



**Regulatory Committee
Wednesday 19th July 2006 at 7.00pm
Council Chamber, Swanspool House**

AGENDA

1. Apologies for absence.
 - I 2. Declarations of Interest (if any).
 - I 3. Confirmation of the minutes of the meeting held on 21/6/2006.
 - I 4. Applications for planning permission, building regulation approval etc.
 - I 5. Planning Appeal Decision – 30 Elizabeth Way, Earls Barton.
 6. Any other business that the Chairman decides is urgent.
- I Enclosed

Lyn Martin-Bennison

Chief Executive

Membership: Councillor Waters (Chairman), Councillor Morrall (Vice-Chairman), Councillors Beirne, Dholakia, L Lawman, Mann, Old, Palmer, Patel, Ryan, Smith, Timms and Ward.

For further copies of agenda and reports contact Performance and Democratic Services 01933 231511.

**Borough Council of Wellingborough
Regulatory Committee
Wednesday 19th July 2006 at 7.00 p.m.
Council Chamber, Swanspool House**

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BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2005/0815/F**

PROPOSAL: Demolition of existing buildings and redevelopment for bulky goods retail warehouse (Class A1) with access, parking and servicing - revised site layout and flood risk assessment addendum.

LOCATION: Knapp Tool Making Limited, London Road, Wellingborough.

APPLICANT: Castlemore Securities Limited.

DESCRIPTION OF SITE AND PROPOSAL:

The application site extends to 2.04 ha and comprises the former Knapp Toolmaking premises (0.74 ha) and a derelict former bakery site (0.65 ha) east of London Road, along with part of London Road (0.65 ha). There is no designation of the site in the Local Plan.

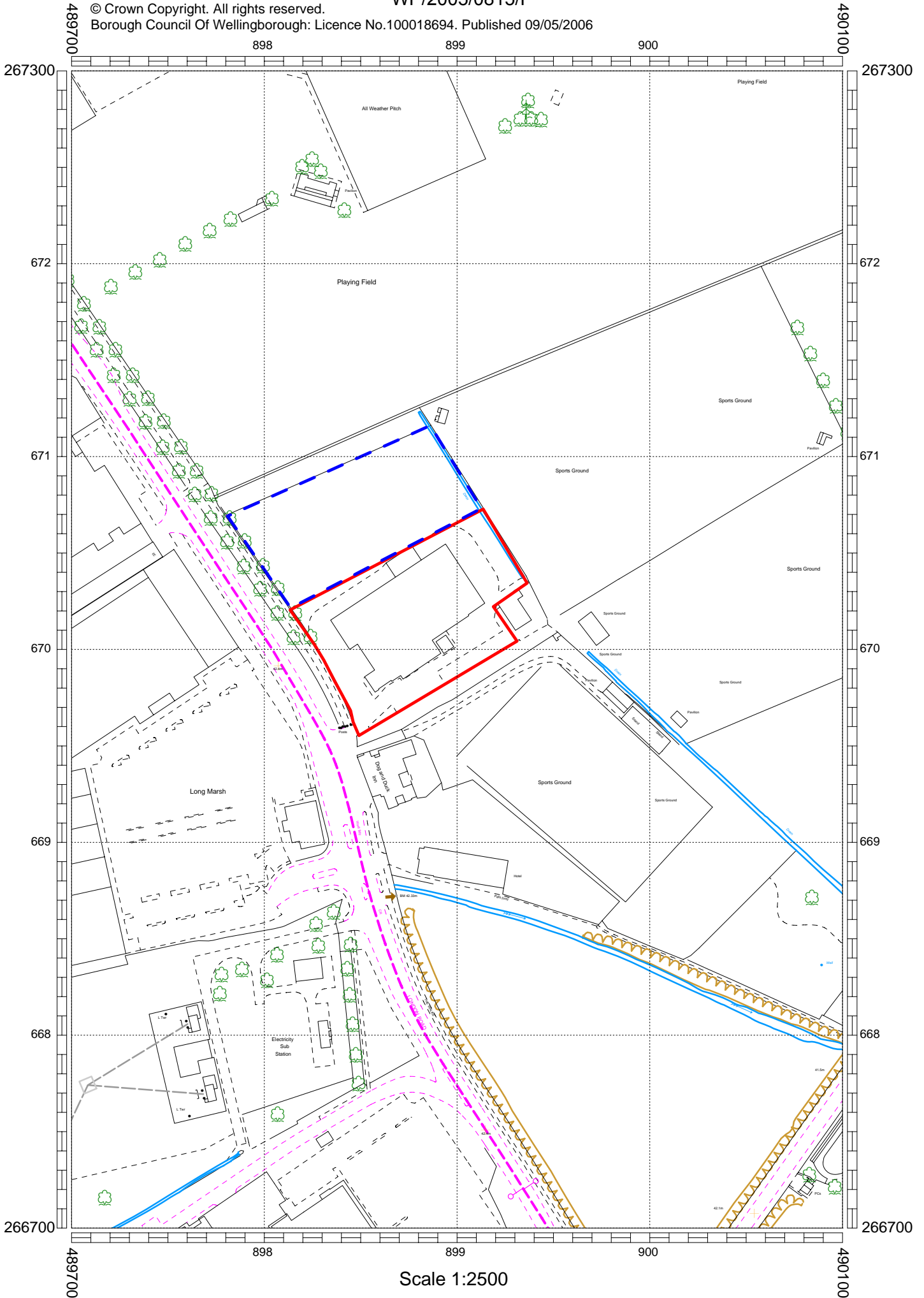
The area surrounding the site (east of London Road) comprises the Dog and Duck public house and Travel Lodge hotel, Wellingborough Town football ground, Whitworth sports pitches and clubhouse as well as the sports pitches to the Wellingborough School. Opposite the site, west of London Road is the Castlefields Retail Park which was developed by Castlemore.

The character of the streetscene is dominated by the avenue of trees alongside London Road. This also restricts views into the site.

There is a complex arrangement of closely related accesses serving the former Knapp site, sports facilities and public house. The signalised junction of London Road, the retail park and hotel is located just to the south.

The proposal comprises two retail units; a DIY store of 2,785 sq m (excluding mezzanine area) with an outdoor project area of 483 sq m and a second bulky goods unit comprising 1,161 sq m (excluding mezzanine).

The buildings are of a modern commercial design, comprising buff brickwork walls with oyster grey metal panelling above, and a goosewing grey low pitched roof. This is to be located behind 166 car parking spaces (including disabled, trailer and van spaces) and 20 cycle spaces.



Scale 1:2500

The layout proposes a reconfiguration of the existing access to the former Knapp unit, access to the Wellingborough Town Football Club and Whitworth sports facilities, along with the Dog and Duck access, to provide a combined new access to London Road. A single tree will need to be removed to facilitate the access. The junction will be signalised, and related to the timing of the lights to the retail park. A direct footpath/cycleway from the store frontages to the cycle path on London Road is also proposed, along with the relocation of the southbound bus stop.

RELEVANT PLANNING HISTORY

WP/2002/0630/O Proposed new health and fitness club. This was granted permission on 24 June 2004 and included 170 parking spaces and formation of a new access to the former bakery site. The permission remains extant but unimplemented.

The former Knapp premises were last used for light industrial use.

NATIONAL AND LOCAL PLANNING POLICY

PPS1, PPG4, PPS6, PPG13 and PPG25.

G1 and G2, E4, S1, S2 and S3 of the Borough of Wellingborough Local Plan Alterations.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED

1. Environment Agency –

Initially objected (13 February 2006) to the application on the basis that the applicant's FRA should demonstrate that the run off of the development should be reduced by the development, as well as requiring a more detailed assessment of flood flow patterns. On 17 March the EA confirmed that in light of additional information received from the applicants, it was withdrawing its objection subject to a planning condition.

2. Highways Authority -

The proposals meet with the approval of the Highway Authority subject to:

- A S106 to provide, upon the opening of any part of the development, the sum of £95,000, to be spent on the introduction of Traffic Management technology along the London Road corridor;
- To enter into a S278 Agreement requiring the applicant to provide ducting for Traffic Management technology to be installed at the site access signals;
- To enter into a S106 to release monies for works at Turnells Mill Lane, paid by Castlemore in respect of the Castlefields Retail Park, to be used for other improvements to the London Road/Irthlingborough Road junction (subject to legal confirmation of the ability to do so);
- That a planning condition requires the applicants to submit an assessment to clarify the most appropriate pedestrian crossing facilities over London Road in light of the approved road junction;

3. GOEM - no comments at this stage.

4. East Northamptonshire Council - no objection.

5. Northampton Borough Council -

Objects on the grounds of the potential of the development to divert trips from Northampton thus undermining its position to provide further retail warehouse development, and because the proposal is out of centre and therefore contrary to PPS6.

6. Sustainable Development Manager -

Concerned about effect on the Town Centre. Subsequent discussions with the Sustainable Development Manager indicate that he now accepts that the only obvious unit in the town centre for the development – the former Tesco unit – is better suited to other types of retailing, and that subject to conditions, the effects of this development on the town centre will be limited.

7. Estates Manager -

Objects on the basis of the loss of this industrial site to another use, and concern that the retail development could significantly harm the viability of the town centre and the plans to refurbish Swansgate.

8. Design Officer –

Policy G1.1 requires development to have a “high standard of design which respects and enhances the character of its surroundings”. He went on to state that the form and appearance of the proposed building is standard and has no regard to Wellingborough’s style and is therefore inconsistent with G1.1. Wellingborough’s industrial heritage is characterised by 3 storey red brick boot and shoe factories, which could be used as a design reference for the design of the building. Furthermore, frontage car parking may be acceptable on an industrial estate, but not on this important location relative to the town centre.

9. Third Parties – one letter has been received objecting to the application on the grounds that -

- The design fails to pay any regard to the context of the location,
- The removal of a tree will erode the character of London Road,
- The new junction will impede the free flow of traffic into the town centre and
- The proposal could be accommodated in the former Tesco unit in the Swansgate Centre.
- (N.B. Officers wrote to the objector seeking clarification of the comments made, but no response has been received).

10. Wellingborough Town Football Club support the application, on the basis that it will enhance the area, benefit the town and will improve access to the football ground. The Football Club considers that the proposed development will assist

them in providing not only sport, but a community amenity to be enjoyed by all sections of the community.

11. The owner of the football ground also supports the application for similar reasons.
12. The Council has received a copy of a letter from Whitworths Sports and Social Club to the agent for the application. This states that the Club has no wish to hinder any development that may prove beneficial to the town, but should the proposed development impact significantly on the entrance and driveway to its site, then the Club would not be prepared to concede any rights of access. Whitworths Holdings have assured the Club that they would not be prepared to sell any land required for the new access that may impact on the Sports and Social Club.

The applicant's agent has stated that seeking planning permission is a separate issue from private land issues. The applicants are not seeking to purchase the land required for the access, but to agree access rights across it, and that a signalised junction to London Road should improve the access and safety of it for all users. The applicant claims to be seeking improvements to the access to the benefit of all concerned, including the Sports and Social Club, through agreement with the other landowners.

ASSESSMENT

The site has no designation on the Borough of Wellingborough Local Plan Alteration Proposals Map, save for the inclusion of it within the Indicative Floodplain. The applicant submitted a Flood Risk Assessment with the planning application. Following discussions with the Environment Agency on the content of it, and an initial letter of objection from the EA, an Addendum Report was submitted by the applicants addressing the outstanding issues. As the Environment Agency has now withdrawn its objection, Officers accept that the proposed development should not have any adverse effects on the floodplain, subject to the EA's recommended condition.

As the land formerly occupied by Knapp was previously in employment use, it is subject to Policy E4. This states that planning permission will be granted for the redevelopment of such premises for non-industrial or commercial uses if the land or premises are incapable of adaption or development, or where existing amenity, traffic and other environmental problems cannot be overcome.

The application was accompanied by reports by commercial agents Marriott Hardcastle and the agents for the application, Blue Sky Planning, addressing the acceptability of redeveloping the site for non-employment uses. These reports concluded that the site is unsuited to modern office or warehousing requirements. The condition, quality and operation of the premises makes them unsuitable for adaptation to future industrial use, and there are other better located and unconstrained sites in Wellingborough for industrial development.

The northern part of the site has an outstanding permission for a health club, and therefore in policy terms there is no objection to the development of this site for non employment purposes.

Notwithstanding the concerns of the Estates Manager, based upon the supporting documentation Officers conclude that there is no sustainable objection to the application in terms of conflict with Policy E4.

The site is located outside Wellingborough Town Centre. Therefore, in terms of PPS6 and Policies S1 and S2 the applicants are required to demonstrate that there is a need for the development, that there are no more suitable sites in or on the edge of the town centre to accommodate the type of development, and that any impact of the development on the Town Centre will be within acceptable limits.

The applicant is the same company that successfully developed the Castlefields retail park opposite the application site. Their agents prepared a Retail Impact Study which accompanied the application. This states that "it should be made clear from the outset that the proposed development is for a retail warehousing scheme for the sale of bulky goods rather than for a full range of products within Class A1". Two units are proposed – a Wickes DIY store of 2,931sqm with an outdoor projects area and another bulky goods retail store of 1,904sqm.

The retail impact study identified a large quantitative need for bulky goods retail development which the applicants considered was likely to be explained by an outflow of expenditure to competing towns such as Northampton.

The study looked at potential alternative sites within and adjoining Wellingborough Town Centre, including the former Tesco store, and found that none were suitable, viable and available for the proposed development. Whilst the former Tesco unit is relatively large, the applicants stated their understanding that although Tesco had identified three potential occupants, the owners of the centre were unhappy with the quality of the potential occupants. The applicants considered that a bulky goods retailer such as Wickes would also be inappropriate. Officers have discussed this and concluded that whilst reoccupation of the former Tesco unit is clearly important to the health of the town centre, the premises would be better suited to more traditional types of town centre retailing, possibly a department store in conjunction with a refurbishment or redevelopment of the centre.

The retail study also concluded that there would be no unacceptable impact of a bulky goods development on either Wellingborough or Rushden Town Centres. Notwithstanding concerns raised by the Sustainable Development Manager and Estates Manager, your Officers have concluded that providing the development is restricted by planning condition to bulky goods sales only, there should be no unacceptable adverse effect on the health of Wellingborough Town Centre. (In light of the new legislation on mezzanines there is no need for a planning condition to restrict the provision of further mezzanine floorspace).

East Northamptonshire has no objection to the application in terms of the potential effects of it on the vitality and viability of Rushden Town Centre, and therefore accords with PPS6. Whilst Northampton Council does object, this is on the basis that the proposed development will divert trips from Northampton. Your Officers have concluded that the diversion of trips originating from Wellingborough's catchment area to new stores within Wellingborough is both sustainable and beneficial to the town.

Therefore, officers conclude that the application is acceptable in terms of national and local retail policy.

The applicants submitted a Transport Assessment with the application. This identified that the site is accessible by a choice of means of transport, and that the provision of bus shelters, connections to the local footpath and cycleway routes and provision of secure cycle parking would enhance this.

The permission for the health club included a new access to that part of the site. The access to the former Knapp premises, Whitworth Sports and Social Club, Football Club and to the Dog and Duck Public House is complex and uncontrolled. The proposed development would extinguish the potential for a further access to serve the former bakery site and rationalise the existing accesses with a single traffic light controlled junction linked to the phasing of the lights at Castlefields retail park.

Northamptonshire Highways have accepted the proposed junction and likely traffic generation to the site as a result of the proposed development on the basis of the four matters set out above. Officers therefore consider that the application is acceptable in terms of technical highways matters.

The 166 car parking spaces proposed are within the Northamptonshire standards, and less than the 170 spaces approved for the health club on the northern part of the site.

Officers conclude that, subject to appropriate conditions as well as a S106 Agreement, that the application is acceptable in transportation terms.

The application comprises elevation drawings, a perspective drawing and a design statement explaining the approach adopted for the development of the proposed scheme.

Whilst Wellingborough's industrial heritage is to be protected, and drawn upon in the design of new buildings, the application site represents the only employment site east of London Road. It is therefore relatively isolated from former boot and shoe factories. The applicants have identified the form and relationship of the retail park opposite and the influence of the avenue of trees rather than built development which predominates along London Road north of the Dog and Duck.

The proposed development comprises a modern warehouse style building, set back behind the car park. The design of the building, and layout of the site, relates to the Castlefields Retail Park. It will not harm the avenue of trees and avoids "competing" with the trees along London Road in visual terms. Accordingly, it is considered that the proposals sufficiently relate to the setting and constraints of the site to accord with Policy G1.

The removal of a single tree to facilitate the combined new access to serve the application premises and adjoining sites is regrettable. However, the perspective shows that it will have little effect on the overall view of the avenue along London Road. Furthermore, removal of the tree is required to obtain a single access which will benefit not only the application site, but also other adjacent sites such as the Football Club.

Lambert Smith Hampton were retained by the Borough Council to review the applicants' Retail Impact Study. LSH conclude that the Study was carried out in a robust fashion. Comment is made that the catchment area chosen appears somewhat arbitrary and that population and expenditure estimates and projections used show variations from the alternative data source that LSH selected to enable it to assess the Study.

In particular the expenditure data on comparison goods shows significant variation. Nevertheless, the turnover of the proposed development, which LSH assess as reasonable, is only a limited percentage of the expenditure growth whether the applicant's or LSH data sources are used. As a consequence LSH conclude that a sound case has been made in the Retail Impact Study in relation to need, scale and that the proposal would not affect the vitality and viability of the town centre.

Officers have previously concluded that the remaining tests of PPS 6 (whether there are sequentially preferable sites and the accessibility of the site) have been satisfactorily addressed.

Thus it is considered that the Retail Impact Study provides a clear and favourable basis upon which to determine the application in relation to retail policy. This is predicated upon the assumption that any approval would be subject to conditions to restrict the range of goods to be sold from the site and also to preclude subdivision of units on the same basis as was pursued with the Castlefields Retail Park.

RECOMMENDATION:

That planning permission be issued by the Proper Officer subject to conditions and the prior referral of the application to the Secretary of State in terms of the Shopping Direction as well as the signing of a S106 Agreement concerning transport contributions.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The floor slab level for the proposed development shall be set at 41.60m AOD.
3. Details of the maintenance arrangements for the private sewers, storm cell and pumping station for the development shall be submitted to and approved in writing by the local planning authority. The maintenance shall be carried out in accordance with the approved plans.
4. No development shall take place until the applicant has entered into an Agreement under S278 requiring the applicant and provide "ducting" for "Traffic Management" technology to be installed at the Site Access Signals.
5. No development shall take place until an assessment of the optimum requirements for pedestrian crossing facilities at the junction of London Road with the application site/ Castlefields retail park, in light of the proposed new junction arrangements, has been submitted to and approved in writing by the local planning authority.
6. No development shall take place until representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority.

7. No development shall take place until plans and details showing tree protection measures have been submitted to and approved by the local planning authority.
8. No development shall take place until a landscaping concept plan based upon submitted drawing L841/05 has been submitted to and approved in writing by the local planning authority. The submitted drawing shall take into account the provision of additional landscaping areas identified on the approved layout plan at the front of the site alongside London Road.
9. All landscaping shall be implemented concurrently with the development and shall be completed not later than the end of the first planting season after completion of the development. Any trees and shrubs removed, dying, being severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees and shrubs of a similar size and species to those originally required to be planted or other species as may be agreed.
10. No part of the development shall be occupied until the approved site access has been fully implemented.
11. The development shall be carried out in accordance with the provisions of the submitted Interim Travel Plan.
12. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any provisions in any statutory instrument revoking and re-enacting that Order, these premises shall not be used for the sale of goods within the following categories:-
 - Food and drink;
 - Books and stationary;
 - Handbags and luggage;
 - Jewellery, perfume and toiletries; or
 - Fashion, clothing and footwear.
13. No units shall be sub-divided to below 929 sq m floorspace.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure satisfactory drainage.
3. To ensure satisfactory drainage.
4. In the interests of highway safety.
5. In the interests of highway safety.
6. In the interests of visual amenity.
7. In the interests of visual amenity.
8. In the interests of visual amenity.
9. In the interests of visual amenity.
10. In the interests of highway safety.
11. In the interests of highway safety.
12. In the interests of protection of the vitality and viability of the town centre.
13. In the interests of protection of the vitality and viability of the town centre.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposal is considered to comply with the provisions of national and local policy subject to and in terms of the recommendation in this report. The policies

include: G1 and G2, E4, S1, S2 and S3 of the Borough of Wellingborough Local Plan Alterations.

PPS1, PPG4, PPS6, PPG13 and PPG25.

2. This report is based on the following documents:-
 - Site Plan reference 3993-40, by Alan Johnson Associates, with the application site area edged red;
 - Layout Plan reference 3993-46A, by Alan Johnson Associates, showing the proposed layout of the site; and 3993-46 REV A
 - Building Layout and Elevation drawings reference 3993-38 and 39 respectively, by Alan Johnson Associates;
 - Landscaping Plans by Barry Chinn Associates showing the proposed new landscaping, retained and removed trees;
 - A Design statement by Alan Johnson Associates;
 - Employment Land Assessments by Blue Sky Planning and Marriott Hardcastle, addressing the acceptability of redeveloping the site for non Class B employment uses;
 - A Retail Impact Assessment by Blue Sky Planning which considers the need for the proposed retail floor space, the suitability of the site in light of the sequential test, and any impact of it upon existing town centres;
 - A Transport Assessment by Cottee Transport Planning concerning the proposed new junction and car park, along with access by other means of transport, and including an interim travel plan;
 - A Flood Risk Assessment by Cameron Taylor confirming the acceptability of the proposed development in terms of the likelihood and effects of flooding, as well as site storage capacity, and
 - A Tree Report by Marlow Consulting addressing the appropriateness of removing a single tree at the south western edge of the site.

BOROUGH COUNCIL OF WELLINGBOROUGH

AGENDA ITEM

Regulatory Committee

19/07/2006

Report of the Executive Director

APPLICATION REF: WP/2006/0048/F

PROPOSAL: Application to vary the elevations and slightly vary the footprint approved under the terms of permission WP/2005/0503/F - Amended elevation plan - Block A.

LOCATION: Land adjacent to 159 (The Lindens), Midland Road, Wellingborough.

APPLICANT: Tophaven Properties Limited.

This application is brought before the Committee as it relates to a proposal for 'major' development. It was previously brought before Committee on 1st March 2006 and a decision was delegated to the Proper Officer subject to the signing of any necessary Section 106 Legal Agreement. The applicant now wishes to change two of the elevations in one of the blocks in the scheme compared to the one which was considered at the March Committee. Therefore the proposal is returned to Committee again so this aspect can be considered.

PROPOSAL AND DESCRIPTION OF SITE:

As Members will recall, this is an application to slightly amend a scheme for 20 flats on a vacant site at the junction of Midland Road and Ranelagh Road which was approved at the Regulatory Committee in September last year subject to a Section 106 Agreement being signed to secure education and open space contributions. This Legal Agreement has since been signed and the planning permission for the previous scheme was issued in December last year.

RELEVANT PLANNING HISTORY:

WP/2005/0503 Scheme for 20 flats – approved.
WP/2004/0617 Scheme for 18 flats – withdrawn.

NATIONAL AND LOCAL PLANNING POLICY:

Policies G1 and G21 of the adopted Borough of Wellingborough Local Plan plus UH1 and UH5 of the Local Plan Alteration.
Items of Supplementary Planning Guidance entitled 'Planning Obligations', 'Parking', 'Planning Out Crime' and 'Building Better Places'.

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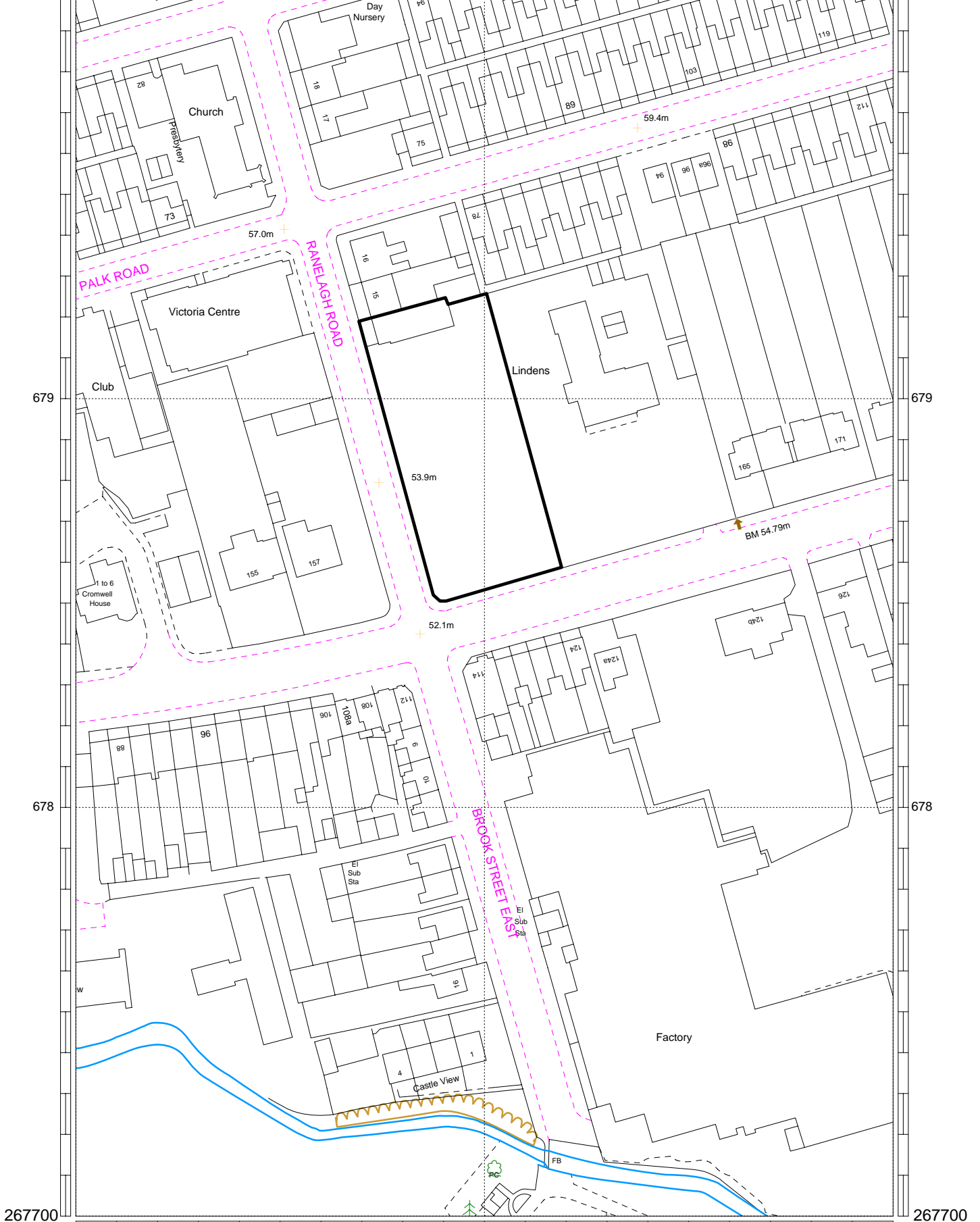
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SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED :

1. Environment Agency – no comments.
2. Highway Authority – recommends that the standards and conditions set out in the NCC document ‘Minor Planning Applications that have an effect on the highway be applied to this application.
3. Third Parties - no views have been received on the revised plans at the time of writing this report.

ASSESSMENT:

The amendments proposed in the latest plans relate to an entrance tower that is proposed to be built in the East facing elevation on the closest of the two blocks to Midland Road. In the plans that have previously been approved, this tower is only two storeys tall whereas in the latest plans it extends to three storeys to bring it up to the top storey in the block.

The design of the tower is considered acceptable. The amendments will also result in the inclusion of one extra window. This will look in the direction of the elderly person’s home to the East. It will, however, not result in a significant amount of overlooking compared to the windows which already face in this direction.

Overall, the amended plans are considered acceptable and the application should be dealt with in accordance with the same recommendation which accompanied the report to the 1st March 2006 Committee.

RECOMMENDATION:

Providing any amendments that are necessary to the existing Section 106 Legal Agreement relating to this site are carried out to ensure it relates to this permission also, the issue of planning permission be delegated to the Proper Officer subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Prior to the commencement of the development, a scheme for the protection of trees on the site and the treatment of boundaries shall be submitted to and approved in writing by the local planning authority following a meeting on site and incorporating any amendments the local planning authority may require. The scheme shall be carried out concurrently with the development to the satisfaction of the local planning authority.
3. The site shall be landscaped and planted with trees and shrubs in accordance a scheme to be submitted to the local planning authority. The scheme shall be implemented concurrently with the development and shall be completed not later than the first planting season following the substantial completion of the development. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.
4. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.

5. The areas shown for parking and turning on the approved plans shall be laid out and surfaced to the satisfaction of the local planning authority before the premises are occupied and shall be permanently set aside and reserved for the purpose.
6. The vehicular crossing must be provided in accordance with the specification of Northamptonshire County Council. The footway crossing should be of a form comprising taper and half section kerbs in lieu of radius kerbs all in accordance with the specification of Northamptonshire County Council. The driveway shall be 4.5 m wide for a distance of 10m from the highway boundary and shall be hard paved for at least the first 5m. Pedestrian to vehicle visibility of 2m x 2m must be provided and maintained on both sides of the point of access to Midland Road.
7. Two weeks prior notice shall be given of the exact date when it is proposed that construction of the development is to begin. During the construction period representatives of Northamptonshire Heritage (telephone 01604 237247) shall be allowed access to the site to observe and inspect all excavation works and record all findings or archaeological interest. If required, they shall be allowed to excavate such remains, provided that this shall not interfere unreasonably with the progress of the development.
8. Development shall not begin until a scheme of investigation and assessment to identify the extent of any contamination on the site and the measures necessary to make the land fit for the proposed use has been submitted to and approved in writing by the local planning authority and implemented including any amendments the local planning authority may require.
9. Prior to the commencement of the development a plan showing pre and post development site levels shall be submitted to the local planning authority for approval. This development shall be undertaken in accordance with this plan incorporating any amendments the local planning authority may require.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of amenity.
3. In the interests of amenity.
4. In the interests of amenity.
5. In the interests of the safety and convenience of users of the adjoining highway/s.
6. In the interests of highway safety.
7. In the interests of archaeological research.
8. To avoid any residual effects from any contamination on the site.
9. In the interests of amenity.

INFORMATIVE/S:

1. Pursuant to Section 38(6) Planning and Compulsory Purchase Act 2004, the proposed development complies with the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies: G1 and G21 of the Borough of Wellingborough Local Plan plus UH1 and UH5 of the Local Plan Alteration.

2. The applicant is advised that this decision relates to the following drawing numbers: THW-04D, 05B, 08A and 10B all received on 24th January 2006 plus THW-07B received on 26th May 2006 and THW-06E received on 15th June 2006.
3. Before any work begins on site, a meeting should be arranged between the developers and the Council's landscape officer to agree the precise measures for the protection of the trees on the site. These should be in accordance with BS 5837. A fixed protective fence must be erected to exclude access from as much of the root zones of the trees to be protected as possible. This should be supported with clause 8.2 of BS 5837, the height to be agreed on site. Assuming that vehicular access will be required the area must be protected by a temporary surface. Clause 8.3.1 of the BS stipulates that a reinforced concrete slab should be laid over the existing soil surface. The routing of services to avoid roots being severed is also to be carefully considered at the initial site meeting.
4. The applicant is advised that planning permission does not automatically allow the construction of the vehicle crossing, details of which require the approval of the Highway Authority. In this regard you should contact the Team Leader Regulations, Sustainable Transport, Riverside House, Riverside Way, Northampton NN1 5NX prior to any construction/excavation works within the public highway. Any alterations to the public utilities apparatus must be carried out at the expense of the applicant.

SUBJECT TO A LEGAL AGREEMENT

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0159/F**

PROPOSAL: **Erection of fourteen 6 m high lighting columns, with son-t-7ow lamps to give a level of illumination to category 3/2. Proposed to be erected at side of existing path (which is proposed to also be a cycleway).**

LOCATION: **Castlefields Park, Irthlingborough Road, Wellingborough.**

APPLICANT: **Mr P D Thompson, Borough Council of Wellingborough.**

PROPOSAL AND DESCRIPTION OF SITE:

(As above). The proposal is to erect lighting columns to illuminate the proposed cycleway along the route of the existing footpath in this established town centre park. This is in line with the rolling programme to do likewise in respect of most of the open spaces within the town. In this instance the pathway runs across the centre of the park and is only close to residential properties at the ends of the park near to Castle Street and Chester Road.

This application is referred to Regulatory Committee because it relates to development to be carried out by Wellingborough Borough Council.

RELEVANT PLANNING HISTORY:

WU/59/17 Changing pavilion.

NATIONAL AND LOCAL PLANNING POLICY:

Borough of Wellingborough Local Plan: G1 and L14.

County Structure Plan: GS3 and GS5.

PPS1.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. County Highways Authority – the highway standards and planning conditions set out in the NCC document ‘Minor Planning applications that have an effect on the highway’ be applied to this planning application’.

ASSESSMENT:

The issues that need to be taken into account in the determination of this application are:

- (i) Visual impact
- (ii) Affect upon the amenities of nearby land users.

Plan to be produced at Committee.

- (i) The lighting columns are of a conventional standard design and in this location will not detract unduly from the appearance of the area.
- (ii) Provided that the lighting sources are of the low energy kind and that they are shielded to prevent unnecessary spillage of light then there should not be any adverse impact upon the amenities of neighbouring land users.

CONCLUSIONS:

There are not any valid reasons or material planning considerations why planning permission should not be granted.

RECOMMENDATION:

Approve with conditions.

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The fourteen 6 m high lighting columns, with son-t-70w lamps to give a level of illumination to category 3/2 hereby permitted shall be fitted with shrouds to prevent unnecessary spillage of light to the surrounding area and into the night sky.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of amenity and to prevent light pollution.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with the regional guidance and the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies: GS3 and GS5 of the Northamptonshire County Structure Plan and G1 and L14 of the Borough of Wellingborough Local Plan.
2. The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Number:	Date Received:
656/02	20/03/2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0161/F**

PROPOSAL: **Erection of nine 6m high lighting columns, with son-t-7ow lamps to give a level of illumination to category 3/2. Proposed to be erected at side of existing path (which is proposed to also be a cycleway).**

LOCATION: **Bassetts Park, West Villa Road, Wellingborough**

APPLICANT: **Mr P Thompson, Borough Council of Wellingborough.**

PROPOSAL AND DESCRIPTION OF SITE:

(As above). The proposal is to erect lighting columns to illuminate the proposed cycleway along the route of the existing footpath in this established town centre park. This is in line with the rolling programme to do likewise in respect of most of the open spaces within the town. In this instance the pathway runs across the centre of the park and is not close to residential properties.

This application is referred to Regulatory Committee because it relates to development to be carried out by Wellingborough Borough Council

RELEVANT PLANNING HISTORY:

WP/2001/0115/F Erection of 8 no. 6m high lighting columns with 70w Son lanterns.
 WP/2003/0237/F Erection of six 6m lighting with Son 7 70w lamps to give a level of illumination to the proposed cycleway.

NATIONAL AND LOCAL PLANNING POLICY:

Borough of Wellingborough Local Plan: G1 and L14.
 County Structure Plan: GS3 and GS5.
 PPS1.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. County Highway Authority - the highway standards and planning conditions set out in the NCC document 'Minor Planning applications that have an effect on the highway' be applied to this planning application.

Plan to be produced at Committee.

ASSESSMENT:

The issues that need to be taken into account in the determination of this application are:

- (i) Visual impact
 - (ii) Affect upon the amenities of nearby land users
-
- (i) The lighting columns are of a conventional standard design and in this location will not detract unduly from the appearance of the area.
 - (ii) Provided that the lighting sources are of the low energy kind and that they are shielded to prevent unnecessary spillage of light then there should not be any adverse impact upon the amenities of neighbouring land users.

CONCLUSIONS:

There are not any valid reasons or material planning considerations why planning permission should not be granted.

RECOMMENDATION:

Approve with conditions.

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The nine 6m high lighting columns, with son-t-tow lamps to give a level of illumination to category 3/2 hereby permitted shall be fitted with shrouds to prevent unnecessary spillage of light to the surrounding area and into the night sky.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of amenity and to prevent light pollution.

INFORMATIVE/S:

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with the applicable regional strategy and development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies: GS3 and GS5 of the Northamptonshire County Structure Plan and G1 and L14 of the Borough of Wellingborough Local Plan.
2. The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Number:	Date Received:
656/01	20/03/2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0226/O****PROPOSAL: Outline application for new 3 bedroom detached house, ground and first floor (access from Moffatt Terrace) - additional information.****LOCATION: The Tabernacle Baptist Church, Great Park Street, Wellingborough.****APPLICANT: Mr M Smith – Treasurer, The Tabernacle Baptist Church.**

This application is referred to the Regulatory Committee for determination because there have been more than two letters of objection received from nearby neighbours.

PROPOSAL AND DESCRIPTION OF SITE:

Outline application for demolition of an existing chapel and erection of a detached house with access from Moffatt Terrace. The applicant has requested that the siting of the proposed dwelling and the access be considered within the scope of this application.

The site is an existing chapel building with an 1808 date stone and is located to the rear of no. 13 Park Road that was formerly the manse. The Baptist Tabernacle is situated on the corner of Park Road and Great Park Street. A vacant factory premises bounds the site to the southeast together with land that is owned or controlled by the applicant and which has the appearance of being used as a car park. The car park area has a pedestrian access to the application building and there is a gated vehicular access onto Great Park Street. At the proposed access point onto Moffatt Terrace is a 1.8m high wall which extends along the site's western boundary. At the point of access the ground level of the site is noticeably lower than the highway and the adjacent dwellings to the northwest. The ground levels however could not be accurately assessed during the Officer Site Visit due to the overgrown nature of this part of the site. Moffatt Terrace has historically been developed with a number of dwellings that do not have the benefit of off road car parking spaces and the residents utilize the on road space that is available at the end of the cul-de-sac to park their vehicles close to their abodes.

RELEVANT PLANNING HISTORY:

None recorded.

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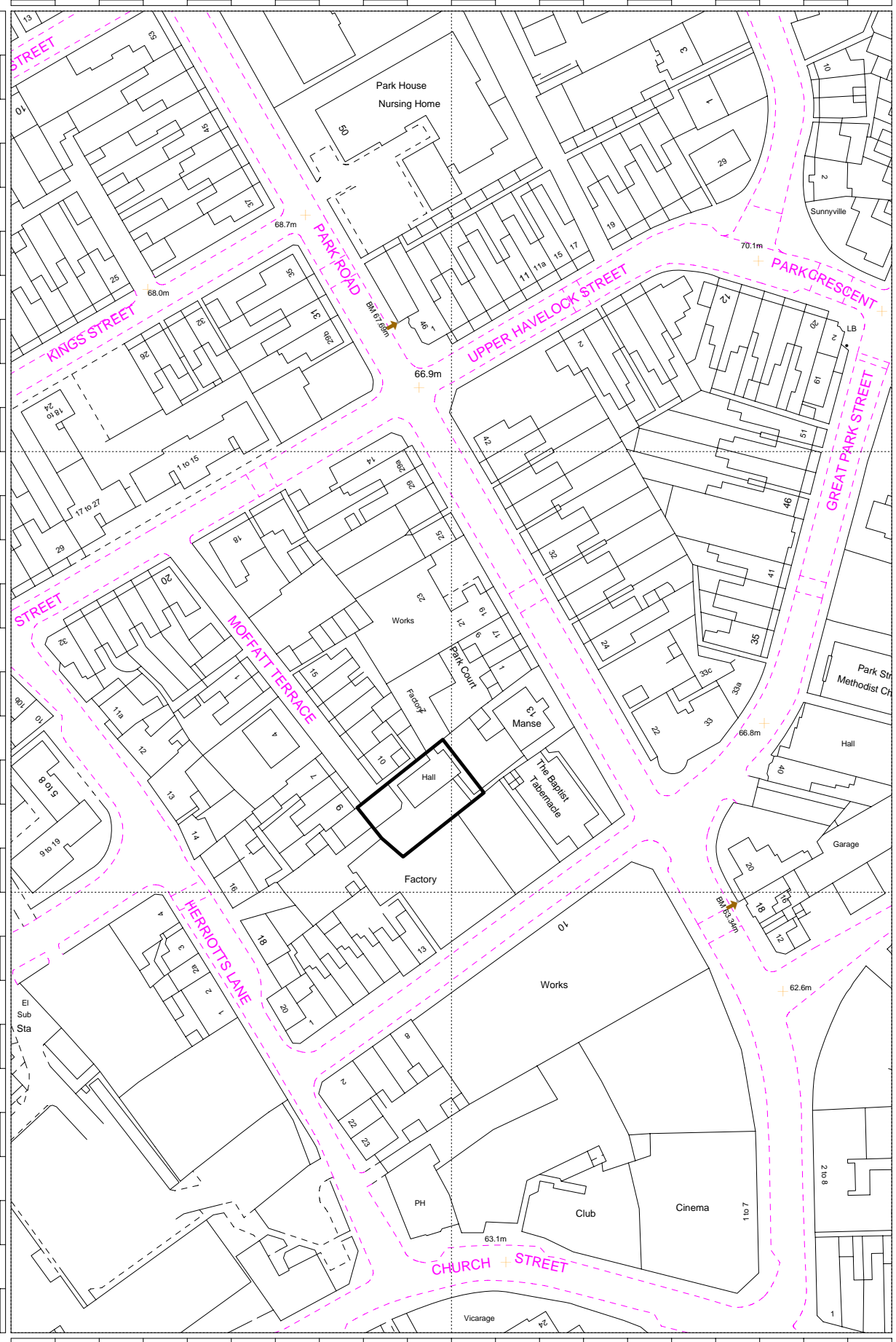
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NATIONAL AND LOCAL PLANNING POLICY:

Regional Spatial Strategy 8.

Northamptonshire County Structure Plan - GS5 and H6.

Borough of Wellingborough Local Plan – G1, G2, H1, L1, UH1 and UH5.

Supplementary Planning Guidance – Parking, Building Better Places and Planning Out Crime.

Planning Policy Statement 1; Delivering Sustainable Development.

Planning Policy Guidance 3; Housing.

Planning Policy Guidance 13; Transport.

Planning Policy Guidance 15; Planning and the Historic Environment.

Planning Policy Statement 23; Planning and Pollution Control.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. NCC Highways – has no objection but makes the following comments:

“Moffatt Terrace is narrow, has no dedicated footway or turning facilities and may suffer with parking problems, resulting in access difficulties to frontage properties, at certain times of the day. Although it may be unreasonable to expect the applicant to fund the construction of a turning facility at the termination of Moffatt Terrace it is considered that a facility, to enable a vehicle to turn around so as to enter and leave in a forward direction, must be incorporated within the application site. To provide some degree of visibility both for vehicles and pedestrians the boundary over the full width of Moffatt Terrace must be reduced in height to no more than 0.6m. To prevent loose material being carried onto the highway at least the first 5m of the driveway must be hard paved.”

2. Council’s Conservation Officer –

“This building is the original Baptist chapel of 1818 and has, in my opinion, significant architectural and historic merit. In the absence of a structural report proving that it is unstable, I would suggest that we refuse the application on the basis of the building’s contribution to Wellingborough’s social history, its architectural quality and its contribution to the character of the existing townscape. I feel that it is capable of conversion to a dwelling and that this would make more sense commercially than the proposed redevelopment.”

3. Wellingborough Civic Society – expresses concern regarding the application and hopes that the Council’s Conservation Officer will get involved in the scheme. The Civic Society goes on to suggest alternative proposals and considers that this very old area of the town could be developed sustainably to enhance the surrounding district. A visit from the Site Viewing Group is requested.

4. Neighbours – letters of objection have been received from the occupiers of 20 Havelock Street; 2, 6, 7, 10, 11, 12, 13, 15 Moffatt Terrace; 13 Park Road who cite the following reasons for opposing the scheme:

- Existing parking problems in Moffatt Terrace that will be made worse by a reduction in the on street parking available due to the new access.

- Increased highway danger.
- The existing building has heritage value and details given of its age, history and original owners.
- Loss of privacy and reference to adopted Council planning policy.
- Proposal would not respect and enhance the current streetscape.
- Part of the site was formerly a graveyard.
- Reference to community use of the existing building.
- Opinion that the existing building should be considered as part of the town's fast disappearing heritage.
- Belief that a right of access exists to the site via Herriots Lane.
- Inconvenience and concern regarding any resiting of telegraph pole and street lighting column.
- Concern expressed regarding the possibility of structural damage being caused to nearby dwellings and removal of a means of support to adjacent property.
- Moffatt Terrace is 5.3m. wide from garden wall to garden wall and is unsuitable for large vehicles.
- Effect on watertable locally.
- Devaluation of property value.
- Request that the site be visited by the Site Viewing Group after 6 p.m. when all the residents are at home with their cars.

ASSESSMENT:

The material planning considerations are:

- Compliance with policy
- Access and parking
- Effect on neighbours amenities
- Effect on visual amenity
- Crime and disorder

Compliance with policy

The proposal site is located on an area of land that carries the H1 policy designation in the local plan proposals map. The scheme is therefore considered to be in accord with elements of Government guidance and development plan policies that seek to direct new housing development to brownfield sites within urban areas. There is however a clear tension between Policy H1 and Policy L1 which seeks to retain community facilities and Policy L1 is reproduced below together with its explanatory text for ease of reference:

Existing Community Facilities

POLICY L1

CHANGE OF USE OF PUBLIC HALLS, PLACES OF WORSHIP, PRIMARY SCHOOLS, DOCTORS' SURGERIES AND OTHER SUCH SMALL SCALE BUILT COMMUNITY FACILITIES TO NON-COMMUNITY-RELATED FUNCTIONS WILL NOT NORMALLY BE PERMITTED. PERMISSION MAY EXCEPTIONALLY BE GRANTED, HOWEVER, WHERE THE EXISTING FACILITY IS CAUSING UNDUE PARKING PROBLEMS OR ENVIRONMENTAL

NUISANCE WHICH CANNOT BE REASONABLY OVERCOME AND THE FACILITY IS TO BE RELOCATED TO A SUITABLE ALTERNATIVE SITE NEARBY.

In view of their relatively localised catchment areas, small-scale community facilities such as community centres, primary schools, doctors' surgeries, places of worship and the village libraries, are particularly valuable to the less-mobile such as the elderly, the disabled and those without a car. Accordingly, community facilities of this type should be retained in situ except where the use of particular premises creates parking problems or environmental nuisance.

The larger-scale community facilities, such as secondary schools and the Wellingborough central library, are considered further under the section "Built Leisure and Large Scale Community Facilities".

The applicant has supplied a letter that attempts to address the issues raised by the policy and it gives the following information:

- The former chapel is used on Thursday evenings and occasional Tuesdays for a short period of time during the day. The building is almost never used on Sundays and remains empty for the majority of the time. The applicants consider that its requirements can be accommodated in the main building.
- The building is approaching the end of its useful life and will require significant funds to adequately maintain the structure. The layout and position of the building is not conducive to the types of community activity currently undertaken.
- Proceeds from the development will be used for substantial renovation and improvement works to the Tabernacle Baptist Church in order to provide improved community facilities which would be compliant with the requirements of the Disability and Discrimination Act. These access works would therefore benefit the wider community.

The applicant's assertion regarding the infrequent use of the Chapel is difficult to gainsay and it is considered that the disposal of part of a site that has a community use to secure the future of the larger part and which will also contribute to meeting Government disabled access legislation is acceptable in terms of policy relating to community use.

There is however the historic context of the existing building that occupies the application site to consider and the opinions of the Council's Conservation Officer are clear. Guidance on preserving and enhancing the built environment can be found in PPS 1 which in paragraph 34 states "*Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.*" With regards to the development plan, Policy GS5 of the County Structure Plan states that in order to promote high quality design and sustainable development, all proposals will have regard to the visual appearance of the development in the context of the defining characteristics of the local area. The explanatory text to the policy goes on to amplify the defining characteristics as including local buildings, interests of acknowledged importance and local building traditions and materials. The Borough of Wellingborough

Local Plan in Policy G1 also requires a high standard of design that respects and enhances the character of its surroundings.

It is clear that the existing chapel building has a recognisable degree of architectural quality and is also imbued with a cultural resonance that is important in the historical context of the town. Although the applicant has provided a statement that sets the proposal in context with Policy L1 it has not provided an engineers report that details the structural integrity of the existing building. It is considered that the chapel is worthy of retention and the proposal that includes its demolition is contrary to Policy GS5 of the County Structure Plan and Policy G1.1 of the Borough of Wellingborough Local Plan.

Access and parking

It is noted that the Highway Authority does not object to the proposal, and furthermore, it is considered that its advice regarding the need for a vehicle to be able to turn around within the site so it can enter and leave in a forward gear is eminently reasonable, bearing in mind the parking difficulties in Moffatt Terrace combined with its narrow width. As mentioned above there is a difference in the ground levels between Moffatt Terrace and the application site and the Highway Authority requires a maximum gradient of 1 in 15 to prevent car exhausts etc. scraping the road surface and longer vehicles grounding at the point of access. The applicant has been asked to supply plans that illustrate the intended gradient down into the site's parking and manoeuvring area but at the time of writing the report no such plan has been received. The applicant has also been requested to supply a plan that shows the proposed turning area that would enable a car to leave in a forward direction and clearly the dimensions of the turning area will have a bearing on the position of the footprint of the proposed dwelling within the plot, however no turning detail has been supplied. The lack of information is most unfortunate because the applicant has stated that the siting of the proposed dwelling is also to be considered within the aegis of this application and it follows therefore that if the exact location of the front wall building cannot be identified, because of the identified need for a turning area, the siting of the building cannot be determined. Because insufficient access details have been submitted the proposal is therefore considered to be contrary to Policies G1.3 and T9.1 of the Borough of Wellingborough Local Plan.

Effect on neighbours' amenities

It is expected that the scheme will affect the standard of amenities that are currently enjoyed by the occupiers of the neighbouring dwellings but it is considered that the effects will not be so serious as to warrant refusing the application on the grounds of harm to residential amenity for the following reasons:

- The submitted site location plan shows a back to back distance of 23m between the proposed dwelling and no. 13 Park Road to the rear and the Building Better Places SPG suggests a minimum back to back privacy distance of 21m between two storey dwellings. The comments of the occupiers of the dwellinghouse at the rear are noted but it perhaps should be pointed out that no. 13 Park Road is an imposing three storey dwelling and the mutual overlooking effects would be worse for the potential occupiers of the Chapel site rather than the denizens of the existing dwellinghouse. The siting of the proposed building cannot be identified, but it is considered that if the illustrated back to back distance between the application building and no. 13 Park Road were to be marginally reduced

there would still be an acceptable residual standard of residential amenity commensurate with a relatively densely developed urban area. The Government advises in PPG3 that local planning authorities should promote a more efficient use of land.

- With regards the dwellings in Moffatt Terrace the set down of the site in relation to the adjacent properties will mitigate against any overly harmful effects.

Effect on visual amenity

The effect on the visual amenity of the street scene can again be adequately assessed at the approval of reserved matters stage but it is likely that any new development will not have any materially detrimental effect on the visual amenity of the area due to the site's secluded position in relation to Moffatt Terrace and Great Park Street.

Crime and disorder

It is considered that there are no relevant crime and disorder pertinent to the determination of this application.

Non material considerations

- The Party Wall etc Act 1996 legislates for structural damage that may occur due to the building activity of an adjoining land owner.
- Building Control regulate the demolition and stability of buildings under The Building Act 1984.
- Suitability of Moffatt Terrace to accommodate large vehicles.
- Inconvenience and public safety issues due to resiting of telegraph pole and street lighting columns.
- Devaluation of property.

RECOMMENDATION:

Refuse.

1. The proposal is considered to be contrary Policies G1.1, G1.3, G1.4, H12.3 and T9.1 of the Borough of Wellingborough Local Plan and Policy GS5 of the County Structure Plan.

POLICY G1

PROPOSALS FOR DEVELOPMENT WILL NORMALLY BE GRANTED PLANNING PERMISSION WHERE THE DEVELOPMENT:

1. IS OF A HIGH STANDARD OF DESIGN WHICH RESPECTS AND ENHANCES THE CHARACTER OF ITS SURROUNDINGS;
3. HAS A SATISFACTORY MEANS OF ACCESS, PROVIDES ADEQUATE PARKING, SERVICING AND MANOEUVRING FACILITIES AND CAN BE ADEQUATELY SERVED BY PUBLIC TRANSPORT;

4. WILL NOT HAVE AN ADVERSE IMPACT ON THE ROAD NETWORK AND WILL NOT PREJUDICE HIGHWAY SAFETY.

POLICY GS5

IN ORDER TO PROMOTE HIGH QUALITY DESIGN AND SUSTAINABLE DEVELOPMENT, ALL PROPOSALS WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

- THE VISUAL APPEARANCE OF THE DEVELOPMENT IN THE CONTEXT OF THE DEFINING CHARACTERISTICS OF THE LOCAL AREA;
- THE NEED TO ENCOURAGE MIXED-USE DEVELOPMENT AND THE RELATIONSHIPS OF DIFFERENT LAND-USE WITH EACH OTHER;
- THE NEED FOR MEASURES FOR PLANNING OUT CRIME; AND
- THE NEED FOR CONSERVATION OF ENERGY, RESOURCES AND THE NATURAL ENVIRONMENT, AND FOR DEVELOPMENTS AND DESIGNS WHICH GIVE PRIORITY TO MEANS OF TRANSPORT OTHER THAN THE PRIVATE CAR.

POLICY H12

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT PROVIDED THAT:

3. SATISFACTORY HIGHWAY SAFETY AND DESIGN MEASURES ARE INCLUDED.

POLICY T9

IN RELATION TO PROPOSALS INVOLVING THE LAYOUT OF NEW ROADS, A CHANGE IN THE CHARACTER OR VOLUME OF TRAFFIC, OR THE FORMATION OR ALTERATION OF A VEHICULAR ACCESS, PLANNING PERMISSION WILL BE GRANTED WHERE:

1. HIGHWAY STANDARDS ARE SATISFACTORILY MET.

INFORMATIVE:

The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Numbers:
SK01 RevA and SK02 RevA

Date Received:
28th April 2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0229/F****PROPOSAL: Erect a two storey dwelling and detached double garage on land at 23 London Road, Bozeat.****LOCATION: Land at 23 London Road, Bozeat, Wellingborough.****APPLICANT: Stonewood Developments.****This application is referred to the Regulatory Committee for determination because three letters of objection have been received from nearby neighbours.****PROPOSAL AND DESCRIPTION OF SITE:**

Erection of a detached dwellinghouse to the rear of the existing bakehouse and erection of a detached double garage to the front.

The site for the dwelling is an area of garden situated to the rear of the Bakehouse which undoubtedly has character and charm although it is not listed and is not located in a Conservation Area. To the south is a bungalow that has adequate boundary walls. To the east is the rear garden of 4 Pear Tree Close that does not have a boundary fence but is noticeably set at a higher ground level than the development site as is the dwellinghouse itself due to the upward slope of the land. Abutting the northern boundary of the existing dwelling is a public right of way.

RELEVANT PLANNING HISTORY:

WP/2005/0041/F Conversion of existing former bakehouse into residential dwelling and erection of a new two storey dwellinghouse – conditionally approved.

NATIONAL AND LOCAL PLANNING POLICY:

Northamptonshire County Structure Plan – GS5, H1, H3 and H6.

Borough of Wellingborough Local Plan - G1, G4, G10, H1, H3 and H12.

Supplementary Planning Guidance – Parking, Building Better Places and Planning Out Crime.

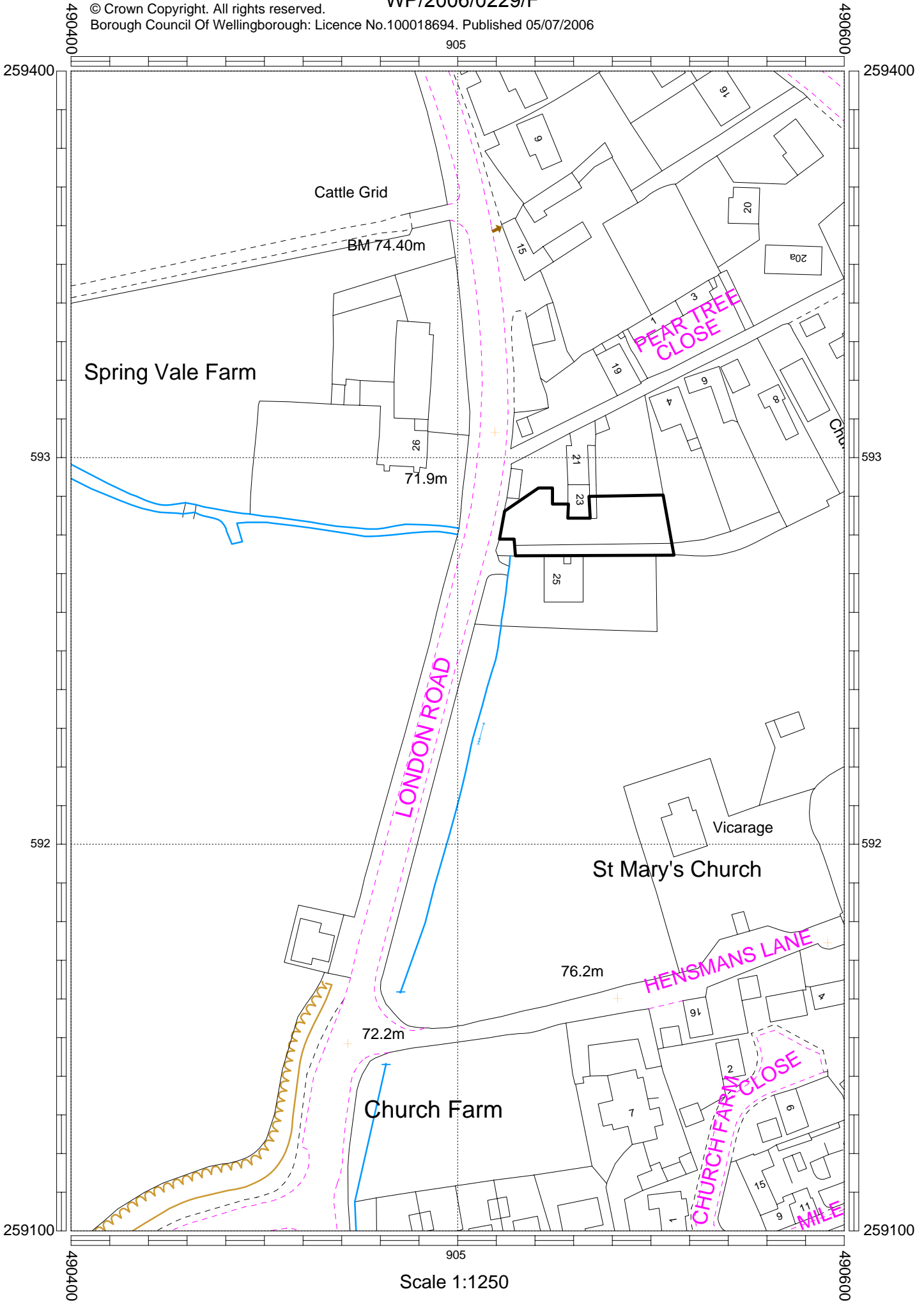
PPS1; Delivering Sustainable Development.

PPG3; Housing.

PPS7; Sustainable Development in Rural Areas.

Wildlife and Countryside Act 1981 (as amended).

Conservation (Natural Habitats) Regulations 1994.



SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. Northants County Council, Highways – does not object to the application but makes technical recommendations and points out a deficiency in the submitted plans.
2. English Nature – no objection to the proposal as submitted.
3. Bozeat Parish Council – does not make comment on the application other than to request that the contents of a letter written on behalf of the occupier of 25 London Road be taken into consideration.
4. Neighbours – letters of objection have been received from and on behalf of the occupiers of 25 and 26 London Road, 4, 6 and 8 Pear Tree Close and the writers cite the following reasons for opposing the scheme:
 - Proposed garage fronting onto London Road will have a detrimental effect on the street scene.
 - Dwelling is out of character with surrounding dwellings and reference to backland development nature of the proposal.
 - Loss of privacy.
 - Overdevelopment of the site.
 - Effect on roots of tree growing in an adjoining garden together with effect on wildlife.
 - Possible effect on a public sewer that traverses the application site.
 - Suggestion of an alternative design.
 - Reference to the fenestration of the proposed dwelling.
 - Reference to condition imposed on previous planning approval intended to protect the privacy of adjacent occupiers.

ASSESSMENT:

The material planning considerations are:

- Compliance with policy
- Effect on the visual amenity of the street scene
- Effect on neighbours amenities
- Crime and disorder

Compliance with policy

The site is brownfield in nature and within the built up confines of a restricted infill village. The proposal therefore is considered to accord with the elements of national guidance and development plan policies that relate to achieving new housing development on previously developed sites in the rural area but there are however other issues relating the scheme that need to be examined.

Effect on the visual amenity of the street scene

It is considered that the construction of a garage to the front of the existing bakehouse building would introduce a highly visible incongruous feature into the site that will result in a negative impact on the visual amenity of the street scene. The proposal is therefore contrary to Policy GS5 of the County Structure Plan and Policies G1.1, H12.1 and H12.2 of the Borough of Wellingborough Local Plan

Effect on neighbours' amenities

It is considered that the proposal would have a serious detrimental effect on the standard of amenities that are currently enjoyed by the occupiers of the surrounding dwellings for the following reasons:

- Unacceptable loss of privacy due to the position and close proximity of the windows in the proposed dwelling in relation to surrounding amenity areas.
- Unacceptable loss of light due to the situation of the proposed dwelling which is directly to the south of no. 21 London Road.
- The proposed building would have a negative massing impact because of the size of its footprint and bulk in relation to the available site area and propinquity of the neighbouring residents.

Due to the harm to residential amenity that will result from the proposal the scheme is considered to be contrary to policies G1.2, H1.1 and H12.4.

Crime and disorder

It is considered that there are no crime and disorder issues relevant to the determination of this application.

None material considerations

The effect on the public sewer is regulated by powers vested in the Council's Building Control Service and Anglian Water Services.

RECOMMENDATION:

Refuse.

1. The proposal is contrary to Policy GS5 of the County Structure Plan, Policies G1.1, G1.2, H1, H12.1, H12.2 and H12.4 of the Borough of Wellingborough Local Plan and the provisions of the Supplementary Planning Guidance 'Building Better Places'.

POLICY G1

PROPOSALS FOR DEVELOPMENT WILL NORMALLY BE GRANTED PLANNING PERMISSION WHERE THE DEVELOPMENT:

1. IS OF A HIGH STANDARD OF DESIGN WHICH RESPECTS AND ENHANCES THE CHARACTER OF ITS SURROUNDINGS; AND
2. WILL NOT AFFECT THE AMENITIES OF ANY NEIGHBOURING PROPERTIES OR RESULT IN WIDESPREAD IMPACT, BY REASON OF NOISE, VIBRATION, SMELL, LIGHT OR OTHER POLLUTION, UNACCEPTABLE LOSS OF LIGHT OR OVERLOOKING.

POLICY GS5

IN ORDER TO PROMOTE HIGH QUALITY DESIGN AND SUSTAINABLE DEVELOPMENT, ALL PROPOSALS WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

- THE VISUAL APPEARANCE OF THE DEVELOPMENT IN THE CONTEXT OF THE DEFINING CHARACTERISTICS OF THE LOCAL AREA;
- THE NEED TO ENCOURAGE MIXED-USE DEVELOPMENT AND THE RELATIONSHIPS OF DIFFERENT LAND-USE WITH EACH OTHER;
- THE NEED FOR MEASURES FOR PLANNING OUT CRIME; AND
- THE NEED FOR CONSERVATION OF ENERGY, RESOURCES AND THE NATURAL ENVIRONMENT, AND FOR DEVELOPMENTS AND DESIGNS WHICH GIVE PRIORITY TO MEANS OF TRANSPORT OTHER THAN THE PRIVATE CAR.

POLICY H1

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT IN RESIDENTIAL AREAS EXCEPT WHERE:

1. THE PROPOSAL IS FOR A FORM OF TANDEM DEVELOPMENT (INVOLVING THE CONSTRUCTION OF ONE DWELLING IMMEDIATELY BEHIND ANOTHER AND SHARING THE SAME ACCESS) THAT WOULD RESULT IN A DETERIORATION IN RESIDENTIAL AMENITY; OR
2. THE PROPOSAL WOULD PREJUDICE THE FUTURE DEVELOPMENT OF ADJOINING LAND.

POLICY H12

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT PROVIDED THAT:

1. THE PROPOSED DENSITY IS COMPATIBLE WITH THE CHARACTERISTICS OF THE SITE AND ITS SURROUNDINGS;
2. A VISUALLY ATTRACTIVE ENVIRONMENT IS CREATED;
4. REASONABLE STANDARDS OF PRIVATE AMENITY ARE AFFORDED TO ALL DWELLINGS.

INFORMATIVE:

The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Number:

Site location plan, block plan, N1449-01 and N1449-02

Date Received:

3rd May 2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0255/O****PROPOSAL: Outline application for construction of two single storey dwellings with garages.****LOCATION: 46 Allens Hill, Bozeat, Wellingborough.****APPLICANT: Mrs M Gilliam.**

The application is subject to the consideration of the Regulatory Committee due to an objection to the siting of the proposed dwellings from Bozeat Parish Council.

PROPOSAL AND DESCRIPTION OF SITE:

The application site is currently garden land within the curtilage of no. 46 Allens Hill, Bozeat. The site is found to the front (east) of the existing dwelling at no. 46. The layout of the existing dwelling and its curtilage is unusual in that all of the garden land is to the front of the existing property. There is an existing access off Allens Hill and a driveway which serves the existing dwelling. A stone wall and trees run along the frontage of the site.

This application seeks outline planning permission for two single storey dwellings with garages. Access and siting is to be assessed at the outline stage with all other matters are to be dealt with by reserved matters application(s).

RELEVANT PLANNING HISTORY:

It is considered that there is no planning history relevant to the determination of this application.

NATIONAL AND LOCAL PLANNING POLICY:

G1, G4, G9 and H12 of the Borough of Wellingborough Local Plan.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. Bozeat Parish Council – the Parish requests that the frontages of the two dwellings are in line with the existing properties in Allens Hill as this would be more aesthetically pleasing.
2. Highways Authority – the following comments have been made:

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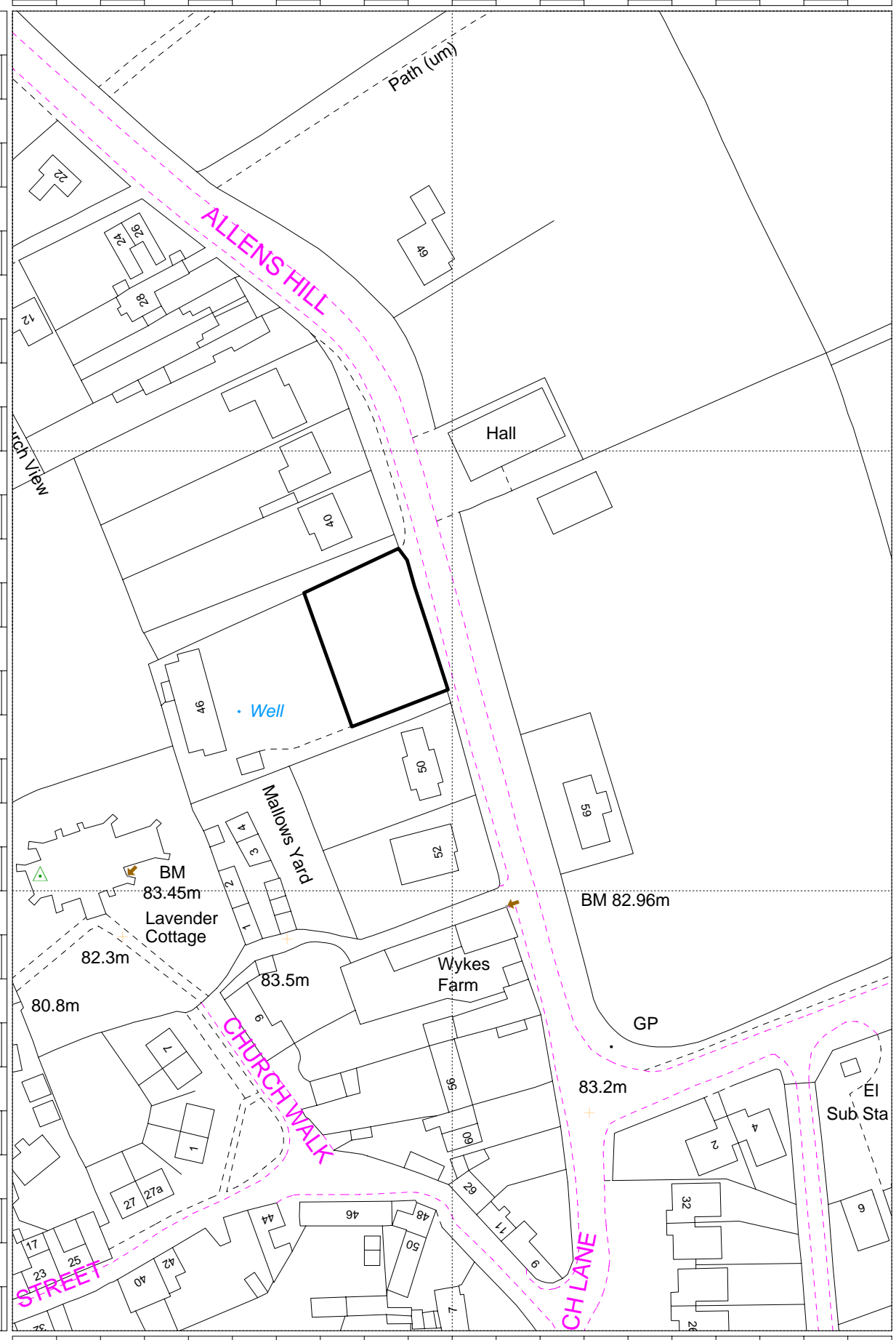
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- i. As a shared private drive the means of access must be 4.5 wide for a distance of 10m from the highway boundary.
 - ii. Pedestrian to vehicle visibility above a height of 0.6m within splays of 2m x 2m must be provided and maintained on both sides of the point of access.
 - iii. A vehicular crossing must be constructed in accordance with the specification of Northamptonshire County Council.
 - iv. To prevent loose material being carried onto the public highway the driveway must be hard-paved for at least the first 5m.
3. Conservation Officer, Borough of Wellingborough – an objection is raised to the proposal. Grounds of objection are as follows:

Stoneleigh is a traditional stone cottage the view of which from Allens Hill forms part of the setting of the listed parish church. Development on the frontage would have an unacceptable impact on this view and would also remove part of the last vestiges of original stone frontage walling. The existing conifer trees need to be thinned, but this wholesale removal would also be a conservation negative. The forthcoming Bozeat Conservation Area will include this site.

4. Landscape Officer, Borough of Wellingborough – the following comments have been received:

The existing layout is unusual as the garden is all towards the front. The site is screened by conifers, some of more merit than others, and a good purple hazel and lilac. There is an issue of amenity value and a TPO could be considered. It would certainly be unfortunate to lose all the vegetation from the frontage and the proposed development is too concentrated to allow for replanting. The proposal is very cramped and the shared turning area could cause problems. Who would own it?

5. Third Parties – one letter of objection has been received from a third party. Objects on the following grounds:

“The proposed development will affect the view of the church from Allen's Hill and the removal of the stone wall in front of the property is unacceptable to me and many of the villagers. I think that the removal of this wall and the development of this land would be aesthetically unacceptable and would spoil the local and historical view of this part of the village.”

ASSESSMENT:

Principle of Residential Development

Bozeat is designated as a Restricted Infill Village by Policy G4 of the local plan. This policy permits residential development in such locations subject to a number of criteria being met. One of the criteria is that proposed development should not have an adverse impact on the character and setting of the village and its environs. In this case

it is considered that the proposal does not comply with this policy due to the impact that the development will have on the setting of the listed parish church which forms part of the character for this particular area of Bozeat.

Setting of a Listed Building

Stoneleigh (no. 46) is a traditional stone cottage the view of which from Allens Hill forms part of the setting of the Grade I listed parish church. It is considered that development on the frontage would have an unacceptable impact on this view and would also remove part of the last vestiges of original stone frontage walling. The proposed development of the site is therefore considered to be contrary to Policy G9 of the local plan which states:

PROPOSALS FOR DEVELOPMENT WILL ONLY BE GRANTED PLANNING PERMISSION IF THEY WILL NOT DETRACT FROM THE SETTING OF A LISTED BUILDING.

The site is screened by conifers, some of more merit than others, and a good purple hazel and lilac. It would be unfortunate to lose all the vegetation from the frontage and the proposed development is too concentrated to allow for replanting. The wholesale removal of trees on site would be a conservation negative. It is considered that the unacceptable impact that the development would have on the setting of the Grade I listed building justifies a recommendation for refusal.

Residential Amenity

It is considered that dwellings will not have a detrimental impact on the amenities currently enjoyed by the occupiers of neighbouring properties. However, there is not considered sufficient space within the site to be able to accommodate an adequate level private amenity space. Supplementary Planning Guidance VIII: Building Better Places recommends that dwellings should have a minimum rear garden depth of 10.5 metres. In this case it appears that this cannot be achieved.

Effect on Highway and Parking Accommodation.

The Highways Authority has raised no objection to the proposal subject to a number of conditions being imposed on any consent for the development. It is considered that the proposed development will have adequate parking accommodation and will not prejudice highway safety.

Summary

It is considered that the proposal is contrary to the relevant policies of the development plan and is therefore recommended for refusal for the reasons set out below.

RECOMMENDATION:

Refuse.

1. The proposed development would be contrary to Policies G1 (1) and G9 of the Borough of Wellingborough Local Plan in that if permitted it would result in an unacceptable impact on the setting of the Grade I Listed Parish Church and would detrimentally affect the character of the part of the village within which the site is located.

- | |
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| <p>2. The proposed development would be contrary to Policy H12 (4) of the Borough of Wellingborough Local Plan in that if permitted the development would not benefit from a sufficient amount of private amenity space.</p> |
|--|

POLICY G1

PROPOSALS FOR DEVELOPMENT WILL NORMALLY BE GRANTED PLANNING PERMISSION WHERE THE DEVELOPMENT:

1. IS OF A HIGH STANDARD OF DESIGN WHICH RESPECTS AND ENHANCES THE CHARACTER OF ITS SURROUNDINGS.

POLICY G9

PROPOSALS FOR DEVELOPMENT WILL ONLY BE GRANTED PLANNING PERMISSION IF THEY WILL NOT DETRACT FROM THE SETTING OF A LISTED BUILDING.

POLICY H12

(NB Policy H12 and its justification have been replaced in the town as defined on the Proposals Map by Policy UH5 and its associated text.)

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT PROVIDED THAT:

4. REASONABLE STANDARDS OF PRIVATE AMENITY ARE AFFORDED TO ALL DWELLINGS.

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0286/F****PROPOSAL: Affordable housing project to provide 42 flats - 17 no. for rent, 15 no. shared ownership, 10 no. for sale.****LOCATION: Adj 8 Great Park Street, Wellingborough.****APPLICANT: Leicester Housing Association.****PROPOSAL AND DESCRIPTION OF SITE:**

(As above). This application is a revised proposal but this time made with full details for the site of a large former industrial/warehouse building (site area of 1650 square metres) on the southern side of Great Park Street that already benefits from Outline Planning Permission for the erection of 34 flats, 2 offices and underground car parking (WP/04/0368/O). The current proposal is for an affordable housing scheme of flats for the Leicester Housing Association with the numbers thereby increased slightly in comparison to the previous approved scheme. The proposal is for mixed tenure with 17 flats for rent 15 flats for shared ownership and 10 flats for sale provided in a combination of two, three and four storey blocks. 17 car parking spaces are provided at ground floor level with access from a metal gated access from Great Park Street. The proposal has been the subject of extensive pre-application discussions with officers. The focus has been very much upon achieving a satisfactory, fairly traditional pitched roof and sympathetic design that blends in with and compliments its surroundings, in respect of this large and important site situated right on the northern edge of the town centre. Some concerns have been expressed regarding the site density, massing and height of the scheme in comparison to the indicative scheme that accompanied the Outline Planning Application. In response to these concerns, the applicant's agents have now provided a brief Design Statement. They state that the extra height now proposed to the elevations at the corner of Great Park Street and Park Road is to create new focal point in the town centre. A photographic illustration is provided to show how the outline of this higher element is in context with surrounding buildings, elements of which are at an equivalent height. Furthermore they point out that the proposed development is for a mixed tenure affordable housing project, the mix of which has been determined in association with Housing Officers of the Borough Council. The earlier proposal for a modicum of office accommodation has been omitted in preference to some additional mixed tenure residential use (Rent: 9 no. 1 bed flats and 8 no. 2 bed flats; Shared Ownership: 6 no. 1 bed flats and 9 no. 1 bed flats; and Sale: 5 no. 1 bed flats and 5 no. 2 bed flats).

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WP/2006/0286/F

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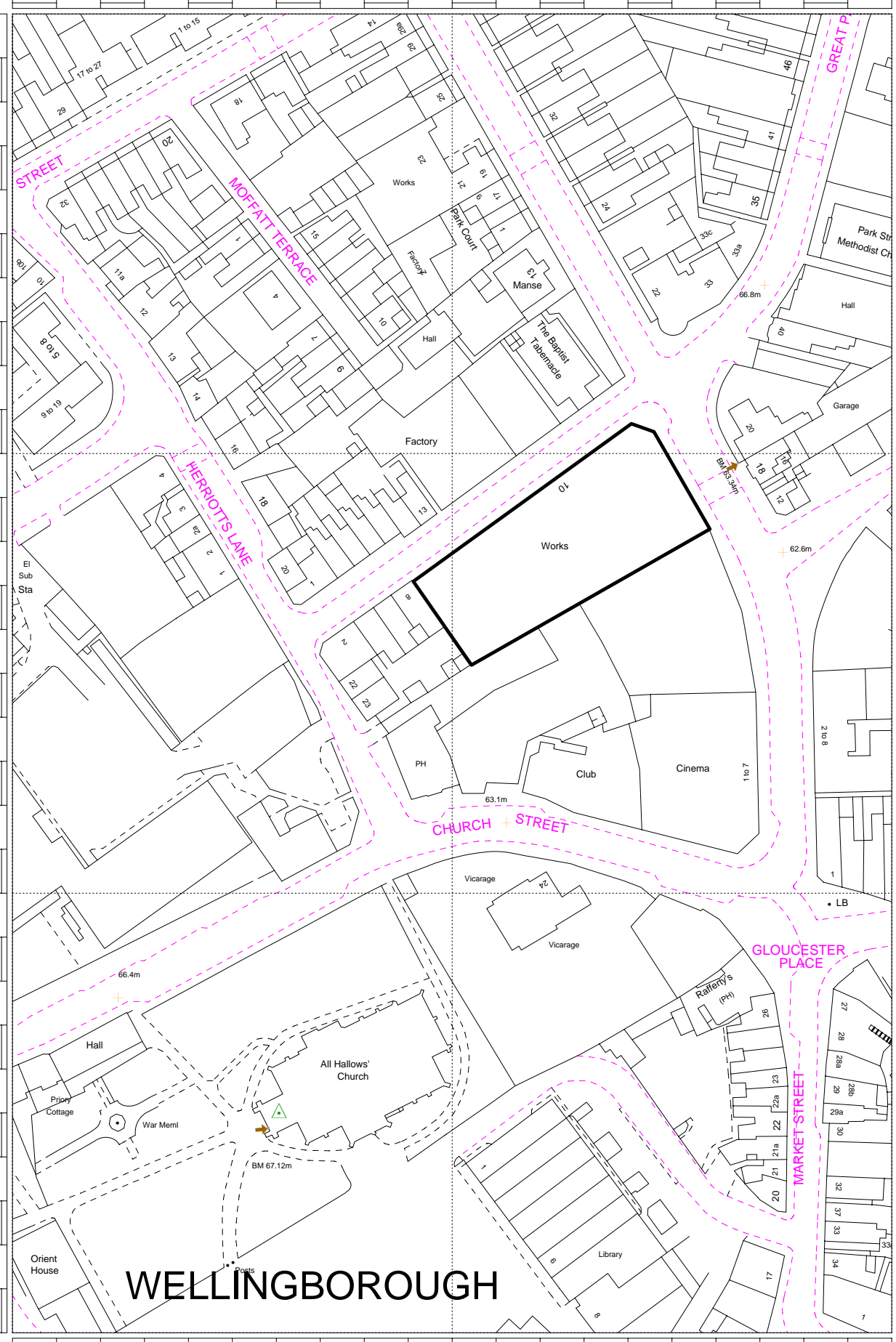
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The application is reported to Committee for determination given its size and scale. In addition, in line with the requirement in respect of the earlier proposal, it is anticipated that there will be a requirement for a commuted sum in lieu of on site open space provision, secured by virtue of a Section 106 legal agreement.

RELEVANT PLANNING HISTORY:

Several applications from 1962 to date relating to the previous commercial use plus:

- WP/2003/0324/O Demolition of existing redundant warehouse and erection of 35 no. flats with underground parking at Junction of Great Park Street and Park Road – withdrawn.
- WP/2003/0514/O Demolition of existing redundant warehouse and erection of 25 no. flats and offices with underground parking at Junction of Great Park Street and Park Road.
- WP/2004/0368 Demolition of existing redundant warehouse and erection of 34 no. flats and 2 offices with underground parking at Junction of Great Park Street and Park Road.

NATIONAL AND LOCAL PLANNING POLICY:

Borough of Wellingborough Local Plan Policies: G1, C5, C8, H1, H5, H8, E4, L7, T9, C10, C11 and T9. RSS8.

Borough of Wellingborough Local Plan First Alteration Policies UH1, UH2 and UH5.

Northamptonshire Structure Plan Policies: GS2, GS3, GS4, GS5, GS6, H2, H6, T3, T8, RT2 and T10.

SPG VIII: Building Better Places.

Supplementary Planning Guidance - Parking, Building Better Places and Planning Out Crime.

Planning Policy Statement 1; Delivering Sustainable Development.

Planning Policy Guidance 3; Housing

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. Environment Agency – no comments
2. The Tabernacle Baptist Church – support the proposal but have reservations with regard to car parking.
3. County Highway Authority – to enable the highway effects of the proposed development to be properly assessed a transport assessment should be submitted investigating traffic flows, the adequacy of the existing transport network and parking requirements.
4. Wellingborough Civic Society – concerned about the detrimental affect that the proposal will have on residential properties in the area. Feel that the scheme should reflect the design of the properties on the corner of Herriotts Lane/Great Park Street. The new build should be set back and lowered on the Great Park Street frontage to improve the light and traffic congestion. Concerned that the standard of architecture in the Borough should be raised to a very high standard and therefore feel this scheme could be better. Attractive masonry from the existing building should be incorporated into the new build.

5. Principal Housing Strategy Officer – The development will provide 17 flats for affordable rent and 15 flats for shared ownership as well as some relatively low cost flats for sale thus ensuring a sustainable mixed tenure development. The town centre location is considered particularly suitable for such a development due to its proximity to shops, facilities, transport, employment and services. The scheme provides 32 affordable units (and 10 for sale) and will help towards meeting our target of providing 160 extra affordable dwellings per annum. Leicester Housing Association will manage the units which would be used to house, in the main, single people and couples without dependant children. Over £800,000 of Housing Corporation funding has been allocated to the scheme.

Housing Need

The Housing Needs Survey carried out in 2001 and updated in 2004 estimated a need for 160 additional affordable dwellings per annum. There are currently 335 households in housing need on the council's waiting list requesting 1 and 2 bedroom flats in or near Wellingborough town centre. These units will contribute to meeting those needs. In addition, homelessness applications have been on a rising trend since 2000 with 402 applications and 168 acceptances last year. This development is considered particularly suitable for meeting the identified needs of homeless households without children. To this end, the Council is to consider part funding the project, in conjunction with the Housing Corporation, in exchange for direct nomination rights to the rented accommodation.

Wider National, Regional and Sub-Regional Policy aims

The provision of affordable homes to rent and buy on this site is in line with national policy; draft 'Planning for mixed communities' and 'Planning for housing provision'. The delivery of additional affordable homes is needed through the growth requirements of the 'Sustainable Communities Plan' and the Spatial Plans for MK&SM, and draft 'Options for North Northamptonshire'.

Local Policy aims – Wellingborough Borough Council's strategic aims

Within the Community Plan 2005-2010 the Council has a strategic target to construct 160 affordable housing units per year. This is in line with the Housing Needs Survey 2004 which identifies a deficit of 160 affordable homes per annum. The 32 affordable housing units in this scheme will contribute 20% towards achieving the target and help alleviate the rising numbers on the housing register

S106 Planning Obligations

Leicester Housing Association are one of the Council's partner RSLs and as such this scheme has been worked up in conjunction with the Housing Strategy Team and will provide a majority of affordable housing on the site. All RSLs the Council works with are registered and governed by the Housing Corporation and are not for profit organisations. Any surpluses made are recycled into new development schemes and organisational overheads. The RSL may require grant from the Housing Corporation for the affordable housing as their rents are

capped, limiting the income levels with which to repay private finance. Subsidised housing provided will benefit the community and meet the strategic aims of the Authority.

Supplementary Planning Guidance Considerations

Affordable homes are defined in Circular 6/98 as 'low cost market and subsidised housing that will be available to people who cannot afford to rent or buy houses generally available on the open market'. The Council's Supplementary Planning Guidance XI, Affordable Housing, July 2004, provides a more detailed description.

Any RSL or housing provider wishing to provide affordable housing should be registered with, or eligible to receive grant from, the Housing Corporation. Leicester Housing Association meets this criteria.

6. Third Parties – letters have been received from 3 local residents one of which includes a petition signed by 12 local residents. Objections are made on the grounds of:
- (i) the building is too high at 4 storeys in places;
 - (ii) further street lighting is required;
 - (iii) on street parking is already a problem in the area and the proposal does not provide for adequate parking provision;
 - (iv) provision for refuse bins does not appear to have been made;
 - (v) parking congestion on the street will lead to problems for access by emergency vehicles;
 - (vi) it is questioned whether the current infrastructure will be able to cope with the demands placed upon it;
 - (vii) community housing will not be to the benefit of the local residents;
 - (viii) access should be from Park Road and the underground car park of the factory should be used; and
 - (ix) there should be some commercial development as part of the scheme.

ASSESSMENT:

The issues that need to be taken into account in the determination of this application are:

- (i) Planning policy and the suitability of the site for residential development,
- (ii) Responding to points made in consultation responses, and
- (iii) Planning Obligation considerations.
- (iv) Responding to some of the points arising in representations

(i) In terms of present planning policy considerations, redevelopment of a site of this kind in this type of location is permissible in that it would contribute to a mixture of land uses and in particular, provide for housing in the centre of the town. The national planning policy guidance advice is to concentrate new development within existing settlements whenever this is possible and to re-use existing sites. This guidance is reflected in the Development Plan policy framework. At the strategic level the overall thrust is one of urban concentration of development and rural restraint overall in the interests of sustainability. The proposal is considered to be in accord with specific elements of Government guidance and development plan policy in regard to directing

new housing development to brownfield sites within the urban areas. The site until recently was occupied by a 'north light' factory that has had a variety of uses, last being used for the sale of low-cost furnishings. It lies within Wellingborough Town Centre (although not within the Town Centre core) and within the mixed use area subject to Policy C10. The factory building was placed on the market for some time, but no suitable tenant/owner was found. The most pertinent policies against which the application needs to be judged are Policies C10 and C11, which state:

POLICY C10

PLANNING PERMISSION FOR DEVELOPMENT WITHIN THE MIXED USE AREAS BEYOND THE TOWN CENTRE CORE WILL ONLY BE GRANTED IF IT WOULD NOT RESULT IN:

1. SUBSTANTIAL CONFLICT WITH SURROUNDING USES OR ADVERSE IMPACT UPON THE AMENITY OF ADJOINING RESIDENTIAL AREAS;
2. A CONSEQUENT LACK OF OPPORTUNITY FOR A BROAD RANGE OF USES TO BE ACCOMMODATED WITHIN THESE MIXED USE AREAS AS A WHOLE;
3. SUBSTANTIAL CONFLICT WITH THE STRATEGY OF CONCENTRATING MOST RETAIL USES IN THE TOWN CENTRE CORE AREAS; OR
4. SUBSTANTIAL INCREASES IN ON-STREET PARKING.

POLICY C11

PARKING PROVISION FOR DEVELOPMENT PROPOSALS WITHIN THE TOWN CENTRE WILL BE DETERMINED ON THE FOLLOWING BASIS:

1. THEY SHOULD NOT INCLUDE ADDITIONAL CAR PARKING PROVISION UNLESS IT IS DEMONSTRATED THAT SUFFICIENT PARKING CAPABLE OF SHORT TERM USE WILL NOT BE AVAILABLE WITHIN 200 METRES WALKING DISTANCE OF THE SITE;
2. WHERE A DEFICIENCY OF CAR PARKING IS DEMONSTRATED, ADDITIONAL CAR PARKING PROVIDED SHOULD NOT EXCEED AGREED MINIMUM OPERATIONAL NEEDS AND ANY SUCH PROVISION FOR EMPLOYEES OR CUSTOMERS SHOULD BE MAINTAINED AS SHORT TERM PUBLIC PARKING.

IN ALL CASES THE BOROUGH COUNCIL WILL SEEK TO ENTER INTO LEGAL AGREEMENTS WITH DEVELOPERS TO PROVIDE SUPPORT FOR MEASURES TO ENHANCE PUBLIC TRANSPORT AND CYCLING AND WALKING ACCESS TO THE TOWN CENTRE IN LIEU OF PARKING PROVISION.

The principle of the development of this site has already been accepted by virtue of the grant of Outline Planning Permission.

- (ii) Whilst there is clearly likely to be some impact upon the residential amenities of the occupiers of neighbouring properties this is not considered to be of such magnitude that refusal of the proposals is justified. The proposal is similar in height to the existing adjacent properties and reflects the bulk and scale of the building on the site which is being replaced. It is considered that despite the lack of provision to meet requirements for car parking on site in this instance this is acceptable in current planning policy terms given that the development is located in the town centre where a range of alternative travel modes and options are available. It is not considered that there are any crime and disorder issues arising in respect of this proposal.
- (iii) Given that this proposed scheme exceeds 10 residential units, the development is in excess of the threshold for seeking Planning Obligations in accordance with the terms of the Council's adopted Guidance. The terms of the S106 Legal Agreement that has already been sealed on the earlier Outline Planning Permission needs to be repeated in respect of a new S106 Legal Agreement associated with this current planning application
- (iv) The Highway Authority concerns in relation to the scheme are noted but as indicated above in such locations adjacent to the town centre for the use intended it is quite in order not to make full provision for on-site car parking. The design of the proposal is felt to be sympathetic and in keeping with the character of the surrounding area and indeed an improvement on the form an appearance of the development opposite the site. Street lighting is not a planning consideration and point no. 3 of the Informative covers the concerns about refuse collection. Whilst the requirement for some commercial development is desirable a scheme that provides such high levels of social housing much needed in the town would be unlikely to be economically viable if mixed uses were insisted upon.

In conclusion, the proposed development is therefore considered to accord with development plan policy. The construction of a 3/4 storey building on this site is considered appropriate since much of the development within the surrounding area is of this nature. The requirement for the amenity space area for the flats would be around 500 sq metres. Since there is insufficient space within the development for children's play area to be provided in accordance with Policy L7, it is considered that a pro-rata commuted sum payment in lieu of open space provision for youth and adult use will be required. It is therefore proposed that this be the subject of a S106 legal agreement.

RECOMMENDATION:

That the issue of planning permission be delegated to the Proper Officer subject to the prior signing of a Section 106 legal agreement relating to a pro-rata commuted sum payment in lieu of open space provision for youth and adult use and subject to the following conditions:

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

2. Prior to the commencement of development a scheme for sound insulation between the flats shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be completed before the flats are occupied.
3. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.
4. A scheme for screen fencing/walling shall be agreed with the local planning authority before the start of construction. The agreed scheme shall be implemented to the satisfaction of the local planning authority before the houses are occupied.
5. Any gates at the entrance to the development must be hung so as to open inwards only and must be set back sufficiently to permit the longest vehicle that can be expected to visit the site to stand clear of the carriageway whilst the gate is operated.
6. Unless authorised by way of a suitable agreement no projections from the building such as bay windows and balconies over the highway will be permitted.
7. Before development is commenced an Environmental Risk Assessment (ERA) to assess the potential for contamination of the site shall be submitted to the local planning authority. Should the ERA reveal that the site is subject to contamination a scheme for its remediation shall be submitted to the local planning authority and approved in writing. The approved remediation scheme shall be implemented and completed to the satisfaction of the local planning authority before the dwellings are first occupied.
8. Before development is commenced the finished floor levels of the hereby approved dwellings in relation to the adjacent properties shall be submitted to the local planning authority and approved in writing.
9. Before the development hereby approved is commenced a scheme shall be submitted to the local planning authority in writing to demonstrate how the history of the use of the buildings on the site is to be marked and commemorated as part of the new development. The scheme shall then be implemented and maintained thereafter.
10. The vehicular crossing into the development must be widened and reconstructed as appropriate, all existing points of access closed and the footway made good all in accordance with the specification of Northamptonshire County Council and using materials compatible to the existing surfaces. The gradient of the means of access is not to exceed 1 in 15 for a distance of 5m from the highway boundary.
11. To provide pedestrian to vehicle visibility, splays of 2m x 2m must be provided and maintained on both sides of the point of the access.
12. Before the development commences a scheme for refuse collection shall be submitted in writing and approved by the local planning authority.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of residential amenity.
3. In the interests of amenity.
4. In the interests of amenity and privacy.

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0288/F****PROPOSAL: The addition of 1 x 0.6m microwave dish.****LOCATION: Manton Water Tower, Knuston Spinney, Irchester, Wellingborough.****APPLICANT: Miss Angela Valenti, Orange.**

This planning application is subject to consideration by the Regulatory Committee due to an objection to the proposal raised by Irchester Parish Council.

PROPOSAL AND DESCRIPTION OF SITE:

The site is an existing telecommunications site. The existing structure, the water tower, is set within the open countryside on the edge of the built up area of Rushden. The structure which has a maximum height of approximately 30 metres houses antennae for a number of telecommunications operators.

This application seeks planning permission for the installation of 1 No. 0.6m microwave dish.

RELEVANT PLANNING HISTORY:

As mentioned above the water tower structure is an existing telecommunications site with a number of telecommunications operators siting equipment on the structure and within the compound. Various permissions have been granted since 1983 for telecommunications development.

NATIONAL AND LOCAL PLANNING POLICY:

T12 of the Borough of Wellingborough Local Plan.
Planning Policy Guidance Note (PPG) 8.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. East Northamptonshire Council – no objection as it is considered that the siting and design are appropriate and that no adverse visual impact will result upon the district of East Northamptonshire.
2. Rushden Town Council – no objection.

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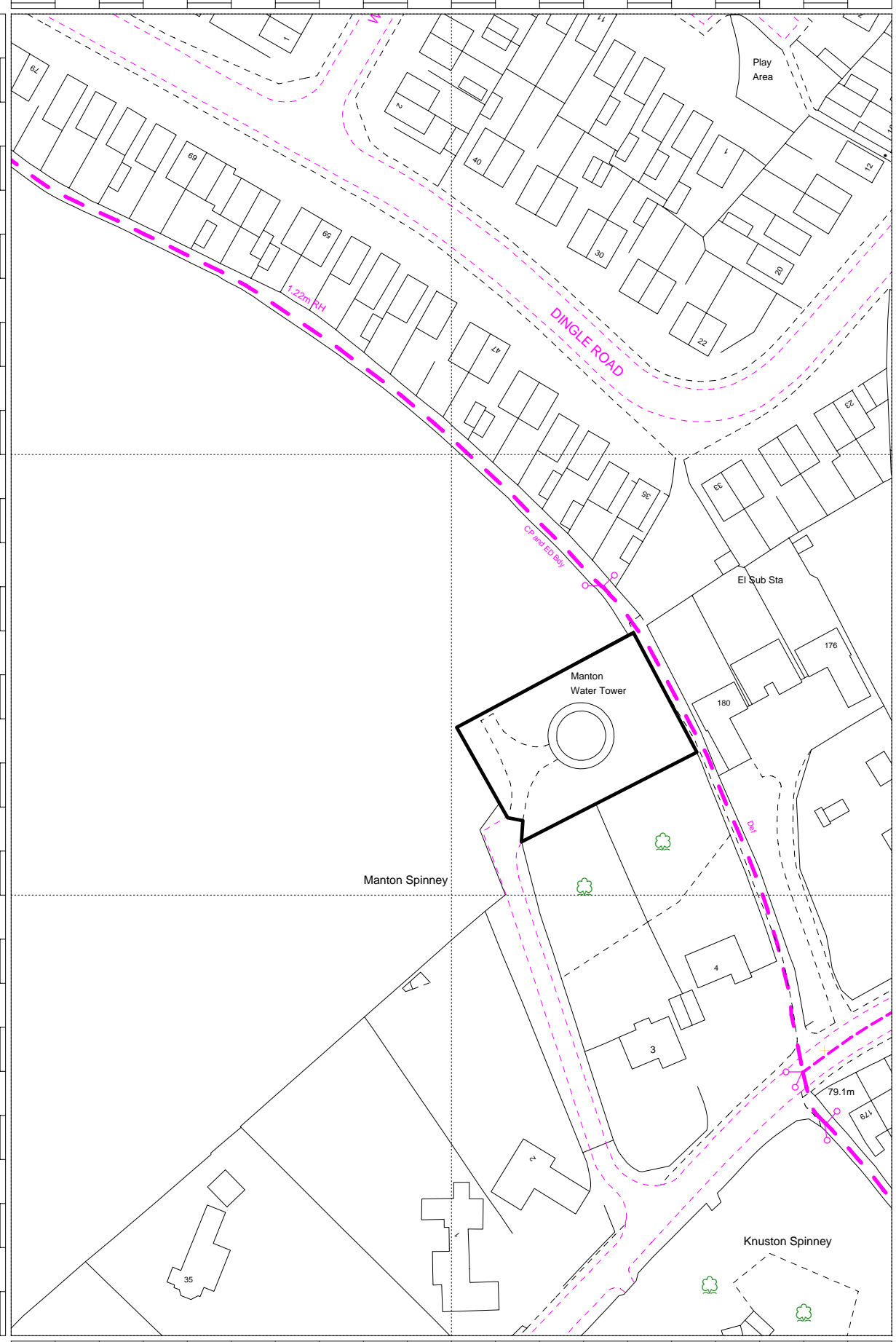
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3. Irchester Parish Council – objection raised as it is considered that the water tower has enough masts already and does not warrant a further microwave dish.
4. Third Party – a letter of objection has been received from a neighbouring occupier. Objects on the following grounds:
 - Devaluation of property.
 - Unsuccessful attempts to sell property on Dingle Road.
 - New dishes may be smaller but they are more powerful.
 - Equipment was installed in August 2005 without public consultation.
 - Concern regarding microwave radiation from the site.
 - A request is made that the level of radiation is checked by the environmental health department.
5. A verbal concern was raised by another member of the public. No written representation has been received at the time of writing this report.

ASSESSMENT:

This application proposes the installation of 1 no. 0.6m microwave dish. Due to the form of development proposed and the site location, this proposal shall be assessed in terms of Planning Policy Guidance Note (PPG) 8: Telecommunications and Policies T12 and G6 of the Borough of Wellingborough Local Plan. A sequential approach to the installation of telecommunications equipment is advocated by both national and local policy in order to limit the visual intrusion caused by the proliferation of masts. PPG 8 and local plan Policy T12 both state that existing telecommunication sites comprising masts or other structures should be shared where possible. The application is therefore considered to be in accordance with both national and local planning policy. It is considered that the proposal will not have a material impact on visual amenity and will not adversely affect the character of the open countryside location which the site occupies. The third party representation which details concerns about levels of radiation has been passed to the Environmental Protection section for investigation.

The applicant has made the following response in relation to the concerns raised by representations:

“I can confirm that an ICNIRP certificate is not required in the case of a dish upgrade as there are no ICNIRP exclusion zones from an Orange microwave dish. Dish antennas are "safe by design" and it is not possible to exceed the permitted ICNIRP levels from an orange dish. This additional dish will not effect our compliance with the ICNIRP standards from the installation.

We can confirm that the dish will not increase the levels of radiation on the site as there are no levels of radiation from a dish antenna. Dishes have very low out-put powers so they can be considered touch safe. We can confirm that they are completely compliant with the national safety standards from behind, around the sides, above and below the dish.”

With regards health concerns PPG 8 states the following:

“However, it is the Governments firm view that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health. In the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”

It is considered that the proposal is in accordance with the relevant policies of the development plan and there are no material planning considerations which would constitute a sustainable reason for refusal.

RECOMMENDATION:

Approve with conditions.

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

Reason:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with regional guidance and the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically Regional Spatial Strategy 8 and the following policy: T12 of the Borough of Wellingborough Local Plan.
2. The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Number:	Date Received:
10/NHS/5015/U01 Issue 2	
10/NHS/5015/U02 Issue 1	
10/NHS/5015/U03 Issue 2	
10/NHS/5015/U04 Issue 2	10/05/2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0292/F****PROPOSAL: Change of use of land from paddock to domestic garden.****LOCATION: 7 Church Farm House, Mile Street, Bozeat, Wellingborough.****APPLICANT: Dave Harrison.**

This application has been referred to the Regulatory Committee by Bozeat Parish Council due to concerns that an approval may lead to development of the site.

PROPOSAL AND DESCRIPTION OF SITE:

The site is located within the Village of Bozeat, in the south of Wellingborough and is accessed via the unclassified Hensmans Lane. The land is within the curtilage of 7 Church Farm House, Mile Street. The site is currently being used as garden land and has been for a time period in excess of 10 years.

RELEVANT PLANNING HISTORY:

WR/64/161 Housing site – refused.
 BW/80/143/O Residential development of the paddock – withdrawn.
 BW/89/350/O Site for detached bungalow at the paddock – refused.
 No further relevant planning history

NATIONAL AND LOCAL PLANNING POLICY:

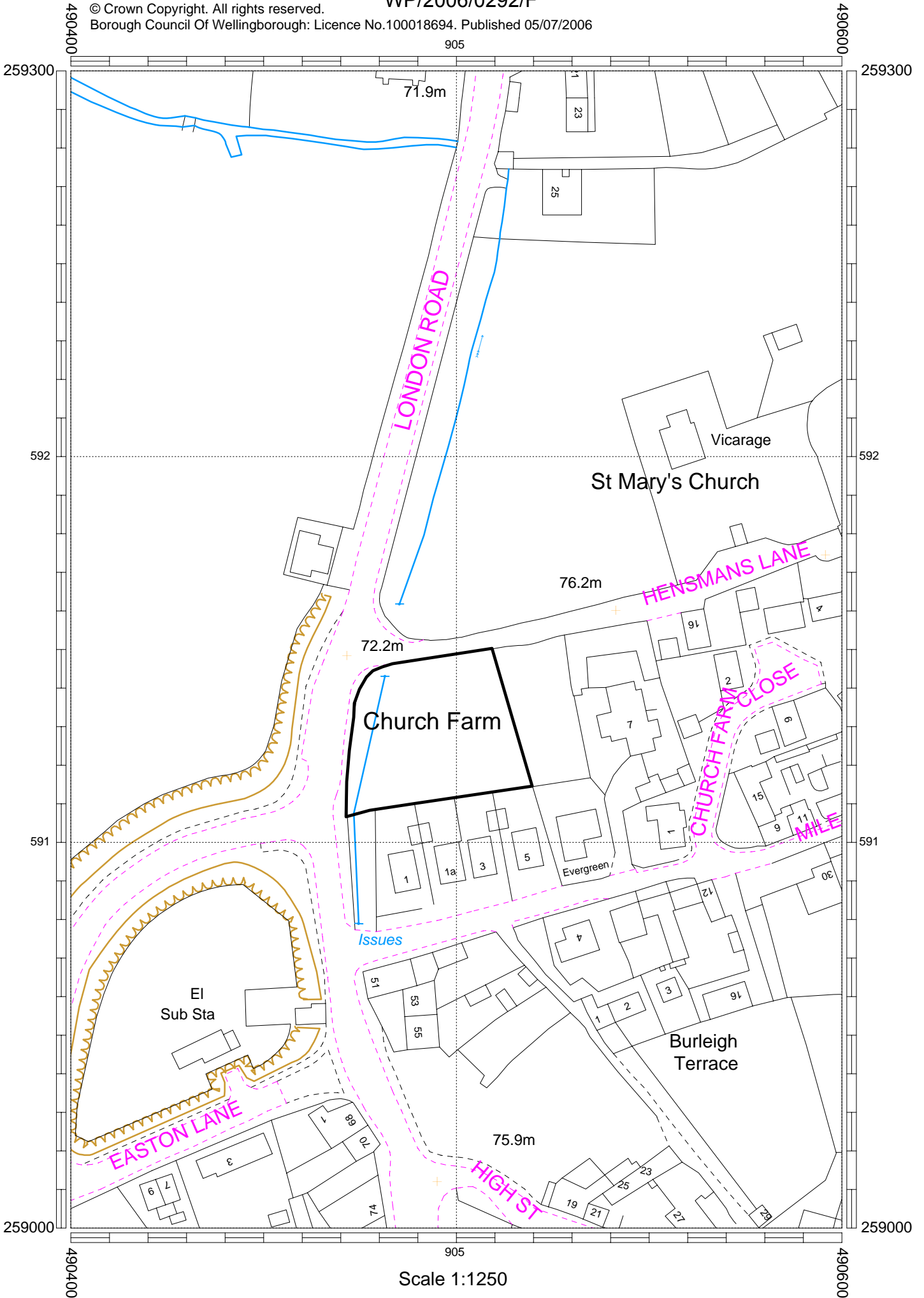
Wellingborough Local Plan Policy: G1 and G19.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. Bozeat Parish Council:

“We are concerned that, should this application be granted, it could lead the way to a future application to build on the paddock. We would ask that all possible measures be taken to ensure that this paddock is never in any danger of being materially changed or built upon, it is an important area of open space in the village and protects the view of a listed building’

No further representations received.



ASSESSMENT:

This application relates to land which is part of an area designated as 'Environmentally Important Open Space' in the adopted borough of Wellingborough Local Plan. It is a retrospective application as the land is already in use as garden land.

Affect upon Neighbours Amenity

The application is for a change of use of the land from a paddock to garden land and does not involve building work of any description and hence does not increase the impact the site has upon neighbouring properties. It is therefore considered that the proposal is in accordance with policy G1 of the Local Plan.

Loss of Amenity Space

The application site is within the enclosed curtilage of 7 Church Farm House, Mile Street and as there are no works proposed, therefore there is no loss to the amenity space currently enjoyed by the property. Given that the area of land is considered to be an Environmentally Important Open Space it is necessary to consider Policy G19 of the Wellingborough Local Plan. This Policy seeks to protect such areas from the impact of built development. As the application does not involve the development of the site in any form the area remains in its present state and therefore does not result in the loss of an area designated as environmentally Important Open Space, it is therefore deemed to be in accordance with Policy G19.

Character and Setting of Locality

The paddock is set within the grounds of the Grade II listed 7, Church Farm House, Mile Street, given that the application does not involve construction of any description there is considered to be no detrimental impact upon the setting or detract from the character of the listed building.

Planning Out Crime Implications

Having consulted Supplementary Planning Guidance IV: Planning Out Crime in Northamptonshire there are no crime implications with regard the change of use given the continued enclosed nature of the site and therefore its continued sense of ownership.

Highway Implications

The change of use is not expected to increase traffic to the site or involve any additional maintenance traffic, with access gained via a small gate on to Hensmans Lane and as there are no building works proposed there is no increased affect upon the safety and convenience of the highway. Therefore having consulted the NCC document 'Minor Planning Applications that have an effect on the highway' be applied to this application there are no highway grounds for refusal of this application.

Response to Representations

The application site has been garden land for over a ten year period and as such can become subject to a Certificate of Lawful Development and therefore does not allow for conditions to be put on the site. The application submitted, however is a full application and therefore means that certain conditions can be imposed in order to control the development of the site. Should this change of use application be approved the land will still remain as an area of Environmentally Important Open Space and any proposed development be judged in accordance with Policy G19, as discussed above. The

paddock in becoming a domestic garden does not make the possibility of the development of the site more or less likely should a residential development application be received.

Summary

Having considered the above, there are no material planning considerations to justify refusal of this application and is therefore in accordance with policies G1 and G19 and highway guidance and is hereby recommended for approval.

RECOMMENDATION:

Approval subject to the following condition.

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order no outbuildings, hardstanding, storage tanks, gates, fences or walls or other means of enclosure shall take place without full planning permission from the local planning authority.

Reason:

1. To maintain the open character of the site and in the interests of visual amenity.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies: G1 and G19 of the Borough of Wellingborough Local Plan.
2. The applicant is advised that this decision relates to the area shown in red on the 1:1250 scale site plan received in connection with this application.

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0293/F**

PROPOSAL: Amendment to previously approved scheme WP/2005/0701/F, dwelling with family annex to replace existing dwelling and outbuildings considered to be beyond repair.

LOCATION: The Bungalow, 31 Furnace Lane, Little Harrowden, Wellingborough.

APPLICANT: Mrs Webb.

This application is subject to the consideration of the Regulatory Committee due to more than three objections being received.

PROPOSAL AND DESCRIPTION OF SITE:

The site is a derelict dwelling situated on a large plot of land which measures approximately 32m x 56m. The bungalow and outbuildings which formerly occupied the site have been demolished. The site is located within the open countryside. Access to the site is provided off Furnace Lane. Trees and hedgerow run along the highway boundary. This extends along part of the frontage of the site. Some trees run along the side and rear boundaries of the site. A row of terraced properties is found approximately 17m to the east of the site. A small industrial estate is found to the east and north east of the application site.

This application seeks an amendment to Planning Permission WP/2005/0701/F for a dwelling with family annexe to replace existing dwelling and outbuildings considered to be beyond repair.

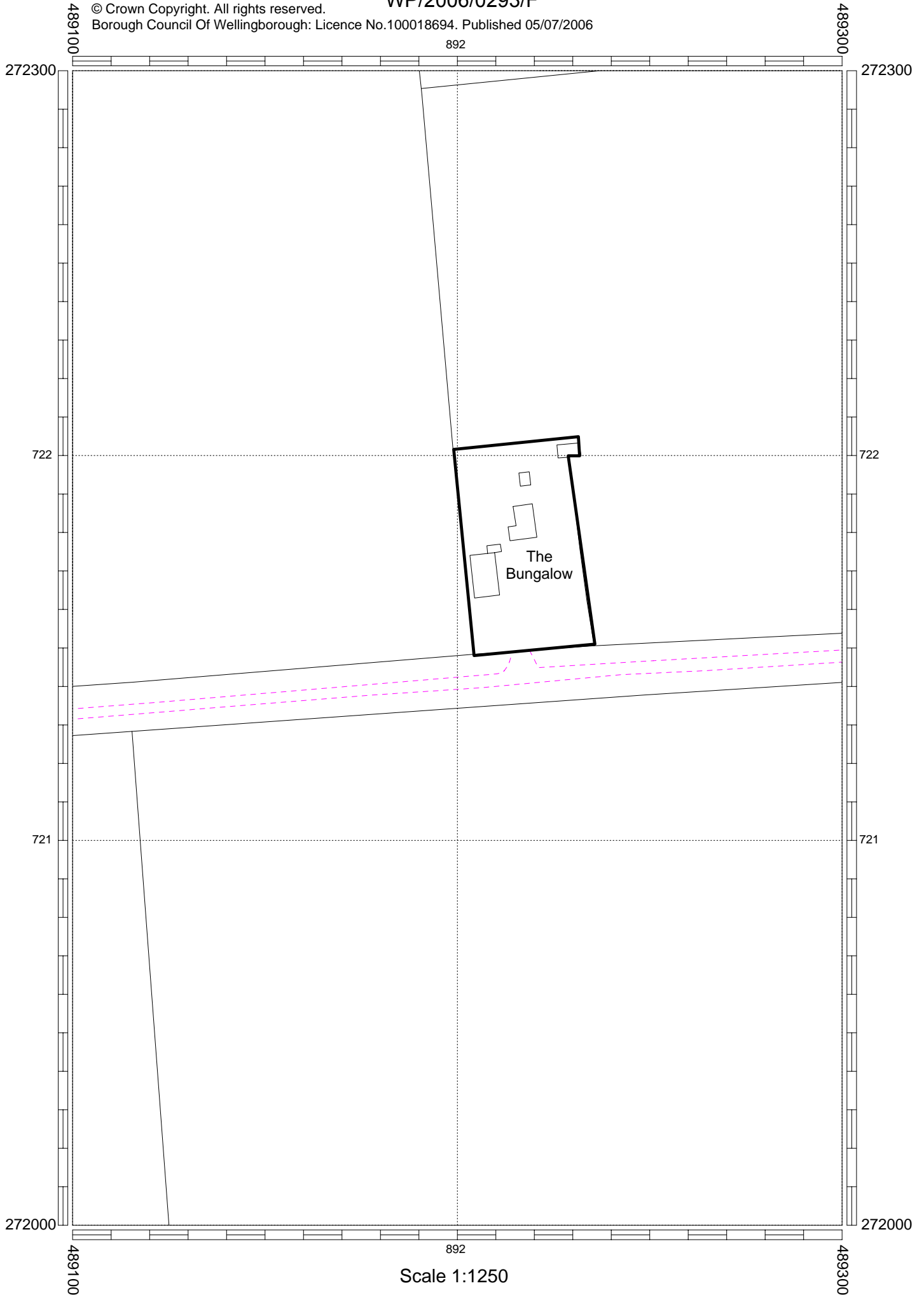
RELEVANT PLANNING HISTORY:

WP/2005/0701/F Dwelling with family annexe to replace existing dwelling and outbuildings considered to be beyond repair – approved with conditions.

The above application was approved on 5th January 2006. This current application constitutes a revised application. The footprint of the dwelling has been reduced and the proposal design has changed.

WP/2006/0293/F

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Scale 1:1250

NATIONAL AND LOCAL PLANNING POLICY:

G1, G6 and H14 of the Borough of Wellingborough Local Plan.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. Little Harrowden Parish Council – no representation received.
2. Highways Authority – no objection on highway grounds subject to the permission enuring for the applicant only for the purposes stated on the application. It is advised that there is no budget or programme for improvement to Furnace Lane. Recommendations are made regarding construction of the access, gates, visibility splays and driveway. The Highways Authority requires an amended plan to be submitted indicating compliance with these recommendations.
3. Environment Agency – the proposed development lies within 250m of a former landfill site. It is thought unlikely that the site is producing landfill gas in any quantity sufficient to become hazardous. It is advised that the Environmental Management Team may hold additional information regarding the waste types, volume, and period of operation of the site. The team will also consider whether any further site/ground investigation is required with regard to the proximity of the proposed development to the landfill site identified. No comment from the Environment Management Team has been received at the time of writing this report.
4. Rights of Way Officer, Northamptonshire County Council – no objections to the application but the following comments have been made in respect of public rights of way.

A public right of way, footpath TK20 runs adjacent to the access to the development site. The following points should be taken in to account:-

- The routes must be kept clear, unobstructed and safe for users at all times. No structures or materials may be placed on the right of way.
 - Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by this office.
 - If as a result of the development the right of way needs to be closed a Traffic Regulation Order will be required. An application form for such an order is available from Northamptonshire County Council, a fee is payable for this service and a period of six weeks notice is required.
5. Third Parties – five letters of objection have been received from third parties. Grounds of objection are as follows:
 - Increase in size of footprint and overall height which is almost three storey (when the original was a bungalow). The proposal exceeds the floor area of the original bungalow and is not commensurate with that of the existing dwelling. Proposal is not in accordance with Policy H14.

- The proposal is inappropriate for Furnace Lane and out of character with the area.
 - The proposal is out of proportion to the surrounding cottages and the balconies would be an eyesore.
 - Object to soft wood cladding, hardwood should be used.
 - Affect on wildlife on site.
 - Increased traffic movements along an already unmade road and increased danger to residents and walkers (unlit byway).
 - Development will lead to deterioration of the highway.
 - The application hints at the ambition to sell the plot as two plots - an enquiry relating to three affordable homes was previously regarded as unlikely to receive approval due to the open countryside location and policy on new residential development in such locations.
 - Concerns regarding the removal of buildings on site containing asbestos.
 - Problems with sewer.
 - Overlooking.
6. Memorandum received 5th July 2006 from the Senior Environmental Health Officer in response to concerns regarding the removal of buildings containing asbestos.

It is stated that the applicant should submit information on asbestos removal at the site in the form of a suitable investigation and risk assessment on the presence of asbestos.

ASSESSMENT:

Approval of Previous Scheme WP/2005/0701/F

The principle of this development has been set by the grant planning permission WP/2005/0701/F. It was considered that this previous scheme was in accordance with the provisions of Policy G6 in that the application proposed a limited number of buildings, i.e. one replacement dwelling, and would not result in a local proliferation of new buildings or structures. An appropriate landscaping condition was imposed to ensure that the development would be suitably screened. In terms of visual impact it was considered that the development would be an improvement to the particular site and would enhance the character of the surrounding open countryside. Overall, it was considered that the development would not have an adverse environmental impact. Policy H4 specifically refers to residential development within the open countryside. This policy permits residential development in this location providing that a number of criteria are satisfied. It was considered that the need for the replacement dwelling was justified due to the condition of the original dwelling which occupied the site. Although the previous scheme proposed a dwelling with a slightly larger footprint than that of original dwellinghouse and former outbuildings combined, it was considered on balance that the scale of the development was acceptable. The permission concentrated development in the centre of the site and was considered to have less of an impact on the open countryside in terms of number of buildings. Conditions were imposed to remove permitted development rights to extend the property and construct additional building plus to ensure that the proposed annex accommodation remains ancillary to the main dwellinghouse.

Current Proposal WP/2006/0293/F
Character of Site and Proposal Design

Although the footprint of the dwelling has been reduced it is considered that the proposal design is unacceptable in terms of the location which the site occupies. The proposed dwelling will be obtrusive and will detrimentally affect the character of the open countryside location. The proposed dwelling is considered to be top heavy in terms of the size and extent of the roof. Design features including the proposed balconies, garage doors and roof shape are not considered to be an appropriate form of design within this sensitive location. Overall it is considered that the design is not acceptable in this open countryside location and will detrimentally affect the character of the area. The application is therefore considered to be contrary to the relevant policies of the development plan.

Effect on the Highway and Access

No objection has been raised by the Highways Authority on highway grounds subject to the permission enuring for the applicant only for the purposes stated on the application. A number of recommendations are made regarding construction of the access, gates, visibility splays and driveway. Compliance with these should be indicated by way of an amended plan.

Other Considerations

Letters which detail concerns regarding the removal of buildings on site containing asbestos have been passed to the Environmental Protection Team at the Borough of Wellingborough Council.

Summary

The proposal is considered to be contrary to Policies G1 (1) and G6 (3) of the Borough of Wellingborough Local plan for the reasons set out below.

RECOMMENDATION:

Refuse.

1. The proposed development would be contrary to Policies G1 (1) and G6 (3) of the Borough of Wellingborough Local Plan in that if permitted due to the proposal design it would be an obtrusive development that would detrimentally affect the character of the open countryside location within which the site is situated.

POLICY G1

PROPOSALS FOR DEVELOPMENT WILL NORMALLY BE GRANTED PLANNING PERMISSION WHERE THE DEVELOPMENT:

1. IS OF A HIGH STANDARD OF DESIGN WHICH RESPECTS AND ENHANCES THE CHARACTER OF ITS SURROUNDINGS.

POLICY G6

DEVELOPMENT IN THE OPEN COUNTRYSIDE WILL NOT BE GRANTED PLANNING PERMISSION UNLESS:

3. IT INCLUDES LANDSCAPE SCREENING, AS APPROPRIATE, AND ALL BUILDINGS AND STRUCTURES ARE DESIGNED, SITED AND OF MATERIALS TO MINIMISE ADVERSE IMPACT UPON THE INTRINSIC CHARACTER OF THE COUNTRYSIDE.

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0297/O****PROPOSAL: Outline application for detached dwelling 2 storey 3 bed with garage (access from Cherry Avenue).****LOCATION: Breezehill Cottage, 45A Cedar Way, Wellingborough.****APPLICANT: T Driscoll.**

This application is referred to the Regulatory Committee for determination because more than two letters of objection have been received from neighbours.

PROPOSAL AND DESCRIPTION OF SITE:

Outline application for the erection of a dwellinghouse utilizing an existing joint access with Breezehill Farm onto Cherry Avenue. Breezehill Cottage has a vehicular access onto Cedar Way that has been developed without the need for planning permission under permitted development rights.

The application site is irregular in shape and there is an existing double garage. Breezehill Farm has several windows in its northeast elevation that appear to serve habitable rooms which measures as approximately 7.5m. to the boundary of the major part of the application site. Growing in the application site on the boundary with Breezehill Farm are two variegated holly trees. Beyond the application site's southwestern boundary is the rear wall of Breezehill Cottage which has a gap of 1m to the fence that has been erected to separate off the garden and it also has windows that face directly onto the proposal site. Adjoining the northeastern and northwestern boundaries are the rear garden areas of dwellinghouses that front onto Cherry Avenue, the shortest of which is approximately 18m. No. 10 Cherry Avenue has a row of mature conifers growing on the site boundary.

At the point of access onto Cherry Avenue there is a 1.8m high steel palisade fence with gaps between the uprights that could allow a reasonable degree of pedestrian to vehicle visibility. It would appear however that the school has done little to prevent the growth of the elder tree and other plants within its curtilage to enhance the existing standard of safety of the children ingressing and egressing the grounds. No. 16 Cherry Avenue on the other side of the point of access has a 0.72m high boundary wall with a 0.98m high pillar on the corner; both are below the 1m high permitted development tolerance for a boundary wall that is adjacent to a highway capable of vehicular traffic.

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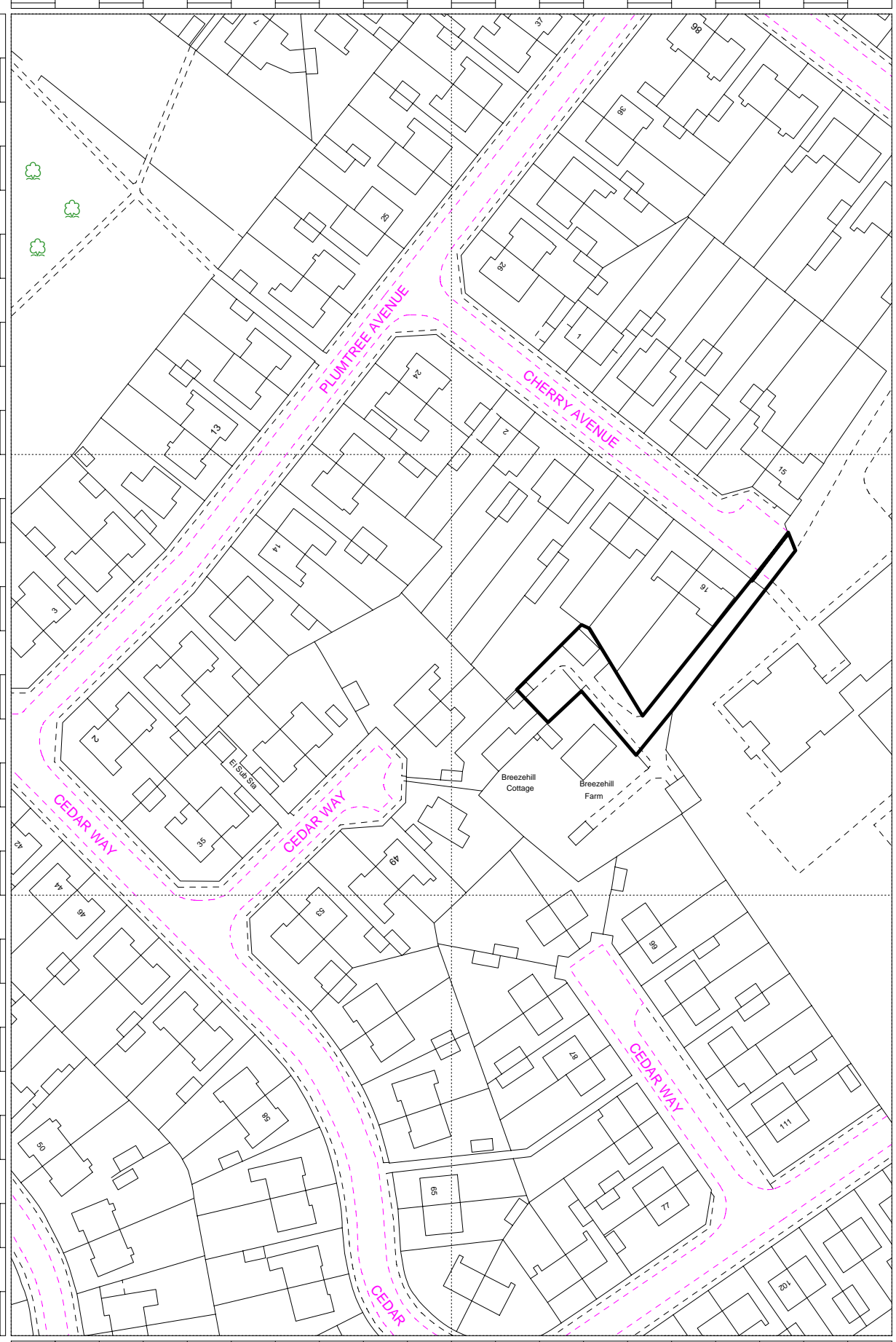
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The width of the private driveway at the point of access is 3.05m between the kerbstones and 3.9m between the school fence and the boundary wall of no. 16.

RELEVANT PLANNING HISTORY:

None relevant.

NATIONAL AND LOCAL PLANNING POLICY:

Regional Spatial Strategy 8.

Northamptonshire County Structure Plan - GS5 and H6.

Borough of Wellingborough Local Plan – G1, H1, T9, UH1 and UH5.

Supplementary Planning Guidance (SPG) – Parking, Trees on Development Sites, Building Better Places and Planning Out Crime.

Planning Policy Statement 1; Delivering Sustainable Development.

Planning Policy Guidance 3; Housing.

Planning Policy Guidance (PPG) 13; Transport.

Northants County Council – Design Guide for Residential Roads.

Wildlife and Countryside Act 1981 (as amended).

Conservation (Natural Habitats) Regulations 1994.

Anti Social Behaviour Act 2002 section 8 – High Hedges.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. NCC Highways – wrote on 19th June 2006:

“It is intended that vehicular access to the proposal is to be gained by way of an existing substandard shared private drive between Cherry Avenue and the application site in close proximity to the Oakway Schools. A significant interaction between moving, turning and parked vehicles and considerable numbers of parents and children take space at the beginning and end of school time in the limited space available in the cul-de-sac comprising Cherry Avenue. Although the proposal is unlikely to result in a significant increase in vehicle movements it is not considered appropriate to encourage any development that may result in additional conflicts with vulnerable road users. In view of the potential for conflict presented by the proposal the application cannot be supported on highway grounds.”

2. The Highway Authority wrote again on 21st June 2006:

“An inspection has been made in the area and it is noted that operations have been carried out to provide vehicular access to Breezehill Cottage from Cedar Way. This has the result that no additional traffic will be encouraged to use the shared access onto Cherry Avenue in spite of the present application. In the circumstances, although the existing share private drive is of substandard width and geometry, it is unlikely that an objection to the application on highway safety grounds can be sustained. I understand that, in order to ensure that vehicles can enter and leave in a forward direction, it is your intention to require the applicant to demonstrate that a turning space can be provided within the site of the application.”

3. Neighbours – letters of objection has been received from the occupiers of The Annex Breezehill Farmhouse; Breezehill Farmhouse; 10, 12, 14 and 16 Cherry Avenue who cite the following reasons for opposing the scheme:

- Reference to Breezehill Cottage having a Cedar Way postal address but it's only access is onto Cherry Avenue.
- Access road is a single track private drive with no means of passing and is not suitable for heavy delivery vehicles.
- Impact of new building close to an existing dwellinghouse.
- Detrimental effect on roots of bordering trees which provide a habitat for bats and breeding birds.
- Loss of privacy.
- Loss of light.
- Precedent could be set for future development.
- Size of proposed plot is out of keeping with surroundings.
- Opinion that length and layout of the driveway would make access for emergency vehicles difficult.
- Parking and turning difficulties for the dwellings that currently use the private driveway.
- Opinion that there is insufficient room for a soakaway.
- Comments regarding the current access arrangements and danger to school children.
- Cherry Avenue and the surrounding area in the process of becoming a 20mph zone with the associated road markings and additional traffic from the proposed dwellinghouse will be a danger to children.
- Possible subsidence of the access road.
- Damage to boundary fences.
- Disruption caused by building work
- Annex to Breezehill Farmhouse being subdivided from the principal dwelling.
- Assertion that services will no be allowed to be laid under adjoining land.
- Reference to planning history of another site in the locality.
- Noise and disturbance from an additional household would disturb a quite environment in which to study.

A letter has been received from the Head Teacher of Oakway Junior School who comments that he believes the County Council granted access to the site in perpetuity almost 50 years ago. The Head Teacher also refers to concerns regarding the proposed access to the site, parking difficulties and extra traffic that would compromise children's safety.

ASSESSMENT:

The material planning considerations are:

- Compliance with policy
- Access
- Amenity spaces
- Effect on neighbours amenities
- Effect on visual amenity
- Crime and disorder

Compliance with policy

The proposal site is situated on a brownfield site within the built up area of a town and the scheme is therefore considered to be in accord with elements of Government guidance and other development plan policies with regards directing new housing development to brownfield sites within urban areas. There are however other issues to consider that are expressed in the Building Better Places SPG with regards standards of amenity spaces for proposed and existing plots. The applicant has specified that the intended dwelling is to be a house with three bedrooms and two storeys high. It can be clearly seen that the site is small and the upstairs windows, whatever direction they face, will have an uncomfortable relationship with regards the effect on the existing standard of privacy of the surrounding residents which is examined more closely below.

Access

The comments of the County Highway Authority are noted and there are several aspects of the access arrangements that need to be examined.

- As described above Breezehill Cottage has a vehicular access onto Cedar Way and in relation to the amount of vehicular movements that are likely to be generated from a new dwelling instead of the existing dwellinghouse utilizing the Cherry Avenue access, will not be any different. It is accepted that the Cherry Avenue access is deficient in term of both width and visibility splays but a new dwelling that uses the same access as the existing dwelling will be no different from the exiting situation and is therefore difficult to resist on highway safety grounds when the Highway Authority has not produced any accident record to indicate that the current situation is demonstrably unsafe.
- The existing steel palisade fence does provide a measure of visibility, despite the elder tree, internal fence and other landscaping within the school site. It is clear however that the existing standard of pedestrian to vehicle visibility available for children and parents could be significantly improved if the school instigated a maintenance regime that removed the elder tree, or at the very least reduced its height and deleted other planting on, or close to, its boundary with the access. It should be noted that there are many fencing products on the market that would provide an even greater standard of transparency and still afford a high level of security which could be installed by the school if it believed the current access situation, which will be made no worse by the proposal, to be hazardous.

The application site does have an area of hard surfacing in front of the existing garage that before the site was separated afforded the opportunity for the occupiers of Breezehill Cottage to turn vehicles around within the curtilage so they could enter and leave the private drive and access in a forward gear. The layout plan that accompanies the application shows a measurement of 6.4m at the narrowest point of the turning area which is slightly deficient by 0.6m. with regards the NCC domestic turning area standard. The applicant has been asked to provide a plan that illustrates a turning head within the site but at the time of writing the report no such plan had been received. Both PPG3 and PPG13 promote flexibility with regards the application of standards and the adopted SPG Parking states that "adequate access and manoeuvring space will be necessary in all cases". It is considered that the slightly sub standard turning area which will allow an adequate turning area for the application site is not sufficiently material to warrant refusing the application on the grounds of highway safety.

Amenity space

The proposed site comprised the major part of the amenity area that was available for the residents who occupied Breezehill Cottage before the site was divided. It is considered that to authorize the severance of this amenity space would result in an unacceptably small residual area of garden which would consign the residents to an overly cramped existence and would not be appropriate for a dwellinghouse of its likely size. The access difficulties with the proposed site have been discussed above and the provision of an adequately sized turning head within the site would dictate that the footprint of a reasonably sized dwelling would produce a token amenity area for the use of the potential denizens.

It is considered that the proposal would result in an unacceptably cramped environment and is therefore contrary to Policies G1.1, UH5.2 and UH5.5 of the Borough of Wellingborough Local Plan and the provisions of the adopted SPG 'Building Better Places.'

Effect on neighbours' amenities

It is considered that the proposed development will have an overly harmful effect on the standard of amenities that are currently enjoyed by the occupiers of the surrounding dwellings that is sufficient to warrant refusing the application for the following reasons:

- The position of the proposed footprint, as discussed above, would locate the dwelling in close proximity to the existing occupiers at no. 45 Cedar Way, Breezehill Cottage and Breezehill Farm. It is acknowledged that the application is in outline form but the bulk of the intended building in such close proximity to the neighbouring residents would have an overbearing and depressing impact due to the paucity of space between the respective buildings.
- The propinquity of the proposed dwelling to the adjacent amenity areas will result in an unacceptable loss of privacy. It is acknowledged that there is a line of conifers growing in the rear garden of no. 10 Cherry Avenue that would protect the privacy of theirs and others back garden areas, but since the inception of section 8 of The Anti Social Behaviour Act 2003 which regulates high hedges the screening effect of the conifers cannot be relied upon.

The proposal is therefore contrary to Policy G1.2 of the Borough of Wellingborough Local Plan and the provisions of the SPG 'Building Better Places.'

Effect on visual amenity

It is acknowledged that the application is in outline form only but it is anticipated that the public visual appearance of the area will not be materially affected due to the siting of the proposed plot behind other dwellings that front onto Cherry Avenue and Cedar Way.

Crime and disorder

It is considered that if the school maintained the landscaping on its boundary, and elsewhere on its site, it would allow for a higher degree of natural visibility through the fence to its vulnerable buildings and allow more effective use of security lighting and cctv.

Other issues

The possibility of the annex to Breezehill Farmhouse being used as a separate planning unit has been brought to the attention of the Council's Planning Enforcement Officer for investigation and appropriate action.

None material considerations

- Possible subsidence is regulated by the provisions of the Party Wall etc Act 1996.
- Provision of services to one house.
- Means and adequacy of surface water disposal is controlled by the Building Regulations.
- Damage to boundary fences during construction is a private land issue.
- It is considered that there are adequate powers vested with the Council's Environmental Protection Service should a statutory nuisance be caused because of the construction of the proposed dwellinghouse.

RECOMMENDATION:

Refuse because the proposal is considered to be contrary to policies G1.1, G1.2, UH5.2 and UH5.5 of the Borough of Wellingborough Local together with the provisions of the adopted Supplementary Planning Guidance 'Building Better Places.'

1. The proposal is contrary to policies G1.1, G1.2, UH5.2 and UH5.5 of the Borough of Wellingborough Local Plan and the provisions of the Supplementary Planning Guidance 'Building Better Places' because it would result in inadequate amenity areas for the existing and proposed dwellinghouses and would have a detrimental effect on the standard of residential amenity that is currently enjoyed by the surrounding occupiers. The scheme would also not respect or enhance the character of its surroundings.

POLICY G1

PROPOSALS FOR DEVELOPMENT WILL NORMALLY BE GRANTED PLANNING PERMISSION WHERE THE DEVELOPMENT:

1. IS OF A HIGH STANDARD OF DESIGN WHICH RESPECTS AND ENHANCES THE CHARACTER OF ITS SURROUNDINGS;
2. WILL NOT AFFECT THE AMENITIES OF ANY NEIGHBOURING PROPERTIES OR RESULT IN WIDESPREAD IMPACT, BY REASON OF NOISE, VIBRATION, SMELL, LIGHT OR OTHER POLLUTION, UNACCEPTABLE LOSS OF LIGHT OR OVERLOOKING.

POLICY UH5

PLANNING PERMISSION WILL BE GRANTED FOR RESIDENTIAL DEVELOPMENT WITHIN THE TOWN, AS DEFINED ON THE PROPOSALS MAP, PROVIDED THAT PROPOSALS SATISFY:

2. THE NEED TO CREATE PLEASING ENVIRONMENTS WITH A RANGE OF DWELLING TYPES AND SIZES, IN LAYOUTS THAT RESPECT AND ENHANCE THE BUILDING CHARACTERISTICS AND LANDSCAPE SETTINGS OF THE LOCALITY;

5. THE NEED TO AVOID UNNEIGHBOURLY STANDARDS OF AMENITY IN DESIGN AND LAYOUT.

INFORMATIVE:

The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Numbers:	Date Received:
TD1 and TD2	25th May 2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0305/F****PROPOSAL: Proposed semi detached houses with private garden and off road parking.****LOCATION: Land adjacent to 14 Hewletts Close, Bozeat, Wellingborough.****APPLICANT: Mr D Mallard.**

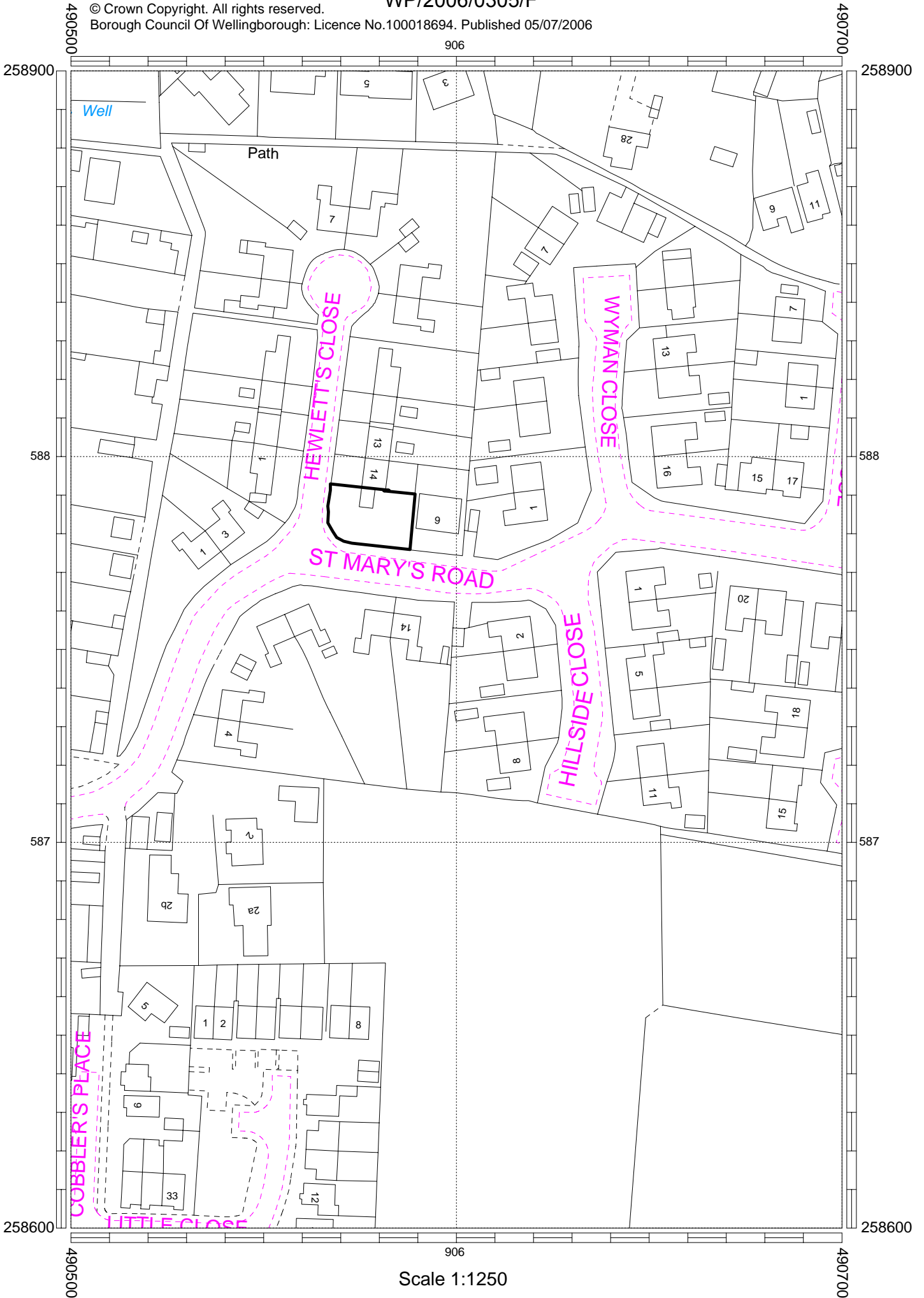
This application is referred to the Regulatory Committee for determination because representations have been received from three nearby neighbours.

PROPOSAL AND DESCRIPTION OF SITE:

Erection of one pair of semi-detached houses with gardens and off road parking. The current proposal has the same footprint as the recently approved proposal for a single dwellinghouse on the site and externally differs from the earlier scheme by minor changes to the fenestration and doors although the appearance of the rear elevation is to remain as previously approved.

The site is currently the side garden area of no. 14 Hewletts Close and it has a 1m high wooden picket fence on the boundary and a 2m high close boarded fence set further back into the site with an extensive hard surfaced area in between. Hewletts Close is a cul-de-sac and the application site is situated on the corner with St Mary's Road. Locally the housing development comprises of terraces and semi-detached properties that have a variety of designs and exterior treatments. Bounding the site is no. 9 St Mary's Road that has a blank flank wall facing the proposed development and a large garage that is associated with this adjacent bungalow. Hewletts Close is characterized by picket fences and well maintained hedges on the front boundaries that enclose lawned areas together with a variety of shrubs and planting. Noticeably there is only one area of completely hardsurfaced driveway at the end of the cul-de-sac that serves a modern bungalow which is set back from the highway in relation to its adjacent neighbours.

At the time of Officer Inspection work had started on the previously approved scheme.



RELEVANT PLANNING HISTORY:

WP/2006/0076/F Proposed detached dwelling, private garden and parking – conditionally approved.

NATIONAL AND LOCAL PLANNING POLICY:

Regional Spatial Strategy 8.

Northamptonshire County Structure Plan – GS5, H1, H3 and H6.

Borough of Wellingborough Local Plan – G1, G4, H1, H3, H12, and T9.

Supplementary Planning Guidance (SPG) – Parking, Building Better Places and Planning Out Crime.

Planning Policy Statement 1; Delivering Sustainable Development.

Planning Policy Guidance 3; Housing.

Planning Policy Statement 7; Sustainable Development in Rural Areas.

Northamptonshire County Council – Design Guide for Residential Roads.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. NCC Highways – does not support the application because it has a presumption against continuous lengths of parking spaces involving multiple points of access onto the highway. The possibility of six adjoining car parking spaces would create the potential for each parked vehicle to obstruct the visibility of adjacent emerging vehicles and increase the number of conflict points between pedestrians and vehicles. One of the illustrated parking spaces has no direct means of access to the highway and its use could result in a vehicle entering and leaving at an oblique angle.
2. Bozeat Parish Council – does not state that it objects to the application but considers that the construction of two semi-detached houses would overcrowd the site. It also understands that neighbouring residents are concerned about the additional traffic and visibility for drivers manoeuvring and exiting Hewletts Close.
4. Neighbours – letters of objection has been received from the occupier of 1, 3 and 8 St Mary's Road who cite the following reasons for opposing the scheme:
 - Danger to highway safety and detrimental effect on vehicular visibility at the junction of St Mary's Road and Hewletts Close.
 - Overdevelopment of the site.
 - Strain on the sewerage system.

A representation of no objection has been received from the occupiers of 12 St Mary's Road.

ASSESSMENT:

The material planning considerations are:

- Compliance with policy
- Effect on the visual amenity of the area
- Effect on neighbours amenities
- Standard of residential amenity for potential occupiers
- Access arrangements
- Crime and disorder

Compliance with policy

The site is brownfield and within the built up confines of a restricted infill village. The proposal therefore is considered to accord with the elements of national guidance and development plan policies that relate to new housing development in the rural area being built within the villages and on previously developed sites, there are however other aspects of policy that need to be evaluated.

Effect on visual amenity of the area

It is considered that the proposed dwellinghouses will have harmful effects on the visual amenity of the area for the following reasons:

- It is accepted that there is a large area of featureless hard surfacing to the front of the intended position of the two new plots and the proposed development would result in this area together with the front of no. 14 being completely dominated by the view of parked cars. By sacrificing the gardens to provide off road car parking provision the entrance to Hewletts Close would resemble a carpark to the detriment of the visual amenity of the street scene. Paragraph 3.17 of the Building Better Places SPG says that parking ought not to dominate layouts and should be designed in such a manner as to avoid visual clutter. The undesirability of a car dominated environment is amplified by the contents of paragraph 2.9 of the SPG 'Parking' which states that car platforms in the front of houses may have a number of negative consequences such as:
 - Reduction in the amount of front garden that is available for landscaping
 - Blurring of the distinction between public and private space
 - Removal of the opportunity to park on the street
 - Introduction of a potential conflict between pedestrians and cars which have to cross the footway to park
- The occupiers of the additionally proposed dwellinghouse will only have a very limited space in which to place the usual chattels and paraphernalia that is evident in everybody domestic habitation of a dwelling and the confined area will exacerbate the sense of overdevelopment of the site.

Effect on neighbours' amenities

It is accepted that the scheme will have an effect on the standard of amenities that are currently enjoyed by the occupier of no. 9 St Mary's Road but it is considered that the possible detrimental effect on the amenities of its occupiers will be insufficient to warrant withholding planning permission for the following reasons:

- The proposed main bedroom window and landing window face directly down onto the blank flank wall of the adjacent bungalow.
- The garden area of no. 9 St Mary's Road is already overlooked by other first floor windows and the oblique overlooking from the proposed windows will not make any material difference.
- There will be a degree of loss of light for the occupier of no. 9 St Mary's Road but it is considered that the residual reception of sunlight will be commensurate with a relatively densely developed village environment.

Standard of amenities for potential occupiers

The plans that accompany the application illustrate a private garden area that measures as 3.4m. at its wide point and 4.8m at its longest giving an amenity space area of 16.32m². The Building Better Places SPG states that dwellings must be provided with an adequate standard of private amenity and goes on to suggest that the rear garden length should be 10.5m to achieve a back to back privacy distance of 21m. Clearly it is difficult to apply these amenity standards to the proposal because of the situation of the proposed garden area of '14B' in relation to the intended building, but it is considered however that the intended garden area is wholly unacceptable because of its small size which would consign the occupiers to an uncomfortably cramped existence.

Access arrangements

It is considered that the proposed access configuration is unacceptable for the reasons given by the Highway Authority in its consultation response.

Crime and disorder

The Planning Out Crime SPG states "Creating a sense of ownership by providing opportunities to clearly delineate between private and public space gives people the opportunity to personalise spaces that they control whilst projecting an image of a well-kept and loved environment". Clearly an area in front of three dwellinghouses that has no boundary fences because of the need to allow unimpeded vehicular access is contrary to the advice contained in the adopted SPG.

None material considerations

An adequate method of sewerage disposal is ensured by the Building Regulations.

RECOMMENDATION:

Refuse.

1. The proposal is an overdevelopment of the site and is therefore contrary to Policy GS5 of the County Structure Plan, Policies G1.1, G1.3, G1.4, T9.1, T9.2 and T9.3 of the Borough of Wellingborough Local Plan and the provisions of the Supplementary Planning Guidance Building Better Places, Parking and Planning Out Crime.

POLICY G1

PROPOSALS FOR DEVELOPMENT WILL NORMALLY BE GRANTED PLANNING PERMISSION WHERE THE DEVELOPMENT:

1. IS OF A HIGH STANDARD OF DESIGN WHICH RESPECTS AND ENHANCES THE CHARACTER OF ITS SURROUNDINGS;
3. HAS A SATISFACTORY MEANS OF ACCESS, PROVIDES ADEQUATE PARKING, SERVICING AND MANOEUVRING FACILITIES AND CAN BE ADEQUATELY SERVED BY PUBLIC TRANSPORT; AND

4. WILL NOT HAVE AN ADVERSE IMPACT ON THE ROAD NETWORK AND WILL NOT PREJUDICE HIGHWAY SAFETY.

POLICY GS5

IN ORDER TO PROMOTE HIGH QUALITY DESIGN AND SUSTAINABLE DEVELOPMENT, ALL PROPOSALS WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

- THE VISUAL APPEARANCE OF THE DEVELOPMENT IN THE CONTEXT OF THE DEFINING CHARACTERISTICS OF THE LOCAL AREA;
- THE NEED TO ENCOURAGE MIXED-USE DEVELOPMENT AND THE RELATIONSHIPS OF DIFFERENT LAND-USE WITH EACH OTHER;
- THE NEED FOR MEASURES FOR PLANNING OUT CRIME; AND
- THE NEED FOR CONSERVATION OF ENERGY, RESOURCES AND THE NATURAL ENVIRONMENT, AND FOR DEVELOPMENTS AND DESIGNS WHICH GIVE PRIORITY TO MEANS OF TRANSPORT OTHER THAN THE PRIVATE CAR.

POLICY T9

IN RELATION TO PROPOSALS INVOLVING THE LAYOUT OF NEW ROADS, A CHANGE IN THE CHARACTER OR VOLUME OF TRAFFIC, OR THE FORMATION OR ALTERATION OF A VEHICULAR ACCESS, PLANNING PERMISSION WILL BE GRANTED WHERE:

1. HIGHWAY STANDARDS ARE SATISFACTORILY MET;
2. THE SCHEME IS NOT DETRIMENTAL TO THE ENVIRONMENT BY REASON, FOR EXAMPLE, OF NOISE, VISUAL INTRUSION OR AIRBORNE POLLUTION; AND
3. IN THE CASE OF NEW ROADS OR ALTERATION TO EXISTING ROADS A SATISFACTORY LANDSCAPING SCHEME IS INCORPORATED, WHERE PRACTICAL.

INFORMATIVE:

The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Numbers:

Site location plan, 14HC(20)DM 01, 14HC-SDA-2002
and 14HC-(20)-DM03

Date Received:

16th May 2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0317/F****PROPOSAL: Creation of a pond.****LOCATION: Meadow Head, Shepherds Hill, Wollaston, Wellingborough.****APPLICANT: Mr S Piercy.**

This proposal is brought before the Committee because it is an application for 'major development' in that the area of the pond exceeds 1000m².

PROPOSAL AND DESCRIPTION OF SITE:

Construction of a landscaped pond 84 metres long by a maximum of 28 metres wide and a maximum of 3 metres deep on agricultural land just outside the village of Wollaston. The lake will have a small island within it.

RELEVANT PLANNING HISTORY:

None specific to the area subject to this application.

NATIONAL AND LOCAL PLANNING POLICY:

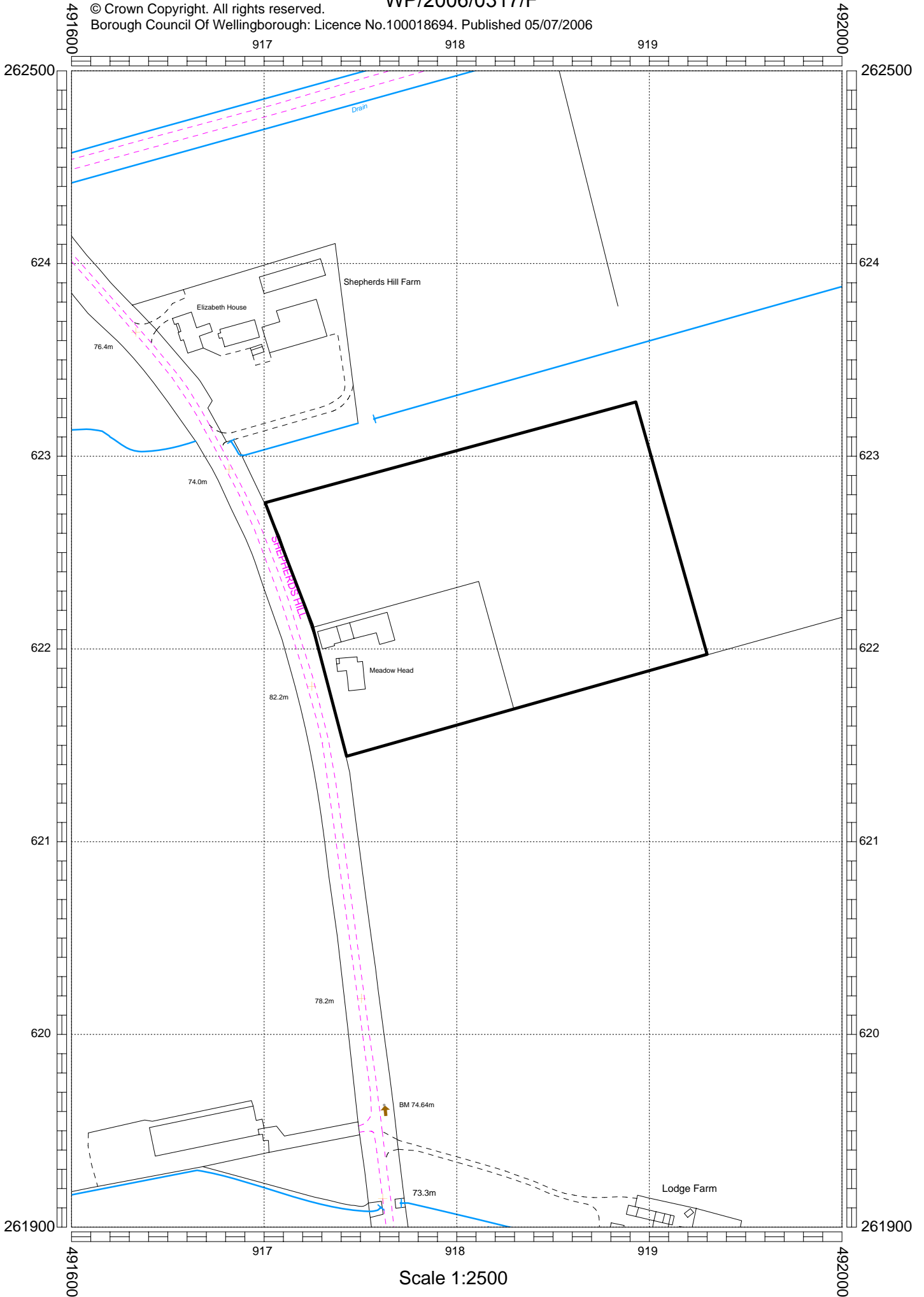
Policies G1 and G6 of the adopted Borough of Wellingborough Local Plan.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. County Highway Authority – provided that the proposal does not involve the import or export of material to or from the site, no objection is raised to the application on highway grounds.
2. Wollaston Parish Council – no objections.
3. Environment Agency – No objections subject to various informative comments.
3. Third Parties – no views received at the time of writing this report.

ASSESSMENT:

This is a proposal to create a large pond in an area of agricultural land which is separated from adjacent fields by a new post and rail fence. It is located in an area defined as 'open countryside' in the adopted Borough of Wellingborough Local Plan.



Policies G1 and G6 of the Local Plan give scope for developments of this nature providing they do not have an adverse effect on the surroundings.

Impact on the landscape

The pond is to be located in a low point in a generally open area of landscape. There are some newly planted trees along the site frontage and further planting is proposed in connection with the pond. It is considered that the pond and the new planting (which can be controlled by planning condition) will be an attractive addition to the surroundings. There is also considered to be sufficient land around the pond to spread any spoil which is generated by its construction without significantly intruding into the surroundings.

The proposal is therefore welcomed on landscape grounds.

Highway implications

The proposal is located adjacent to a narrow country lane. There would be considerable concern if any materials that were excavated to create the pond had to be taken away from the site via this route or if any materials to line the pond were imported this way.

The Highway Authority does not object to the application provided that the proposal does not involve the import or export of material to or from the site.

The applicant's agent has advised that any excavated materials will be incorporated into earthworks around the pond and there is sufficient on site clay to line it to make it watertight.

Furthermore, a condition can be imposed on any permission to secure the Highway Authority's requirements.

On this basis, the proposal is acceptable on highway grounds.

Other matters

The various informative comments made by the Environment Agency have been passed on to the applicant .

Conclusion

Overall, the proposal should be approved.

RECOMMENDATION:

Approve subject to the following conditions.

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The site shall be landscaped and planted with trees and shrubs in accordance with a comprehensive scheme which shall be submitted to and approved by the local planning authority before the development is commenced. The scheme

- shall be implemented concurrently with the development and shall be completed not later than the first planting season following the substantial completion of the development. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.
3. No excavated material shall be imported to, or exported from, the site in connection with this development.
 4. a. Prior to excavation operations taking place, all suitable topsoil and subsoil shall be stripped from the area and stored separately for re-use. b. All operations referred to in (a) of this condition shall be undertaken during suitable, dry weather conditions. During period of uncertain weather conditions, operations shall be undertaken in stages with breaks during wet spells. c. The stored materials shall be sown with grass seed or sprayed with herbicides to prevent weed accumulation.
 5. The area around the pond shall be progressively restored and the final layer shall be covered to a depth of not less than one metre. This one metre covering shall be kept free of materials likely to interfere with final restoration and not less than the top 300mm of this covering shall be composed of topsoil stripped and stored in accordance with Condition 4(a) of this permission or other suitable soil-like material. The remaining covering materials shall comprise the subsoil stripped and stored in accordance with Condition 4(a) of this permission and other suitable material as necessary, spread in their correct sequence.
 6. The final levels of the site shall be in accordance with the contour plan received at the local planning authority on 22nd May 2006.
 7. Upon completion of the works referred to in Condition 5 above the site shall be left in a clean and tidy condition and sown with a suitable grass seed mixture to establish a long term ley.
 8. Any ditches, fences, gates, field drains or water supplies disturbed during the operations, shall be made good where necessary and any further ditches, fences, gates, field drains or water supplies shall be provided on reinstatement for good husbandry.
 9. The earthworks in connection with the development hereby permitted shall cease no later than two years from the date of commencement and the conditions of this permission relating to restoration and aftercare shall be carried out forthwith.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of amenity.
3. In the interests of the safety and convenience of users of the adjoining highway/s.
4. To achieve satisfactory restoration of the land within a reasonable timescale.
5. To achieve satisfactory restoration of the land within a reasonable timescale.
6. To achieve satisfactory restoration of the land within a reasonable timescale.
7. To achieve satisfactory restoration of the land within a reasonable timescale.
8. To achieve satisfactory restoration of the land within a reasonable timescale.
9. To achieve satisfactory restoration of the land within a reasonable timescale.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004 the proposed development complies with the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policies: G1 and G6 of the adopted Borough of Wellingborough Local Plan and Alteration.
2. The applicant is advised that this decision relates to the drawings received at the local planning authority on 22nd May 2006.

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0342/F**

PROPOSAL: Installation of 3 no. transmission dishes on 3 new dish pole mounts with associated feeder cabling and internal works.

LOCATION: Rushden Manton Water Tower, Knuston Spinney, Irchester, Wellingborough.

APPLICANT: Anglian Water Services Limited.

This planning application is for the same site as WP/2006/0288/F. This application is also subject to the consideration of the Regulatory Committee due to an objection made by the Irchester Parish Council on the grounds that the area is sufficiently covered.

PROPOSAL AND DESCRIPTION OF SITE:

The site is an existing telecommunications site. The existing structure, the water tower, is set within the open countryside on the edge of the built up area of Rushden. The structure which has a maximum height of approximately 30 metres houses antennae for a number of telecommunications operators.

This application seeks planning permission for the installation of 3 no. transmissions dishes on 3 no. new dish pole mounts with associated feeder cabling and internal works.

RELEVANT PLANNING HISTORY:

As mentioned above the water tower structure is an existing telecommunications site with a number of telecommunications operators siting equipment on the structure and within the compound. Various permissions have been granted since 1983 for telecommunications development.

NATIONAL AND LOCAL PLANNING POLICY:

Planning Policy Guidance Note (PPG) 8.
T12 of the Borough of Wellingborough Local Plan.

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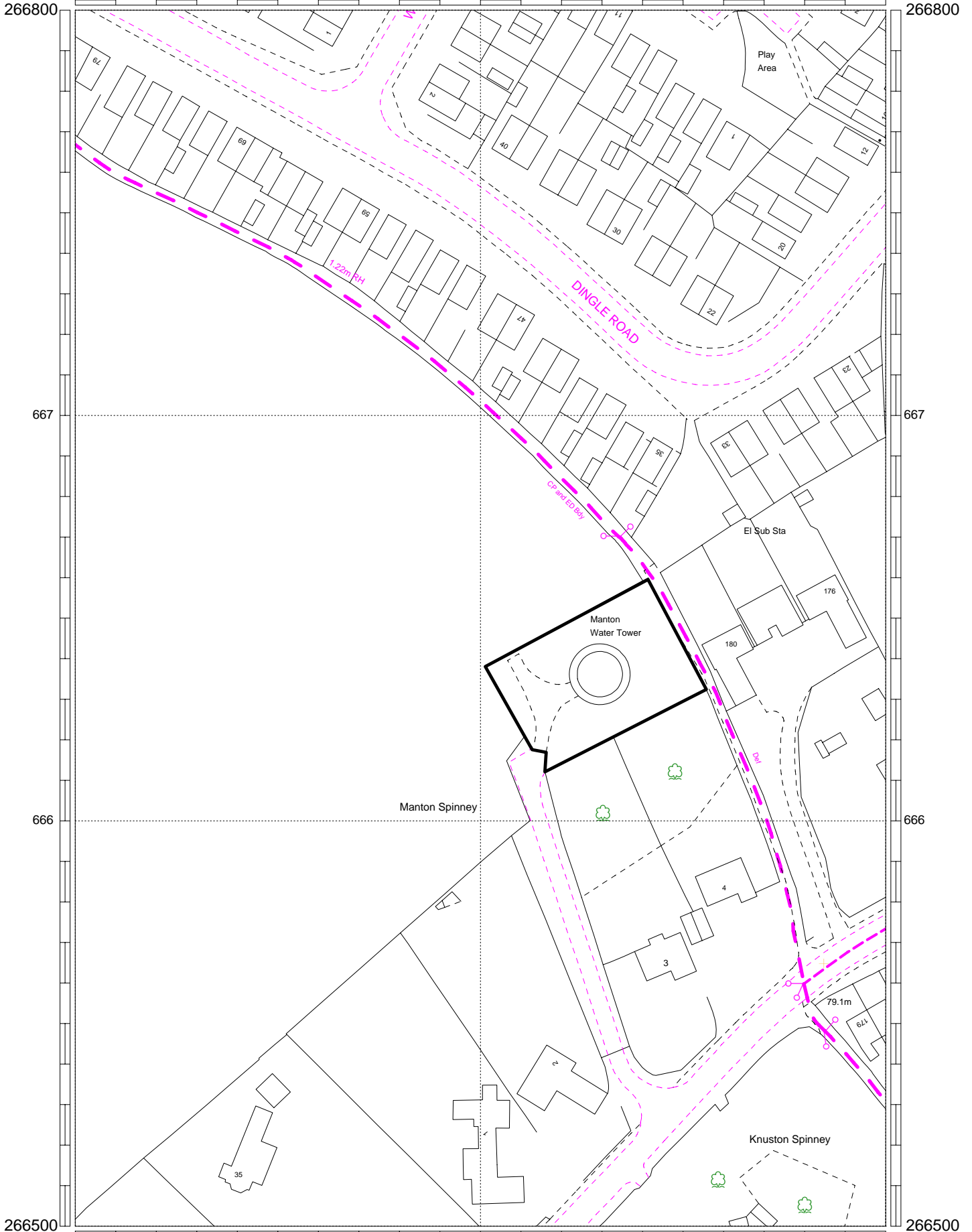
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SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

1. Irchester Parish council – it is felt that the area is sufficiently covered and raises an objection to this proposal.
2. East Northamptonshire Council – a letter has been received acknowledging receipt of the consultation. No further representations have been received at the time of writing this report.
3. Rushden Town Council – no objection.
4. Third Party – a letter of objection has been received from a neighbouring occupier. Objects on the following grounds:
 - The site already has 30-40 dishes and transmitters on it.
 - The site is next to a children's play area in Dingle Road.
 - The amount of equipment on site is devaluing the property prices around the site.
 - Extra equipment put on the site may have an effect on the health of people living so close to this site. (Dishes and masts were taken down near Tennyson Road Infants School in Rushden as residents objected to the equipment so close to the school).
 - Microwave radiation from 1 dish or transmitter may be low. But add 30-40 together on 1 site it must make a difference.
 - Are Anglian Water going to be allowed to keep adding to this site more and more equipment. They would have it jam packed with equipment purely to rake in more revenue from phone companies.

ASSESSMENT:

This application proposes the installation of 3 no. transmission dishes on 3 no. new dish pole mounts with associated feeder cabling and internal works. The proposal is required by Anglian Water as part of the development of a point to point digital microwave radio network between its sites. Due to the form of development proposed and the site location, this proposal shall be assessed in terms of Planning Policy Guidance Note (PPG) 8: Telecommunications and Policies T12 and G6 of the Borough of Wellingborough Local Plan. A sequential approach to the installation of telecommunications equipment is advocated by both national and local policy in order to limit the visual intrusion caused by the proliferation of masts. PPG 8 and local plan policy T12 both state that existing telecommunication sites comprising masts or other structures should be shared where possible. The application is therefore considered to be in accordance with both national and local planning policy. In terms of the impact on visual amenity it is considered that the proposal will not materially affect the appearance of the existing structure to such a degree as to justify a recommendation for refusal and it will not detrimentally affect the character of the open countryside location which the site occupies.

The third party letter of objection raises concerns regarding health risks. The applicant confirms in the Health and Safety statement submitted with the application that the proposed installation is designed to be fully compliant with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-ionising Radiation Protection (ICNIRP). The applicant also confirms that the site has

been designed so that no member of the public can be expected to be exposed to electromagnetic fields in excess of ICNIRP general public guidelines. With regards health concerns PPG 8 states the following:

“However, it is the Governments firm view that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health. In the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”

It is considered that the proposal is in accordance with the relevant policies of the development plan and there are no material planning considerations which would constitute a sustainable reason for refusal.

RECOMMENDATION:

Approve.

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

Reason:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with regional guidance and the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically Regional Spatial Strategy 8 and the following policies: T12 of the Borough of Wellingborough Local Plan.
2. The applicant is advised that this decision relates to the following drawing numbers received on the date shown:

Drawing Number:	Date Received:
Location Plan	
1660/48/1 Rev. B	
1660/48/2 Rev. B	
(430811) 1660/48/3	02/06/2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0354/F****PROPOSAL: Single storey workshop attached to existing garage (previous application WP/2006/0245/F withdrawn due to fire risk of building).****LOCATION: 6 Sywell Way, Wellingborough.****APPLICANT: Mr N Peacock.**

This application is brought before Committee as there have been 3 letters of objection received from neighbouring residential occupiers.

PROPOSAL AND DESCRIPTION OF SITE:

This application site is situated on the north western side of Wellingborough Town within a residential area made up primarily of detached and semi detached properties developed in the 1970's. The property is a detached plot and the proposal is for the development of a single storey workshop within the rear garden of the site which measures approximately 48 cubic metres. It will be attached to an existing garage which was granted planning permission in 1980.

RELEVANT PLANNING HISTORY:

BW/80/868 Garage and carport.

NATIONAL AND LOCAL PLANNING POLICY:

Regional Spatial Strategy 8.

Policy G1 of the Borough of Wellingborough Local Plan.

Supplementary Planning Guidance II – Residential Extensions: A Guide to Good Design.

Supplementary Planning Guidance VIII – Building Better Places.

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

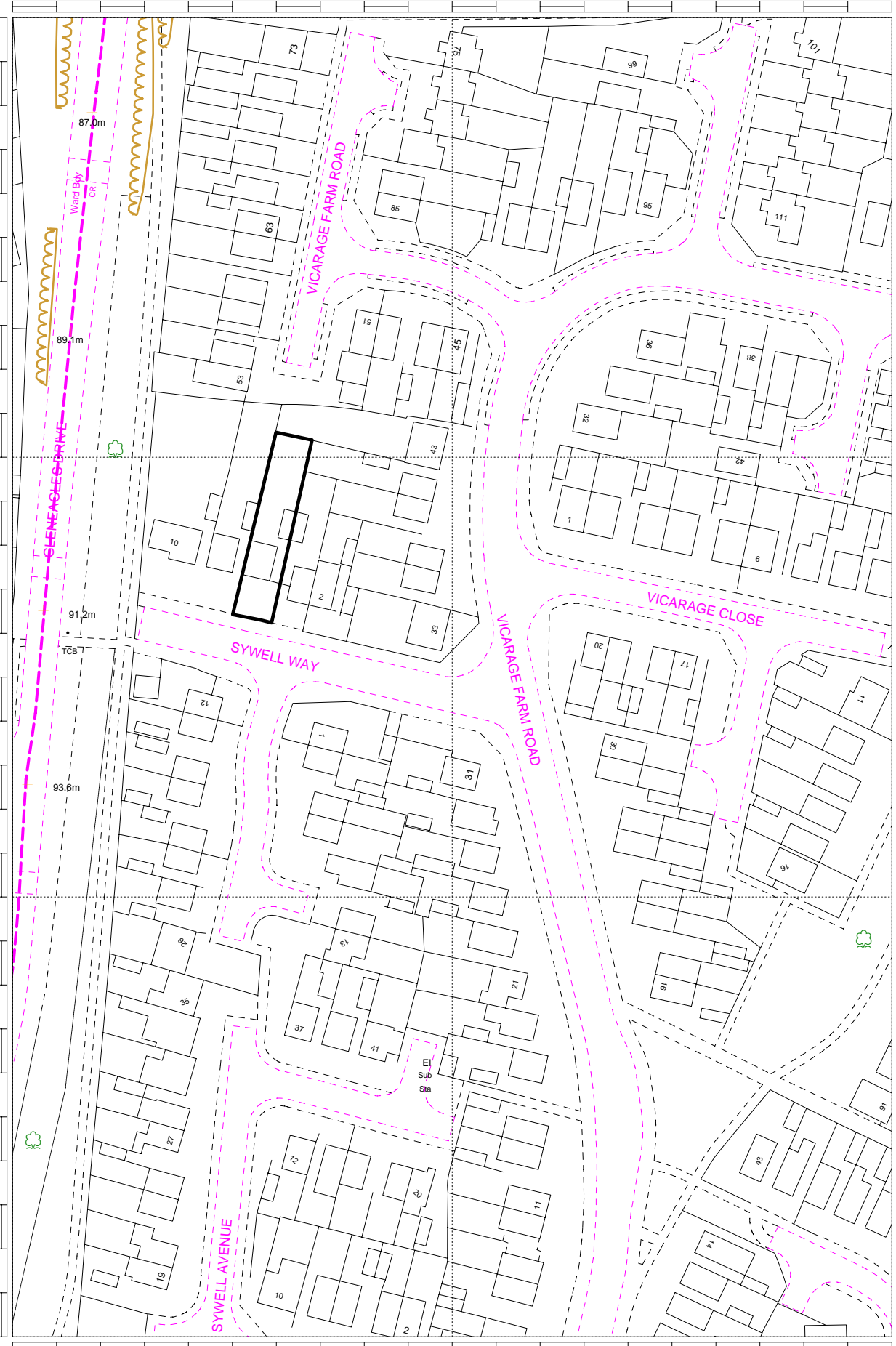
1. Three letters of objection have been received from third party representations. A summary of responses are detailed below:

4 Sywell Way response received 27th June 2006 – concerns include:

- The size and height of the proposed building

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- The proposed use of the building, concerned that the workshop will be used for making and selling furniture
- Noise impact from the machinery
- No provision for sound proofing
- The workshop poses considerable fire risk issues
- Drainage and soak away issues
- Loss of value to our property
- Fence issues along the boundary

8 Sywell Way response received 27th June 2006 – concerns include:

- The proposal will add an additional 49 cubic metres to the existing garage
- The existing garage could become part of the workshop providing workshop space of approximately 78 cubic metres
- An intention to use the workshop for more than just hobby purposes
- This large workshop will give the effect of an industrial complex and impact upon residential amenity
- Activities within the workshop will cause noise, pollution and disturbance to the neighbourhood
- Increased traffic will be likely as raw materials and completed goods are delivered/collected
- The workshop will constitute a considerable fire hazard

41 Vicarage Farm Road response received 30th June 2006 – concerns include:

- The size of the workshop
- Noise pollution
- Noise during the weekends and evenings
- A hobby such as this should not be carried within a residential area
- The workshop would create the feeling of being 'closed in'

ASSESSMENT:

- (i) Suitability with respect to design and scale
- (ii) Impact of the proposal upon the amenities of neighbouring residential occupiers
- (iii) Noise implications
- (iv) Compliance with Policy
- (v) Crime and disorder

(i) Design and Scale

This proposal is for the erection of a workshop for hobby purposes which is to be located within the rear garden of the application site. It will be attached to the back of the existing garage on the eastern side of the site along the boundary adjoining the garden of 4 Sywell Way. This workshop measures approximately 48 cubic metres in volume which is a considerable size when compared to the dimensions of the existing garage. However, the proposal is for a single storey construction only, which, when measured from the ground to the apex of the roof has a maximum height of 2.3 metres. By taking into account permitted development rights, a fence with a height of 2 metres can be erected along boundaries not adjacent to a highway and therefore, to refuse an application

based upon an additional 0.3 metres is not a viable option. Although the workshop comprises a considerable length, the property benefits from a long rear garden which is approximately 20.5 metres from the back of the property's conservatory to the rear boundary. This length will be retained along the western side of the garden and even with the workshop in place, there will still be a distance of 8 metres retained from the back of the workshop to the extremity of the garden on the eastern side. The design of the workshop is deemed acceptable in terms of its rear location and single storey construction. Improvements have been made subsequent to a previous application on this site which was withdrawn due to issues concerning use of materials.

(ii) Effect on neighbour's amenities

This property is detached and although there are neighbouring properties on either side of the application site, both are separated by driveways which are approximately 2 metres in width. The neighbouring property most affected by this scheme is 4 Sywell Way which is situated on the eastern side of the application site. However, the garage to this property is set back in relation to the house and therefore will shield the workshop from view on the ground floor. The neighbour has raised concerns about the effect the proposed workshop would have on the amount of evening sunlight entering their garden. After looking at the property's orientation, it has a north facing garden with existing limitations for evening sun opportunities and restricted access to sunlight during the day. Therefore as the proposal is a single storey construction measuring 2.3 metres in height, it would not adversely impact upon the amenities of the property anymore than is already experienced by the impact of the garage to the rear.

The neighbouring property to the west, benefits from a detached plot and also has a garage which is set back in relation to the property and acts as a barrier between the two sites. This garage will also help to block the view of the workshop when viewed from the ground floor. The property has a garden length of approximately 30 metres and as it is situated to the west of the application site, loss of light will remain unaffected.

Concern has been raised by the objectors to this scheme that the workshop will be used as a business premises once the building is fully constructed. In order to address this concern, a condition has been added which restricts the use of the workshop to remain incidental to the enjoyment of the dwelling and will not permit trade or business to be carried out from the site.

(iii) Noise Implications

The property owner has an obligation not to cause a noise nuisance to other residents of the neighbourhood. In order to satisfy the existence of a nuisance it must be shown that there has been an unreasonable and substantial interference with the use or enjoyment of another property. Should a nuisance be established formal action may be taken under s79 of the Environmental Protection Act 1990. The prolonged use of power tools, hammering and DIY type noise during the day, evening and at weekends does have the potential to cause a noise nuisance and would require investigation by the Environment Protection Department should a formal complaint be made. It is noted that if

planning permission is granted, this does not remove the need to comply with these controls.

(iv) Compliance with Policy

It is considered that this proposal complies with Policy G1 of the Borough of Wellingborough Local Plan and supplementary planning guidance and there are no other material planning considerations that would warrant refusal of this application.

(v) Crime and Disorder

There are not considered to be any pertinent crime and disorder issues relevant to the determination of this application.

Non Material Planning Considerations:

- Risk of Fire
- Drainage concerns
- Loss of value to properties

Previously a planning application was submitted for the same proposal but this was withdrawn due to inadequacies with the proposed building materials. The application as submitted has been discussed with building control and they have advised that building regulations will be required for this structure as it is attached to an existing garage and therefore the structure will be taken as a whole. They will ensure that the materials used for the development of the workshop will comply with building regulations and address fire safety requirements and drainage issues.

Loss of value to the properties is not a material planning consideration and therefore cannot be a factor in the determination of this planning application.

RECOMMENDATION:

Approve subject to conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The use of the workshop shall at all times remain incidental to the enjoyment of the dwellinghouse and no trade or business shall be carried out therefrom.

Reasons:

1. Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.
2. In order to protect the amenities of occupiers of nearby properties.

INFORMATIVE/S

1. Pursuant to Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the proposed development complies with the applicable development plan policies and there are no other material considerations that would constitute sustainable grounds for refusal. These include specifically the following policy: Policy G1 of the Borough of Wellingborough Local Plan.

2. The applicant is advised that this decision relates to the following drawing numbers received on the dates shown:

Drawing Number:	Date Received:
Ground Floor Plan	7th June 2006
Proposed Side Elevations	7th June 2006
Existing Rear Elevation	7th June 2006
Proposed Rear Elevation	7th June 2006

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0359/C****PROPOSAL: Importation and deposition of inert waste materials into former mineral extraction area with restoration to improved wetland.****LOCATION: Earls Barton Quarry, Grendon Road, Earls Barton, Wellingborough.****APPLICANT: Hanson Quarry Products Europe Limited.****PROPOSAL AND DESCRIPTION OF SITE:**

This is an application being dealt with by the County Council to allow the importation of inert waste materials to infill some former mineral workings at Earls Barton quarry. The Borough Council is one of the consultees.

RELEVANT PLANNING HISTORY:

There is a long history of sand and gravel working at Earls Barton quarry dating from 1935. Throughout this time, there have been various operations associated with mineral extraction and infilling of void spaces with inert waste at this location. This application is a resubmission of the previously withdrawn application, WP/2005/0443/C.

NATIONAL AND LOCAL PLANNING POLICY:

The main Policy document that is relevant in relation to this matter is the Proposed Modifications to the Northamptonshire Waste Local Plan (January 2005).

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

As this is a 'County Matter' application, the Borough Council has not carried out any consultation on this proposal. At the time of writing this report, no details of views from any of the County Council's consultees on this application had been received.

ASSESSMENT:

This is an application to allow for the importation of 80000 cubic metres of inert waste to infill an area covering some 4.1 Hectares that was formerly used for mineral extraction.

The application area encompasses a number of small inter-linking water areas that have formed in abandoned mineral workings at the quarry. These water areas and margins have regenerated naturally. The remainder of the application site is comprised of rough

Plan to be produced at Committee.

grass and open water. The aim is to restore the land to a revised landform in order to create an area of wet woodland, grassland small pools and reed bed/swamp.

It is proposed that the material would be transported to the site from the A45 and then via Grendon Road to Earls Barton quarry over an approximate period of one year.

In general terms, the Proposed Modifications to the Northamptonshire Waste Local Plan encourage a hierarchy involving the reuse and recycling of waste materials ahead of disposal. This application is therefore contrary to this broad aim.

In addition, Policy 22 of the same document only allows new landfill operations in the following circumstances:

- a. Where landfill or land raise is shown to be the Best Practicable Environmental Option for the waste stream(s) concerned; and
- b. Where use of the proposed site for disposal of the waste concerned is consistent with the proximity principle; and
- c. Where use of the proposed site for disposal of the waste concerned is consistent with regional self-sufficiency; and
- d. Where no existing landfill or land raise site is available for the disposal of the waste concerned.

This proposal is considered to be contrary to this Policy in that landfill is not the Best Practicable Environmental Option for the waste stream concerned because inert waste such as this should ideally be reused or recycled. In addition, even if this is not possible, there is a nearby landfill site at Sidegate Lane which would benefit from the use of this type of material to cover more hazardous waste materials and aid restoration. Such a use is a better environmental option than purely disposing of the material as is proposed in this case. The view taken in relation to this current application remains unchanged from that expressed when consulted on WP/2005/0443/C. It is considered that no additional information has been submitted which addresses the points made above.

In addition there is no evidence submitted by the applicant to suggest that English Nature supports the scheme. The application site is now within a Site for Special Scientific Interest (SSSI) and a Special Protection Area (SPA). It is therefore considered that even without this scheme suitable measures will be taken to appropriately manage this particular area.

With regards lorry movements the applicants anticipate that the level of movements associated with the proposed development will be at similar levels to those experienced in connection with the importation of materials in relation to the now restored southern extension i.e. an average of 56 movements per day for an approximate period of one year. However this level of movement will be dependent on market availability. Subject to the Highway Authority approval the Borough Council of Wellingborough raises no objection on highway grounds.

RECOMMENDATION:

That the County Council be advised that an objection is raised to this application on the following grounds:

This proposal is considered to be contrary to Policy 22 of the Proposed Modifications to the Northamptonshire Waste Local Plan in that landfill is not the Best Practicable Environmental Option for the waste stream concerned because inert waste such as this should ideally be reused or recycled. In addition, even if this is not possible, there is a nearby landfill site at Sidegate Lane which would benefit from the use of this type of material to cover more hazardous waste materials and aid restoration. Such a use is a better environmental option than purely disposing of the material as is proposed in this case.

BOROUGH COUNCIL OF WELLINGBOROUGH**AGENDA ITEM****Regulatory Committee****19/07/2006****Report of the Executive Director****APPLICATION REF: WP/2006/0406/C****PROPOSAL: To install a double mobile classroom.****LOCATION: Wollaston School, Irchester Road, Wollaston, Wellingborough.****APPLICANT: NCC****PROPOSAL AND DESCRIPTION OF SITE:**

This is an application being dealt with by the County Council for a mobile classroom at Wollaston School, Irchester Road, Wollaston. The mobile is required for teaching due to additional pupils starting in September 2006. Additional funding for a permanent building is not available at this time.

RELEVANT PLANNING HISTORY:

It is considered that there is no planning history relevant to the determination of the application.

NATIONAL AND LOCAL PLANNING POLICY:

G1 of the Borough of Wellingborough Local Plan.

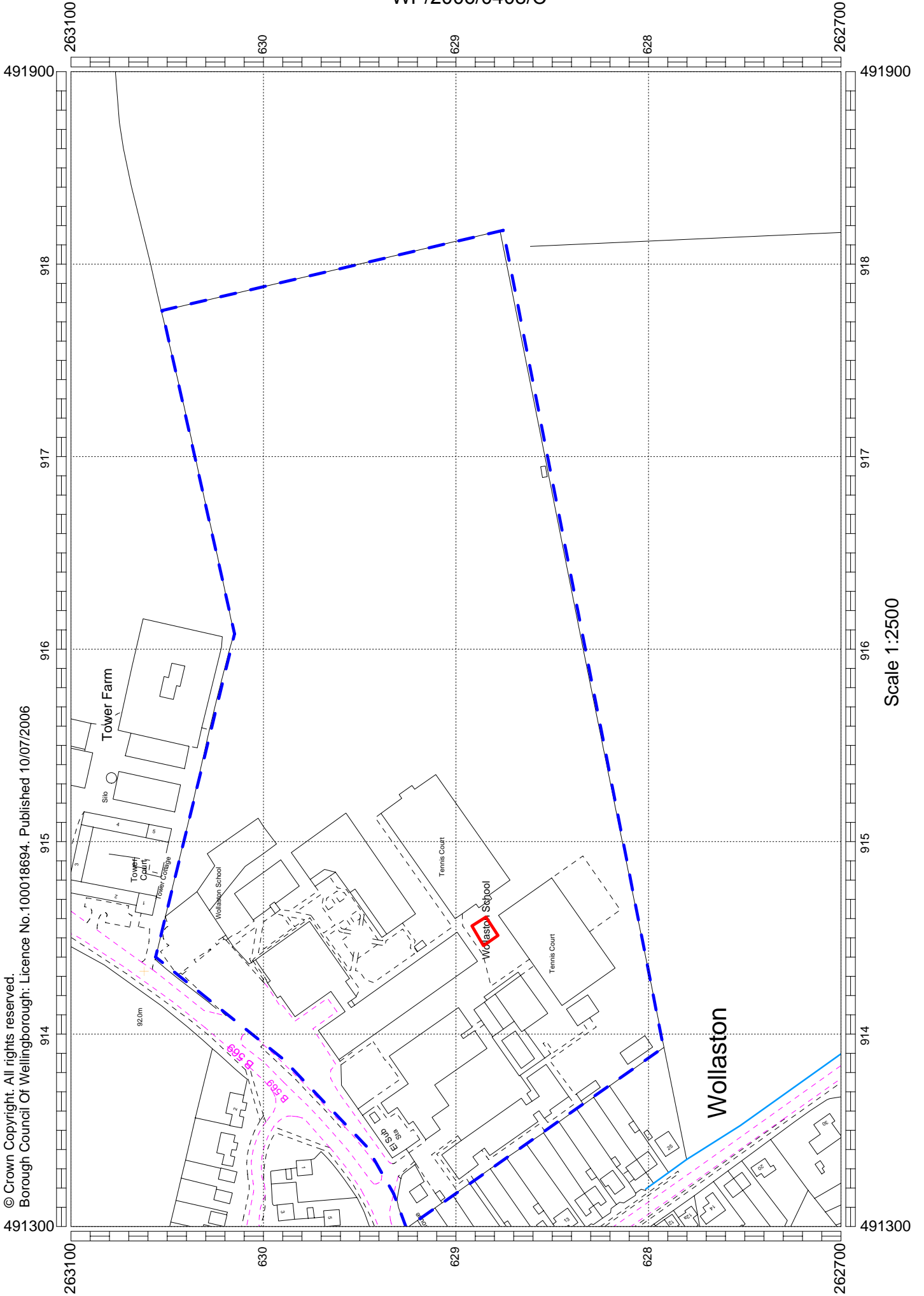
SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED:

As this is a 'County Matter' application, the Borough Council has not carried out any consultation on this proposal. At the time of writing this report, no details of views from any of the County Council's consultees on this application had been received.

ASSESSMENT:

Policy G1 of the Borough of Wellingborough Local Plan accepts developments such as this if they are acceptable in design and do not have an adverse effect on their surroundings, including the amenities of occupiers of neighbouring properties.

The proposal is for a mobile classroom (approximately 12.042m x 9.638m x 3.4m) which is to be sited within the existing complex of school buildings. The mobile will be sited away from any boundaries and will not have any significant effect on any neighbouring properties in respect of visual impact, noise, loss of privacy or light. The proposal design is also considered to be acceptable. No objections are raised in relation to this county council application.



RECOMMENDATION:

That the County Council be advised that no objections are raised to this proposal.

FOR INFORMATION

Regulatory Committee

19/07/2006

Report of the Executive Director

APPLICATION REF: WP/2006/0218/C**PROPOSAL: Installation of a landfill gas collection system and monitoring boreholes.****LOCATION: Irchester Landfill Site, Wollaston Road, Irchester, Wellingborough.****APPLICANT: WRG Waste Services Limited****NOTE:**

Approved by Northamptonshire County Council on 26th June 2006 subject to the following conditions:

Conditions**Time Limit**

1. The development hereby permitted shall be begun not later than the expiration of THREE YEARS from the date of this permission.

Scope of Permission

2. This planning permission shall only relate to the area edged in red on the submitted plan, Figure 2, hereafter referred to as the "site". The development hereby permitted shall only be carried out within the site in accordance with the details set out in the submitted application forms and certificates, supporting written statement dated 8th March 2006 and accompanying plans.

Hours of Construction Works

3. Except as may otherwise be agreed in writing by the Waste Planning Authority all construction works shall be confined to the hours of 8:00am to 17:00pm Mondays to Friday and 8:00am to 13:00pm on Saturdays, with no works on Sundays, or Public Holidays.

Safety Measures

4. Prior to the commencement of the development, the following works shall be undertaken:-

An emergency contact number shall be displayed on the gates or fence at the access to the site.

Removal of Landfill Gas Collection and Monitoring System

5. Within six months of the collection and venting or flaring of landfill gas ceasing at the site all equipment used for that purpose and the compound itself shall be removed from the site. The site shall be restored to agricultural use within three months of the removal of the equipment. The agricultural aftercare of this part of the site shall take place for a period of five years following restoration.

Cessation of Development

6. The development hereby permitted shall cease no later than 31st July 2021 (twenty hundred and twenty one) and the equipment, apparatus and structures shall be removed and the land restored in accordance with Condition 5 of this permission.

Reasons for conditions and relevant Development Plan Policies

1. To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. To define the scope of the permission and in the interest of clarity.
3. To protect the amenities of nearby occupiers of property from noise and other disturbance in accordance with Policy W3 of the Northamptonshire County Structure Plan, and Policy 15 of the Waste Local Plan.
4. In the interest of safety in accordance with Policy W3 of the Northamptonshire County Structure Plan and Policy 15 of the Waste Local Plan.
5. To secure the eventual satisfactory restoration of the site in accordance with Policy W3 of the Northamptonshire County Structure Plan, and Policy 16 of the Waste Local Plan.
6. To specify the date when the conditions of the permission shall have been fully implemented in accordance with Policy W3 of the Northamptonshire County Structure Plan and Policy 16 of the Waste Local Plan.

REASONS FOR APPROVAL

The character and amenity of the area as a whole will not be adversely affected and the development will not cause an unacceptable increase in vehicular movements. The landfill gas collection system is required for the proper control of pollution at the site.

The application is considered to be acceptable in accordance with policies W3 and GS5 of the Northamptonshire County Structure Plan (2001), policy G1 of the Borough of Wellingborough Local Plan (1999), and Policy 8, 11, 15 and 16 of the Waste Local Plan (2006).

REGULATORY COMMITTEE

The following applications dealt with under the terms of the Executive Director's delegated powers.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2005/0570/F APPSUB106	Augusta Developments Limited	J R Gammidge and Co Limited, Milner Road/Summerlee Road, Finedon. Demolition of existing factory buildings and erection of 30 no. dwellings with associated roadway and parking areas - minor amendments.
WP/2006/0127/F AC	Mr J P Smith	66 Northampton Road, Earls Barton, Wellingborough. Front and rear extensions - amended plan.
WP/2006/0169/O AC	Mrs P Patel	3 Cannon Street, Wellingborough. Outline application for demolition of existing outbuildings and construction of 7 no. flats - amended and additional plans to include the demolition of no. 3 Cannon Street.
WP/2006/0188/F AC	Mr and Mrs T Goodman	47 Priory Road, Wollaston, Wellingborough. Erect a PVCU conservatory to rear of property.
WP/2006/0192/F AC	Mr D Dicks	Land off West Street, Ecton, Wellingborough. Conversion of barn to dwelling with detached garage.
WP/2006/0210/F AC	Rebecca Mallows	10 Howards Court, Wollaston, Wellingborough. Double story extension to side of existing property.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0225/F AC	Mr K A Waite	54 London Road, Wollaston, Wellingborough. Single storey rear extension and alterations - amended plans (received 19 May 2006).
WP/2006/0230/F AC	Joanna O'Keefe	60 Overstone Road, Sywell, Wellingborough. Temporary static home connected to electricity supply of no. 60 Overstone Road, Sywell.
WP/2006/0234/F AC	Turnell Motors	6 Nielson Road, Wellingborough. Vehicle workshop attached to existing building - amended plan to include additional parking spaces on opposite side of the road.
WP/2006/0237/F APPROVED	Mr Lee Pearce	24 Shelley Road, Wellingborough. Addition of rear dormer and single storey storage/utility area to side and building of front boundary wall.
WP/2006/0238/AV AC	Winslow Ford	Unit B4, Baird Court, Wellingborough. Wall mounted and free standing internally illuminated signs.
WP/2006/0239/F AC	Saxby Bros. Properties Limited	126 Midland Road, Wellingborough. Conversion of existing building into 5 no. flats.
WP/2006/0241/F AC	Mrs A Burrige	2 Brookside, Bozeat, Wellingborough. Garage conversion + single storey front/side/rear extension.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0242/F AC	HMPP C/o Red Box	64 High Street and part Bowlers Yard, Earls Barton, Wellingborough. Demolition of single storey office building and creation of an adoptable road and parking over existing private access.
WP/2006/0243/F AC	Mr A Williamson	3 Compton Close, Earls Barton, Wellingborough. Two storey and single storey side extension to house to form garage, bedroom and utility room.
WP/2006/0244/F AC	Mr B Perkins	11 Mulso Road, Finedon, Wellingborough. Proposed two storey extension to side of dwelling with double garage in rear garden.
WP/2006/0246/F AC	David and Julia Willis	27 Spring Gardens, Earls Barton, Wellingborough. Conservatory to rear.
WP/2006/0247/F AC	Dr and Mrs A J Swan	62 Ecton Lane, Sywell, Wellingborough. Conversion of existing double garage to living accommodation. Erection of new single garage extension to study and porch.
WP/2006/0248/F AC	Mr S Warren	65 The Pyghtles, Wollaston, Wellingborough. Conservatory to rear.
WP/2006/0249/F AC	K C Baxter	'Ashmead', 62a London Road, Wollaston, Wellingborough. Garden shed, summer house, conservatory and 3 no. rooflights.
WP/2006/0250/F AC	Mr and Mrs Hillman	52 Haddon Close, Wellingborough. Single storey extension to rear elevation i.e. conservatory.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0251/F AC	Mr and Mrs C Scott	11 Hardwater Road, Great Doddington, Wellingborough. Single and two storey extensions to existing dwelling to provide additional bedrooms and enlarged kitchen/living accommodation.
WP/2006/0256/LB AC	Mr Simon Hill, L A Trading Limited	Unit 2, Vicarage Barns, Bell Hill, Finedon, Wellingborough. Proposed attic rooms in Unit 2, with associated rooflight windows.
WP/2006/0258/F APPROVED	David Penn	6 Middle Street, Isham, Wellingborough. Car port at side of existing garage.
WP/2006/0259/F AC	Mr and Mrs P Ette	26 The Drive, Wellingborough. New 7.2 m sq single storey rear extension to dining room.
WP/2006/0260/F AC	Mr S Carter	31 Hatfield Close, Wellingborough. Extension to bedroom at first floor.
WP/2006/0261/F AC	Mr M Fuoco	16 Gilbey Close, Wellingborough. Conversion/extension of garage to form bedroom and en-suite.
WP/2006/0262/AV AC	Wm Morrison Supermarkets PLC	Garage (Morrisons), Sharman Road, Wellingborough. PFS canopy and kiosk fascias, PFS pole sign and general signage.
WP/2006/0263/F AC	Mr and Mrs J Memoli	90 Orlingbury Road, Isham, Wellingborough. Single storey front extension in lieu of existing splay bay window.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0264/F APPROVED	Orbit Housing Group	Ladywell Court, Linnet Close, Wellingborough. New fencing.
WP/2006/0270/F AC	Univar Limited	Univar Limited, Nielson Road, Finedon Road Industrial Estate, Wellingborough. Single storey flat roof extension comprising WC and changing facilities.
WP/2006/0271/F AC	Mr and Mrs B Bailey	106 Hanbury Fold, Orlingbury Road, Isham, Wellingborough. Proposed extension to side of existing bungalow and internal alterations. Removal of pre-fabricated garage and car port.
WP/2006/0272/F AC	Mr and Mrs S Wheatman	107 Doddington Road, Earls Barton, Wellingborough. Single storey side kitchen extension.
WP/2006/0274/F APPROVED	Mrs W Davis	10 Holyoake Road, Wollaston, Wellingborough. Attic conversion, including dormer at rear.
WP/2006/0275/F APPROVED	Mrs J Dorling	130 Kingsway, Wellingborough. A garage to rear.
WP/2006/0276/F AC	Mr P S Novell	8 Whytewell Road, Wellingborough. Proposed second storey rear addition - amended plan.
WP/2006/0277/F REFUSED	Mr Jalal Uddin	Meraz Takeaway, 12 High Street, Earls Barton, Wellingborough. Retention of planning permission BW/90/0730 without compliance to part of condition 3 - application for Sunday opening of hours between 5-10 p.m.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0278/F APPROVED	Matalan Plc	Matalan, Victoria Road, Wellingborough. The installation of new condenser units.
WP/2006/0279/F AC	Mr G Williams	1 Troon Crescent, Wellingborough. Two storey front extension and rear conservatory.
WP/2006/0280/F APPROVED	Denis Pearson	18 Sheep Street, Wellingborough. Change of use from office to house.
WP/2006/0281/LB APPROVED	Denis Pearson	18 Sheep Street, Wellingborough. Alterations to listed building in connection with change of use from office to house.
WP/2006/0284/F APPROVED	Scott Bader Limited	Scott Bader Limited, PO Box 36, Wollaston. Proposed new tank adjacent to existing packaging building.
WP/2006/0285/F AC	Mr R Thompson	11 Glenbank, Wellingborough. Conversion to 2 no. flats.
WP/2006/0287/F APPROVED	Satellite Information Services Limited	Unit 2, 4 Olympic Way, Wellingborough. Installation of 1.0m diameter satellite antenna, wall mounted on rear (north) elevation.
WP/2006/0290/LB APPROVED	Mr and Mrs C W Huckvale	The Old School House, 10 The Green, Orlingbury. Replacement of front door and porch door including frames.
WP/2006/0291/F AC	Mr and Mrs Gough	19 Mears Ashby Road, Earls Barton, Wellingborough. Demolition of existing garages and outbuildings. Two storey extension to form en-suite bedroom over double garage/utility/store. Pergola.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0294/F REFUSED	Mr S James	6 New Street, Wellingborough. Demolition of existing single storey rear extension and erection of 2 storey extension. Demolish existing garage and erect detached garage with workshop over.
WP/2006/0295/F AC	Mr K Buckby	155 Northampton Road, Wellingborough. Two storey rear extension and conversion of garage to sitting room.
WP/2006/0298/F AC	Mr and Mrs S Hawkes	102 Volta Towers, Station Road, Finedon, Wellingborough. Granny annex.
WP/2006/0299/F AC	Mining and Chemical Products Limited	1- 4 Nielson Road, Wellingborough. Construction of additional single storey factory unit to increase covered working area adjacent to Wood's factory.
WP/2006/0303/F AC	Mr Wright	2 Burns Close, Earls Barton, Wellingborough. Single storey rear extension to utility room/dining room and additional shower room.
WP/2006/0304/F AC	Mrs Parekh	67 Great Park Street, Wellingborough. Demolition of conservatory and erection of single storey side and rear extension.
WP/2006/0308/RM AC	Wellingborough Cinema Company Limited	Former Garages rear of 9 Silver Street, Wellingborough. Conversion of existing redundant building to create 2 self contained office suites.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0309/F AC	Glenn Brown	4 Nursery Court, Mears Ashby, Wellingborough. Rear ground floor extension plus bedroom over garage plus front bay window plus new external chimney.
WP/2006/0311/F AC	Mr and Mrs Helps	5 Church Farm Close, Bozeat, Wellingborough. Single storey side extension and conservatory.
WP/2006/0312/F AC	Mr S L Patel	15 Thomas Street, Wellingborough. Store room for domestic use to rear of property (retrospective) - amended application with omission of canopy area.
WP/2006/0315/F AC	Mr G Tuthill	6 Leys Road, Wellingborough. two storey extension at rear of dwelling.
WP/2006/0328/F AC	Mr M Garrett	9 London Road, Bozeat, Wellingborough. Single storey bay window extension to dining room at front of house.
WP/2006/0332/TC APPROVED	O2 Airwave	Grange Farm, 60 Wellingborough Road, Earls Barton, Wellingborough. Proposed installation of two 0.3m dish antennas and cabinet.
WP/2006/0338/TC APPROVED	LCC UK	CS 3293 Mast, Melton Road North, Wellingborough. 1 no. 300mm dish and 1 no. 200mm dish onto existing mast.

Application No. Decision	Applicant's Name	Location of Proposal Description of Proposal
WP/2006/0372/TC APPROVED	O2	Telephone Exchange, Hardwick Road, Wellingborough. 3 no. additional antennas and a further radio equipment housing.

BACKGROUND PAPERS

The background papers for the planning and building applications contained in this report form part of the relevant files appertaining to individual applications as referenced.

Borough Council of Wellingborough, Environment and Economy Department, Croyland Abbey, Tithe Barn Road, Wellingborough.

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
FP/2005/2620/ A APPROVED	Mr & Mrs C O'Neill 89 GIPSY LANE IRCHESTER WELLINGBOROUGH	Room in roof
FP/2006/0931/ 7 APPROVED	Grace Homes Ltd Woolpack Barn St Andrews Lane Cranford St Andrew	Residential development of 16 dwellings
BN/2006/1050/ ACCEPTED	John Lainchbury 17 Pearmain Avenue Wellingborough	Conversion of garage to study
PS/2006/1052/ A APPROVED	Aylesbury Vale District Council Building Control Division 66 High Street Aylesbury	Barn conversion & extensions
FP/2006/1135/ APPROVED	Mr C Gibb Ms A Allen 25 Fosse Close Wellingborough	First floor extension over existing garage
FP/2006/1147/ APPROVED	Ciel Properties 45 Summer Row Birmingham	General external and internal refurbishment of existing 1970's offices.

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
FP/2006/1149/ A APPROVED C	Mr & Mrs Gardner 28 Windermere Drive Wellingborough	Two storey side extension
FP/2006/1342/ APPROVED C	Mrs S Patel Occupier 7 Covington Grove Wellingborough	First floor side extension above existing garage.
FP/2006/1682/ APPROVED C	Birmingham City Council 1 Lancaster Circus PO Box 2062 Birmingham	Single storey extension
DI/2006/1867/ ACCEPTED	Mr Morrison 71 The Drive Wellingborough	Installation of a through-floor lift.
DI/2006/1868/ ACCEPTED	Mr & Mrs Pike 56 Mill Road Bozeat Wellingborough	Convert bedroom into bathroom with access alterations
PS/2006/2194/ APPROVED	Aylesbury Vale District Council Building Control 66 High Street Aylesbury	Annexe

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
FP/2006/2198/ APPROVED C	Mr M Rajani 2 Evesham Close Wellingborough	Double storey side extension & single storey rear extension
BN/2006/2307/ ACCEPTED	Mr & Mrs Groves Occupier 61 Overstone Road Sywell Northampton	Micro pile front RH corner
FP/2006/2353/ APPROVED C	Mr Wright 2 Burns Close Earls Barton Northampton	Ground floor extension to utility room/dining room/shower room
FP/2006/2354/ APPROVED C	Wendy Barker The Diocese of Peterborough The Palace Peterborough Cambs	Rear single storey classroom extension.
FP/2006/2454/ APPROVED C	Mr J Ingram 19 Hope Street Bozeat Wellingborough	Rear extension & front entrance alts & garden store.
FP/2006/2456/ APPROVED	Mr & Mrs T Blackwell 22 Spring Gardens Earls Barton Northampton	Single storey rear addition

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
FP/2006/2460/ APPROVED C	Mr & Mrs Bailey 17 Steele Road Wellingborough	To provide downstairs toilet and utility room with bedroom and en-suite above. front dormer to study.
BN/2006/2462/ ACCEPTED	Mr Waller 26 Gillitts Road Wellingborough	Remove lower chimney stack.
BN/2006/2466/ ACCEPTED	Mr York 11 Hidcote Close Wellingborough	Conversion of existing garage to dining area using one side of double garage.
BN/2006/2467/ ACCEPTED	A Harkness 10 Shurville Close Earls Barton Northampton	Toilet alteration. rearrange external wall to move 60cm.
DI/2006/2469/ ACCEPTED	Borough Council of Wellingborough 1 Tithe Barn Road Offices W B C Tithe Barn Road Wellingborough	New shower room
WI/2006/2499/ ACCEPTED	Mr L Eady 48 Queens Road Wollaston Wellingborough	2 no. replacement French doors in PVCU

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
BN/2006/2500/ ACCEPTED	M Joshi 25 Thomas Street Wellingborough	Change of roof from plastic to tile room.
WI/2006/2501/ ACCEPTED	Mrs Groves 7 Lammas Close Orlingbury Kettering	13 replacement windows 1 patio door 1 rear door and 1 front door all in PVCU
PS/2006/2507/ APPROVED	London Borough of Haringley 639 High Road Tottenham	2 storey maisonette
BN/2006/2509/ ACCEPTED	Helene Vancliff 125 Main Road Wilby Wellingborough	Installation of additional wc/shower/sink in bedroom on first floor.
BN/2006/2529/ ACCEPTED	Frazer Woodcock 7 Winston Drive Isham Kettering	Brick up bottom 3rd of floor of front window and replace window.
BN/2006/2530/ ACCEPTED	Mr S Van Dyk 85 Melton Road North Wellingborough	Installation of a downstairs toilet. Move electrical consumer unit and insert replacement window to the existing first floor bathroom.

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
DI/2006/2531/ ACCEPTED	Mrs Byles 29 Nene Close Wellingborough	Doorway modifications to enable wheelchair access
BN/2006/2538/ ACCEPTED	Mark Herring 182 Northampton Road Wellingborough	2 storey side extension
BN/2006/2571/ ACCEPTED	Mrs Bateman 1 Edwards Drive Wellingborough	Replacement patio doors
BN/2006/2572/ ACCEPTED	Mr Oudet 150 Brickhill Road Wellingborough	3 replacement windows
DI/2006/2573/ ACCEPTED	Mr K Rhodani 122 Winstanley Road Wellingborough	Level access shower room
DI/2006/2574/ ACCEPTED	Mr D Daley 46 Swinburne Road Wellingborough	Level access shower room adaption

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
DI/2006/2575/ ACCEPTED	Mr G Horne 35b Eastfield Crescent Finedon Wellingborough	Form a level access shower facility
DI/2006/2576/ ACCEPTED	Mrs Wilson 24 High Street Finedon Wellingborough	Works to assist a disabled person
BN/2006/2581/ ACCEPTED	Mr & Mrs Smith 6 Beech Crescent Irchester Wellingborough	Internal structural alterations - concrete floor
WI/2006/2582/ ACCEPTED	D C Scraton 93 Kingsway Wellingborough	New windows throughout house
BN/2006/2583/ ACCEPTED	Bridget Anning 40 High Street Irchester Wellingborough	Level access shower room and utility
BN/2006/2584/ ACCEPTED	Northants Police Authority Police Headquarters Wootton Hall Mere Way	Conversion of part of existing toilet into a disabled toilet

REGULATORY COMMITTEE
APPLICATIONS DEALT WITH

APPLICATION DECISIONS BOROUGH OF WELLINGBOROUGH Date: 05/07/06

<u>Application No.</u>	<u>Name & Address</u>	<u>Description</u>
DI/2006/2588/ ACCEPTED	Mr M Freeman 14 Thrapston Road Finedon Wellingborough	Level access shower ground floor maisonette
DI/2006/2593/ ACCEPTED	Susan Salter 20 Brook Vale Wilby Wellingborough	New structural opening between dining and sitting rooms.
BN/2006/2594/ ACCEPTED	John Collins Mallows Yard Allens Hill Bozeat Wellingborough	Conversion of window at rear to French window (with no change to lintel) Remove partition wall.