

**North Northamptonshire Area Planning Committee
(Thrapston)
19th July 2021**

Application Reference	NE/21/00421/FUL
Case Officer	Patrick Reid
Location	13 - 19 High Street, Irthlingborough, Northamptonshire
Development	Demolition of existing first floor ancillary retail area and erection of two floors containing 8 residential units with associated car and cycle parking and refuse store
Applicant	Resham PLC
Agent	N/A
Ward	Irthlingborough
Overall Expiry Date	26 May 2021
Agreed Extension of Time	No extension of time agreed.

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the Town Council has objected to the proposed development.

1. Recommendation

1.1 That planning permission is GRANTED subject to conditions.

2. The Proposal

2.1 The application seeks planning permission for works to extend and alter a retail building to create a total of eight residential units. The ground floor would remain in retail use and would not incur a change of use. The first and second floors would be developed to be in residential use.

- 2.2 The extension to the building to create a second floor would be around 2.4m in height above the existing flat roof. The second floor would have a similar depth as the first floor albeit set in a slight amount at the front and back. The second floor would have a flat roof and would contain ten front facing identical tall windows. The first-floor windows would be altered to include ten windows to match those at the second floor.
- 2.3 At the rear of the building there would be a similar set of windows with the first and second floors matching. A row of eleven windows at both levels would face the rear. At ground floor, there would be little change at the front elevation except for the addition of a doorway and window. The existing retail windows would remain. At the rear, there would be fenestration and door changes. There would be four pedestrian doors as well as four windows as part of a reconfiguration of the ground floor rear elevation.
- 2.4 Vehicular access would be taken to the south-east of the building off St Peter's Way. The access would lead into the car park and the plans show a total of eight parking spaces for the residential part of the development, with one space per flat. The plans show five spaces along the eastern side of the car park and three more centrally.
- 2.5 Internally, a total of eight two-bedroom flats would be created with four each at first and second floor levels. Access would be taken from a new entrance door on the High Street, leading up the stairs. There would also be a gym/storage area at both the first and second floor levels available for residents. The second floor flats would be accessible via an internal stairway leading up from the first floor. The layout of the flats at first floor would be near identical to those at first floor. An entrance door to the rear car park would also provided access to both levels of residential accommodation.
- 2.6 All of the flats would have two bedrooms and an open plan living/kitchen area. There is some variation in the floorspace in the flats ranging from 62 sqm to 76 sqm.

3. Site Description

- 3.1 The site comprises a building located off the High Street in the centre of Irthlingborough. At the ground floor is a retail unit which has been unoccupied for several years. At first floor there is storage space associated with the unoccupied retail unit. The building has two storeys and it has a flat roof. The ground floor has a retail frontage with large windows and associated signage above. The retail frontage has shutters due to the unoccupied nature of the property. The first floor has a number of windows in a mainly brick façade, although there is some boarding around some of the windows.
- 3.2 The building is set within an area characterised by a mixture of uses. On the High Street are various retail and commercial uses. To the rear, and off St Peter's Way, are residential properties of different types.
- 3.3 To the rear of the building is a car park accessed via St Peter's Way. The car park is informally laid out and is privately owned. The rear area serves the commercial units fronting the High Street including the unoccupied retail unit, subject of this application.

- 3.4 The site is located in the Irthlingborough Conservation Area and is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area. Additionally, to the south-east of the site is the nearby St Peter's Church which is Grade I listed.

4. Relevant Planning History

- 4.1 19/01077/FUL - Proposed Extension & Conversion of Retail to Residential (6 No Flats) (13 - 19 High Street) including access, parking & amenity space – REFUSED (12.06.2019) Subsequent APPEAL DISMISSED (07.05.2020)
- 4.2 15/00722/VAR - Variation of condition 7 and 8 pursuant to planning permission 12/00698/FUL Proposed extension and conversion of existing first floor storage areas into five flats. PERMITTED (29.05.2015)
- 4.3 15/01953/FUL - Proposed first floor extension and conversion to create two, two-bedroom flats. PERMITTED (15.12.2015) (19-21 High Street)
- 4.4 12/00698/FUL - Proposed extension and conversion of existing first floor storage areas into five flats (three one-bedroom flats and two two-bedroom flats). PERMITTED (28.10.1997)

Adjacent car park:

- 4.5 20/00997/FUL - Erection of block of 8 flats with associated vehicular access, parking and landscaping – SUBJECT OF ONGOING APPEAL
- 4.6 16/02285/FUL - Proposed residential development of 9 dwellings adjacent to St Peters Way. REFUSED 30.06.2017. APPEAL DISMISSED (12.12.2017) (adjacent land)

5. Consultation Responses

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

5.1 Irthlingborough Town Council

Comments received 30.04.21: Objection on the following grounds:

- Contrary to pre-submission draft Local Plan Part 2 (February 2021), Policy EN39, relating to the former Select and Save Site;
- Contrary to the emerging Irthlingborough Neighbourhood Plan relating to the redevelopment of the site;
- Detrimental impact due to increased use of junction onto St Peter's Way when considered with two applications subject of ongoing appeal
- Conflict with Policy 8 of the North Northants JCS due to unattractive design
- Lack of green space for residents
- Detrimental impact on the Irthlingborough Conservation Area due to over-intensification of the site

5.2 Natural England

Comments received 06.04.21: 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. (Officer comment: the relevant mitigation amount has been received)

5.3 Local Highway Authority (LHA)

Comments received 20.04.21: Following observations:

- Intensification of movements at junction where St Peter's Way meets the High Street which is narrow and lacking suitable footway and vehicular visibility;
- Objection for shared commercial and residential access;
- The parking provision is below that set out in the NCC Parking Standards document.

5.4 Environmental Protection Officer

Comments received 14.04.21: initial clarification sought on points relating to distance to the windows, acoustic fencing and drawings.

Subsequent comments received 08.0.21 (following receipt of additional information): No objection subject to conditions be added to (three conditions listed relating to acoustic glazing, no burning and construction times).

5.5 Waste Manager

Comments received 07.04.21: request for swept path analysis of refuse vehicle (Officer comment: subsequently identified to be in the Transport Assessment)

Subsequent comments received 18.06.21: The swept path does not show the full manoeuvre that would be required on site. Our RCV would drive into the site forwards then need to turn around, to the left, in order to reverse back to the waste compound and would then drive out.

5.6 Neighbours / Responses to Publicity

Three representations have been received, of which two are in objection and one makes general comments. The points raised are summarised as follows:

- Impact on privacy of nearby properties;
- Impact on daylight reaching nearby properties;
- Impact on junction between High Street and St Peter's Way;
- Other options should be explored for the commercial units;
- Intensification of inadequate access;
- Preference for the site to be developed as part of a wider town centre redevelopment
- Impact on Conservation Area and non-designated heritage assets of the alms houses;

- Intensification of use of access when considered with developments subject of ongoing appeal;
- Conflict with emerging Local Plan policy;
- Impact on the setting of Labumum Cottage, Blacksmith Cottage, 3/3a and 7 High Street;
- Overlooking of nearby gardens.

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

National Planning Policy Framework (NPPF) (2019)
 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 4 - Biodiversity and Geodiversity
 Policy 5 - Water Environment, Resources and Flood Risk Management
 Policy 6 - Development on Brownfield Land and Land Affected by Contamination
 Policy 8 - North Northamptonshire Place Shaping Principles
 Policy 9 - Sustainable Buildings and Allowable Solutions
 Policy 10 - Provision of Infrastructure
 Policy 11 - The Network of Urban and Rural Areas
 Policy 12 - Town Centres and Town Centre Uses
 Policy 22 - Delivering Economic Prosperity
 Policy 28 - Housing Requirements and Strategic Opportunities
 Policy 29 - Distribution of New homes
 Policy 30 - Housing Mix and Tenure

6.4 Local Plan – Emerging East Northamptonshire Local Plan (LPP2) (2021)

IR1-A - Provision for Housing in Irthlingborough

6.5 Other Relevant 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)
 East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)
 East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Highway Safety and Parking
- Environmental Matters
- Ecology
- Waste Storage and Collection
- Residential Amenity
- Other Matters

7.1 Principle of Development

7.1.1 The site is located within the centre of Irthlingborough and the nature of the development is the creation of new residential units at first and second floor level. Irthlingborough is classified as a 'Market Town' in the Joint Core Strategy (JCS). Policy 11, (b) sets out that the Market Towns 'will provide a strong service role for their local communities' with growth in homes and jobs at a scale appropriate to the character and infrastructure of the town.

7.1.2 The area's plan for housing provision is set out in policies, including Policy 28 which sets out that across the plan period there were requirements for East Northants to provide 8,400 dwellings. Policy 29 sets a broad basis for the distribution of new homes to be developed. New housing will have a strong focus on the 'Growth Towns' followed by the 'Market Towns'. Table 5, associated with Policy 29 sets out that Irthlingborough is to provide 1,350 dwellings across the plan period, as part of the then district wide need to provide 8,400 dwellings.

7.1.3 For the reasons set out above, residential development in the town is acceptable in principle. The proposal also relates to the loss of storage space associated with the retail unit at ground floor. Policy 12 of the JCS seeks to ensure that the area's town centres are supported by development contributing to their vitality and viability.

7.1.4 As the shop has been vacant for many years there is reason to indicate it is not viable or attractive in its current form. The change of use of the first floor to residential is considered to be compliant in relation to Policy 12 which states that the vitality and viability in North Northamptonshire will be supported by supporting the provision of additional residential uses on appropriate sites including the re-use of vacant space above shops. The space above the shop is vacant. The loss of the space is not considered to impact on the potential future use of the ground floor retail unit.

Emerging Local Plan Part Irthlingborough Neighbourhood Plan

7.1.5 There is no made Neighbourhood Plan for Irthlingborough. The first stage occurred in December 2014 when an area was designated, but there is no draft or submitted version of a plan. There has been no examination of a plan and given the limited progress, no weight can be attributed to such.

- 7.1.6 In March 2021, East Northamptonshire Council submitted a Local Plan Part 2 for Examination. The plan and its policies are yet to be examined and will therefore be subject to this stage and subsequent local consideration before it can be adopted. As such, some weight can be attributed to its contents.
- 7.1.7 Draft Policy EN39 relates specifically to the site subject of this application and it seeks to identify it for redevelopment. It includes a number of criteria that a proposal should deliver. In respect of the ground floor, given that the proposal does not affect the use from retail, the suggestion for town centre uses would appear to be satisfied. Part (f) indicates a preference for 'live-work units at first floor level or above'. It is unclear how feasible it was envisaged this would be and whether there has been any market interest in such development. Evidently the proposal is solely for residential units above retail, which is unlikely to be considered 'live-work'. It is considered however that the policy is worded aspirationally and does not preclude residential development.
- 7.1.8 Part (c) expresses a preference for the deliverance of a pedestrian connection between the high Street and St Peter's Way through the site. This would require pedestrian access through the building, car park and access. It is not clear how such arrangement would be possible or desirable, and how such would assimilate with the intended residential and retail development of the building. As such it is not considered a reason to resist the proposal.
- 7.1.9 In respect of the other aims, the proposal would deliver an enhancement to the High Street frontage and the heritage impact is considered later in this assessment. Additionally, parking and servicing arrangements are considered later in this report.

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

- 7.2.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72(1) of the same act imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced.
- 7.2.2 The site is located within the Irthlingborough Conservation Area and as such Policy 2 of the JCS is relevant. The Policy requires that the historic environment be preserved and where appropriate enhanced. The site is also in proximity to a Grade I listed St Peter's Church to the south-east.
- 7.2.3 A starting point for considering the character impact on the area and specifically the Conservation Area (CA) is the appeal decision that related to the same building, issued in May 2020, that related to the development of six flats at first floor level. That scheme did not include an addition of a second floor and is evidently different in this respect, but for the purposes of assessing the contribution of the existing building, the Inspector's comments are insightful. At paragraph 10 the Inspector describes the front of the building as having some 'disrepair' and that the rear has a 'functional, somewhat bland appearance'. The Inspector concluded 'the appeal building does not currently make a positive contribution to the ICA'.

- 7.2.4 It is considered a reasonable position to take that the existing building is a negative feature in the High Street and Conservation Area, not only because of its unoccupied nature and state of disrepair, but also because of the form and design of the building. The comments of the Inspector previously affirm this position.
- 7.2.5 The proposal to add a second floor to the building is considered in terms of the scale and massing of the context of the buildings nearby and how the resultant building would sit within it. In the near vicinity, on the northern side of the High Street is a three-storey building with a pitched roof, slightly to the east of the host building. It houses retail units at ground floor with what appear to be residential units above. To the immediate east there are traditional stone two-storey buildings which were likely constructed as residential units. The building opposite containing a supermarket at ground floor is of a similar height to the existing building and also has a flat roof. Beside it, to the west, is a traditional three-storey building with a pitched roof. Beyond the row of flat roof units on the southern side, the buildings to the west are more varied and range from single to three-storey buildings.
- 7.2.6 The building would be clearly visible from both directions of the High Street and the addition of a floor would be a prominent feature in a town centre area. The additional massing is relatively limited due to the utilisation of a flat roof and the small set back from the front. It is considered that the building would not appear unusually tall in the street scene and it would not dominate the nearby buildings. In terms of massing and height, the proposal is considered to be sympathetic to the area including the CA.
- 7.2.7 The second floor is designed to provide a visual distinction from the first floor through the use of a contrasting material, although it is not specified. The visual imagery provided shows a dark material, potentially a form of cladding, that is visually different from the rendered first floor. The resultant appearance of the frontage of the building is considered to be an improvement through the addition of architectural interest in the building. The introduction of improved windows would be a further benefit. It is also necessary to note the benefit of increased activity of the building which it has evidently been lacking for several years. The potential occupation of the first and second floor would add vitality to the building as well as put more people in the town centre who will utilise existing businesses.
- 7.2.8 From the rear of the building the alterations are also considered to be a benefit to the character of the area. The same second floor style being continued would enhance a part of the building which is currently somewhat poor aesthetically. The addition of vitality and activity in the area would also be beneficial from a character standpoint, particularly through the increase in windows overlooking the car park. The alterations at first and ground floor level of the rear façade are also considered improvements, modernising the building which is in need of updating.
- 7.2.9 In considering the visual impact of the development the scheme is considered to provide an improvement through sensitive and sympathetic changes to the building that are respectful of the Conservation Area status of the site.

7.2.10 The proposal to alter the rear part of the retail unit through the addition of a green roof is considered a positive change. The existing appearance is functional and aesthetically poor, and the improvement of this part would create an interesting contrast with the residential part of the building. The addition of a cycle store is also considered to be a positive.

7.2.11 The Town Council has raised concern that the proposal would harm the setting of the Grade I listed St Peter's Church. In terms of views of the church from the High Street, it is not considered that the development would materially affect these. Additionally, as the proposal is considered an enhancement of the building, there is considered to be no harm on the setting of the church.

Visual Impact Considerations in Light of Nearby Undetermined Development Proposals

7.2.12 There are two development proposals near to the application site that are subject of ongoing appeals with the Planning Inspectorate. A proposal for a block of eight flats located within the car park to the rear of the retail units is one and the other is a proposal for a block of six flats on land beside the access off St Peter's Way. Given that both appeals are undetermined, there is a possibility that planning permission will be granted for one or both of the proposals. As such and given that both schemes would share the access off St Peter's Way, intended to serve this proposal, regard is given to potential implications of the developments occurring.

7.2.13 The nearer of the two proposals is of the eight-flat proposal in the car park, which is shown to have a modern design and sit centrally within the space. In visual terms, there would be a space between the two developments and there is not considered to be a conflict in the two designs. In terms of cumulative visual impact, it is not considered that there would be harm brought by the developments if the development in the car park were to proceed.

7.2.14 The proposed development beside the access point on St Peter's Way is a significant distance away and the visual relationship between the two developments would be limited. Should it proceed, it is not considered that it would represent a reason to resist the proposal based on visual grounds.

7.3 Highway Safety and Parking

Access

7.3.1 The proposal to use the access off St Peter's Way requires the consideration of several relevant factors. These include the recent appeal decisions from 2017 (ref. 3181795 for a block of nine dwellings on the current car park) and 2020 (six flats above the shops) relating to the site, the nature of the existing use, and material impact of the proposals. The first concern raised by the LHA is the principle of the access being shared by commercial and residential traffic. This, however, is not considered to be sufficient reason to refuse a development as it is not specific about the impacts of the proposal. Additionally, the Inspector did not find the matter in principle to be unacceptable. The Council is also aware of other nearby town centre sites in the area where Inspectors have not found a shared use to be a reason for refusal.

- 7.3.2 The Inspector's Appeal Decision from last year, ref. 3242441 relating to a proposal for six flats, was dismissed solely on the basis of the shortage of financial payment to mitigate the impact on the Special Protection Area which is within 3km of the site. All other matters were deemed to be acceptable and the conclusion within paragraph 30 of the Appeal Decision identifies this as the sole conflict, 'Notwithstanding the acceptable impact of the proposal on the significance of the ICA, this would be outweighed by the harm to designated natural habitat sites, and in particular, the integrity of the UNVGPSPA.' This weighs in favour of residential use of the access and St Peter's Way.
- 7.3.3 The Appeal Decision from 2017 relating to the proposal of nine dwellings on the car park highlighted that the Parking Standards document is not adopted and there is no conflict with adopted policy in this regard. At paragraph 48 the Inspector noted 'I conclude that the appeal proposal incorporates sufficient car parking provision, however, insufficient information has been provided to demonstrate that the proposed access road and the servicing requirements are satisfactory and meet the standards to ensure highway safety.' From these comments it was clear that the concern related to the space to be left for turning particularly for commercial vehicles servicing the retail units. The additional use of St Peter's Way was deemed acceptable.
- 7.3.4 It is noted the LHA have referred to visibility splay requirements, but the comments do not take account of the speed survey and Transport Assessment showing travel speeds of c21/22mph, rather than 30mph. The comments do also not account for the Inspectorate's recent appeal decisions in which the use of St Peter's Way was deemed acceptable.
- 7.3.5 Officers consider Appeal decision 3242441 to be an important a material consideration in relation to access matters. This decision dated 7 May 2020, related to a proposed development of 6 flats above 13-21 High Street (part of the commercial units near the site). The development was to be served by six parking spaces. As identified previously, the Inspector dismissed the appeal solely on the basis of a shortage of a mitigation contribution towards the Nene Valley Gravel Pits Special Protection Area (SPA). All other matters were deemed acceptable, including highway safety. As such, the Inspector found that the addition of residential access to six flats was acceptable in planning terms.
- 7.3.6 The response from the LHA raised concerns that the proposal would be shared with commercial traffic and that this in itself is unacceptable to them. This however has been deemed acceptable by the Inspector in 2020 and in a number of other cases that the LHA has dealt with. It is considered that a justification would need to identify clear harm, rather than solely being on the principle of a shared commercial/residential access. The LHA has not specified what the harm would be in this particular case.
- 7.3.7 The proposed eight two-bedroom flats would be associated with more movements than the six flats which were subject of the appeal decision in 2020. The difference is small, however, and there is no reason to indicate the difference in vehicular movements using the access between the two developments would be harmful. As such, on the basis of the increased use of St Peter's Way and considering the Inspector's decision ref. 3242441, it is considered the proposal is acceptable.

Access Impact Considerations in light of nearby undetermined development proposals

- 7.3.8 The two developments under consideration total fourteen flats, both reliant on the access off St Peter's Way. There is a possibility one, or both, will be permitted and as such it is reasonable to consider the circumstance in terms of cumulative use of the access point.
- 7.3.9 The LHA has not directly addressed this possibility. It is noted, however, that the Council did not object to the proposed scheme, based on additional vehicle movements, in their Statements of Case submitted for each of the appeals. As the addition of those two developments has been acceptable to the LPA in respect of the additional use of St Peter's Way, the proposal needs to be considered in light of cumulative impacts and whether the movements associated with this proposal are acceptable or would cause material harm.
- 7.3.10 The application is supported by a Transport Statement in which the impacts of traffic movements, associated with the development, are assessed. The report is supported by a speed survey undertaken on St Peter's Way, which found that the 85th percentile speeds were in the region of 21-22mph in both directions. This indicated that speeds are less than the speed limit and as such, stopping distances required are less. At paragraph 2.8 of the report it shows that appropriate visibility can be achieved at the access. In this regard, the evidence indicates that additional use of the access point is acceptable.
- 7.3.11 The report goes on to calculate the estimated vehicular movements associated with the flats which totals eighteen per day. This is a small to modest number of movements over a day and adds further weight to considering whether the traffic implications are minimal.
- 7.3.12 The other aspect of the use of the access is the continued use by commercial vehicles for servicing the retail units. The estimation is that there would be one trip per weekday accessing the retail unit. Given that the retail unit exists currently, albeit unoccupied, the development is not considered to be an issue in respect of commercial traffic movements. Due to the small size of the units fronting the High Street, smaller commercial vehicles such as transit vehicles and smaller vans, rather than HGVs are considered to be the primary source of servicing the commercial units.

Parking Provision

- 7.3.13 The LHA has referred to the Parking Standards document which is used as guidance by the LPA, but is not adopted. The standards indicate a requirement of eighteen spaces for the development (sixteen resident, two visitor), based on the number of bedrooms proposed, whereas the proposed spaces total eight (one per flat). In terms of visitor parking, it is noted that there is a public car park to the east, a short distance away. This may be considered to provide a suitable resource for many instances of visitors visiting the residents. The main issue is therefore whether the provision of eight parking spaces is sufficient.

- 7.3.14 The number of spaces proposed for the six-unit scheme, considered under last year's appeal, totalled one space per flat. The mix then was five two-bedroom units and one one-bedroom unit. The Inspector did not dismiss the appeal based on a shortage of spaces, despite the proposal of six spaces rather than the thirteen required using the LHA standards. Additionally, the LPA did not object to the two schemes subject of appeal, based on a shortage of parking and the associated highways impact. Therefore, it is reasonable to conclude that locally, the planning assessment of appropriate parking provision on and near the site has been flexible in finding that one space per two-bedroom flat is acceptable. This is a material consideration.
- 7.3.15 The submitted Transport Statement makes the case that car ownership associated with flats is less than houses, at 0.87 vehicles per household. It also reiterates the importance of location in setting parking need and highlights that the site is in a town centre. The location of the site has been a factor in previous applications, noting its proximity to retail services, bus stops and other services.
- 7.3.16 Whilst the full source of information relating to car ownership and flats is not provided, it is considered that there may be less of an expectation for two spaces associated with two-bedroom flats than a house in a more spacious environment. The units proposed are open market and potential occupants would be aware that the flats would each only have one parking space. This would likely inhibit occupants with two vehicles from choosing the units as it would not meet their needs.
- 7.3.17 On balance, it is considered that the provision of one parking space per flat is considered acceptable in this circumstance. It is considered probable that future occupants would choose to live in the units if they have one car or none, and there is no indication to suggest the parking provision would materially harm the local highway network.

Parking Space Sizes

- 7.3.18 The submitted Transport Statement indicates that the spaces are to measure 2.5m by 5m. The Parking Standards indicate this to be the appropriate size for parking courts whereas it is larger for driveways. Given that the proposal represents parking courts, the dimensions are considered appropriate.

7.4 Environmental Matters

Noise

- 7.4.1 The Council's Environmental Protection team reviewed the submitted acoustic report and has confirmed it has no objections to the proposal subject to the inclusion of conditions, including one relating to acoustic glazing. Whilst the building is located near to a car garage, which undertakes loud works, the separation and acoustic glazing are considered acceptable to ensure future occupants will benefit from acceptable levels of amenity.

7.5 Flood Risk and Drainage

- 7.5.1 As the development would not introduce any new impermeable surface, the development is not considered to cause any drainage issues.

7.6 Ecology

- 7.6.1 The application site is located within 3km of the Nene Valley Gravel Pits Special Protection Area. The associated Supplementary Planning Document (SPD) requires that applications for residential development make appropriate mitigation for the impact of bird populations on this area. The relevant amount has been requested and received, and as such the proposal is acceptable in this respect.
- 7.6.2 The building appears to exhibit no features that would provide obvious habitats or features of ecological significance. There is no reason to indicate the development would affect any protected species, and the proposal is considered acceptable in ecological terms.

7.7 Waste Storage and Collection

- 7.7.1 The proposal includes a refuse storage area near to the parking spaces at the rear of the site. The Council's Waste Manager has commented on the application, indicating a preference for them to be stored nearer St Peter's Way to enable bin workers to collect more easily. Clarification was also sought on the vehicle tracking for a refuse vehicle.
- 7.7.2 Vehicle tracking has been provided within the Transport Statement. The plans provided show space within the car park being used for a refuse vehicle to turn. The plan would appear to leave the space for the potential apartment building, that is subject of an application currently under consideration by the Planning Inspectorate. The Waste Manager has indicated that the full swept path analysis is not complete as it does not show the full manoeuvre. It is not fully clear if a refuse vehicle would be able to turn in the site, if the apartment building subject of the ongoing appeal is to receive permission. It is apparent that there is space in the car park without the apartment block proposed. Evidently however, it is necessary to consider the possibility that a building will be built and turning vehicles will be reliant on the space left available.
- 7.7.3 The development that would affect refuse vehicle turning space is the separate application subject of appeal, not this one. This application must be assessed only on its merits. It must be considered that, if the other development happens to be permitted by the Inspector, then it is likely they will have deemed there would be sufficient space within the remaining car park for a refuse vehicle to turn. Logically therefore, if it is deemed acceptable for that development then the same would apply here. On the alternate circumstance where that development is refused, there would be more than sufficient space and the apartment building in the car park would not be built.
- 7.7.4 In this instance, the Agent has been asked if an updated swept path analysis can be provided. However, for the reasons above and as the development itself would not reduce the amount of turning space available, it is considered that it would be unreasonable to resist the development on this basis. Whether the appeal is allowed or dismissed, the access arrangements will be acceptable. Further detail will be reported on the update sheet.

7.7.5 From the comments received, it is inferred that the bin storage space provided for the flats is sufficient.

7.8 Residential Amenity

Light impact

7.8.1 2 to 24 St Peter's Way

To the south-east of the building is a block of flats housing numbers 2 to 24. A submitted 'shadow impact' plan has been provided which indicates that the proposal would not materially affect this building. Due to the orientation of the two buildings this is logical given the proposal is further north than the neighbouring property.

7.8.2 20 to 44 High Street

Across the High Street are a number of properties in different buildings. The shadow impact plan demonstrates that even at the time of the year where shadowing would be at its greatest during the winter, there would be negligible impact on the amenities of neighbouring properties in terms of light loss.

Privacy

7.8.3 2 to 24 St Peter's Way

The windows of the flats are of an orientation that would not cause a material impact on the privacy of the flats at nos. 2 to 24.

7.8.4 20 to 44 High Street

Few of the units appear to be in residential use. No. 34 appears to be a detached house facing the front of the proposed building which will add the second floor. Whilst there are windows that will be directly opposite, the separation across the High Street is considered to be sufficient to be acceptable in planning terms.

7.8.5 11 High Street

To the east of the building is a two-storey residential property attached to the application building. Whilst the development would be in close proximity, there would be no additional overlooking of the site or material affect to its amenities.

8. Other Matters

8.1 Equality Act 2010: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010). The flats are accessed via stairs only with no lift access. This would likely mean the accommodation would not be accessible to persons requiring wheelchair access or who have other mobility needs requiring a lift.

- 8.2 Health Impact Assessment: Paragraph 91 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds. In addition, a contribution is sought towards healthcare services.
- 8.3 Amenity for future occupiers: All of the eight flats exceed the minimum space requirements set in the National Space Standards. All of the habitable rooms are served by windows and would receive natural daylight. In respect of amenity, the accommodation is considered acceptable.
- 8.4 In regard to external amenity space, the units do not have any. A shared gym space on each floor is shown, but they would not have the benefit of gardens. There are however no policies that place gardens or outside space as a necessity, and it is commonplace and acceptable for dwellings to be without such.
- 8.5 Housing mix: Policy 30 of the JCS expresses a preference for developments to include smaller dwellings of 1-3 bedrooms. The development is exclusively 2-bedroom units and therefore contributes to meeting this need and policy required. This weighs in favour of the development.

9. Conclusion / Planning Balance

- 9.1 The proposed development is in accordance with the adopted policies in relation to residential development. It would provide eight residential units in a sustainable location near to services and facilities. The site has been the subject of a recent planning permission for five flats and the proposed scheme is considered a visual improvement to the earlier scheme. The design of the development is considered to be sympathetic to the setting within the Irthlingborough Conservation Area and within the setting of the Grade I listed St Peter's Church.
- 9.2 The site is the subject of a draft policy in the submission version of the Part 2 Local Plan. Whilst there are aspects of the policy that the development would not achieve, namely the provision of live-work units, and a pedestrian access to St Peter's Way, the wording of the policy is considered to be aspirational. More importantly, the policy has not been subject of examination and it is not apparent how feasible these aims are. They are not considered a reasonable basis to resist the development.
- 9.3 The provision of one parking space per flat is less than the LHA would prefer. However, the amount is considered appropriate when taking account of recent appeal decisions in the area, the availability of public parking nearby and the nature of the residential units proposed. The proposal is otherwise considered acceptable in terms of ecology, private amenity impact and access.

10. Recommendation

10.1 That planning permission is GRANTED subject to conditions

11. Conditions / Reasons for Refusal

1. The development permitted shall be begun before the expiration of 3 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.

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

Existing Floor Plans and Elevations ref. 01;
Proposed Ground Floor Plan ref. 02;
Proposed Ground Floor Plan ref. 02;
Proposed First Floor Plan ref. 03A;
Proposed Second Floor Plan ref. 04A;
Proposed Elevations ref. 05A;
Proposed Site Plan ref. 06;
Proposed Site Plan & Site Sections ref. 07;
Cycle Store Proposed Floor Plans and Elevations ref. 11.

Reason: To define the terms of the planning permission and to ensure that the development is carried out as permitted.

3. Prior to the development above the slab level, full details of the external materials for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity. Samples of materials and product details must be provided to the Local Planning Authority.

Reason: To safeguard the visual amenity of the area in accordance with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2016.

4. Prior to the first occupation of the development hereby permitted, a scheme must be submitted to and approved in writing by the Local Planning Authority which details the construction and surfaces of the site access. No dwelling shall be occupied until the access associated with the dwelling has been constructed and surfaced in accordance with the approved scheme.

Reason: in the interest of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

5. The parking spaces hereby approved shall be used solely by the occupants of the flats hereby approved. Each flat shall be allocated one parking space. The parking spaces shall be retained and maintained for the lifetime of the development.

Reason: In the interests of securing adequate parking provision.

- 6.. Acoustic glazing must be fitted to the development, prior to the occupation of the associated dwelling, as detailed in sections 5.2.7 and 5.2.13 of the Acoustic Planning Report, reference 62-04.0421. APR.

Reason: To protect the amenity of any residents of the development.

7. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity.

8. No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Bank Holidays or Public Holidays.

Reason: To ensure the protection of the local amenity throughout construction works