



**North Northamptonshire Area Planning Committee
(Thrapston)
8th June 2021**

Application Reference	20/01587/FUL
Case Officer	Joe Davies
Location	102 Nene View, Irthlingborough, NN9 5SG
Development	Demolition of existing building and erection of 8 dwellings including landscaping, formation of vehicular accesses to highways and highway improvement works
Applicant	Strada Group Limited – Mr M Kahn
Agent	S Scroxton and Partners – Mr Roy Hammond
Ward	Irthlingborough
Overall Expiry Date	2 February 2021
Agreed Extension of Time	N/A

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 10 local residents.

1. Recommendation

- 1.1 That Planning permission is GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposal involves the demolition of a vacant former community hall and its replacement with 8 dwellings. The development would comprise six semi-detached dwellings and two detached dwellings. 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. Following concerns raised by the Council's Principal Conservation Officer, amendments have been made to the design of the scheme during the course of the application, which will be addressed later in this report.

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 9 terraced properties to the north of this and 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)

5. Consultation Responses

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

6.1 Irthlingborough Town Council

At a meeting of the Irthlingborough Town Council Planning Committee, held on 26th January 2021 the above planning application was discussed by Members. The decision was taken to 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 8 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.

Employment land:

The historic use of this land has been for employment purposes, this will be a loss of potential employment land within the Town.

In conclusion the Town Council OBJECT to the proposal. It is felt that it does nothing to enhance the conservation area or the historic character of the setting opposite St. Peter's Church. The site is too small for eight houses and the associated parking, it increases the danger to vehicles and pedestrians on a very narrow road and contravenes the NPPF and Joint Core Strategy.

5.2 Neighbours / Responses to Publicity

Ten representations were received in response to the application, raising the following material considerations:

- General agreement that the site should be developed, but concerned about the nature and density of this proposal;
- Existing parking and access issues on Nene View/Church Street – very tight for emergency services. Unconvinced that the new layout would adequately address this and there is no capacity for overflow parking on Church Street;
- Increase in traffic;
- Layout deficiencies – i.e. there are disabled spaces but no footpath and access to the footpath on the northern side of Nene View would be blocked by parked cars;
- Overdevelopment of the surrounding area; There are already enough housing sites in Irthlingborough to meet requirements;
- Removal of the building and stone wall and its replacement with new buildings a parking area would be detrimental to the conservation area and neighbouring buildings;
- Insufficient parking as no visitor spaces provided, and removal of existing parking in the express hall gateways;
- The highways report is not accurate and does not reflect the current situation;
- There is an existing issue with surface water in Nene View, which would be worsened by the proposed development and parking area;
- Concern over how heavy plant vehicles would access the site;
- What will happen to the utilities such as drains and telephone poles, will they be re-positioned?;
- There would be loss of habitat for wildlife such as deer, foxes, hedgehogs and birds; and

- Concern that infrastructure will be unable to cope, and due to other housing development in the area a reduction in housing numbers would have little impact on housing stock.

Non-material matters raised are as follows:

- The site was deliberately allowed to get into its current state to obtain planning permission;
- No problem with the redevelopment of the site but 4 good sized bungalows would be best and would still give a very good profit to the developer, instead of creating ongoing problems for residents concerning highways etc;
- The existing building should be developed and not demolished;
- A smaller number of dwellings would be more appropriate and could be set behind the existing wall; and
- If it is essential to widen the road, this wall should be rebuilt;

5.3 Archaeological Officer

The site lies on the south side of Nene View and to the south east of St Peter's Church. To the north, on Church Street, a former factory site was subject to archaeological investigation ahead of development; the site produced some evidence for late Roman and Saxon activity but the main occupation of the site dated to the 12th century, and comprised rubbish pits and post holes. Waste products from smithing were identified. The presence of these remains despite truncation caused by the factory building would suggest that there is the potential for archaeological levels to survive on the application site as well.

The NPPF, in paragraphs 189 & 190, stresses the importance of pre application discussions in order to assess the significance of potential heritage assets. Normally, the assessment would take the form of a field evaluation prior to determination; however, in light of the probability of truncation, a condition for a programme of work is recommended. A small amount of trial trenching would be advised in the first instance in order to establish the depth and state of preservation of any remains and allow suitable mitigation to be considered.

The proposed development will have a detrimental impact on any archaeological remains present. This does not however represent an overriding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. In order to secure this please attach a condition for an archaeological programme of works as per NPPF paragraph 199 to any permission granted in respect of this application.

Our standard condition is worded as follows:

Condition: 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 199. I will be happy to supply a brief for the archaeological programme of works.

5.4 Environmental Protection Team

The environmental report submitted to the Local Planning Authority should be mindful of Section 178c) of the NPPF which seeks to ensure that site investigation information is prepared by a competent person. Section 179 of the NPPF states that where a site affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner.

The investigation, risk assessment, agreement of remedial scheme, etc., are generally covered under pre-commencement planning conditions. Under planning legislation the applicant now requires notification of the intention to use pre-commencement conditions. It can be a costly undertaking to carry out a contamination assessment, usually done in conjunction with a geo-technical assessment. It may be considered unreasonable to request this information in support of a planning application if the potential risk does not warrant it. Obviously this position would be different if the site was previously used for a process than would result in gross contamination being present, which may impact on the viability and layout of the site.

Therefore, I ask that the following pre-commencement conditions are sent to the applicant for consideration and placed on the permission if granted.

Planning Conditions for Potentially Contaminated Sites

1. 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

2. 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.

3. 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.

4. On 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.

5. 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.

5.5 Senior Ecologist

Initial comments received: 07.05.2021

Because of its age and condition and proximity to the river the building needs a bat survey ('preliminary roost assessment'), as do the trees. If any potential roost features are found it'll likely need an activity survey which can only be done between May and September. The site itself might need a survey, it's hard to tell whether it's just trees or more because the vegetation is so thick. Certainly nesting birds would be an issue but that's easily overcome by timing the works properly. Bats is the main one here I should think, but there could be more.

Final comments received (summary): 11.05.2021

- There are some inconsistencies in the submitted information;
- No further bat surveys required for the building, but further information needed on the potential for roosting within the trees;

Biodiversity loss unlikely to be able to be accommodated on site as part of new development – do not support this.

5.6 Principal Conservation Officer

Initial comments received: 09.02.2021

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, I 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 consider that this, together with some of the materials proposed (such as concrete roof tiles), 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 196 of the NPPF.

Further comments received 20.05.2021:

I recognise that improvements have been made to the design of the proposed buildings through the amended plans received on 20 April. However, I note that harm would be caused to the special character/significance of the designated Irthlingborough Conservation Area owing to the loss of the stone boundary wall that fronts the site. I classify this harm to fall within the less than substantial category, thereby engaging paragraph 196 of the NPPF which requires the harm to be weighed against the public benefits of the proposal.

5.7 Local Highway Authority

The LHA objects to these proposals due to the intensification of a sub-standard carriageway and the proposed improvements do not meet acceptable design standards. For further clarification please consider the following concerns:

- Church Street is sub-standard in width and provides no uniform footway to serve this development.
- As Nene View is a through road, the proposed application is required to demonstrate an adoptable 5.5m wide road with 2m wide footways each side and suitable turning provision.
- A 500mm service strip would not be sufficient to include the necessary room for all service ducts to serve the development.
- The limited forward visibility (25m is the minimum required) from Church Street to Nene view is a highways safety concern, the proposed vehicle trip intensification as a result of the proposed application will amplify this concern.
- The proposed turning head would not enable a fire tender or refuse vehicle to turn around.
- There appears to be a degree of on street parking on Nene View. This would need to be removed possibly by means of a traffic regulation order and double yellow lines. We have concerns where this parking would be displaced to.

The application site is not affected by a Public Right of Way.

5.8 Senior Tree and Landscape Officer

Initial comments received: 10.05.2021

After a site visit and assessment please accept my comments below:

First of all, I can see that no information has been submitted by the applicant relating to the existing trees on site, relating to the impact of the proposed development on the existing trees or the impact and influence the existing trees can have on the proposed development. The application site does have existing trees and shrubs, of significance principally at the front of the site, and the applicant should have submitted the information in accordance with local and national validation requirements.

Because the applicant has not provided any supporting arboricultural information, and the layout has not been informed by any arboricultural information, an accurate assessment of the impact on the trees is difficult.

Looking from the front of the site there are clearly a few mature purple leaved cherry plum trees along with all of the laurel shrubs that will be lost in this development to make way for the new parking areas.

Although the application includes Landscaping in its description, there were no landscaping details submitted, and the green circles indicating new landscaping on the site plans appear cursory at best.

There is sufficient space for trees and shrubs to the front of the site, adjacent to Nene View and I would like to see this opportunity taken, which would help mitigate slightly the huge loss of canopy cover along the front boundary. A few small to medium sized trees planted at the front of the site within the shrub beds and between the access points into and out of the site would help.

Due to the extensive hard surfacing new tree planting will need to be carefully planned including using pavement support system with below ground soil cell pavement support systems to provide sufficient soil root volumes for the new trees.

I suggest landscaping be removed from the consent and a landscaping condition is attached for hard and soft landscape details, something along these lines:

Hard and Soft Landscaping

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, car park surfacing (including the position, height, design, material) 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

Final (verbal) comments 13.05.2021: There is no bat roost potential in the existing trees.

5.9 Waste Management

Initial comments received: 20.05.2021

Given that the RCV is approx. 11 metres long and the available manoeuvring length (the hammerhead plus width of road) available is about 11 metres, as it stands the vehicle would need to do a goodness knows how many point turn to drive in, turn around and drive out that isn't sufficient. We'd need at least another couple of metres, minimum.

I'd also add that the plan you sent shows bin presentation points. I'm sure in my earlier comments I'd said there is ample kerbside space to present bins on the pavement so don't need or want these.

Final comments received: 21.05.2021

I would agree that this development would result in an improvement. It would have been nice to have a turning head big enough for a RCV but (correct me if I'm wrong) we can't force the developer to provide this. At least this should reduce if not eliminate the access problems we have now.

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) (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 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 Draft March 2021
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 Parkin
- 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 Policy 1 of the JCS seeks to secure sustainable development and Policy 29 of the same document 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 of the Joint Core Strategy 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 factory workers and therefore whether this policy would apply. However, it has been vacant for a significant period and has fallen into disrepair. It is therefore considered that this use is unlikely to be viable, especially given the potential costs of bringing the building into use and the

amount of time it has stood vacant is evidence that it is no longer required. There has also been no objection from local residents or the town council on this point, which is further evidence that it is no longer required by the community. 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 would not be a sufficient reason to refuse the application.

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

- 7.2.1 In terms of design, there was initially some concern regarding the appearance of the front elevation of the proposed dwellings. However, amended plans have now been received and the dwellings are far more in keeping with the dwellings directly opposite on Nene View, with the eaves height reduced and stone lintels above the windows. The dwellings would also be set back from the street scene like the existing hall, preventing them from having an overbearing impact on the street scene and conservation area. The widening of Nene View would also represent a significant improvement on the street layout allowing sufficient space to avoid pavement parking, significantly improving the situation for pedestrians and providing a dedicated turning head.
- 7.2.2 Furthermore, the large amount of 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 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.
- 7.2.3 Whilst local residents and the Town Council have expressed views stating that bungalows would be more suitable for the site and that the engraved stone from the Express Hall should be re-used as part of the proposed development, that is not the application that has been made to the Council; it can only consider what has been put forward for consideration. The impact of the proposed development in relation to design and heritage is therefore considered to be acceptable and would be in compliance with Policy 2 and Policy 8 (d) of the Joint Core Strategy

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 proposed dwellings have been designed to be in keeping with the character of the other properties on Nene View. Although there would be some less than substantial harm resulting from the loss of the stone wall to the front of the site, this is considered to be outweighed by the public benefits resulting from the overall improvements from redevelopment of the site as discussed above.

7.3.2 Benefits include the provision of suitably designed housing in a sustainable location, widening of the road, allowing vehicles to park on the road, freeing up the pavement for pedestrians, and the provision of turning facilities. The "Express Works" stone plaque foundation stone can be incorporated into the development and can be secured by condition. It is therefore considered that the impact of the proposed development on the listed church and the Conservation Area is considered to be acceptable.

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 highway by 500mm from 4.33 to 4.83 metres, 4.8 metres is considered to be the minimum width required for two vehicles to pass each other. There would be 18 off-street parking spaces provided as part of the development, which 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 – 3 spaces each = 6 spaces

There would be no onsite visitor parking but the site is located close to the town centre and there are public car parks nearby on Church Street, a short walk away from the site.

- 7.4.2 The impact on parking provision is therefore considered to be acceptable. Whilst a neighbour has raised concerns regarding the loss of parking in the gateways of the express hall, there is no legal right for members of the public to park in these spaces as they appear to be on private land and block existing accesses. 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 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 still 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. It would still not meet required standards but would represent a betterment over the existing situation.
- 7.4.4 Whilst the Local Highway Authority has stated that Nene View is a through road, it is a cul-de-sac with no through vehicular traffic, although there is a footpath leading to Lime Terrace. The road would have an increased width of 4.8 metres following the proposed development, which is typical of a cul-de-sac. This widening would mean that vehicles currently parked blocking the footpath, to the north of Nene View, could be parked on the road, thus improving pedestrian safety. Whilst there would be no footpath to the south of Nene View as part of the proposed development, this would enable the footpath to the north to be used by pedestrians. The 500mm widening is considered to be sufficient; however there would be space to widen this further to 1 metre, if this is required and could be addressed before the decision is issued.
- 7.4.5 A new turning head would also be provided which would be safer and more convenient. Comments have been raised by a neighbour regarding construction traffic accessing the site. It is proposed to condition a Construction Management Plan as part of any planning approval so that this issue can be resolved prior to the commencement of the development.
- 7.4.6 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. The proposed dwellings would also be a sufficient distance away from the neighbouring bungalow at Strathmore and the property to the rear at the Stooks that there would be no significant impact. The impact of the proposed development upon neighbouring amenity is therefore considered to be acceptable.

7.5.2 In terms of the impact on the amenity of future occupiers, the proposed dwelling 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, they have confirmed that this can be dealt with via condition. It is proposed to include the conditions they have recommended as part of any planning permission. 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 by building control.

7.7 Ecology / Biodiversity

7.7.1 In respect of ecology there has been discussions with the Council's ecologist and Senior Tree and Landscape Officer. Information submitted with the application was sufficient to conclude that there was no bat roost potential in the building, but not within the trees. However, the Senior Tree and Landscape Officer has visited the site and has verbally confirmed that there is no bat roost potential in the trees, which are to be felled as part of the proposals. The ecologist is not supportive of the loss of biodiversity which is unlikely to be able to be replaced on site, but the Senior Tree and Landscape Officer does not object to the loss of vegetation subject to replacement planting and a landscaping 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. A Habitats Regulation Assessment is appended to the end of this report.

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.

7.8.2 The Council's Waste Management Team have stated that whilst the proposed scheme would not be ideal, it would represent a significant improvement over the existing layout, with the road being widened. They also stated that the bin presentation points were not required due to their being ample kerbside space. Therefore, if required, these can be removed to accommodate additional landscaping.

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 Senior Tree and Landscape Officer has 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 in front of the new dwellings.

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: One of the neighbours raised concerns regarding the provision of utilities to the site, this is not a material planning consideration and is a separate matter to be resolved between the developer and the utility companies.

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, the submission of a landscaping scheme and the submission of material samples. 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 limit 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).

9. Conclusion / Planning Balance

- 9.1 The proposed development is considered to be acceptable as it is not considered to cause adverse harm regarding the character of the local area, although there would be some harm caused by the loss of the stone wall, this would be outweighed by the improvements to the character and appearance of the Conservation Area by the reinstatement of a derelict site which currently detracts from its character and appearance. Subsequently, the proposed development complies with local and national policies and therefore it is recommended that planning permission is granted.
- 9.2 In relation to highway safety, whilst there would be some intensification of vehicle movements over the existing situation due to the site being vacant, if the site was in its historic D1 use, which it could return to without planning permission, it would likely have similar movements to the proposed development. There would be improvements to the public highway, most notably the widening of Nene View and the creation of a turning head and therefore on balance the impact on highway safety is considered to be acceptable.
- 9.3 In relation to biodiversity, it is considered that, whilst the proposed development would result in the removal of a significant amount of vegetation at the site, there is no bat roost potential in either the existing trees or existing building. It is also proposed that this vegetation would be replaced and it will be conditioned that a landscaping scheme is to be submitted and agreed.
- 9.4 There would be no adverse impact on neighbour amenity as a result of the proposed development and there would also be no other material considerations which would justify a refusal of planning permission for the proposed development. It is therefore recommended that planning permission is granted subject to the conditions set out below.

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:

- Proposed Plans – Unit Type A – 1161-SAP-V1-XX-DR-A-10110-SO Rev 04;
- Proposed Elevations – Unit Type A – 1161-SAP-V1-XX-DR-A-30310-SO Rev 05;
- Proposed Plans – Unit Type B – 1161-SAP-V2-XX-DR-A-10110-SO Rev 04;
- Proposed Elevations – Unit Type B – 1161-SAP-V2-XX-DR-A-30311-SO Rev 05;
- Proposed Plans – Unit Type C – 1161-SAP-V3-XX-DR-A-10112-SO Rev 04;
- Proposed Elevations – Unit Type C – 1161-SAP-V3-XX-DR-A-30312-SO Rev 05;
- Proposed Block Plan - 1161-SAP-XX-00-DR-A-10001-SO Rev 01;
- Proposed Site Plan - 1161-SAP-XX-00-DR-A-10005-SO Rev 09;
- Proposed Site Vehicle Tracking - 1161-SAP-XX-00-DR-A-10006-SO Rev 04;
- Location Plan - 1161-SAP-XX-XX-DR-A-00000-SO Rev 01;
- Existing & Proposed Site Section - 1161-SAP-XX-XX-DR-A-20000-SO Rev 06; and
- Proposed Street Elevations - 1161-SAP-XX-XX-DR-A-20000-SO Rev 06.

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 submitted to and approved in writing by the Local Planning Authority.

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

4. Prior to the occupation of the development, a comprehensive landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details in the first planting season following the occupation of the development. Any trees that die or become diseased within a 5-year period of implementation shall be replaced on a like-for-like basis.

Reason: To ensure a reasonable standard of development.

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 199.

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, car park surfacing (including the position, height, design, material) 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: 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. Prior to the first occupation of each dwelling, the parking and turning facilities for each dwelling and the bin storage and presentation facilities as shown on the approved plans shall be provided and retained thereafter in perpetuity.

Reason: In the interests of highway safety.

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 before development above slab level takes place. Development shall only take place in accordance with the approved details and the stone shall be retained 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. 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 water 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.

12. **Informatives**

N/A