

Date received	Date valid	Overall Expiry	Ward	Parish
10 February 2021	23 February 2021	20 April 2021	Irthlingborough	Waterloo

Applicant **Ms D Mabbutt**

Agent **CC Town Planning - Ross Middleton**

Location **48 High Street, Irthlingborough, Northamptonshire NN9 5TN**

Proposal **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)**

## 1 Summary of Recommendation

### 1.1 That planning permission be REFUSED 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.

## 2 The Proposal

2.1 It is proposed to extend the building and to create a total of three dwellings (flats) in the space, whilst retaining retail space at the front part of the ground floor. The development would result in an increase of two flats from the existing one first-floor flat. Part of the existing retail space at ground floor would change use to create a flat. Physical works internally are proposed at ground floor to create the flat, as well as

some external fenestration changes.

- 2.2 The physical changes at ground floor level include the addition of a replacement window to serve a bedroom. It would be near full length on the western elevation. In the flat roof section of the ground floor projection, a roof lantern would be installed to provide light to the lounge.
- 2.3 A first-floor rear extension is proposed which would project around 2.9m in depth and cover the full width of the building. The pitched roof would be extended to tie in to the extension. The existing walkway would be altered to reach the proposed new entrances to the first-floor flats.
- 2.4 Internally, at first floor there would be alterations to change from the existing three-bedroom flat to two one-bedroom flats. The space will be divided approximately in half width a central wall providing the division. Each flat will have an access off the walkway to the rear. The flats will be similar in layout and have an open-plan kitchen/living space, bedroom bathroom and bin store area. The existing front windows will provide light to the living areas of the flats and each bedroom will have a window.
- 2.5 At ground floor level, the rear part of the existing retail space will be divided off to create a one-bedroom flat. It would be accessed using the door off the rear yard leading into an open-plan kitchen/lounge and it would have a single bedroom and bathroom. The existing retail space would be altered internally but would still retain one main room off which there would be several treatment rooms, a W/C. and a kitchenette.

### **3 The Site and Surroundings**

- 3.1 The site accommodates no. 48 High Street, Irthlingborough, which is a building containing retail use at ground floor with a flat above. The site also includes a small external yard area to the rear.
- 3.2 The property fronts the High Street and to its west is a single lane road called Board Street. There is a footpath between the road and the side elevation of no. 48. The ground floor is a retail unit occupied by a beauty salon. It has a glazed shop frontage below two large first floor windows. The side elevation is dominated by brick apart from two windows in the flat roof rear projection, and two similar sized windows at first floor.
- 3.3 To the north / rear of the site is a two-storey residential property which faces towards the rear of no. 48. To the east of the site is a single storey retail unit and beyond this is a Grade II listed stone building.
- 3.4 The site is located within the Irthlingborough Conservation Area. It is also located within 3km of the Nene Valley Gravel Pits Special Protection Area.

### **4 Policy Considerations**

- 4.1 National Policy and Guidance  
National Planning Policy Framework (NPPF) (2019)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)
- 4.2 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 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 12 - Town Centres and Town Centre Uses  
Policy 28 - Housing Requirements and Strategic Opportunities  
Policy 29 - Distribution of New homes  
Policy 30 - Housing Mix and Tenure

4.3 East Northamptonshire Council Local Plan (Saved Policies) (LP) (1996)

IR1-A - Provision for Housing in Irthlingborough

4.4 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)

East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

Householder Extensions Supplementary Planning Document (2020)

**5 Relevant Planning History**

5.1 None for the site.

Adjacent site to north, 2/4 Board Street:

96/00578/FUL - Conversion to three dwellings and alterations to vehicular access.  
PERMITTED (16.10.96)

**6 Consultations and Representations**

6.1 Neighbours

Two representations have been received, both in objection. The points raised are summarised as follows:

- Insufficient car parking spaces
- Inadequate space for bin storage
- Overshadowing of nearby property
- Detrimental impact on outlook from nearby property
- Increased noise disturbance from people accessing shared access area
- Loss of privacy of nearby properties.

6.2 Irthlingborough Town Council

*Comments received 24.03.21:* Objection on the following grounds:

- Over development
- Insufficient parking provision
- Insufficient waste management provision

6.3 Natural England

*Initial comments received 10.03.21:* 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. 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.

6.4 North Northamptonshire Council - Local Highway Authority (LHA)

*Comments received 18.03.21:* Due to the increase apartments and bedrooms the applicant will need to provide evidence of the correct number of parking spaces in accordance with NCC Parking Standard Documents dated September 2016 (Please find attached).

6.5 North Northamptonshire Council - Environmental Protection Officer

*Comments received 02.03.21:* There are no obvious environmental issues with the proposals. Should you be minded to grant the application please apply conditions (as detailed at 7.3.2)

6.6 North Northamptonshire Council – Waste Manager

*Comments received 15.03.21:* With regards to the above application I am concerned as to where waste would be stored between collections as there is a small courtyard area and the existing flats are presumably already using that. The collection is likely to be a sack collection due to lack of space to store bins.

## **7 Evaluation**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following considerations are relevant to the determination of this application:

### Principle of Development

7.2 The application site is located within the settlement of Irthlingborough which is classified as a Market Town in the Joint Core Strategy (2016) (JCS). Policy 28 of the JCS sets out that across the district in the plan period 2011-31, there are to be 8,400 dwellings developed. Table 5, which accompanies Policy 29 provides a hierarchy of settlements by category and identifies that Irthlingborough is to provide 1,350 dwellings across the plan period.

7.3 Policy 29 of the JCS sets out that the re-use of suitable previously developed land and buildings will be encouraged. The site is near to the town centre and is close to a variety of shops and services. In terms of the site's proximity to services and location near to the centre of the settlement, it is acceptable in principle for residential development to come forward here.

7.4 The site is also located within the Irthlingborough Conservation Area and is subject to considerations in relation to the enhancement and preservation of the heritage asset. These matters are considered distinct from the matter of principle and are discussed

later in this report.

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

- 7.5 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.
- 7.6 The building is not identified in the Irthlingborough Conservation Area Appraisal as of particular heritage significance. It is not apparent what the age of the building is but it would appear to have undergone changes over time through alterations and fenestration changes. To the east of the building is a two-storey stone house which is Grade II listed. It is set back from the High Street but is close enough so that no. 48 is seen in the context of the listed building.
- 7.7 The proposed extension would be partially visible from the High Street but mainly visible from Board Street. The 2.9 m deep extension would effectively act as a continuation of the existing character of the building through a wider expanse of brick. The fenestration changes at first floor, resulting in one window being lost and a larger one inserted, is not considered to be detrimental in itself. A wider expanse of brick is not considered to be an enhancement to the building, but neither is it considered detrimental at the scale proposed. The fenestration changes are considered to be a small improvement from the existing window arrangement.
- 7.8 The building itself is positioned in an important location fronting the High Street and is part of the historic part of the settlement. The nature of the building however is not of particular heritage or aesthetic significance. The rear and side elevations which would be most affected by the development proposals and it is considered that there would be no discernible negative impact in terms of how the building would appear. As such there would be no material impact on the integrity of the Conservation Area.
- 7.9 The setting of the Grade II listed no. 46 would incur no material impact. The first-floor extension would not affect views of the building and its impact would be confined primarily to the closest area from which it would be visible, such as Board Street.

#### Housing Mix

- 7.10 Policy 30 of the JCS sets out that a mix of house types within a development should reflect the need to provide smaller householders and that it should avoid an over-concentration of a single type of house type in an area, where it would adversely affect its character.
- 7.11 The development would result in three one-bedroom flats, as opposed to the existing two-bedroom flat. Evidently the units to be provided fit within the definition of smaller units (1-3 bedrooms) and Policy 30 is satisfied in this respect.
- 7.12 In regard to criterion (b)(ii) and the question of 'over-concentration' and character considerations, there is not any information readily available which defines mix of the type of housing locally. There is a mixture evident nearby due to the nature of the location being off the High Street and near a road running off it. It is clear however that the type of accommodation that the development would provide would, in itself, not have a material impact on the character of the area. As such the proposal accords with this part of Policy 30.

### Residential Amenity of the Proposed Accommodation

- 7.13 Policy 8 of the JCS requires that developments ensure quality of life and healthier communities. Part (e) (i) requires that the amenities of future occupiers by virtue of matters including light, are not unacceptably impacted upon.
- 7.14 The ground floor flat would have its direct access off the small yard area into an open plan kitchen/lounge area. The submission sets out that the floorspace is 48sqm, divided by a bedroom, kitchen, bathroom and lounge. Initially, the plans showed the lounge to not have any windows and the sole source of glazing/natural light was to be the door positioned in a corner of the room. The door which would be located off the yard area, would receive a limited extent of daylight as the yard is enclosed by a doorway onto the path/highway. This arrangement was considered unacceptable due to the extremely limited amount of daylight that would be reaching the living room of the flat. Following this concern being raised with the applicant, amended plans were received.
- 7.15 The amended plans for the ground floor flat show an open plan kitchen/lounge, with additional windows to serve the lounge area in the rear wall. Additionally, a rooflight was shown above the lounge area. As the space would be open plan and served by a total of five glazed features/windows, it was considered that the amount of daylight serving the living space would now be acceptable.
- 7.17 In terms of the outlook for the ground floor flat, the windows serving the lounge looking out onto Board Street and the yard area are considered to provide a reasonable outlook. The space is also considered to have sufficient levels of privacy.
- 7.18 In terms of the first-floor flats, 'flat 1' would have the external wall that faces onto Board Street. Its open plan living and kitchen space would be served by the large front window. The bedroom would be served by a side bedroom and it is considered that the flat as a whole would have acceptable levels of privacy and outlook.
- 7.19 The adjacent flat, 'flat 2', would have a similar internal layout to flat 1 with the main window being at the front. The flat is also considered to have adequate levels of privacy, outlook and other amenity features..

### *National Space Standards*

- 7.20 Policy 30 (b) of the JCS requires that new dwellings must meet the National Space Standards. Using this assessment, the three flats are 48 sqm (ground floor), 39 sqm (flat 1) and 40 sqm (flat) in total floorspace. This and the size of the bedrooms meet the requirements for a one-person flat, but not two person. There is storage space for each first-floor flat in the form of a bin store, however this is not what can be considered to be 'built-in storage', or internal storage space as referred to in the National Space Standards. Each dwelling should be served by 1sqm of in-built storage and neither of the first floor flats contain this space. Policy 30 (b) is unequivocal through the use of the word 'must' that new dwellings are required to meet these standards. The absence of the built-in storage for both the first floor dwellings means that there is a conflict with Policy 30 (b). Additionally, part 7 of the 'Technical housing standards – nationally described space standard' makes specific reference to storage areas being 'an integral part of the space standard'.
- 7.21 The ground floor flat does include in-built storage beside the bathroom. This space has been measured electronically and is considered to meet the minimum 1 square metre amount. However, as the two first floor flats do not include built-in storage parts 7 and

10 of the Technical Housing Standards is not met and as such, the proposal is in conflict with Policy 30 (b) overall.

### Neighbour Amenity

#### *2 Board Street*

- 7.22 To the north of no. 48 is no. 2 Board Street, which faces towards the rear elevation of the application property. It includes two first floor bedroom windows that face towards the first-floor entrance door and where the proposed extension would be located. The separation distance between the walkway and the bedroom windows of 2 (and 4) Board Street is already limited and falls on the cusp of being acceptable. The extension would result in the first-floor part being around 2.9m closer than the existing space between the bedroom windows of no. 2 and the rear wall would be reduced significantly. A measurement of the Site Plan indicates the gap would reduce from around 10m to 7m from wall to wall.
- 7.23 In terms of privacy, both flats would be accessed via the stairway leading to the entrance doors at the back of the property. This arrangement exists currently to the first floor flat where the occupant walks at the level of the adjacent bedroom windows. The difference that would be caused by the development is that the doors and walkway would be 2.9m closer to the bedroom windows of no. 2.
- 7.24 As the only entrance to the two flats, the doors and walkway/stairs would be regularly used. The bringing of the entrances to be 2.9m closer to the bedroom windows mean that the occupants would be closer, including when they are unlocking and leaving their entrance doors or using the walkway as a platform for getting fresh air or sitting out. It is acknowledged that the arrangement of the first-floor entrance door currently exists, but the proposed doorways would be significantly closer. The sense of a neighbour accessing their dwelling or lingering so close outside the neighbouring bedroom window is reasonably considered likely to impact upon the privacy, and sense of privacy, of the bedrooms of no. 2. The impact is considered to be to such extent that it conflicts with Policy 8 of the JCS.
- 7.25 It is noted that the Council's Householder Extension SPD suggests that, when considering rear extensions, a distance of 21 metres between rear facing windows should be required. Whilst this is not directly applicable as the SPD relates to householder extensions, it serves the same purpose of giving an indication of what may be an appropriate separation in window to window relationships. Whilst there are no windows in the rear elevation proposed, a person would be moving and accessing their property on a regular basis. In that sense a distance of around 7 metres is considered harmful.
- 7.26 In terms of outlook, the separation from the existing bedroom windows of 7 metres is relatively limited and the rear wall of the proposal would be particularly prominent and visible. As such, it is considered that the development would have an unacceptable impact on the outlook of no. 2.

#### *4 Board Street*

- 7.27 Adjoining no. 2 is no. 4 which fronts onto Board Street and unlike no. 2, it does not directly face the rear of the application property. There are two first floor windows that look toward the junction with High Street. In terms of the impact of the extension, the nearer of the two-bedroom windows is approximately 2.5m to the side of the window of no. 2 and has a clearer outlook. However, the extension and walkway would still be

approximately 7m from the window of no. 4 and would cause a detrimental impact on its privacy from residents accessing the first-floor flats. It is therefore considered that this impact is sufficiently detrimental to warrant being a conflict with Policy 8 of the JCS, for the same reasons as set out above in relation to 2 Board Street.

- 7.28 In terms of outlook from the windows of no. 4, as they windows face primarily out onto the open space of the highway, it is considered that acceptable levels of outlook will remain.

#### Highway Safety and Parking

- 7.29 An assessment of the highways impact requires an understanding of the existing use and its associated access requirements and a comparison of that proposed. The existing comprises a two bedroom flat above a retail unit covering the ground floor. In assessing the existing parking 'demands' the former Northamptonshire County Council's (NCC) Parking Standards are a tool and give an indication of levels associated with certain developments. A two-bedroom unit would require two parking spaces. The retail unit at ground floor, as an A1 use, has a parking 'requirement' of 1 space per 25 sqm. The development would result in the loss of floorspace to create the ground floor flat, which the plans indicate to be 48sqm.
- 7.30 Based on the NCC Parking Standards, the existing development (excluding the retail unit at the front to be unaffected) has a parking 'requirement' of four parking spaces. The proposed development of the three residential units has a 'requirement' of three parking spaces, based on one per one-bedroom unit. Allowing for some variance and not rounding up the 48sqm to two spaces, the development would still not cause a demand for additional parking, when using the NCC Parking Standards.
- 7.31 It is noted that the Town Council have objected due to a lack of parking. It is considered however that the development would not cause any additional demand for parking and as such, is acceptable in this respect.

#### Environmental Matters

- 7.32 The Council's Environmental Protection Officer has commented on the application, raising no concerns. They have suggested two conditions relating to construction times and preventing the burning of materials on site. These may be appropriate to apply, should permission be granted.

#### Flood Risk and Drainage

- 7.33 The development would not materially affect the amount of impermeable land and is considered to have no drainage impact.

#### Ecology

- 7.34 There is no reason to indicate that the building is a habitat for a protected species or a species of particular note. However, the site is within 3km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and the associated SPD sets out that dwellings will have an impact on the bird populations of this area. As such, it is necessary that this impact is mitigated by a financial contribution or a suitable mitigation strategy to be secured.
- 7.35 The submission is not supported by the appropriate SPA impact mitigation contribution



which currently is set at £299.95 per new dwelling, or a suitable mitigation scheme. As such, the applicant has not demonstrated that the impact on the SPA is acceptable and the proposal does not satisfy Policy 4 (d) of the North Northamptonshire Joint Core Strategy (2016) and the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document. The application should be refused for this reason.

## 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).
- 8.2 Waste: Concern was raised by the Council Waste Manager about the lack of storage space for waste. Subsequently, the amended plans show storage space for the first-floor flats. The ground floor flat does not have a designated waste storage space, but it is likely that there would be space in the small yard/entrance area. It is considered acceptable in this respect.

## 9 Conclusion / Planning Balance

- 9.1 The proposed development is considered to have an unacceptable impact on the privacy and outlook of the adjacent property's numbers 2 and 4 Board Street. As such it is considered to be contrary to Policy 8 (e) of the JCS. Additionally, as there is no mitigation for the impact on the Upper Nene Valley Gravel Pits Special Protection Area, the proposal is contrary to Policy 4 (d) of the JCS. The absence of built-in storage space for the two proposed first floor flats results in the proposal being in conflict with Policy 30 (b) of the JCS due to the Technical Housing Standards not being satisfied.

## 10 Recommendation

- 10.1 That planning permission be REFUSED for the following reasons.

Case Officer:	
Date:	27/07/2021
Delegated Officer:	
Date:	02/08/2021