

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 Kevin Loveder
BHC Architects
26 Harborough Road
Kingsthorpe
Northampton
NN2 7AZ

Name and address of applicant:

Mrs Rabinder Samrai
Wellingborough Homes
Thompson Court
9f Silver Street
Wellingborough
NN8 1BQ

Part I – Particulars of application

Date Valid:
23 February 2017

Application Number:
WP/17/00118/FUL

Location:

Land Between 33 And 67, Milner Road, Finedon, Wellingborough, Northamptonshire.

Description:

New residential development to provide 50 dwellings on vacant site.

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 drawing numbers:
2117 310 (location plan scale 1:1250) received 23rd February 2017
2117 312 Rev B (proposed site plan) received 3rd April 2017
2117 324 Rev A (highways details) received 3rd April 2017
5822 01 Rev A (vehicle tracking sheet 1) received 6th March 2017
5822 01 Rev A (vehicle tracking sheet 2) received 6th March 2017
2117 323 Rev A (street elevations) received 3rd April 2017
2117 313 (1b/2p flat type A plans & elevations) received 23rd February 2017
2117 314 Rev B (1b/2p bungalow type B plans & elevations) received 8th May 2017
2117 315 Rev A (2b/3p bungalow type C plans & elevations) received 3rd April 2017

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2117 316 Rev A (2b/3p house type D plans & elevations) received 3rd April 2017
2117 317 (2b/4p house type E plans & elevations) received 23rd February 2017
2117 318 Rev A (3b/5p house type F plans and elevations) received 8th May 2017
2117 319 (3b/5p house type G plans & elevations) received 23rd February 2017
2117 320 (3b/5p house type H plans & elevations) received 23rd February 2017
2117 321 (3b/5p house type J plans & elevations) received 23rd February 2017
2117 322 (2b/3p house type K plans & elevations) received 23rd February 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. 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.

5. No construction shall take place until a scheme and timetable detailing the provision of a mix of affordable housing to meet the housing needs of Finedon 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 accordance with policy 30 (e) and (f) of the North Northamptonshire Joint Core Strategy.

6. **No construction shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by BCAL Consulting dated April 2017) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Additionally cross sections of control chambers and manufacturers hydraulic curves should be submitted for all hydrobrakes and flow control devices. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.**

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

7. **No construction shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that development site has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.**

Reason: To ensure the future maintenance of drainage systems associated with the development.

8. **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; include a replace semi-mature tree for the tree protected by a tree preservation order which is to be removed; 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, 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.

- 9. 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 is 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

- 10. Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site. The approved boundary treatment 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 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 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.

12. No development shall take place above slab level shall take place until a Biodiversity Enhancement Scheme and Management Plan has been 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.

13. 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.

14. 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.

15. 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.

16. All existing trees, woodlands and hedgerows to be retained as shown on Steve Jowers Associates drawing number SJA366.02 A shall be fully protected in accordance with the latest British Standards (currently BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations') by the time construction begins. All protective measures must be in place prior to the commencement of any building operations (including any structural alterations, construction, rebuilding, demolition and site clearance, removal of any trees or hedgerows, engineering operations, groundworks, vehicle movements or any other operations normally undertaken by a person carrying on a business as a

builder). The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations. All protective measures shall be maintained in place and in good order until all work is complete and all equipment, machinery and surplus materials have been removed from the site.

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

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

17. No development shall take place until 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

18. No construction shall take place until a scheme and timetable detailing the provision of education facilities to meet the needs of primary education in Finedon has been submitted to and approved in writing by the Local Planning Authority. The educational facilities shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure a timely delivery of education facilities in accord with policy 10 (a), (c) and (d) 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. 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.

4. 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.

5. Public Footpath UM2 is located adjacent to the boundary of the application site. With respect to construction works to be carried out in close proximity to and/or using Public Rights of Way as access, please note the following standard requirements:

a. The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under s137 HA 1980.

There must be no interference or damage to the surface of the right of way as a result of construction. Any damage to the surface of the path must be made good by the applicant to the specification of the Local Highway Authority.

b. If as a result of the development the Right of Way needs to be closed application must be made for a Temporary Traffic Regulation Order. An Application form for such an order is available from Northamptonshire County Council website, a fee is payable for this service and a period of six weeks' notice is required. Please follow the link below:

<http://www3.northamptonshire.gov.uk/councilservices/northamptonshire-highways/rights-of-way/Pages/temporary-traffic-regulation-orders.aspx>

c. Any new path furniture (e.g. gates preferred over stile) needs to be approved in advance with the Access Development Officer, standard examples can be provided.

Please do not rely on the position of features on site for an accurate position of the public rights of way. This must be taken only from the current Definitive Map and Statement.

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

8. A positive means of drainage must be installed to ensure that surface water from driveways does not discharge onto the highway.

9. 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

10. Due to the presence of common bird species and potential nesting habitat it is recommended that vegetation removal be undertaken outside the bird breeding season, (March to September inclusive). If works are to be undertaken within these timings then the area is to be inspected by a suitably qualified ecologist immediately prior to any works being undertaken. If nests are found to be present then these areas are to be left until the eggs have hatched and the young have fledged (Normally 4 - 6 week's dependent on species). This will ensure that there is no major impact on breeding birds which may occupy any of these features.

Decision Date:

1 June 2017

Signed:



Julie Thomas
Head of Planning and Local Development

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.