

North Northamptonshire South Area Planning Committee (Wellingborough)

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

Scheme of Delegation

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

1. Recommendation

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

2. The Application Proposal and Background

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

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

3. Site Description and Surroundings

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

4. Relevant Planning History

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

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

5. Consultation Responses

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

5.1 **Wollaston Parish Council**

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

5.2 **Neighbours/Responses to publicity**

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

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

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

The issues raised are summarised below:

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

5.3 **Local Highway Authority (LHA)**

First response dated 23.01.2024

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

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

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

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

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

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

5.4 **NNC Senior Built Heritage Consultant**

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

5.5 **NNC Assistant Archaeological Advisor**

No objections.

5.6 **NNC Environmental Protection Officer (Land contamination)**

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

5.7 **Northamptonshire Police Crime Prevention Design Advisor**

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

6. Relevant Planning Policies and Considerations

6.1 **Statutory Duty**

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

6.2 **National Policy**

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

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

Policies:

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

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

Policy:

SS1 (villages)

6.5 Wollaston Neighbourhood Plan

Policies:

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

6.6 Other Relevant Documents:

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

7. Evaluation

The key issues for consideration are:

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

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

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

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

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

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

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

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

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

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

7.2.5 The application relates to an existing building within the village, and the submitted plans indicate that in order to support the proposed conversion and change of use, some alterations to the front and rear elevations will be made to reflect the revised floorplan and to create a front elevation more akin to a residential property. There is an existing garage door and pedestrian door on the front elevation, and these are proposed to be replaced with a door to the communal hallway, a louvred door to the bin/cycle store, a 3 pane window and a single pane window at the ground floor level. At the first floor the existing openings at the front will be retained, but new windows are proposed to be installed. At the rear the windows at the first-floor level are proposed to be changed to three replacement windows, and at the ground floor, the existing garage door and window will be removed, and 3 windows installed.

7.2.6 The applicant has submitted details of the proposed external materials and window/door designs and specifications. The front elevation is proposed to be infilled with stone used from the new openings and on the rear elevation, matching red bricks. The windows are proposed to be double glazed timber casements painted white and the doors are proposed to be composite finished in white. These materials are considered acceptable and should be conditioned. The introduction of pedestrian doors and windows along the front elevation will not be out of keeping on this part of the High Street and will be residential in its overall character and appearance, which is considered appropriate for this part of the High Street and the village, and will make a positive contribution to the immediate and wider street scene. Subject to the aforementioned condition relating to materials, it is considered that the proposed development is acceptable and will comply with policy 8 (d) (i) & (ii) of the JCS and policy H5 of the WNP.

7.3 **Sustainability**

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

7.4 **Effect on heritage assets**

7.4.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

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

- 7.4.3 Policy 2 of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment.
- 7.4.4 With regards the revised NPPF, chapter 16 sets out government advice on conserving and enhancing the historic environment. Paragraph 207 sets out its guidance where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 208 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 213 informs that not all elements of a conservation area will necessarily contribute to its significance.
- 7.4.5 The application site is not within the conservation area and is not listed, it is however adjoined to a Grade II listed building (The Gables) which is located at No. 55 London Road. Whilst it has been confirmed through the approval of a certificate of lawful development (reference NW/21/00279/LDE) that 1-3 High Street is not considered curtilage listed, it is considered that due to its proximity to the Listed Building, that it has the potential to impact the building through any change to its setting.
- 7.4.6 The NNC Senior Built Heritage Consultant has advised that the proposals will not result in any adverse impact on the special interest and significance of the designated heritage asset (the adjacent listed building). As previously mentioned, a condition to ensure the external materials and windows and doors are implemented in accordance with the submitted details is recommended to ensure the impact on the adjacent listed building is acceptable.
- 7.4.7 It is considered that subject to the imposition of the aforementioned condition the proposed development would comply with policy 2 (a) and (b) of the JCS and advice contained within chapter 16 of the NPPF.

7.5 **Archaeology**

- 7.5.1 JCS policy 2 (d) requires that where proposals would result in the unavoidable and justifiable loss of archaeological remains, provision should be made for recording and the production of a suitable archive and report.
- 7.5.2 With regards the revised NPPF, section 16 sets out government advice on conserving and enhancing the historic environment and in particular paragraph 194 advises that, where appropriate, when determining an application which could affect a heritage asset with archaeological interest the council should, where appropriate, require developers to submit a field evaluation.
- 7.5.3 The proposed development relates to the conversion of an existing building, as such the NNC Assistant Archaeological Advisor has commented they have no objections to the proposed development.
- 7.5.4 The development would comply with policy 2 (d) of the JCS.

7.6 **Noise**

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

7.7 **Air quality**

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

- 7.7.3 Chapter 15 of the revised NPPF offers broad advice on how local planning authorities should prevent both existing and new development from being adversely affected by unacceptable levels of air pollution.
- 7.7.4 The PPG at paragraph 001 of the air quality section dated 6 March 2014 states that 'It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit'. The guidance goes on to explain the implications for local authorities if national objectives are not met which this will include measures in pursuit of the objectives which could have implications for planning. The PPG at paragraph 009 demonstrates how considerations about air quality fit into the development management process.
- 7.7.5 The East Midlands region is looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance.
- 7.7.6 The proposed development does not include off road parking provision and therefore provision for electric vehicle charging cannot be provided as part of the development.
- 7.7.7 An Informative should be added to any permission seeking any gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh.
- 7.7.8 Subject to an informative relating to gas boilers, the development would comply with policy 8 (e) (i) & (ii) of the JCS.

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

- 7.8.1 The Upper Nene Valley Gravel Pits Special Protection Area (SPA)/Ramsar site is legally protected by the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').
- 7.8.2 Policy 4 of the JCS on biodiversity and geodiversity states that developments likely to have an adverse effect either alone or in-combination on the Upper Nene Valley Gravel Pits Special Protection Area must satisfy the requirements of the Habitat Regulations and avoid or mitigate any impacts identified.
- 7.8.3 The Upper Nene Valley Gravel Pits Supplementary Planning Document (SPD) has been produced to help local planning authorities, developers and others ensure that development has no adverse effect on the SPA, in accordance with the legal requirements of the Habitats Regulations. The SPD has been developed with Natural England and the RSPB. A Mitigation Strategy adopted as an addendum to the SPA SPD provides further guidance for development within the 3km zone of the SPA and details a specific financial contribution for each new dwelling towards Strategic Access Management and Monitoring (SAMM) to avoid and mitigate impact.
- 7.8.4 Since these policies were adopted there has been a ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). This requires development relying on mitigation in relation to the Habitats Regulations to no longer be considered at the screening

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

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

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

7.9 **Housing mix**

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

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

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

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

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

7.10 **National Space Standards**

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

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

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

7.11 National Accessibility Standards

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

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

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

7.12 Living conditions of the neighbouring occupiers

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

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

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

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

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

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

7.13 Highway safety

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

Parking

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

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

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

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

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

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

- 7.13.9 The local highway authority responded stating:

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

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

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

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

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

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

7.14 **Crime and disorder**

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

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

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

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

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

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

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

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

7.15 **Conditions**

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

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

8. **Other Matters**

8.1 **Broadband**

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

8.2 **Local amenities**

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

8.3 **Equality**

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

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

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

9. CONCLUSION/PLANNING BALANCE

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

10. RECOMMENDATION

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

11. Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible

and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.

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

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

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

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

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