



Notice of Decision

Town and Country Planning Act 1990 Permission for Development

To: Wellington Pub Company C/O Caldecotte Group 15 London House Swinfens Yard Stony Stratford MK11 1SY	Application No: WNS/2021/1671/FUL
	Application Date: 14 October 2021
	Date of Permission: 02 March 2022

**THE DEVELOPMENT SUBJECT TO THIS PLANNING PERMISSION IS LIABLE
DEVELOPMENT UNDER THE COMMUNITY INFRASTRUCTURE LEVY
REGULATIONS 2010 (AS AMENDED)**

**WEST NORTHAMPTONSHIRE COUNCIL, in pursuance of powers under the
above mentioned Act, hereby PERMIT:**

Erection of four dwellings, reconfiguration of existing car park and creation of a new access road.
at The Spread Eagle 34-36 Forest Road Piddington NN7 2DA

**In accordance with the accompanying plans and particulars and subject to the
conditions specified hereunder :**

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are: Drawing nos 7055 - 03C; 04D; 05B; 07K; 08K and 09E, all received 14th January 2022.

Reason : To clarify the permission and for the avoidance of doubt.

CONDITIONS REQUIRING ADDITIONAL INFORMATION PRIOR TO THE COMMENCEMENT OF DEVELOPMENT

3. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason : In order to safeguard the visual amenities of the area and the amenity of neighbouring properties in accordance with Policy SS2 of the South Northamptonshire Local Plan (Part 2) and advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

4. Samples of the tiles (including ridge tiles) to be used in the covering of the roof of the dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework

5. The external walls of the dwellings shall be constructed in natural stone which shall be laid, dressed, coursed and pointed using a lime based mortar with brushed or rubbed joints in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the stonework is commenced. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework

6. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the dwellings, including the windows and doors (and their surrounds), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be

carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

7. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan

8. Details of the construction, including cross sections, cill, lintel, reveal and colour / finish of the proposed windows and doors, to a scale of not less than 1:5 shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that work. The development shall be carried out in accordance with the approved details.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan

9. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the

occupation of the dwellings (or on the completion of the development, whichever is the sooner) and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

11. The proposed access and parking and turning areas shall be provided in accordance with the approved plans before first occupation of the dwellings hereby permitted. The access, parking, and turning shall thereafter be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

12. Prior to the commencement of any above ground works a scheme for the provision and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of any of the dwellings hereby approved.

Reason : To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy SS2 of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

13. No development other than works to the proposed access shall take place until:
- (a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and
 - (b) has been submitted to and approved in writing by the Local Planning Authority.

No further development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment

and to ensure the site is suitable for the proposed use to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework.

14. If contamination is found by undertaking the work carried out under condition 13, then no further development hereby permitted shall take place until
- (a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
 - (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

15. If remedial works have been identified in condition 14, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 14. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

16. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

17. Notwithstanding the provisions of Classes A-D of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement alteration or improvement of any dwellinghouse shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason : Taking into account the density of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that the amenities of the adjoining occupier(s) are not adversely affected in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

18. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of the front wall of any dwelling and the highway, at any time, without the prior express planning permission of the Local Planning Authority.

Reason : In order to retain the open character of the development and area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

19. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure shall be erected or placed within the curtilage of the dwelling hereby permitted without the prior planning permission of the Local Planning Authority.

Reason : Having regard to the density, character and layout of the development the Local Planning Authority consider such structures would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area and consider it is in the public interest to require an application to enable the merits of any proposal to be assessed in accordance with Policy SS2 of the South Northamptonshire Local Plan.

20. No dwelling hereby permitted (with a garage or driveway) shall be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to serve that dwelling.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

21. The development hereby permitted shall be carried out in accordance with the mitigation and recommendations set out in section 6 of the Preliminary Ecology Appraisal by Windrush Ecology dated 14th September 2021 unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation

from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

22. If the development hereby approved does not commence by 17th June 2023. A revised protected species survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species including great crested newts, reptiles, badgers, bats and breeding birds. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

23. A method statement for enhancing biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

COMMUNITY INFRASTRUCTURE LEVY

The development hereby permitted is Liable Development under The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) please therefore see the CIL Liability Notice, a copy of which is contained on the application details on the Council's Planning Register - <http://snc.planning-register.co.uk/plandisp.aspx?recno=111779>

Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 4 of the National Planning Policy Framework

In accordance with the above, WEST NORTHAMPTONSHIRE COUNCIL has worked with the applicant in a positive and creative way by offering to engage in pre-application discussions and, where possible, by enabling problems to be resolved within applications in accordance with its adopted protocol on 'Negotiating Submitted Applications'. Where the applicant chooses to engage in pre-application discussions, the outcome of these will be referred to in the application report. In responding to pre-application enquires and

determining formal applications, WEST NORTHAMPTONSHIRE COUNCIL always seeks to look for solutions rather than problems so that applications for sustainable development can be approved, thereby resulting in improvements to the economic, social and environmental conditions of the area.

CONDITIONS

The applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

Material Samples

Please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.



Jim Newton - Assistant Director - Growth, Climate and Regeneration

Checked by:	SDI (Officer initials)
-------------	------------------------

NOTES TO APPLICANTS :

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (12 weeks in the case of householder or minor commercial development) of the date of this notice **(see exceptions below)*

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

If this decision relates to the same or substantially the same land and development as is already the subject of an **enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so **within 28 days of the date of this notice.****

If an **enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:*

28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*

PURCHASE NOTICE

If either the local planning authority or the Secretary of State refuse permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to

purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

BUILDING REGULATIONS

Any permission granted by this document relates solely to planning permission. Approval under the building regulations and other legislation may be required before works commence.

Development Monitoring

To inform us of your intention to start development please call, e-mail, or return the tear off slip, at least 14 days prior to the commencement of work on site. This will assist the Council with its policy of monitoring development within the district. Please ensure that you have complied with any pre-commencement conditions, e.g. supplied materials for approval. We will also monitor the development against the approved plans, and compliance with any Conditions imposed on the permission.

Thank you in advance for your assistance in this matter.

Yours faithfully

Paul Seckington
Development Services Manager

Please complete the tear off slip (in block capitals) and return to the address below before commencing work

Development Monitoring
WEST NORTHAMPTONSHIRE
COUNCIL
The Forum
Moat Lane
Towcester
Northants NN12 6AD

From (Name and Address):
Name _____
Address _____

Phone: _____

Please be advised that the following development is due to commence:

Planning Permission Ref: WNS/2021/1671/FUL
Site Address: The Spread Eagle 34-36 Forest Road Piddington NN7 2DA
Commencement Date: _____