



**Name and address of agent:**

CC Town Planning - Ross Middleton  
CC Town Planning  
Newton House  
Northampton Science Park  
Kings Park Road  
Northampton  
NN3 6LG

**Name and address of applicant:**

Ms D Mabbutt  
48, High Street  
Irthlingborough  
NN9 5TN

## **NOTICE OF REFUSAL**

Town and Country Planning Act 1990 (as amended)

**Part 1 – Particulars of application**

**Date Valid:**  
23 February 2021

**Application Number:**  
NE/21/00224/FUL

**Location:**

48 High Street, Irthlingborough, Northamptonshire, NN9 5TN

**Description:**

Proposed first floor rear extension and associated internal and external alterations, including partial change of use of ground floor, to allow for the creation of 3 No. residential apartments (net increase of 2 No. apartments)

**Part II – Particulars of decision**

North Northamptonshire Council having considered a valid application for the above development, in pursuance of its powers under the above mentioned Act

## **REFUSE PERMISSION**

for the development as described in Part I above for the following reasons:

1. The proposed development would result in an unacceptable detrimental impact on the sense of privacy for neighbouring occupiers, in relation to the first-floor bedroom windows of numbers 2 and 4 Board Street, which would face the proposed extension. Notably, the proposed walkway serving the two new flats would be approximately 7 metres from the windows of the neighbouring bedrooms of number 2 and 4 and this is considered too little to provide what can be considered a reasonable level of privacy. Further, the rear wall of the

extension would be sufficiently close to the bedroom windows of numbers 2 and 4 Board Street to also have an unacceptable and overbearing impact on the outlook from these windows, to the detriment of the occupier's quality of life. The proposal is therefore considered contrary to Policy 8 (e) of the North Northamptonshire Joint Core Strategy (2016).

2. The application would cause an unacceptable impact on the Upper Nene Valley Gravel Pits Special Protection Area through a net addition of two dwellings and an absence of appropriate mitigation for its impact. As such the development conflicts with Policy 4 (d) of the North Northamptonshire Joint Core Strategy (2016) and the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.
3. The proposed development conflicts with Policy 30 (b) of the North Northamptonshire Joint Core Strategy (2016) as both of the two first floor flats do not meet 10 (a) of the requirements contained within the DCLG Technical housing standards - nationally described space standards. The associated Table 1 of that document requires that each new dwelling has 1 square metre of built-in storage. Part (b) of Policy 30 sets out that new dwellings 'must' meet the National Space Standards and as the two first floor dwellings do not, Policy 30 is not satisfied.

**Decision Date:**

**02 August 2021**

**Signed:**



George Candler  
Executive Director Place and Economy

## NOTES:

1. In reaching this decision the Council has implemented the requirement in the National Planning Policy Framework to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.
2. A full report is available at [www.east-northamptonshire.gov.uk/planningapplications](http://www.east-northamptonshire.gov.uk/planningapplications)

## RIGHT OF APPEAL:

If you are aggrieved by the decision of the local planning authority to refuse permission, then you can appeal to the Secretary of State under s.78 of the Town and Country Planning Act 1990.

The rules for lodging an appeal are set out in Article 37 of Town & Country Planning (Development Management Procedure) (England) Order 2015. The following is a summary of the rules:

1. If you wish to appeal against this decision you must do so on the Planning Appeal form. Appeals may be made online at <https://www.gov.uk/appeal-planning-inspectorate> . If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0303 444 5000.
2. Completed appeals (forms and supporting documents set out in the appeal form) must be received by the Planning Inspectorate within the relevant time scale set out in the table below. The Secretary of State has the power to allow a longer period for you to give notice of an appeal but will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeal Type	Time Period
Appeal against decision where no enforcement action taken or pending	Six months* from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"><li>• within two years before the date of the planning application, or</li><li>• before the date of this planning decision and still in force.</li></ul>	28 days from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"><li>• on or after the date of this planning decision, and</li><li>• is still in force.</li></ul>	The <b>earlier</b> of the following dates: <ul style="list-style-type: none"><li>• 28 days from date enforcement notice is served, or</li><li>• Six months* from date of this decision notice</li></ul>

\* Please note appeals against householder/minor commercial decisions only have 12 weeks from date of the decision notice. The definition of minor commercial may be found at [Article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).

These time scales are in relation to the appeal against the planning decision. **The time scales for appeals against the enforcement notice (as set out in the enforcement notice) are not affected by this decision.**

3. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
4. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

**PURCHASE NOTICES:**

If permission is refused, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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[www.northnorthants.gov.uk/privacynotices](http://www.northnorthants.gov.uk/privacynotices)