

BOROUGH COUNCIL OF WELLINGBOROUGH

Planning Committee -

16 January 2019

Report of the Director of Place and Strategic Growth

**WP/18/00386/FUL Land between Road and Rylstone, Park Farm Way  
Wellingborough**

**Update**

An amended noise report and amended plans have been submitted incorporating a 1.5 metre high acoustic fence on top of a retaining wall to provide appropriate noise mitigation as requested by the council's environmental protection officer (noise).

Condition 1 on the committee report should be amended to reflect the submission of an amended site section plan, an amended site layout plan, amended site sections and should be agreed as follows:

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

1573/1 (site location plan scale 1:1250) received 14 June 2018;

**1573/3 (k) (planning site layout) received 14 January 2019;**

1573/4 (pfs plans and elevations) received 14 June 2018;

1573/5 (drive through coffee shop plans and elevations received 14 June 2018;

**1573/6 (c) (site elevations) received 14 January 2019;**

3935/01Rev A (landscape layout) received 6 December 2018;

**1573 9 (c) (site sections) received 14 January 2019;**

72001 Rev P02 (proposed drainage general arrangement) received 6 December 2018;

Express Wellingborough Combined (horizontal illuminance (lux) received 6 December 2018;

Fuel Storage Feasibility Assessment (ref: 18/0806 FSFA) by Geo2, dated August 2018 received 24 September 2018;

Express Wellingborough Combined Post Mount Bottom LED lighting surrounded by aluminium cut off together with housing received 9 July 2018.

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

Condition 3 should be amended to reflect the amended site layout plan:

"No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plan reference 1573/3 (k)

(planning site layout) received 14 January 2019 has been completed. Thereafter, the cycle parking provision shall be kept free of obstruction and shall be available for the parking of cycles only.

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

Condition 9 should be amended to reflect the amended site layout plan:

“Notwithstanding the details shown on drawing numbers 1573 3k received on 14 January 2019 and J7/01166 received on 20 December 2018 prior to the first occupation of the development hereby permission full details of the proposed boundary treatment of the site should be submitted to and approved in writing by the local planning authority. These details shall including plans showing the locations of existing, retained and proposed new boundary treatments, including details for the prevention of access to secure areas by unauthorised personnel and be accompanied by scaled drawings indicating the positions, height, design, materials, type and colour of proposed treatments. The one metre high bow top fencing shall be replaced with an appropriately high and designed acoustic fence. The approved details shall be implemented before the first use of the buildings/use hereby permitted and shall be retained thereafter.

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

### **Summary of replies to consultation/representations received**

The environmental protection officer (noise) recommends that the times set out condition 13 in the committee report should be amended to reflect the times set out below:

“the times the drive thru coffee shop should not be open for business, nor shall lighting be illuminated nor deliveries made including waste services thereto outside the hours of:

08:00 hours and 21:00 hours Monday to Saturday; and  
09:00 hours and 20:00 hours on a Sunday”.

The local lead flood authority recommends that the following conditions are imposed on any planning permission:

1. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy, report ref. no. 070038-CUR-00-XX-RP-Z-00001, Rev. V01, Issue Date 06 September 2018, prepared by Curtins Consulting Ltd have been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system and shall include a proposed maximum l/s/ha discharge rate to be agreed in writing by the local planning authority in consultation with the local lead flood authority. Details of the drainage system are to be accompanied by full and appropriately

cross-referenced supporting calculations. Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.

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

2. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the local planning authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

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

3. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Drainage Strategy, report ref. no. 070038-CUR-00-XX-RP-Z-00001, Rev. V01, Issue Date 6 September 2018, prepared by Curtins Consulting Ltd has been submitted in writing by a suitably qualified independent drainage engineer and approved by the local planning authority. The report shall include:
  - a) Any departure from the agreed design is keeping with the approved principles;
  - b) Any As-Built Drawings and accompanying photos;
  - c) Results of any Performance testing undertaken as a part of the application process (if required/necessary);
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc;
  - e) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place;

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

In response the applicant's agent has advised in a late email that "the 'Acoustic Assessment' undertaken assessed the operation of the proposed petrol filling station development on a 24 hour basis and proposed mitigation to address this. If a 24 hour opening is not considered acceptable then the applicant would request confirmation as to why and why the acoustic mitigation is unacceptable and would request minimum opening times of 06:00 - 23:00 daily to allow the development to be viable. Similarly for the coffee

shop, the acoustic assessment has been undertaken on the basis of opening hours of 06:00 - 22:00 as set out in the application submission. Again, should these times be unacceptable confirmation as to why (and evidence to counteract the work undertaken) the proposed opening times are unacceptable and why they should be as proposed is requested”.

### **WP/18/00665/FUL 41 Main Road Grendon**

Comments have been received from a household local to the application site seeking to clarify some point in the Officer report.

1. In the Summary of Replies to Consultations (Item 3), the “Neighbours” comments have been recorded as an objection. These were not raised as an objection they were raised to seek clarification regarding adhering to the application plans and the impact of construction.
2. In the paragraphs headed “Effect/impact on the living conditions of the neighbouring occupiers”, the report states that the property at 39 Main Road is set up higher than the application site. This is in fact not the case, the property is set at the same level as the application site but is a two storey building. Also, as you have noted, the rear windows of no. 39 look out towards the application site and its garden. However, what is not noted, is that these windows are the main views from the kitchen, dining room, lounge, main and second bedrooms. The view from the rear of no. 39 being the main focal direction from the house.

### **WP/18/00666/FUL 24 Gold Street Wellingborough**

Updated wording to the conditions in the committee report. It is recommended that the conditions are updated as follows:

#### **Amended Condition 8**

Notwithstanding the details shown on the approved plans, no development shall take place above slab level until a scheme of boundary treatments has been submitted to and approved in writing by the local planning authority. The approved scheme shall then be implemented prior to first occupation of the development in accordance with the approved details. The submitted details will show the type and height of fences, hedges, walls or other means of enclosure. The approved boundary treatment shall subsequently be retained thereafter.

Reason: In the interests of residential amenity and design in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

#### **Amended Condition 9**

No development shall take place above slab level until the applicant has submitted details to the local planning authority for approval which demonstrate the security measures for the building and the site, and evidence to show how these measures will be adequately installed and maintained. The security measures shall be implemented prior to first occupation of the development and in accordance with the approved details and retained

as such thereafter.

Reason: In order to reduce crime and disorder and the fear of crime in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

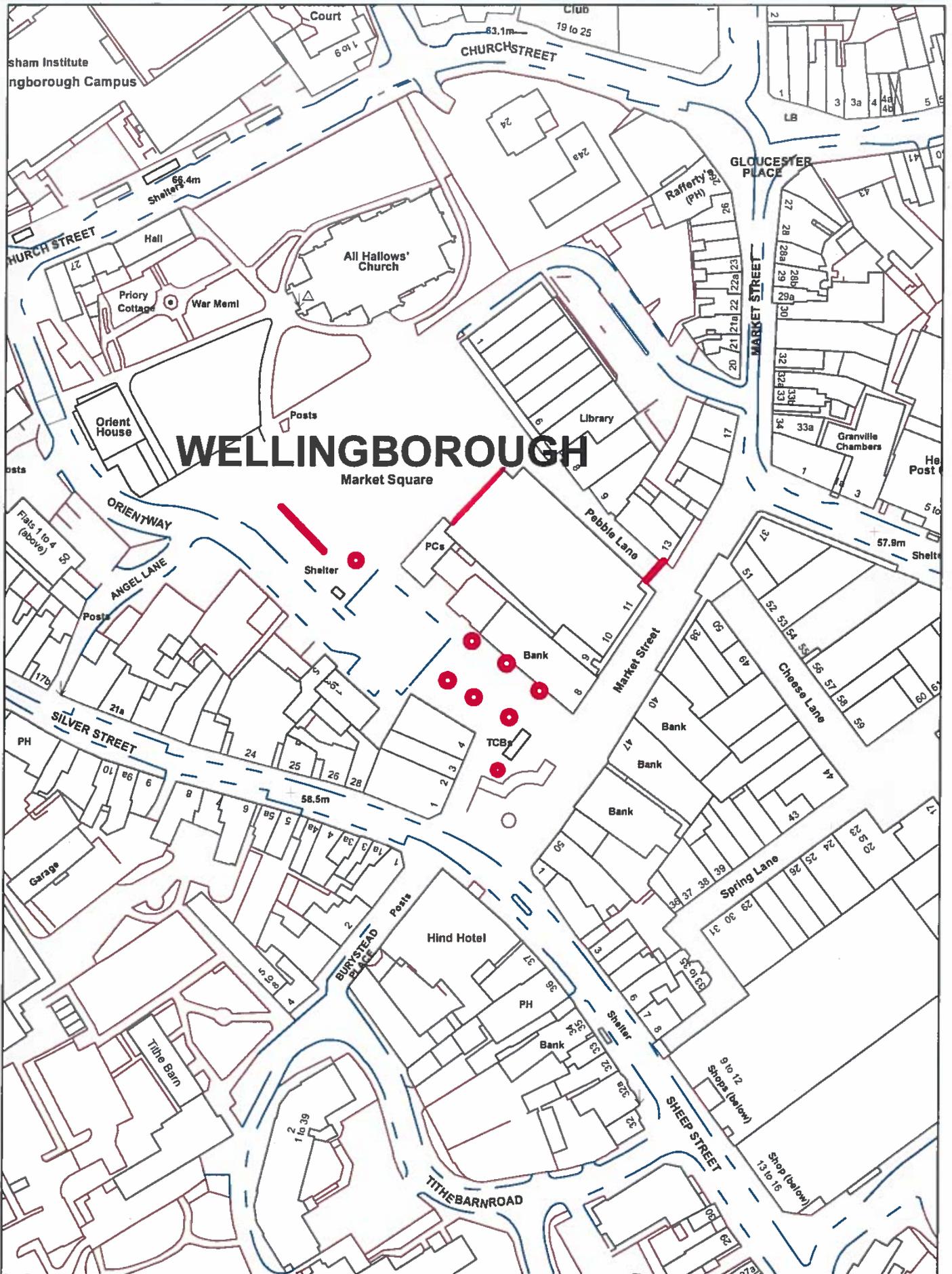
### **Amended Condition 16**

Prior to the commencement of the development including any demolition a site specific Construction Environmental Management Plan must be submitted to and approved in writing by the local planning authority. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and lighting. The plan should include:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Arrangements for liaison with the Councils Environmental Protection Team.
- All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:  
08:00 hours and 18:00 hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise and disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air borne pollutants.
- Procedures for emergency deviation of the agreed working hours.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

Reason: In the interests of protecting residential amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.



# WELLINGBOROUGH

Market Square

<p><b>Borough Council of Wellingborough</b></p> <p><small>Wellingborough is a place to be proud of</small></p>	<p style="text-align: center;">N</p>	<p>Scale</p> <p>1:1,250</p>	<p>ICT Services</p> <p><small>This map is accurate to the scale specified when reproduced at A4</small></p>	<p><small>© Crown Copyright and database right 2019 Ordnance Survey 100018094</small></p> <p><small>Cities Revealed Aerial Photography copyright: Getmapping PLC 1999</small></p>	<p><b>Legend</b></p> <p><span style="border: 2px solid red; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> WP/17/00420/ADV Market Square Orient Way Wellingborough</p>
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