

North Northamptonshire Area Planning Committee (Wellingborough)

15 December 2021

Application Reference	NW/21/00794/FUL	
Case Officer	Mr Chris Law	
Location	74 Roberts Street Wellingborough Northamptonshire NN8 3HZ	
Development	Creation of a new 3-bedroom detached house, a new vehicular access, hardstanding for the parking of vehicles, boundary treatments and landscaping	
Applicant	Daniel Bezzina	
Agent		
Ward	Brickhill and Queensway Ward	
Overall Expiry Date	10 November 2021	
Agreed Extension of Time	17 December 2021	
Checked	Principal Planning Manager	Name: Jeff Upton

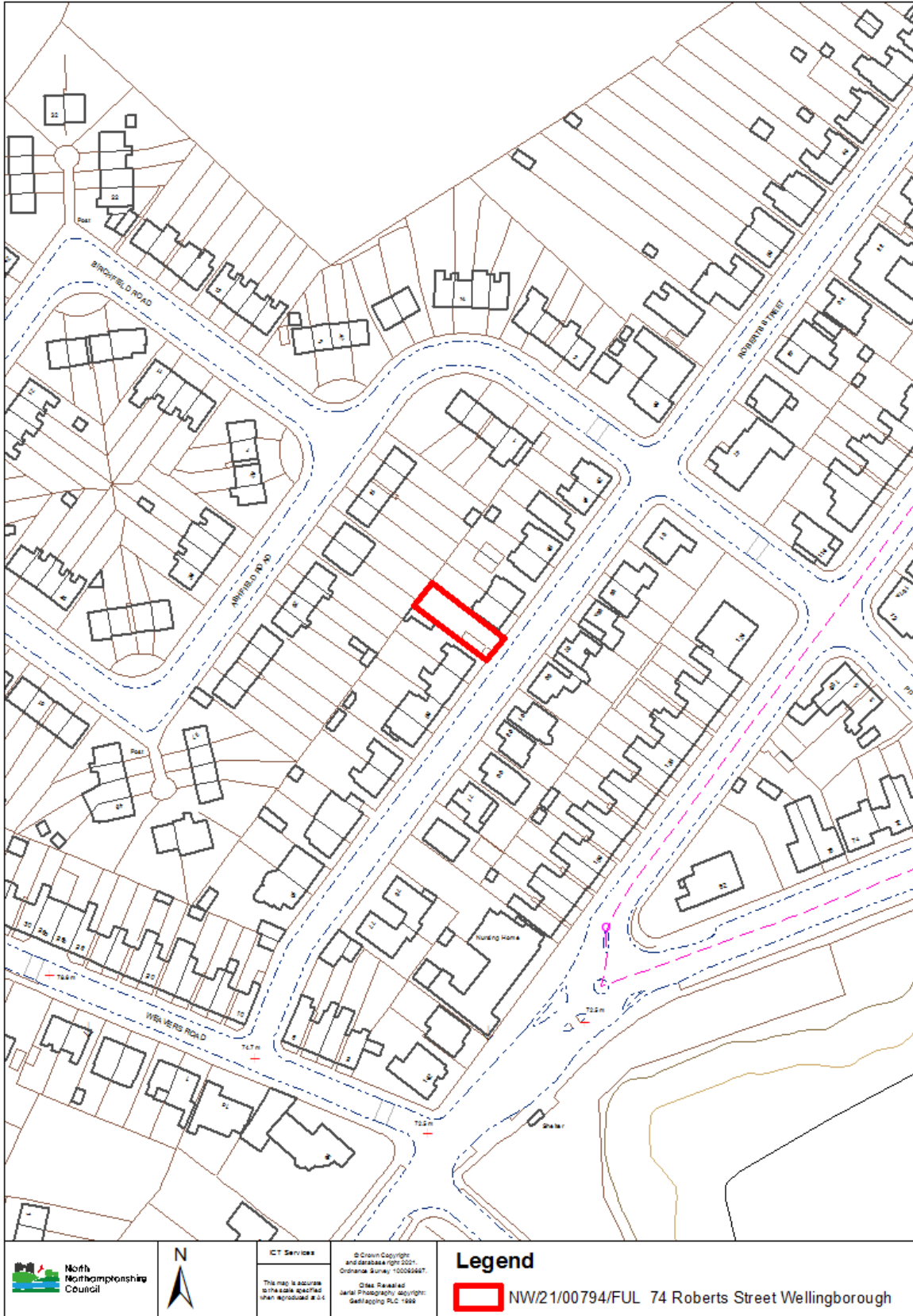
Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation as it has attracted 3 or more objections from households local to the application site, an objection from a Ward Councillor and an objection from Wellingborough Town Council.

1. Recommendation

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

NW/21/00794/FUL



 North Northamptonshire Council




ICT Services

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Legend

 NW/21/00794/FUL 74 Roberts Street Wellingborough

2. The Application Proposal and Background

2.1 This application seeks planning permission to subdivide the existing plot at 74 Roberts Street and construct a new 3 bedroomed detached house with a new vehicular access and off-road parking, boundary treatments and landscaping.

2.2 The proposed new dwelling would be positioned to the south west of the host property between numbers 74 and 76 Roberts Street and would be approximately 6.0 metres wide at its widest point and have a total length of approximately 13.7 metres. The proposed dwelling has been designed with a two-storey projecting gable at the front which is approximately 3.6 metres wide and a full width single storey mono pitch section at the rear. The materials proposed to be used in the construction of the new house are stated as red bricks, black interlocking roof tiles, white UPVC windows/doors and a black composite front door.

2.3 Internally the property would consist of a hallway, study, WC, utility room and kitchen/living/dining room on the ground floor and three bedrooms and a bathroom on the first floor.

2.4 Externally the property has a block paved frontage and off-road parking for one car, an area shown for bin storage, a shed for the storage of 4 bicycles and lawn/paved areas. 1.8-metre-high timber feather edge fencing to the sides and rear of the new property with pedestrian side accesses to both the new and host property are proposed.

2.5 No changes to the host property itself are proposed within the application.

2.6 The application has been supported by a design and access statement and subsequently, a parking beat survey. Amended plans have also been received which reconfigured the first-floor accommodation to meet the requirements of the nationally prescribed space standards. This resulted in the loss of an ensuite bathroom to one of the bedrooms.

3. Site Description and Surroundings

3.1 The application site is located within an established residential area of Wellingborough on the north western side of Roberts Street between numbers 74 and 76. The site currently forms the side garden area of the host property at number 74 Roberts Street and originally contained a small pitched-roof timber garage with a vehicular access from the highway. Two buff brick garden walls set behind each other separated the frontage from the pavement and the front and side gardens. The garage, shed and garden wall have since been demolished.

4. Relevant Planning History

NW/21/00569/FUL	Application withdrawn/undetermined The creation of a detached 4-bedroom 3 storey house (attic trusses forming 3rd storey) with off-road parking for 1 car and individual access to rear garden	16.08.2021
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5. Consultation Responses

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

5.1 Wellingborough Town Council

Not opposed to the scheme but raise objections to the parking which does not meet the required parking standards.

5.2 Councillor M Binley- Ward Councillor for Brickhill and Queensway Ward

Echoes the concerns raised by the Local Highway Authority in their first response regarding parking provision and parking standards and objects to the application until this is revised. Other concerns relate to the possible blocking of light to number 76, blocking vehicular access/egress to number 76 and construction traffic parking arrangements during the build.

5.3 Neighbours/Responses to publicity

Objections have been received from four households local to the application site. The issues raised are summarised below:

- street is already congested with cars and an additional 1-2 cars will further intensify the issue;
- parking provision is not sufficient for the existing and proposed properties;
- the addition of a new property in-between two existing properties will look cramped in, be an eye-sore and will not fit in;
- proximity to neighbouring properties will result in overlooking, cause shade and a sense of being boxed in;
- impact of the building works and construction vehicles affecting the amenity of residents;
- loss of light to neighbouring gardens;
- impact on wildlife;
- there are other empty buildings in the town that could be converted instead of cramming another house into a space that does not exist.

5.4 Local Highway Authority (LHA)

(Initial Response):

The LHA cannot accept the application and require further information relating to parking provision. A number of other standard highway requirements are recommended.

(Updated response following the submission of the parking beat survey):

No objection is raised to the application on highway safety or capacity grounds.

The parking beat survey submitted in support of the application indicates that sufficient on street accommodation can be found in the vicinity of the application site. 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.

It should be noted that on street parking cannot be allocated or assigned to any individual person or property and its availability to accommodate the parking requirements of the development cannot be assumed or relied upon.

5.5 NNC Environmental Protection Officer (land contamination)

No objections are raised in relation to land contamination. A condition is recommended in the event that any unexpected contamination is discovered during the works.

5.6 Natural England

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017, Natural England must be consulted on any appropriate assessment your Authority may decide to make. Natural England and your Authority are in agreement that appropriate assessments for planning applications of less than 10 dwellings within the 3km buffer do not require Natural England consultation. For these applications Natural England's standard framework advice as detailed within this letter applies.

The standard wording is provided.

5.7 NNC Archaeological Advisor

No comments to make on the proposed 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) (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)
- 3 (landscape character)
- 4 (biodiversity and geodiversity)
- 6 (development on brownfield land and land affected by contamination)
- 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 Other Relevant Documents:

Sustainable Design

Biodiversity

Upper Nene Valley Special Protection Area

Planning Out Crime in Northamptonshire

Residential Extensions: a guide to good design

Parking

Air Quality

7. Evaluation

The proposal raises the following main issues:

- principle of development and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- landscape character and visual amenity;
- flood risk and surface water drainage;
- 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;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- contamination;
- conditions

Principle of Development and material considerations

7.1 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 23 states that no pre-application advice or assistance has been sought from the council however a pre-application was undertaken prior to the current applicant purchasing the site. An application which was later withdrawn (reference NW/21/00569/FUL) was also submitted following discussions with the case officer and this revised scheme seeks to address the issues raised which related to the overall size of the house, the height and depth of the proposed property and parking provision. 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 Policy 11 (1) (a) of the JCS states that development will be focused in the growth towns. Wellingborough is identified in the JCS as a growth town where most development should be directed, and policy 29 of the JCS which relates to the distribution of new homes across North Northamptonshire supports this. The proposal is within an existing built up area of the town and as such the principle of residential development in this area is considered broadly acceptable, subject to meeting the requirements of other more detailed policies.

7.6 No comments have been received from consultees or neighbours relating solely to the principle of a residential use on this site.

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

7.7 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.

7.8 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.

7.9 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.

7.10 The proposed new dwelling is positioned between two pairs of semi-detached houses and the northern side of Roberts Street is predominantly characterised by pairs of semi-detached houses, some with larger gaps between the pairs than others. There are also a number of additions to dwellings in terms of porches and side extensions on the northern side of Roberts Street which have altered the appearance of the street scene over time. A modern detached infill house at number 66 was permitted in 2015 (and constructed in 2016 under planning permission reference WP/15/00512/FUL) in a gap similar to this application site and the applicant has designed the proposed new dwelling to match the design of the infill property at number 66.

7.11 Opposite the site the houses differ from each other with some semi-detached and detached houses of both double and single stories with examples of two storey and single storey additions also. There are a number of different designs and materials used, and numbers 61 and 63 have off road parking adjacent to a two-

storey gable projection similar to that proposed in this application. A mix of different boundary treatments are also present. It is therefore considered that there is no one predominant style that defines the character of the area.

7.12 Whilst it is acknowledged that the side of Roberts Street where the house is proposed predominantly consists of pairs of similarly designed semi-detached houses, due to the mix of different house types and designs on the street, the addition of the detached house at number 66 in a similar gap, as well as the fact that the design of the proposed new dwelling is similar to number 66, it is not considered that the proposed new house would be unacceptable. The design has taken cues from a few elements within the site's immediate and wider context and it is therefore considered that the development is acceptable and in compliance with policy 8 (d) (i) and (ii) of the JCS in this regard.

7.13 The materials proposed for the development are stated as red bricks, black interlocking roof tiles and white UPVC windows/doors and a black composite front door. These materials are considered generally acceptable however no specifications of the materials have been given and therefore a condition is recommended that samples of all external facing materials should be submitted and approved in writing by the local planning authority to ensure the impact upon the street scene and character and appearance of the area is acceptable.

7.14 The application proposes a limited amount of landscaping, particularly in relation to the frontage which is visible within the street scene. The submitted plans show that all of the frontage is block paved to allow for the off-road parking provision. The small area in front of the gable projection which is not used for parking is also proposed to be block paved with no boundary treatment at this point. The rear garden is proposed to have a lawned area and paving with 1.8-metre-high close boarded fencing to the boundaries and this would not be readily visible. Whilst some landscaping at the front to soften the development would have been welcomed, the property is located within an urban area and would not be dissimilar to other properties along the street and is therefore considered acceptable in this regard.

7.15 Comments have been received from four households local to the application site which raise objections regarding the addition of a new house being out of keeping and being crammed into the site. These comments are noted. Given the above detailed assessment of the proposed development and the local built environment, it is not considered that the proposed scheme would be so detrimental to the character and appearance of the area to warrant a refusal on this basis.

7.16 Overall the development is considered to comply with policy 8 (d) (i) and (ii) of the JCS.

Sustainability

7.17 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.

Air quality

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

7.19 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.

7.20 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.

7.21 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.

7.22 The East Midlands region is looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance.

7.23 As the proposed development includes the provision for vehicle parking. A key theme of the revised NPPF is that developments should enable future occupiers to make "green" vehicle choices and paragraph 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.

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

7.25 Given the above assessment, subject to the imposition of a condition in relation to details of electric charging points, the proposed development would comply with policies 8 (e) (i) and (ii) and 15 (c) of the JCS in relation to air quality.

Effect on the Upper Nene Valley Special Protection Area

7.26 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').

7.27 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.

7.28 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.

7.29 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.

7.30 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 an SPA mitigation payment of **£299.95** 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.

7.31 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.

National Space Standards

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

7.33 The proposed new dwelling has been designed to be a 3 bedroomed 5-person house which should have a minimum gross internal floor area of 93 square metres and 2.5 square metres of built-in storage. The property as originally designed did not meet the requirements in terms of single and double bedroom sizes and an amended plan was submitted which addressed this.

7.34 The amended design shows a gross internal area of 106 square metres and all the bedrooms meet the technical requirements in terms of size. The built-in storage proposed is in excess of the 2.5 square metres minimum requirement.

7.35 The development would therefore comply with Policy 30 (b) of the JCS.

National Accessibility Standards

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

7.37 All new dwellings are required to achieve Category 2 of the National Accessibility Standards as a minimum and a condition is recommended on any planning permission to ensure that the dwelling can meet this requirement.

7.38 No comments have been received from neighbours or consultees in relation to compliance with national accessibility standards.

7.39 Subject to the imposition of a condition in relation to the new dwelling meeting Category 2 of the National Accessibility Standards, the development would comply with policy 30 (c) of the JCS.

Living conditions of the neighbouring occupiers

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

7.41 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.

7.42 The proposed new dwelling would be situated in a gap between numbers 74 and 76 Roberts Street and therefore the addition of a two storey dwelling to replace the small timber garage and side garden would have the potential to impact upon the amenity of the neighbouring residential occupiers.

7.43 The Residential Extensions a Guide to Good Design SPG at paragraph 4.1 states that "the council has guidelines on how far an extension can project in relation to neighbours' windows to ensure adequate light to their rooms. Single storey extensions should not project beyond a line drawn at 60 degrees from the middle of the nearest ground floor window of a habitable room of an adjacent property. First floor and two storey extensions should not project beyond a line drawn at 45 degrees. Habitable rooms include kitchens, living rooms and bedrooms but excludes bathrooms, toilets, halls, landing and storerooms.

7.44 The guidance also states that the 45- and 60-degree lines are used to ensure extensions would not adversely affect neighbour's outlook as well as loss of light.

7.45 Whilst the proposal is for a new dwelling rather than an extension to an existing dwelling, the same guidelines would apply, and the proposed new dwelling would not breach these guidelines. It should be noted that whilst the applicant has shown the 45- and 60-degree lines on the proposed block plan, these have been drawn incorrectly, however it has been confirmed by the officer that the proposed development does comply with the guidance.

7.46 Both the neighbouring properties to the proposed new dwelling (numbers 74 and 76) have kitchen windows on the ground floor side elevations facing the side of the new dwelling. However side doors and rear windows also serve these rooms and therefore it is not considered that the development would reduce the light received to these rooms to an unacceptable level. It is therefore not considered that there would be any planning objections that could be sustained with regard to loss of outlook or overbearing impacts on neighbouring amenity.

7.47 In relation to privacy there are no side windows proposed at the first-floor level that would result in overlooking to either of the adjoining neighbours. There are two bedroom windows at the rear of the proposed new property which will provide some degree of overlooking to neighbouring gardens, however this situation is a common relationship with two storey dwellings in an urban area and is not considered to be unacceptable with regard to the current proposals and its local context.

7.48 Objections have been raised by neighbours in the vicinity, and the ward councillor, that the proposed new dwelling would cause overlooking, shading to gardens and a feeling of being boxed in. The comments of the nearby residential occupiers with regards their views on how the proposed development would affect them are noted. However the proposed dwelling meets the guidance in the residential extensions Supplementary Planning Guidance regarding loss of light and shading as well as outlook and it is considered that the scheme would not have such a significant effect on the standard of amenity which is currently enjoyed by the adjacent residential occupiers to be unacceptable. However, it is considered prudent to add a condition to remove permitted development rights for extensions to the property to ensure that any proposals that may come forward to extend the property in the future can be assessed by the local planning authority.

7.49 A number of concerns have also been raised regarding the impact upon the amenity of the neighbours during the construction period and it is recommended that a condition to ensure a construction environmental management plan is submitted to and approved by the local planning authority prior to the commencement of development to ensure this is managed.

7.50 The proposed development would comply with policy 8 (e) (i) of the JCS in relation to residential amenity.

Highway safety

7.51 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.

7.52 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.

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

7.54 The host property at 74 Roberts Street has a dropped kerb from the highway leading to the former garage which has been demolished to make way for the new house. Prior to the demolition of the garage the hardstanding in front of the garage was approximately 2.5 metres deep and did not therefore allow a car to be parked off-road. There is therefore currently no off-road parking provision for the host property and the garage was not large enough to park a car within.

7.55 The application proposes the addition of a new dropped kerb to allow vehicular access to a single off-road parking space for the proposed new property but no off-road parking is proposed for the host property.

7.56 Pedestrian access to both the host and new properties will be from the pavement in the normal way.

7.57 The local highway authority responded to the application as originally submitted stating the application could not be accepted and that further information relating to parking provision was required, as follows:

- Parking accommodation should be provided for both the existing and proposed dwelling in accordance with the Northamptonshire Parking Standards and satisfy policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy. A three-bedroom dwelling requires two car parking spaces and one secure sheltered cycle space per bedroom.
- On street parking cannot be allocated or assigned to any individual person or property and its availability to accommodate the parking requirements of the development cannot be assumed or relied upon.
- The existing vehicular crossing must be closed, a new vehicle crossing constructed and all highway surfaces affected by the proposals reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.
- Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the Local Highway Authority or Statutory Undertaker and carried out at the cost of the applicant.
- To prevent loose material being carried onto the public highway the driveway must be paved with a hard-bound surface for a minimum of 5 metres in rear of the highway boundary.
- A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.
- Pedestrian to vehicle visibility of 2.0 metres x 2.0 metres above a height of 0.6 metres must be provided and maintained on both sides of the vehicular access.

7.58 The comments of the local highway authority state that parking provision for both the host property and new property must meet the standards. However as previously stated the host property does not have any off-road parking provision that can be used. However, two off road parking spaces would be required for the new property. Only one off road parking space has been shown and the applicant has been asked to provide a parking beat survey to evidence whether there is sufficient on road parking to serve the proposed development. The host property does not have any existing off-road parking and this is not proposed to change under this application.

7.59 In response to the comments of the local highway authority for additional information relating to parking provision, the applicant submitted a parking beat survey. The survey indicates that there is sufficient on-street parking to serve the development as the average occupancy level of parking was 65.5% at the time of the survey. The results for Roberts Street itself show that the average occupancy level was 62.92% on both survey days.

7.60 This survey was undertaken to the specification of the local highway authority and the local highway authority has provided additional comments following the

submission of the parking beat survey stating that no objections are raised on highway safety or capacity grounds.

7.61 Observations are also made 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.

7.62 It should be noted that on street parking cannot be allocated or assigned to any individual person or property and its availability to accommodate the parking requirements of the development cannot be assumed or relied upon.

7.63 It is acknowledged that on street parking can in some cases be inconvenient however in this case it is considered that the applicant has sufficiently demonstrated that the parking provision for the existing and proposed property can be accommodated partly off street and partly on street and on balance this is considered acceptable.

7.64 At the recommendation of the local highway authority, the standard highways conditions relating to a hard bound surface to the driveway, drainage to the driveway and pedestrian to vehicle visibility should be imposed on any permission granted. Informatives relating to the existing and proposed vehicular crossing and the protection of street furniture/features should also be added.

7.65 The ward councillor, Wellingborough Town Council and a number of local residents have raised objections to the proposed development on parking grounds stating that there are issues with parking on the street and that the addition of a new house will exacerbate the problem. Whilst it is acknowledged that demand for on street parking in urban areas is high, as previously stated above, the applicant has demonstrated that there is sufficient parking on street within an acceptable distance as evidenced in the parking beat survey. Concerns were also raised by the ward councillor that the proposed development could have the potential to block the vehicular access to number 76 Roberts Street, however this access is not a vehicular access and the proposal would not result in the access being narrowed over the existing situation.

7.66 Subject to the imposition of the aforementioned conditions and informatives the development would comply with policy 8 (b) (i) and (ii) of the JCS.

Contamination

7.67 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.

7.68 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.

7.69 The proposed development is for a replacement dwelling on a site that has been used for a residential use previously and it is therefore not anticipated that there would be any issues in relation to contamination.

7.70 NNC Environmental Protection Officer has commented no objections are raised to the application in relation to land contamination however it is advised that a condition should be imposed in the event that any unexpected contamination is discovered during the works.

7.71 No comments have been received from neighbours or other consultees in relation contamination.

7.72 Subject to the imposition of the condition the development would comply with policy 6 of the JCS.

Conditions

7.73 The revised NPPF at paragraph 55 requires conditions to only be imposed where they are: necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The PPG reiterates this advice.

7.74 A condition relating to the submission and approval of a construction environmental management plan is required to be discharged prior to commencement of the development and in line with the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 a notice of the intended pre-commencement condition has been sent to the applicant. The applicant has confirmed that they agree for the condition to be imposed.

7.75 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 Equality – the scheme provides housing which meets the nationally described space standards and category 2 of the national accessibility standards.

8.2 Health Impact Assessment – Paragraph 92 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion (c) of this seeks to enable support healthy lifestyles for example, through a layouts which encourage walking to local services and amenities within the town. It is considered that the proposal subject to this application will enable this aims to be achieved and therefore it is considered acceptable on health impact grounds.

9. CONCLUSION/PLANNING BALANCE

9.1 Having taken account of the material planning issues raised by this proposal and the representations received on the application it is considered that 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, design standards, the effect on highways safety and capacity, the effects on biodiversity and SPA mitigation, air quality and effects on neighbouring amenity. 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 It is recommended that planning permission is **GRANTED** subject to the conditions below:

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 No. E00 - Site Location Plan (registered 15 September 2021)
Drawing No. P20 - Proposed Block Plan (registered 15 September 2021)
Drawing No. P22 Rev B - Proposed First Floor Plan (registered 8 November 2021)
Drawing No. P23 - Proposed Roof Plan (registered 15 September 2021)
Drawing No. P24 Rev A - Proposed Ground Floor Plan (registered 15 September 2021)
Drawing No. P24 Rev A - Proposed Ground Floor Plan and Site Plan (registered 15 September 2021)
Drawing No. P26 - Proposed Elevations (registered 15 September 2021)
Drawing No. P27 - Existing and Proposed Street Scenes (registered 15 September 2021)

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. No development above slab level shall take place until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The development shall

thereafter be carried out in accordance with the approved details or such other materials that have been submitted and approved.

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 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.

5. No development above slab level shall take place until a scheme for the installation of electric vehicle charging points has been submitted to and approved in writing by the local planning authority. The scheme shall include full details of the location and manufacturers details of the type of charging points to be installed. The approved scheme shall be implemented prior to the first occupation of the dwelling.

Reason: To ensure that the proposals meet the requirements of policy 15(c) of the North Northamptonshire Joint Core Strategy and advice contained with paragraph 112 (e) the National Planning Policy Framework.

6. The dwelling 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. No development shall take place until a site-specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and lighting. The plan should include:
 - Procedures for maintaining good public relations including complaint management, public consultation and liaison.
 - Arrangements for liaison with the NNC Environmental Protection Team.
 - All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours: 0800 Hours and 1800 Hours on Mondays to Fridays and 0800 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise and disturbance from construction works.
 - Procedures for emergency deviation of the agreed working hours.

- Control measures for dust and other air borne pollutants.
- Procedures for emergency deviation of the agreed working hours.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of protecting residential amenity in accordance with Policy 8 (b) (i) & (ii) and 8 (e) (i) & (ii) of the North Northamptonshire Joint Core Strategy.

8. To prevent loose material being carried onto the public highway the driveway must be paved with a hard-bound surface for a minimum of 5 metres in rear of the highway boundary prior to the first occupation of the approved dwelling.

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

9. Prior to the first occupation of the approved dwelling a positive means of drainage must be installed to the driveway to ensure that surface water from the driveway does not discharge onto the highway.

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

10. Prior to the occupation of the development hereby approved, pedestrian to vehicle visibility of 2.0 metres x 2.0 metres above a height of 0.6 metres must be provided and maintained on both sides of the vehicular access.

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

11. The new dwelling hereby approved shall not be occupied until the associated car/vehicle parking areas and driveway as approved has been constructed and is made available for use. It shall then be retained for use 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.

12. Notwithstanding the approved plans, full details of the scheme for the provision of secure covered bicycle storage at the property shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development and permanently maintained thereafter.

Reason: To ensure that adequate secure covered cycle storage is provided to serve the development in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy and advice contained within the Northamptonshire parking standards supplementary planning document.

13. 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no extensions to the property covered by Part 1 Class A of Schedule 2 to that Order shall be carried out without the specific grant of planning permission from the local planning authority.

Reason: To ensure the merits of future proposals can be assessed by the local planning authority so that the amenities of the adjoining occupiers are not adversely affected in accordance with policy 8 (e) (i) 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. The existing vehicular crossing must be closed, a new vehicle crossing constructed and all highway surfaces affected by the proposals reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.

4. Works to remove, accommodate or protect existing street furniture or features such as street lighting columns, trees, traffic signs or the apparatus of service providers must be agreed with the Local Highway Authority or Statutory Undertaker and carried out at the cost of the applicant.
5. All gas fired boilers should meet a minimum standard of 40 mgNO_x/Kwh.
6. The Public Health Act 1875 Town Improvement Clauses Act 1847 at S.64. Prior to occupation of the newly created premises(s), the street numbering for this development or conversion - residential and commercial, must be agreed with the Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on the outside of the property. Application forms for Street Naming and Numbering are available at https://www.wellingborough.gov.uk/info/200011/building_control/1039/street_naming_and_numbering