

**North Northamptonshire Area Planning Committee
(Thrapston)
13 July 2022**

| | |
|---------------------------------|--|
| Application Reference | NE/21/01505/FUL |
| Case Officer | Dean Wishart |
| Location | 102 Nene View, Irthlingborough, NN9 5SG |
| Development | Proposed construction for 7 dwellings, demolition of existing building and associated works including formation of vehicular accesses, highway improvements works, residents parking and landscaping (Revised resubmission to 20/01587/FUL) |
| Applicant | Strada Group Limited – Mr M Khan |
| Agent | S Scropton and Partners – Mr Roy Hammond |
| Ward | Irthlingborough |
| Overall Expiry Date | 24 December 2021 |
| Agreed Extension of Time | 20 July 2022 |

List of Appendices

None

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there has been an objection from the Town Council, and from more than five local residents. Amendments to the scheme have not resolved the concerns of these parties.

1. Recommendation

- 1.1 That Planning permission is GRANTED subject to conditions.

2. The Proposal

- 2.1 This is a revised proposal following the refusal of planning application 20/01587/FUL, which was for a scheme of eight dwellings. This proposal involves the demolition of a vacant former community hall and its replacement with seven dwellings. The development would comprise six semi-detached dwellings and one detached dwelling. There would be a mixture of 3 and 4 bedroom dwellings, all of which would be two and a half storey with pitched roofs and rear dormers.
- 2.2 The previous application (20/01587/FUL) was refused for the following reasons:

“1. The proposed development due to its design and the loss of the front wall to the site would result in harm to the Irthlingborough Conservation Area. This harm would not be outweighed by public benefits in line with Paragraph 195 of the National Planning Policy Framework 2019 and would therefore be contrary to Policy 2 of the North Northamptonshire Joint Core Strategy 2016.”

And

“2. The proposed development would result in an intensification of use of the road known as Nene View, which is of a substandard width, and although improvements are proposed, these improvements would not meet acceptable design standards. This is due to poor visibility coming into Nene View and insufficient width and insufficient turning space for large vehicles. The intensification of this road, through the provision of 8 dwellings would result in severe harm to highway safety, which would be contrary to Policy 8(b) of the North Northamptonshire Joint Core Strategy 2016.”

The main changes with this application (when compared with refused application 20/01587/FUL) are as follows:

- Reduction of one dwelling (was eight, now seven);
- Larger turning head to accommodate fire appliance / refuse truck;
- Wider footpath on south side of Nene View, with crossing points;
- Three visitor parking spaces, for use by existing Nene View residents*

*(*the earlier version of the current application had proposed more visitor parking, but following comments from local residents and wider concerns from Officers the layout has been revised)*

3. Site Description

- 3.1 The application site comprises a vacant former community hall, which has been vacant for a number of years, with the site now being largely overgrown. To the north of the site is public highway and a row of nine terraced properties directly opposite the site. There are also two detached dwellings at the end of this row. To the east of the site is a detached bungalow, to the south is the dwelling at the Stooks and to the west is the Grade 1 listed St Peter's Church, and Irthlingborough Cemetery.
- 3.2 The site lies within flood zone 1 (lowest risk of flooding) and is in the Irthlingborough Conservation Area.

4. Relevant Planning History

- 4.1 82/00578/FUL – Change of use from warehouse and shop to parish hall – PERMITTED (26.05.1982)
- 4.2 82/00611/FUL – Use of premises as closing room, storage and factory shop – PERMITTED (16.06.1982)
- 4.3 85/00403/FUL – Re-roofing part of existing factory premises – PERMITTED (25.04.1985)
- 4.4 20/01587/FUL – Demolition of existing building and erection of 8 dwellings including landscaping, formation of vehicular accesses to highways and highway improvement works – REFUSED (30.06.2021)

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

6.1 Irthlingborough Town Council

OBJECT to the development on the following grounds:

Protection of the Irthlingborough Conservation area:

The National Planning Policy Framework (NPPF), sections 127b), c) and d) promotes developments which are visually attractive, with good architecture and layout and effective landscaping. These developments should be sympathetic to the local character and history including the surrounding built environment and landscaping and establish a sense of place. Sections 195/196 requires that weight is given to either substantial or less than substantial harm to heritage assets.

It is considered that the proposed development fails to consider the above NPPF requirements for the reasons outlined below:

The development site is within the Irthlingborough Conservation area, which is a statutory historic asset. St. Peter's Church that stands opposite, is a grade I listed building, and this development will have an adverse impact on

the setting and aspect of the Church as well as having a harmful impact on the Conservation Area itself.

The proposed wide-open frontages and increased road width will adversely impact the approach to St. Peter's, along Nene View altering the character and view of the road.

The houses in Nene View are 19th century non-statutory heritage assets, the aspect of these will be adversely impacted by the planned development.

The current building is set behind an attractive 19th century stone wall, although this has been modified, it is still considered a heritage asset. The loss of this stone wall will significantly change the character of the Conservation Area.

The proposal goes against Policy 2 of the North Northamptonshire Joint Core Strategy which states that the development should:

- Conserve and enhance
- Complement through scale, form, design and materials
- Demonstrate an understanding of the impact of the development

This development does not meet these criteria, it would have a detrimental impact on the Conservation Area and heritage assets.

Highways:

The National Planning Policy Framework, section 109, allows for developments to be refused on Highways Safety grounds.

It is strongly felt that although this development is seen to be acceptable from the Highways study, no mention has been made of the main access to the church for weddings and funerals. Vehicles are required to park at the Church entrance for these purposes.

Nene View is a very narrow road with a right-angled bend onto the road from Church Street, which restricts access. The proposed seven dwellings would increase traffic flow and parking issues and is considered to be a danger to traffic and pedestrians alike.

Current building and historic value:

The building has some historical significance relating to the shoe industry, with prior use as the works canteen for the shoe factory. Above the door is an "Express Works" stone plaque which was laid as a foundation stone by the oldest employee at the time, these historic items form part of the town's heritage. If the development were to be granted planning permission the Town Council would like to see this preserved and incorporated in to one of the houses as was done in the nearby Church Street development.

Environmental issues and conservation:

The area forms part of the wildlife corridor towards the River Nene, this development will have a detrimental impact to the current wildlife that can be seen in this vicinity, with loss of natural habitat.

The former use of this area as a shoe factory could mean that the land is contaminated.

Flooding/Drainage Issues:

The area is subject to flooding/drainage issues.

(Officer note: The NPPF references above relate to an earlier version of the document. Paragraph 109 is now 111 and 127 is now 130.)

5.2 Neighbours / Responses to Publicity

Representations were received from 10 local residents, with some writing in more than once, as is expected where amended plans are received during the course of the application. The following material considerations are raised:

In favour of development / Neutral

- General acceptance that the site should be developed;
- Noted that this application is an improvement over the previous scheme (20/01587/FUL)
- Acknowledged that road widening:
 - Is needed; and
 - Will improve pedestrian safety as Nene View residents will be able to park fully on the road instead of blocking the path;
- A wish to see the existing stone reused for the replacement wall;
- This scheme presents an opportunity to:
 - Resolve existing drainage issues; and
 - Remove hazardous materials from the site.

In opposition to the proposals

- Highway concerns:
 - Additional traffic, which could have a detrimental effect on use of the church for weddings / funerals;
 - The narrowness of Nene View, limited visibility and the 90 degree bend with Church Street, which will be unable to cope with the new development;
 - Existing parking issues for residents / existing residents already park at the corner with Church Street;
 - Other residents may use the new spaces intended for Nene View residents;
 - No overall highway benefit as road widening will:
 - Just mean Nene View residents will park fully on the road instead of partly on the path; and
 - Traffic speeds are likely to be higher, so traffic calming measures will be needed;
- Some of the existing residents are unlikely to use the visitor spaces due to security concerns (they wouldn't be able to see their cars from their own windows);
- Fewer visitor spaces than before;
- Loss of trees and wildlife;
- Conservation harms:
 - Loss of stone wall & proposed replacement wall not tall enough;
 - Harm to setting of the Grade I listed church / cemetery;

- Harm to setting of existing terrace on Nene View, which is considered to be a non statutory heritage asset;
- Nene View is part of the Nene Way walking route and views would be impacted negatively as a result of the development;
- Too much character destroyed for the benefit of the car; and
- Not outweighed by public benefits;
- The new dwellings:
 - Are too tall;
 - Are uninspiring in design terms;
 - Are too close to nearby properties;
 - Will cause a loss of light and privacy to nearby properties;
 - Will have small gardens;
- Overdevelopment of the site;
- Too much hard landscaping;
- Drainage / sewage concerns;
- Construction concerns:
 - How large vehicles will access the site and where contractors will park;
 - Asbestos / hazardous material removal from the existing building;
 - General construction nuisance;

Non-material comments

Comments relating to:

- Perceptions of the developer's motives;
- A preference for bungalows or '*fewer, aspirational homes*'; and
- Prospective boundary ownership/maintenance issues

as expressed by some residents, are noted but are not material and cannot be given weight. The Council must determine the scheme before it, so is unable to give weight to these preferences.

The Local Planning Authority can highlight matters such as a potential boundary management issues to the applicant, and where necessary it can provide informative notes on a decision notice, but ultimately these are matters for the applicant to resolve outside of the planning process, and can carry no weight in the decision reached on this application.

5.3 Archaeology

No objection subject to a pre-commencement condition relating to an implementation of a programme of archaeological work.

5.4 Environmental Protection

No objection subject to conditions relating to:

- Contamination;
- Working Hours;
- Dust Mitigation; and
- No burning of materials.

5.5 Ecology

I'm writing in response to your consultation on amendments to the above application for seven dwellings at Nene View Irthlingborough. My concern with this application is the net biodiversity loss, which I calculated to be roughly 70-75%. No net biodiversity gain calculation has been provided with the application, and no proposals for avoidance, mitigation or (as a last resort) compensation have been offered. Therefore, the proposal does not satisfy NPPF paragraph 174 or JCS Policy 4.

If despite the loss the council is of the view that the planning balance warrants approval then a CEMP condition will be required:

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Each dwelling should include integrated bat and/or bird bricks to partially compensate for the nesting opportunities lost with the tree and scrub removal. Additional nest boxes should be mounted on remaining trees. These should be secured by condition. I will expect that boundary treatments will include hedgehog holes, to allow hedgehogs to continue foraging on site.

5.6 Principal Conservation Officer

The application site is located within the designated Irthlingborough Conservation Area. It comprises a single storey building that was associated with the former Express Works Factory. I note the building has been vacant for a number of years and is currently in a rather dilapidated state.

While I have no objections in principle to the redevelopment of the site and recognise that further improvements have been made since the last application, I still have some concerns with the design of the scheme

proposed.

In my view, the two-and-a-half storey buildings proposed would be out of scale/proportion with the surrounding built form, namely the terrace row opposite.

I do not consider the terrace row to be a non-designated heritage asset.

I consider that this would result in a development that would be out of character with that of the Conservation Area. In addition, I note that it is proposed to remove the stone wall that fronts the site, which in my opinion forms an important character element.

In light of the above, I consider the proposals would cause harm to the special character/significance of the designated Irthlingborough Conservation Area. I classify this harm to fall within the less than substantial category, thereby engaging paragraph 202 of the NPPF, which requires the harm to be weighed against the public benefits of the proposal. For the avoidance of doubt, the harm caused is not severe enough to be classed as substantial harm.

If, after weighing up all relevant considerations, the recommendation is for approval, conditions will be necessary to secure:

- High quality stone and slate for the dwellings
- High quality block paving for the parking / path areas, given their prominence in the street
- Reuse of the existing stone for the replacement wall

5.7 Highways (LHA)

Make the following observations, comments and recommendations:

- Upon reviewing the site, it is considered on balance that the impact of this development could not be considered severe. The additional traffic that will be generated as a result of the proposal would be considered as a relatively modest increase. There is also the betterment in terms of the improvements to Nene View to be considered, which include, the widening of the road and space available for a fire appliance to manoeuvre.
- The LHA would also note that an independent Road Safety Audit has been carried out which did not identify any serious concerns. This includes an updated audit in response to the most up to date layout plans.
- Therefore, should the Local Planning Authority be recommending consent of the proposed, the Local Highway Authority will be seeking a suitably worded condition securing the requirement for a Construction Management Plan. This will include traffic routing and tracking of construction vehicles through the tight bend at Nene View.

5.8 Senior Tree and Landscape Officer

No formal comments received. Comments on the previous application for eight dwellings proposed landscape conditions, one of which is to be pre-commencement given the site's location in the Conservation Area, and potential for trees in the street scene to be affected.

5.9 Waste Management

With regard to the above application units 1-6 will need to present bins immediately adjacent to the highway which in this case would be Nene View. Plot 7 would be able to present adjacent to their property.

5.10 Natural England

DESIGNATED SITES [EUROPEAN] – FURTHER INFORMATION REQUIRED

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy and Guidance

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 - Presumption in Favour of Sustainable Development
Policy 2 – Historic Environment
Policy 7 – Community Services and Facilities

Policy 8 - North Northamptonshire Place Shaping Principles
Policy 9 - Sustainable Buildings and Allowable Solutions
Policy 11 - The Network of Urban and Rural Areas
Policy 28 – Housing Requirements
Policy 29 - Distribution of New homes
Policy 30 - Housing Mix and Tenure

6.4 Emerging East Northamptonshire Part 2 Local Plan – Submission Version (currently undergoing examination)

Policy EN1 – Spatial Development Strategy
Policy EN13 – Design of Buildings/Extensions

6.5 Other Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)
Northamptonshire County Council - Local Highway Authority Parking Standards (2016)
East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)
Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Design, Layout and Impact on the Character and Appearance of the Area
- Heritage Impact on the Conservation Area and the Setting of the Adjoining Listed Building
- Highway Safety and Parking
- Residential Amenity
- Flooding
- Ecology / Biodiversity
- Refuse and Recyclables
- Impact on Trees

7.1 Principle of Development

7.1.1 In general terms, Policy within the National Planning Policy Framework (NPPF), the North Northamptonshire Joint Core Strategy (JCS) (The Local Plan, Part 1) and the Council's emerging Part 2 Local Plan should be applied to the proposed development. In brief, the NPPF promotes a presumption in favour of windfall and infill development within the boundaries of existing settlements.

7.1.2 With regard to the JCS, Policy 1 seeks to secure sustainable development and Policy 29 identifies where housing will be supported across North Northamptonshire. It states that the reuse of previously developed land and buildings in the Growth Towns is encouraged. Table 5 of this policy identifies Irthlingborough as a Market Town. Policy 7 aims to safeguard community

facilities unless it can be demonstrated that they are no longer viable, not needed by the community that they serve and are not needed for any other community use.

7.1.3 It is unclear whether the previous use of the building was for the wider community or just for workers of the former factory workers, so JCS Policy 7 may not apply. Local opposition to the proposal from nearby residents and the Town Council does not mention the loss of a community facility. The building has been vacant for a significant period and has fallen into disrepair. It is therefore considered that, even if this were judged to be a community building, this use is unlikely to be viable, especially given the likely costs of bringing the building back into use. The amount of time it has stood vacant, with no apparent protest from the local community is further evidence that it is no longer required.

7.1.4 The proposed redevelopment of the site is therefore considered to be in accordance with this policy and the principle of the proposed development is therefore considered to be acceptable subject to other material planning considerations. Whilst it is noted that local residents have stated there are sufficient other sites being developed in Irthlingborough, this case needs to be judged on its own merits.

7.2 Design, Layout and Impact on the Character and Appearance of the Area

7.2.1 The reasons for refusal on the previous scheme for 8 dwellings (20/01587/FUL) were as follows:

“1. The proposed development due to its design and the loss of the front wall to the site would result in harm to the Irthlingborough Conservation Area. This harm would not be outweighed by public benefits in line with Paragraph 195 of the National Planning Policy Framework 2019 and would therefore be contrary to Policy 2 of the North Northamptonshire Joint Core Strategy 2016.”

And

“2. The proposed development would result in an intensification of use of the road known as Nene View, which is of a substandard width, and although improvements are proposed, these improvements would not meet acceptable design standards. This is due to poor visibility coming into Nene View and insufficient width and insufficient turning space for large vehicles. The intensification of this road, through the provision of 8 dwellings would result in severe harm to highway safety, which would be contrary to Policy 8(b) of the North Northamptonshire Joint Core Strategy 2016”

7.2.2 The proposal is similar in nature to the previous application in that the general design and layout principles remain. The Nene View carriageway would be widened, with a new turning area created. The new dwellings are of a traditional design and would be sited to the south side of Nene View as before. The positions vary slightly when compared to the previous application, but fundamentally the layout is similar.

7.2.3 When compared with the last application there have been the following key changes:

- A reduction in number of properties (was eight, now seven);
- A larger turning head, to highways standard;
- A wider footpath on the south side of Nene View;
- The provision of three “visitor” spaces*; and
- Additional space for landscaping

*The application has been amended. Originally more “visitor” parking, to be used by existing local residents, was proposed, but the layout was amended to allow for more landscaping, and in response to some residents comments that the spaces wouldn’t / were unlikely to be used due to their location.

7.2.4 Officers have been eager to minimise the ecological impact of the proposal, so allowing more space for landscaping is a benefit to the scheme in both ecological and visual terms.

7.2.5 With regard to the reduction in “visitor” parking, some residents have commented that there is not enough parking, whilst others have said they won’t, or are unlikely use the new spaces that are provided. There is no perfect solution. However, given the location of these spaces, it is understood why some residents may choose not to use them.

7.2.6 There seemed to be little point in providing spaces which only work in a theoretical sense, when the amount of land they take up allows for a reconfiguration to bring other improvements to the scheme. Therefore, the scheme, in its amended form, provides for three “visitor” spaces, which allows for the displacement of the three cars which currently park in front of the existing gateways (on the applicant’s land – unlawfully, but tolerated by the landowner).

7.2.7 The existing stone wall for the hall would be demolished but would be rebuilt. The height and detailing of this will need to take account of highway safety and conservation comments, but a replacement stone wall, utilising the same materials as far as possible, will (as best it can) preserve the character of the Conservation Area in that there will still be a stone wall on the south side of the street, which would have gaps / openings for the new parking areas in broadly the same locations as the existing gaps / openings for the Express Hall. There would be four openings as opposed to three currently, but the additional opening would be no wider than 1.8m for pedestrian use. The others would be 6m in width for the parking areas which is similar to two of the existing openings. The widest gap would be to facilitate the turning head at the east end of Nene View, at 8.49m.

7.2.8 The dwellings would be positioned broadly in the same places as with the last application and are far enough away from neighbouring properties to the north, east and south, so as not to cause an adverse impact to amenity. The site would certainly look a lot different to how it does now, but that is not inherently a negative outcome. The site is currently in a very poor, overgrown state and the overall layout of the proposal is considered to be

acceptable in that:

- It will improve the safety and functionality of the street for both new and existing residents / motorists / pedestrians / cyclists; and
- The style of dwelling is respectful of the surroundings, although it is accepted that this is not a universally shared view.

7.2.9 The space to the front of the new dwellings would represent an improvement over the existing overgrown derelict appearance of the site which detracts from the appearance of the street scene and character and appearance of the Conservation Area, as well as the setting of the Grade 1 listed church in close proximity to the site. Although the loss of the original stone wall would result in some harm, this is considered to be less than substantial and would be outweighed by the benefits of the widening of Nene View and the benefit of bringing a derelict and overgrown site, that detracts from the character and appearance of the Conservation Area, back into use.

7.2.10 The proposal is considered to be acceptable with regard to design, layout and its impact on the character and appearance of the area.

7.3 Heritage Impact on the Conservation Area and the Setting of the Adjoining Listed Building

7.3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. Section 72(1) imposes a requirement in relation to the consideration and determination of planning applications which affect conservation areas, that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.

7.3.1 The proposed development is located within the Irthlingborough Conservation Area and is adjacent to the Grade 1 Listed St Peter's Church. The Principal Conservation Officer (PCO) does not object in principle but does identify less than substantial harm associated with the scale of the dwellings, and loss of the stone wall. A local resident has suggested that the existing terrace on Nene View should be a non-designated heritage asset; the PCO does not agree with this.

7.3.2 Where less than substantial harm is identified, this must be weighed up against other public benefits arising from the proposal. These benefits are also described in other sections of the report, and summarised in the conclusion at Section 9 of the report, but in conservation terms, the proposed dwellings have been designed to be in keeping with the character of the other properties on Nene View in terms of their traditional design, and owing to the space between them and the terrace on the north side of Nene View, they would not dominate the street, and would afford better views of the existing terrace.

7.3.3 In addition, a replacement stone wall would be provided. The PCO has expressed that in the event on an approval, existing stone should be a

requirement for the replacement wall. This can also include the "Express Works" foundation stone. The PCO also expresses a requirement for high quality stone, slate, and block paving elsewhere on the development. This is a reasonable expectation given the level of physical change to the site, and to ensure that the finished development complements its surroundings. These details can all be secured by condition(s). Subject to these, it is considered that the wider benefits associated with redevelopment of the site outweigh the less than substantial harm to the Conservation Area in this case.

7.4 Highway Safety and Parking

7.4.1 It is accepted that the existing highway layout on Nene View is sub-standard. The road is narrow, constrained by stone walling on the south side, and there is a tight 90-degree bend onto Church Street. The proposed development would result in a widening of the road to 5.5 metres, plus a new 2m wide footpath on the south side. There would be 18 off-street parking spaces provided as part of the development, three of which would compensate for those lost where vehicles park on the applicant's land in the two existing gateways (unlawfully, but tolerated by the landowner). This complies with highway standards for 3 and 4 bedroom properties, as follows:

- 6 x 3-bedroom properties – 2 spaces each = 12 spaces
- 2 x 4-bedroom properties – 1 space each = 3 spaces

7.4.2 The site is also located close to the town centre and there are public car parks nearby on Church Street, a short walk away from the site. The impact on parking provision is therefore considered to be acceptable. Furthermore, whilst the proposed development would result in an intensification of vehicular movements over the existing situation with the site being vacant, the site currently falls under the D1 use class. If the existing use were to be reinstated or a similar use, it would likely have similar vehicular movements to the proposed development.

7.4.3 Although parts of the highway on Nene View would still be sub-standard following any approval of the proposed development, particularly at the bend with Church Street, the new layout represents a significant improvement over the existing situation. With traffic being moved further to the south on Nene View, visibility round this bend would be improved. The proposed turning head is compliant for fire appliances / refuse vehicles, and cars which are currently parked on the path on Nene View would be able to park fully on the road, which would improve safety for pedestrians. It is not a perfect solution, but in context is considered to be a significant improvement, one which the highways team are satisfied with following the applicant's submission of a road safety audit, which has been updated to reflect the most up to date layout plans.

7.4.4 Concerns about construction traffic can be mitigated through the conditioning of a Construction Management Plan as part of any approval.

7.4.5 The impact of the proposed development in relation to highway safety and parking provision is therefore considered to be acceptable for the reasons set out above and would be in compliance with Policy 8 (b) of the Core

Strategy.

7.5 Residential Amenity

- 7.5.1 In terms of the impact on neighbouring amenity, the proposed dwellings would be a sufficient distance away from the properties directly opposite, that there would be no significant impact in relation to loss of light and overlooking. There have been objections on the grounds of neighbouring amenity but the proposed dwellings would also be a sufficient distance away from the neighbouring bungalow at Strathmore (to the east) and the property to the rear at the Stooks (to the south) that there would be no significant impact.
- 7.5.2 In respect of Strathmore, it is acknowledged that there is a lounge window to the west facing elevation, but also that it is not the only source of light to that room. Unit 7 would be the closest property and is proposed to be located slightly further north than on the previous scheme, which will minimise any impact on sunlight. The Stooks is a more significant distance away, and there is heavy tree screening on its land which would prevent overlooking from being an issue. The impact of the proposed development upon neighbouring amenity is therefore considered to be acceptable.
- 7.5.3 In terms of the impact on the amenity of future occupiers, the proposed dwellings would comply with the space standards required by JCS Policy 30 and would have sufficient natural light. There would also be sufficient outdoor amenity space. Whilst the Council's Environmental Protection Team has stated that there is a possibility of contamination being present at the site, this can be dealt with via condition. The impact of the proposed development on residential amenity is therefore considered to be acceptable and would be in compliance with Policy 8 (e) of the Joint Core Strategy.

7.6 Flooding

- 7.6.1 Although concerns have been raised by local residents and the Town Council regarding flooding, the site lies within Flood Zone 1, which is at the lowest risk of flooding. No conclusive evidence has been provided to justify these concerns and in the absence of this, a refusal of planning permission on flood risk grounds could not be justified. The provision of sufficient drainage at the site is a separate issue and one that would be dealt with as part of the building regulations regime.

7.7 Ecology / Biodiversity

- 7.7.1 In respect of ecology there has previously been discussions with the Council's ecologist and Senior Tree and Landscape Officer (STLO). Information submitted with the application, and verified upon inspection by the STLO was there was no bat roost potential in the building, or in the trees which are to be felled as part of the proposals. Formal comments have not been received from the STLO to this application but the layout is similar to the previous scheme and there is now more, rather than less space for landscaping, so the proposed replacement planting and landscaping conditions from the previous application are regarded to be relevant for this proposal as well.

7.7.2 The Council's ecologist contends that the application does not comply with JCS Policy 4 or NPPF 174 in respect of net biodiversity loss on site (estimated to be 70-75%), and no specific proposals for avoidance, mitigation or compensation have been provided. However, they also acknowledge that in the overall planning balance, approval may be recommended, and to that end they recommend conditions relating to:

- A Construction Environmental Management Plan (CEMP);
- Integrated bat/bird bricks with each dwelling / nest boxes (to compensate for lost nesting opportunities on site); and
- Hedgehog holes in fencing

All of these are reasonable requests and can be secured by condition.

7.7.2 The site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area. This is a protected site from a nature conservation point of view under the terms of European Legislation. In such cases, the Council has a requirement linked to an adopted Supplementary Planning Document which requires a contribution per dwelling to mitigate against any impact. This contribution will be secured before any permission is issued, otherwise it would form a reason for refusal on ecology grounds. The financial contributions were secured on the previously refused application and the Council still holds the funds. With the applicant's agreement this fee can be transferred to the current application to ensure this matter is resolved.

7.8 Refuse and Recyclables

7.8.1 The site is considered to have sufficient space for the storage of bins for refuse and recyclables and also for them to be placed adjacent to the highway on collection day. The improved (wider) arrangements would also make it significantly easier for refuse vehicles to get to the new and existing properties.

7.9 Impact on Trees

7.9.1 There are a large number of trees to the front of the site that would be removed to accommodate the proposed development. This would have an impact on the street scene and the Conservation Area. The STLO previously commented to say that the loss of trees is not ideal but there is no objection subject to a condition for replacement landscaping, as there is scope for this elsewhere on the site. This layout has more scope for landscaping than the previous application so the condition is felt to be reasonable.

8. Other Matters

8.1 Archaeology: The Archaeological Advisor has stated that a Written Scheme of Investigation is conditioned as part of any planning permission. With this condition in place, the impact of the proposed development on archaeology is considered to be acceptable.

8.2 Utilities: The provision of utilities to the site is not a material planning

consideration and is a separate matter to be resolved between the developer and the utility companies if permission is granted.

- 8.3 Pre-commencement Conditions: A number of pre-commencement conditions are proposed if the proposed development is to be granted planning permission. These include the submission of an archaeological written scheme of investigation and the submission of a construction management plan. Applicants are required to agree pre-commencement conditions and in this case the applicant has agreed them.
- 8.5 Water Reduction: Policy 9 of the Joint Core Strategy states that all residential development should incorporate measures to encourage water use to no more than 105 litres per person per day and no more than 5 litres outdoors per person per day. Measures to ensure this shall be conditioned as part of any planning permission.
- 8.6 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.7 Crime / Anti-Social Behaviour (ASB): Northamptonshire Police have confirmed that there have been two police and three fire call outs to the site in the last 12 months alone. The general nature of the call outs has been people breaking entry to the site and setting fire to contents. The Police have emphasised that the nature of these call outs *“are significantly more and can be potentially more serious than other ASB issues”* owing to the risk of serious injury, which is of concern to them if the site is insecure / not redeveloped.

9. Conclusion / Planning Balance

- 9.1 It is acknowledged that redevelopment of this site presents difficulties and constraints. The site:
- Is within a Conservation Area and close to a Grade I listed church;
 - Includes an attractive stone wall that would be lost;
 - Is on a narrow, substandard highway, where parking issues are apparent; and
 - Has relatively high ecological value owing to the existing vegetation.
- 9.2 This is however, a brownfield site, where development / redevelopment is generally to be encouraged, in order to make the best use of land in sustainable locations, and that will sometimes mean needing to compromise in order to facilitate delivery. This site:
- Is in poor physical condition;
 - Although ecologically healthy, is very overgrown;
 - Is known to have anti-social behaviour issues; and
 - Seems very unlikely to come back into use, and even if it did, some of the concerns raised by neighbours and consultees (parking / noise / loss of landscaping / ecology etc) would be similar.
- 9.3 Leaving the site in its present state is undesirable, so the Council needs to

consider whether this proposal is an acceptable way forward for the site.

9.4 The previous application on this site was refused for two reasons. In respect of those:

1. Loss of stone wall – whilst acknowledging there is less than substantial harm to the Conservation Area associated with the loss of this wall, a replacement stone wall, incorporating existing stone, will be provided, and the wider public benefits and improvements associated with the proposal are considered to outweigh this; and
2. Highway safety – the scheme has been reduced from eight to seven dwellings, and proposed changes to Nene View, whilst not perfect, will improve the layout and safety of the street and have been found to be acceptable in highway safety terms through a road safety audit, which the highways team are satisfied with.

9.5 This is a proposal where planning balance must be applied. There are some conflicts, notably with regard to conservation and ecology, but even in these instances, the Officers acknowledge that their particular specialisms need to be weighed up amongst other considerations and they provide options for mitigation (conditions).

9.6 To that end, the main benefits of the proposal are that:

- It will provide for redevelopment of a brownfield site in a sustainable location which is in very poor condition;
- It will provide for family housing, and will contribute toward the wider demand for housing in the area;
- The design is traditional and a replacement stone wall will be included;
- It will significantly improve the Nene View highway, particularly for pedestrians and HGVs; and
- There will be permanent mitigation in respect of ecology (bat/bird boxes etc), which can be secured through condition.

Some disruption is inevitable during the construction phase, but this and other matters where there are concerns, or where further information is required, can be secured through conditions.

9.7 When viewed overall, the scheme is considered to be acceptable and subject to the necessary mitigation measures being secured, the recommendation is to approve.

10. Recommendation

10.1 That Planning permission is GRANTED subject to conditions.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans as detailed below:

- Location Plan - 1161-SAP-XX-XX-DR-A-00000-SO Rev 03;
- Proposed Plans – Unit Type A – 1161-SAP-V1-XX-DR-A-10110-SO Rev 05
- Proposed Elevations – Unit Type A – 1161-SAP-V1-XX-DR-A-30310-SO Rev 07
- Proposed Plans – Unit Type B1 – 1161-SAP-V2-XX-DR-A-10113-SO Rev 02
- Proposed Elevations – Unit Type B1 – 1161-SAP-V2-XX-DR-A-30313-SO Rev 02
- Proposed Elevations – Unit Type B – 1161-SAP-V2-XX-DR-A-30311-SO Rev 07
- Proposed Plans – Unit Type C – 1161-SAP-V3-XX-DR-A-10112-SO Rev 05
- Proposed Elevations – Unit Type C – 1161-SAP-V3-XX-DR-A-30312-SO Rev 08
- Proposed Site Plan – 1161-SAP-XX-00-DR-A-10005-SO Rev 019
- Proposed Tracking – Refuse Vehicle – 1161-SAP-XX-00-DR-A-10006-SO Rev 010
- Proposed Dimensioned Site Plan – 1161-SAP-XX-00-DR-A-10008-SO Rev 08
- Proposed Tracking – Fire Appliance – 1161-SAP-XX-00-DR-A-10009-SO Rev 09
- Proposed Landscape Plan – 1161-SAP-XX-00-DR-A-10010-SO Rev 02
- Proposed Street Elevations – 1161-SAP-XX-XX-DR-A-30300-SO Rev 12
- Existing and Proposed Site Section – 1161-SAP-XX-XX-DR-A-20000-SO Rev 08

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

3. Before any work is commenced on the development hereby permitted above slab level, samples of the external materials to be used in the external surfaces of the development shall be made available on site for inspection, and shall have been approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: To achieve a satisfactory elevational appearance for the development.

4. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning

authority. The CEMP shall include the following:

Biodiversity Elements

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

Construction Elements

- a) Hours of construction
- b) Location of contractor parking
- c) Routing arrangements for large (HGV) deliveries), to include details of holding areas where more than one large delivery is due at the same time

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity during construction and biodiversity

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) fieldwork in accordance with the agreed written scheme of investigation;

(ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 202.

6. No development, demolition, or other works on site in connection with the development hereby approved shall take place until full details of:

i.) Hard landscape works, to include but not be limited to, full details of boundary treatments, kerbing, car park surfacing (including the position, height, design, material, and the provision of hedgehog holes) to be erected and paved surfaces (including manufacturer, type, colour and size).

ii.) Soft landscape works, to include tree and shrubs planting plans at the front of the site (which show the relationship to all underground services and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree pit details (where appropriate) including, but not limited to, locations, soil volume in cubic metres, cross sections and dimensions, use of pavement support systems.

iii.) Full details of landscape maintenance for a suitable establishment period.

iv.) An implementation programme for the landscape works.

have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out in full in accordance with the approved details. Any trees or plants planted in connection with the approved soft landscape details which within a period of five years from planting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species as those originally approved.

Reason: In the interests of visual amenity, crime prevention, to allow hedgehogs to continue to forage on site and to ensure that the impact of the removal of any trees to the front of the site on the visual amenity of the street scene and wider Conservation Area is sufficiently mitigated

7. a) Prior to occupation of the first dwelling, full details of how parking spaces will be allocated, to include details of ownership / management responsibilities for the three 'visitor' spaces, shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details and any variations to the arrangements must be agreed in writing.

b) Prior to the first occupation of each dwelling, the parking and turning facilities for each dwelling as shown on the approved plans shall be provided and retained / maintained thereafter in perpetuity. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 no gates to the vehicular accesses are to be installed adjacent to the Nene View highway without the prior consent

of the Local Planning Authority.

Reason: In the interests of highway safety and to preserve the appearance of the Irthlingborough Conservation Area.

8. Full details of how the "Express Works" foundation stone will be integrated into the development, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority before development above slab level takes place. Development shall only take place in accordance with the approved details and the stone shall be retained / maintained thereafter in perpetuity.

Reason: To recognise the site's historic significance in accordance with Policy 2 of the North Northamptonshire Joint Core Strategy

9. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

- a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

- b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use.

Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

10. Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written

approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

11. Where required, remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

12. In completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

13. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

14. Prior to the commencement of development, details of the existing ground floor levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development hereby approved and adjoining sites shall have been submitted to and approved in writing by the local planning authority. All works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the precise height of the development can be considered in relation to its surroundings.

15. Prior to the first occupation of the residential unit hereby permitted, measures shall be implemented to limit encourage use to no more than 105 litres/person/day (plus 5 litres/person/day external water use).

Reason: As this is an area of water stress and to accord with Policy 9 of the North Northamptonshire Joint Core Strategy.

16. Each dwelling shall include at least one integrated bat and/or bird brick and additional nest boxes should be mounted on remaining trees around the site. Full details of this, to include a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority before development above ground commences. Development shall only take place

in accordance with the approved details and timetable, and shall be retained and maintained thereafter in perpetuity.

Reason: In the interests of ecology and to compensate for the loss of nesting opportunities associated with the tree and scrub removal on-site.

12. **Informatives**

N/A