

# BOROUGH COUNCIL OF WELLINGBOROUGH

Council Offices, Swanspool House, Doddington Road, Wellingborough NN8 1BP

Town and Country Planning Act 1990  
Planning and Compulsory Purchase Act 2004  
Town and Country Planning (Development Management Procedure) (England)  
Order 2015

## PLANNING PERMISSION

Name and address of agent:

Mr James Garner  
brp architects  
1 Millers Yard  
Roman Way  
Market Harborough  
LE16 7PW

Name and address of applicant:

Rabinder Samrai  
Wellingborough Homes  
Thompson Court  
9F Silver Street  
Wellingborough  
Northamptonshire  
NN8 1BQ

### Part I – Particulars of application

---

Date Valid:  
23 December 2016

Application Number:  
WP/16/00806/FUL

---

Location:

Vacant Land Off Windermere Drive/, Penrith Drive, Wellingborough, Northamptonshire.

Description:

Housing development for 40 dwellings (2no. 1 bedroom / 30no. 2 bedroom / 8no. 3 bedroom) on infill site (Amended description, plans and information).

---

### PART II – Particulars of decision

The Borough Council of Wellingborough hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following condition/s and reason/s:

1. The development shall be carried out in accordance with the following plan numbers:

W218 P01 (site location plan) received 23rd June 2017;

W218 P03 Rev H (proposed site layout plan) received 18th July 2017;

W218 P04 Rev B (proposed street elevations) received 12th July 2017;

W218 P05 Rev B (GA plans and elevs- 2B - 4P semi-brick plots 1 and 2 /3 and 4 /5 and 6 /7 and 8 /9 and 10 /14 and 15 /16 and 17 /25and 26 /29 and 30 /31 and 32 /33 and 34 /37 and 38) received 12th July 2017;

W218 P08 Rev A (GA plans and elevs- 2B - 4P 3H render plots 11and 12 and 13/22 and 23 and 24) received 23rd June 2017;

WP/16/00806/FUL

**W218 P09 Rev A (GA plans and elevs- 3B - 5P semi-brick plots 35 and 36) received 23rd June 2017;**  
**W218 P11 Rev A (GA plans and elevs- 3B - 5P (corner) semi-render plots 27 and 28/39 and 40) received 23rd June 2017;**  
**W218 P12 A (GA plans and elevs- 3B - 5P and 1B 2P semi brick and render plots 20 and 21) received 23rd June 2017;**  
**W218 P13 (GA plans and elevs- 3B - 5P and 1B 2P semi brick and render - mirrored plots 18 and 19) received 23rd June 2017;**  
**5818-01 Rev B (vehicle tracking) 12th July 2017;**  
**5818-02 Rev A (visibility plan) 12th July 2017.**

**Reason: To ensure the development is carried out in accordance with the approved plans.**

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

**Reason: Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.**

- 3. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority prior to construction.**

**Reason: In the interest of the visual amenity of the area in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.**

- 4. Prior to any construction works taking place details of finished ground floor levels for each dwelling and finished ground levels 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.**

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

- 5. Prior to the first occupation of the development hereby permitted details of the proposed bicycle parking shall be submitted to and approved in writing by the local planning authority and the scheme approved shall be provided and be retained thereafter.**

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

- 6. No dwelling hereby permitted shall be occupied until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans has/have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.**

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

- 7. No dwelling hereby permitted shall be occupied until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.**

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

- 8. Prior to any construction works taking place a biodiversity enhancement scheme and management plan shall be submitted to, and approved in writing by the local planning authority. The scheme shall include the incorporation of roosting opportunities for bats and the installation of bird nest boxes/bricks and the development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development.**

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

- 9. No development shall take place above slab level until samples and trade descriptions of the materials to be used in the areas of hardstanding within the development hereby permitted 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.**

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

- 10. The boundary treatments shown on drawing number W218 P03 Rev H shall be erected before the occupation of each associated plot or in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the hereby approved details and thereafter retained in that form.**

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

- 11. No development shall take place including any works of demolition 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:**

- working hours;
- procedures for emergency deviation of the agreed working hours;
- routes for construction traffic;
- method of prevention of mud being carried onto highway;
- location of site compound;
- lighting and security;
- control of dust and other emissions;
- proposed temporary traffic restrictions;
- parking of vehicle of site operatives and visitors.

The development shall be carried out in accordance with the approved CEMP.

Reason: To ensure there are adequate mitigation measures in place and in the interests of amenities of existing and future residents in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

12. Notwithstanding the approved drawings, no development shall take place above slab level until full details of both soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian access and circulation areas; public open space/ public park furniture, bins etc.; proposed and existing functional services above and below ground such as cables, pipelines, substations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme. Development shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, including any retained trees on site as part of the landscaping scheme, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the local planning authority.

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

13. Prior to any construction works taking place a scheme and timetable detailing the provision of a mix of affordable housing to meet the housing needs of Wellingborough has been submitted to and approved in writing by the local planning authority. The affordable housing and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

**Reason: To ensure adequate affordable housing provision is made on site for affordable housing in accord with policy 30 (d) of the North Northamptonshire Joint Core Strategy.**

- 14. Prior to the first occupation of the dwelling hereby permitted a positive means of drainage must be installed to ensure that surface water from the driveways does not discharge onto the highway.**

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

- 15. Before construction of the buildings commences, the developer shall submit a preliminary risk assessment. Should the preliminary risk assessment identify the need for further investigation a site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors. A remediation proposal based on the results of the site investigation and risk assessment in the above giving full details of remediation required. The preliminary risk assessment, site investigation and remediation proposals shall be submitted to and agreed in writing with the local planning authority. On completion of the remediation but before the site is first occupied the developer shall provide a verification report to demonstrate the completion of the works set out in the agreed remediation proposals to the local planning authority. Reference shall be had to Environment Agency Guide CLR11 Model procedures for the management of land contamination available at <https://www.gov.uk/government/publications/managing-land-contamination>**

**Reason: In order to protect future occupiers of the development and ground or surface and waters in accord with policy 6 of the North Northamptonshire Joint Core Strategy.**

- 16. Before construction commences an air quality report shall be submitted to and approved in writing by the local planning authority. The report shall detail:**
- the area within the boundary of the site which may exceed relevant national air quality objectives;**
  - specify how the detailed application will address any potential to cause ;relevant exposure to air pollution levels exceeding the national air quality objectives;**
  - identify areas of potential exposure;**
  - detail how the development will reduce its impact on local air pollution.**

**Confirmation that any necessary measures which have been identified by the report have been implemented shall be submitted to the local planning authority before the approved development is first occupied.**

**Regard shall be had to the guidance from the Land - Use Planning & Development Control: Planning for AQ (IAQM) May, 2015, The Control of Dust and Emissions during construction and demolition (Supplementary Planning Guidance) July, 2014 and Guidance on the assessment of dust from demolition and construction version 1.1 (IAQM).**

**Reason:** In order to protect nearby and future occupiers of the development from unacceptable levels of air pollution in accord with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy.

- 17. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Details of the scheme shall include:**
- i) Details of BRE 365 infiltration testing;**
  - ii) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. ). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations;**
  - iii) Cross sections of all control chambers (including site specific levels mAOD).**

**Reason:** To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with policy 5 of the Joint North Northamptonshire Core Strategy and advice contained within the National Planning Policy Framework.

- 18. No construction works shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.**

**Reason:** To ensure that features of archaeological interest are properly examined and recorded, in accordance policy 2 (d) of the North Northamptonshire Joint Core Strategy and advice contained within paragraph 141 of the National Planning Policy Framework.

- 19. Prior to construction a detailed plan should be submitted and approved by the local planning authority identifying which dwellings would meet the requirements of the national accessibility standards in category 2 (accessible and adaptable dwellings) and Category 3 (wheelchair use) in accordance with the schedule of the approved Document M of the Building Regulations (2015). The approved scheme shall be implemented prior to the first occupation of each associated dwelling in accordance with the details thereby approved by the appointed building control body.**

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

- 20. 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.

21. All existing trees, woodlands and hedgerows to be retained as shown on drawing number W218 P03 H shall be fully protected in accordance with the latest British Standards (currently BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations') by the time construction begins. All protective measures must be in place prior to the commencement of any building operations (including any structural alterations, construction, rebuilding, demolition and site clearance, removal of any trees or hedgerows, engineering operations, groundworks, vehicle movements or any other operations normally undertaken by a person carrying on a business as a builder). The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations. All protective measures shall be maintained in place and in good order until all work is complete and all equipment, machinery and surplus materials have been removed from the site.

Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with policy 8 (d) (ii) and 3 (e) of the North Northamptonshire Joint Core Strategy.

22. No construction shall take place until a scheme and timetable detailing the provision of education to meet the needs of primary and secondary education in Wellingborough has been submitted to and approved in writing by the local planning authority. The education needs shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure a timely delivery of education facilities in accordance with policy 10 (a), (c) and (d) of the North Northamptonshire Joint Core Strategy.

23. No construction shall take place until a scheme and timetable detailing the provision of additional facilities/space at the library in Wellingborough has been submitted to and approved in writing by the Local Planning Authority. The library needs shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure a timely delivery of education facilities in accordance with policy 10 (a), (c) and (d) of the North Northamptonshire Joint Core Strategy.

24. Prior to any on site construction works details of the proposed lighting scheme for the lighting of the private driveways shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the lux levels of each light and a plan showing the position, type and extent of the lighting over the area to be lit. The approved scheme shall be implemented prior to the first occupation of the associated dwelling and shall be retained in that form thereafter.

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

- 25. No construction works shall take place until a scheme and timetable detailing the provision of one fire hydrant and any associated infrastructure has been submitted to and approved in writing by the local planning authority. The fire hydrant and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.**

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

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

**Reason: To prevent environmental and amenity problems arising from flooding and accord with policy 5 of the North Northamptonshire Joint Core Strategy.**

#### **INFORMATIVE/S:**

**1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraphs 186 and 187 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 Borough Council of Wellingborough encourages all contractors to be 'considerate contractors' when working in our district by being aware of the needs of neighbours and the environment. Prior to the commencement of any site works, it is good practice to notify neighbouring occupiers of the nature and duration of works to be undertaken.**

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

**0800 Hours and 1800 Hours on Mondays to Fridays and 0800 and 13:00 Hours on Saturdays and at no time on Sundays and Bank Holidays.**

**3. The Public Health Act 1875 Town Improvement Clauses Act 1847 at S.64. Prior to occupation of the newly created premises(s), the street numbering for this development or conversion - residential and commercial, must be agreed with the Street Naming and Numbering Officer. When issued, the number allocated must be clearly displayed on**

the outside of the property. Application forms for Street Naming and Numbering are available at [www.wellingborough.gov.uk](http://www.wellingborough.gov.uk)

4. This site should be built to achieve the security element of Secured by Design.
5. The developer is required to enter into a suitable agreement under the Highways Act 1980, for the ways giving access to the proposed development to be adopted as highway maintainable at the public expense.
6. Footway crossings must be constructed in accordance with the specification of the local highway authority and subject to a suitable licence/agreement under the Highways Act 1980.
7. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
8. Anglian Water has confirmed in writing that the sewerage system at present has available capacity for flows generated from the hereby approved development. If the developer wishes to connect to Anglian Water's sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise the developer of the most suitable point of connection.
9. For further information, please contact Linda Wilson: Water Officer for NFRS ([ljwilson@northantsfire.org.uk](mailto:ljwilson@northantsfire.org.uk)).
10. It is advised that ducting works are carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works- specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 - I Series Underground Cable Ducts (found at <http://www.dft.gov.uk/ha/standards/mchw/index.htm>).

For further information on the project please visit [www.superfastnorthamptonshire.net](http://www.superfastnorthamptonshire.net) or contact:

Tom Smith: Broadband Delivery Team  
Tel: 01604 365351 / Email: [tsmith@northamptonshire.gov.uk](mailto:tsmith@northamptonshire.gov.uk)

Decision Date:

7 September 2017

Signed:



Julie Thomas  
Director

Officer Ref: DK

**NOTE:** This notice relates only to planning permission and does not include or imply consent under the Building Regulations or any other legislation for which a separate application may be required.

**RIGHT OF APPEAL:**

Your attention is drawn to the following notes which explain how to submit an appeal should you be aggrieved by the above decision.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant of permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 or Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990, within 6 months of the date of this notice. However, where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is within **28 days** of the date of the decision notice or of the date by which the local planning authority should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the local planning authority had to determine the application, the period for receiving the appeal is within **28 days** of the date the enforcement notice was served (unless this extends the normal 6 months or 12 week deadline) (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements, to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of responsibly beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or Chapter III of the Planning (Listed Buildings and Conservation Areas) Act
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act.