP/15/00769/FUL) the following condition was imposed: 'construction and delivery vehicles shall not enter or leave the site between the hours of 08:15 hours to 09:00 hours and 14:45 hours to 15:45 hours Monday to Friday during school term time'.

7.57 A condition similar to that set out above should be imposed on any new planning permission restricting construction and delivery vehicles not to enter or leave the site between the hours of 08:15 hours to 09:00 hours and 14:45 hours to 15:45 hours Monday to Friday during school term time. This would minimise any conflicts on the road network with parents dropping off and collecting children from the school and construction deliveries to the site. The applicant has confirmed in writing that a condition restricting construction and delivery vehicles not to enter or leave the site between the hours of 08:15 hours to 09:00 hours and 14:45 hours to 15:45 hours Monday to Friday during school term time would be acceptable.

7.58 It would be unreasonable of the local planning authority to restrict construction access through the village for plots 9 and 11 to between the hours of 10:00 and 14:30 Monday to Friday.

7.59 Once construction works are completed the proposed development is unlikely to result in unacceptable noise disturbance to occupiers of neighbouring residential properties and subject to the conditions set out above the proposed development would comply with policy 8 (e) (ii) of the JCS.

7.60 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.

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

7.62 Chapter 15 of the revised NPPF offers broad advice on how local planning authorities should prevent both existing and new development from being adversely affected by unacceptable levels of air pollution.

7.63 The proposed development would not require a detailed air quality exposure assessment. However, the East Midlands region is looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance.

7.64 As the proposed site layout would include the provision for on-site vehicle parking. A key theme of the revised NPPF is that developments should enable future occupiers to make "green" vehicle choices and paragraph 112 (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.

7.65 An Informative should be added to any permission seeking any gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh.

7.66 The applicant has provided a technical specification for one 7Kw untethered Myenergi Zappi EV charger to be installed on plots 9 and 11 in the positions shown on drawing numbers L/SI/22/003 Rev B (plot 9 revised floor plans and elevations) and L/SI/22/004 Rev A (plot 11 revised floor plans and elevations).

7.67 NNC environmental protection officer has made no planning application in relation to air quality.

7.68 No parish council or neighbour objections have been received in relation to air quality.

7.69 Subject to the imposition of a condition requiring one electric vehicle charging point to be installed for plots 9 and 11 in accordance with the specifications set out above and prior to the first occupation of each dwelling the development would comply with policies 8 (e) (ii) and 15 (c) of the JCS.

7.70 **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."

7.71 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 'protect and enhance biodiversity and geodiversity' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity.

7.72 The originally approved scheme reference APP/H2835/W/16/3146992 (WP/15/00769/FUL) included a condition requiring details of ecological enhancements to be completed as part of the scheme. These enhancements included external bat roosting boxes and bird boxes to be built onto the walls of garage units/walls of the dwellings.

7.73 Drawing number L/SI/22/005 (plots 9 and 11 biodiversity) has been submitted which details the external bat roosting boxes, sparrow terraces, swift boxes and general nesting boxes to be installed on plots 9 and 11, prior to the first occupation of any associated dwelling.

7.74 No parish or neighbour objections have been raised in relation to the effects on biodiversity.

7.75 Subject to a condition requiring the biodiversity enhancements shown on drawing number L/SI/22/005 to be implemented prior to the first occupation of the associated dwelling the proposed development would comply policy 4 of the JCS.

7.76 Housing mix

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

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

7.78 The proposed development would include the provision of two 4 bedroomed market dwellings. These are the same size dwellings as those previously approved on plots 9 and 11 under variation to planning permission reference WP/17/00452/VAR and planning permission reference WP/19/00079/FUL. The proposed development would not result in an over concentration of a single type of housing and would not adversely affect the character or infrastructure of the area.

7.79 The proposed development would comply with policy 30 (a) (ii) of the JCS.

7.80 National 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.

7.81 The floor plans would comply with the minimum gross internal floor area and built in storage as set out under table 1 in the national space standards and the technical requirements for double bedrooms.

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

7.83 National Accessibility Standards

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

7.85 All units should achieve category 2 of the National Accessibility Standards as a minimum with at least one being wheelchair accessible.

7.86 Subject to a condition would be imposed on any planning permission to ensure that the dwellings would meet category 2 of the National Accessibility Standards the proposed development would comply with policy 30 (c) of the JCS.

7.87 Affordable Housing

Policy 30 (d) seeks on private sector development of 11 or more (net) or where combined gross floor area of dwellings will 1,000 square metres elsewhere the local planning authority will seek the provision of affordable housing in line with the following targets:

40% of total dwellings in rural areas including all villages, which includes the village of Isham.

7.88 Planning permission reference WP/19/00079/FUL and variation to planning permission reference WP/20/00123/VAR included the provision of 7 affordable

housing units. Both these applications were the subject of supplemental deed of variations in relation to the provision and mix of affordable housing.

7.89 Variation to planning permission reference WP/20/00123/VAR permitted:

Affordable rent units

3 one-bedroom houses

2 two-bedroom houses

Intermediate homeownership (Shared Ownership)

2 two-bedroom houses

7.90 The affordable housing element of planning permission reference WP/19/00079/FUL and variation to planning permission reference WP/20/00123/VAR have recently been completed with practical completion of the contract and transfer of the keys to Greatwell Homes expected imminently. The transfer of the affordable housing scheme is one of the final planning obligations needing to be satisfied.

7.91 Based on the proposals put forward with this application, it is understood that there will be no change to the approved mix of units and therefore no change to the overall level of contribution required, and the developer will not require a further Deed of Variation in respect of this application in this respect.

7.92 Living conditions of the neighbouring occupiers

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

7.93 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'.

7.94 The proposed changes to the footprint, scale and design of plots 9 and 11 would not have any unacceptable effects on neighbouring amenity and would not result in unacceptable loss of light, outlook or privacy for existing or future occupiers.

7.95 No parish council or neighbour objections have been received in relation to the effects of the proposed development on neighbouring amenities.

7.96 The proposed development would comply with policy 8(e)(i) of the JCS.

7.97 Highway safety

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.

7.98 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

7.99 The means of access to this development site has already been permitted and implemented under variation to planning permission reference WP/17/00452/VAR and the amended proposed road layout approved under planning permission reference WP/19/00079/FUL would remain unaltered as a result of the changes proposed to plot 9 and 11.

7.100 Northamptonshire highways have not raised any objections to the application on highway safety or capacity grounds.

7.101 The proposed development would comply with policy 8 (b) (i) of the JCS.

Pedestrian Access

7.102 The existing pedestrian footway on either side of the road in The Sorrells would be extended to serve the proposed development and the existing public rights of way would be retained as part of the proposed development.

Parking

7.103 Parking accommodation should be provided in accordance with the Northamptonshire parking standards (2016) and satisfy policy 8 (b) (i) of the JCS. A four-bedroom unit should provide three allocated parking spaces. The development should include 25% unallocated visitor parking in layby's 2 metres in depth.

7.104 The proposed changes would not result in any increase in the number of bedrooms. The proposed layout shown on drawing number L/SI/21/001 includes four dedicated on plot parking spaces to serve plots 9 and 11. Thus plots 9 and 11 would meet the Northamptonshire parking standards.

7.105 The overall proposed development still includes a total of 29 allocated and unallocated parking spaces. The proposed one- and two-bedroom affordable housing units would be accompanied by 6 visitor parking spaces. The overall proposed development would exceed the 21 spaces required for the proposed mix and would not result in highway safety or capacity issues.

7.106 The development should include dedicated covered cycle parking consisting of one cycle parking per bedroom. Garages can count as dedicated covered cycle parking, Plots 9 and 11 would be accompanied by a dedicated double garage for cycle parking.

7.107 In addition, dedicated bin stores have been shown on each plot for three 240 litre wheelie bins.

7.108 No parish council and neighbour objections have been received in relation to highway safety and capacity.

7.109 The proposed varied development would comply with policy 8 (b) (ii) of the JCS.

7.110 Contamination

The JCS at policy 6 says that local planning authorities will seek to maximise the delivery of development through the re-use of suitable previously developed land within the urban areas. Where development is intended on a site known or suspected of being contaminated a remediation strategy will be required to manage the contamination. The policy goes on to inform that planning permission will be granted where it can be established that the site can safely and viably be developed with no significant impact on either future users of the development or on ground surface and waters.

7.111 The revised NPPF at paragraphs 184 and 185 sets out policies on development involving contaminated land. The planning practice guidance also offers detailed government advice on this topic.

7.112 NNC environmental protection officer (contamination) has no objections to make on this application for land contamination but would recommend a condition is imposed in the event that any unexpected contamination being discovered during the works.

7.113 No parish council or neighbour objections have been received in relation to contamination.

7.114 Subject to the imposition of a condition being imposed in relation any unexpected contamination being discovered during the works the proposed development would comply with policy 6 of the JCS.

7.115 **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.

7.116 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.

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

7.118 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.

7.119 The section in the design and access statement on crime prevention takes into account comments from Northamptonshire Police on earlier applications for the site.

7.120 Specifically, the following should be noted: -

- Both dwellings have access to rear gardens from site access gates.
- Ground Floor windows are shown to the living room of plot 9 providing surveillance over the footpath to the flank elevation.
- Doors and windows will need to be installed meeting the requirements of Building Regulations Approved Document Q.
- 1.8-metre-high close boarded fences will be provided to boundaries. A planning condition will be imposed on any permission requiring the approved landscape layout to be revised to correspond with the new estate layout.
- Estate lighting has previously been approved under earlier applications and will be constructed in accordance with the details approved.

7.121 Northamptonshire police has no formal objection or comment to the changes to the layout, scale and design the proposed dwellings on plots 9 and 11.

7.122 No parish council or neighbour objections have been received in relation to crime prevention measures.

7.123 The proposed amended development would comply with policy 8 (e) (iv) of the JCS.

7.124 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.

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

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

7.126 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. It is acknowledged that the site is not allocated in the current development plan for housing, but it is considered that the principle of not requesting an obligation which would result in a site being unviable can be applied to this application.

7.127 The government repeatedly states in its guidance that obligations must be entirely necessary, and they must be fully justified and evidenced.

7.128 Applicants should submit evidence on scheme viability where obligations are under consideration and wherever possible, this should be open book.

7.129 There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development; however, these restrictions do not apply to development on 'rural exception sites'.

7.130 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. This advice is reiterated under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010.

7.131 Policy 7 (a) of the JCS seeks the provision on site where necessary or contributing towards accessible, new or enhanced community services and facilities to meet the needs arising from a development.

7.132 Policy 10 (a) seeks develop either to make direct provision or contribute towards the provision of infrastructure required by the development either alone or cumulatively with other developments.

7.133 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.

Education

7.134 Primary education

A unilateral undertaking dated 15 July 2016 set out the planning obligations required under the original permission reference WP/15/00769/FUL, as confirmed through a supplemental agreement and deed of variation dated 30 January 2018.

7.135 The S106 planning obligation secured a financial contribution of £50,766 towards primary education. The original agreement required 50% of the education contribution to be paid prior to the first occupation of any dwelling and the remainder to be paid prior to the occupation of the 9th dwelling. This obligation was based upon the dwelling mix provided at the date of the original application, comprising 7x 2 bed, 3x 3 bed, 6x 4+ bed units.

7.136 In May 2018 the applicant paid 50% of the primary school contribution of £25,383 plus indexation/interest of £3784.37 prior to the first occupation of a dwelling under planning permission reference WP/15/00769/FUL and the associated deed of variation reference WP/17/00452/VAR.

7.137 This was further amended through an additional deed of variation dated 6 June 2019 under reference WP/19/00079/FUL, required as a result of this planning permission, which approved an increase to the number of dwellings to be delivered on the site from 16 to 18 and a change to the mix of units being provided which increased the planning obligations proportionately as a result. The revised scheme would equate to a primary education contribution of £54,734 (plus indexation) over the whole scheme, and was based on the dwelling mix as approved under the 2019 permission, comprising 4x 1 bed; 3x 2 bed, 1x 3 bed, 8x 4+ bed units.

7.138 An increase of £3,968 (plus indexation) above the original planning obligation was required under reference WP/19/00079/FUL. As 50% of the original contribution was paid prior to the occupation of the first dwelling of the original scheme a total contribution of £29,351 (plus indexation) is due to be paid towards primary education prior to the first occupation of 9th dwelling. NNC principal project manager – planning obligations has confirmed this payment has been made as the 9th dwelling has been now occupied.

7.139 This was further amended through an additional deed of variation dated 25 January 2021 under reference WP/20/00123/VAR, required as a result of this planning permission, as a one of the 1 bed dwellings permitted under planning permission reference WP/19/00079/FUL was to now be delivered as a 2-bed dwelling. As such, the level of Primary Education contribution previously secured needed to be varied, in line with the former Northamptonshire county council's adopted Planning Obligations Framework and Guidance document (2015). To take

account of the increased number of two-bed dwellings being delivered on site and likely increase in pupil yield generated by the development. This revised scheme equated to a total primary education contribution of £56,348 (plus indexation) an increase of £1,614 (plus indexation) above the obligation permitted under planning permission reference WP/19/0079/FUL.

7.140 The Senior Project Manager – Developer Contributions has confirmed that the education contribution in relation to this development has been paid in full, including as required by the subsequent Deeds of Variation (dated 30/01/2018, 06/06/2019, and 25/01/2021).

7.141 Based on the proposals put forward with this application, it is understood that there will be no change to the approved mix of units and therefore no change to the overall level of contribution required, and the developer will not require a further Deed of Variation in respect of this application in this respect.

7.142 Policies 7 (a), 10(a) and 10 (c) of the JCS have been satisfactorily complied with.

7.143 **Conditions**

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

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

8. CONCLUSION/PLANNING BALANCE

8.1 The proposed development complies with the relevant development plan policies and is consistent with the provisions in the NPPF specifically in relation to promoting sustainable development, raising design standards, conserving the environment, the surface water drainage is satisfactory subject to conditions in relation to future ownership and maintenance and a verification report confirming the approved surface water drainage scheme has been satisfactorily implemented, meeting the national space standards, includes satisfactory allocated and unallocated on-site parking, no highway capacity or safety issues, include satisfactory crime prevention measures. In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to conditions set out below.

9. RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions listed 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 drawings/details:

L/SI/22/004 Rev A (site location plan) received 21 June 2022;
L/SI/22/001 (plots 9 and 11 site plan) received 21 June 2022;
L/SI/22/002 (site plan showing development progress) received 21 June 2022;
L/SI/22/003 Rev B (plot 9 revised floor plans and elevations) received 19 July 2022;
L/SI/22/004 Rev A (plot 11 revised floor plans and elevations) received 19 July 2022;
L/SI/22/005 (plots 9 and 11 biodiversity) received 19 July 2022;
L/SI/22/002 (landscaping details) received 21 June 2022;
18193/S/E05 (proposed drainage layout) received 21 June 2022;
Plot 9 Drive storm calculations - dated 16/06/2022 (4 pages) received 19 July 2022;
Plot 9 Roof Network Calculations - 16/06/2022 (5 pages) received 19 July 2022;
Plot 11 Drive storm calculations - 16/06/2022 (4 pages) received 19 July 2022;
Plot 11 Roof Network Calculations - 16/06/2022 (5 pages) received 19 July 2022;
Technical specification for 7Kw untethered Myenergi Zappi EV charger (8 pages) received 19 July 2022.

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 materials on the hereby approved dwellings shall consist of either Fortera Village Harvest Cream facing bricks or Wienerberger Trinity Cream facing bricks and Marley Modern Smooth grey interlocking roof tiles unless alternative external facing bricks or roof tiles are submitted to and agreed in writing by the local planning authority.

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

4. The finished floor levels of the hereby approved dwellings shall be as shown on drawing number L/SI/22/002 (landscaping details) unless alternative finished floor levels are submitted to and agreed in writing by the local planning authority.

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

5. The boundary treatment detailed on drawing number L/SI/22/002 (landscaping details) shall be erected before the first occupation of any associated dwelling and shall 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.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with policy 8 (d) (ii) and 3 (e) of the North Northamptonshire Joint Core Strategy.

7. The materials to be used in the areas of hardstanding detailed on drawing number L/SI/22/002 (landscaping details) shall be laid out before the first occupation of any associated dwelling and shall thereafter retained in that form.

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

8. The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 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.

9. 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.

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

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

11. No dwelling shall be occupied until the area for refuse stores, as shown on the drawing number L/SI/22/002 (landscaping details) has been completed 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. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

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

12. The external bat roosting boxes, sparrow terraces, swift boxes and general nesting boxes on plots 9 and 11 shown on drawing number L/SI/22/005 (plots 9 and 11 biodiversity) shall be installed prior to the first occupation of the associated dwelling and shall be permanently retained and maintained thereafter.

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

13. Prior to the first occupation of plots 9 and 11 one 7Kw untethered Myenergi Zappi electric vehicle charger point shall be installed in the position shown on drawing numbers L/SI/22/003 Rev B (plot 9 revised floor plans and elevations) and L/SI/22/004 Rev A (plot 11 revised floor plans and elevations) and shall thereafter be retained and maintained.

Reason: To negate the effects of the development on local air quality and accord with advice contained within 112 (e) of the National Planning Policy Framework.

14. In the event that any 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 policy 6 of the North Northamptonshire Joint Core Strategy.

15. Construction and delivery vehicles shall not enter or leave the site between the hours of 08:15 hours to 09:00 hours and 14:45 hours to 15:45 hours Monday to Friday during school term time

Reason: To protect the amenities of residents who live in the vicinity of the site and minimise potential conflicts with school drop off and collection on the local highway network and accord with policy 8 (b) (i) and 8 (e) (i) of North Northamptonshire Joint Core Strategy.

16. No development shall take place on plots 9 and 11 until a detailed scheme for the

ownership and Maintenance for every element of the surface water drainage system proposed on plots 9 and 11 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 plan of plots 9 & 11 including access points, maintenance access easements and outfalls. Maintenance operational areas are 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.

17. No occupation of plot 9 shall take place until a Verification Report for the installed surface water drainage system for these plots based on the approved drainage design as shown in drawing 181193/S/E05 prepared by SEA Structural Engineers 16/06/2022 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) 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.

18. No occupation of plot 11 shall take place until a Verification Report for the installed surface water drainage system for these plots based on the approved drainage design as shown in drawing 181193/S/E05 prepared by SEA Structural Engineers 16/06/2022 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) 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.

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. All gas fired boilers should meet a minimum standard of 40 mgNO_x/Kwh.
4. All doors and windows in domestic dwelling should meet the requirements of Approved Document Q of Building Regulations. Northamptonshire Police recommend the use of 3rd party accredited products