



PLANNING AGENDA

Tuesday, 19 May 2020

This Special meeting will be held remotely at
<https://www.youtube.com/user/northamptonbcTV>

Members of the Committee

Councillor: Brian Oldham (Chair), Jamie Lane (Deputy Chair)

Councillors: Alan Bottwood, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Muna Cali, Enam Haque, Arthur McCutcheon and Brian Markham.

Chief Executive

George Candler

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 14th April, 12th May, 19th May, 9th June, 7th July, 28th July, 1st September, 29th September, 27th October, 24th November, 22nd December 2020, and 21st January, 16th February and 16th March 2021.

The Council permits public speaking at the Planning Committee as outlined below:

Who can speak at Planning Committee meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

How do I arrange to speak?

PLEASE BE AWARE THAT THIS MEETING WILL BE TAKING PLACE REMOTELY – SEE BELOW FOR DETAILS OF PUBLIC SPEAKER REGISTRATION/HOW TO VIEW THE MEETING

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
 - In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton, NN1 1DE, Democratic Services (Planning Committee)
- by email to: democraticservices@northampton.gov.uk

- **Once registered to speak, an invitation will be sent to join the Zoom video conferencing webinar for this meeting.**

When do I speak at the meeting?

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

How long can I speak for?

- All speakers are allowed to speak for a maximum of three minutes.

Other important notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

*****Remote Meeting Access for Participants*****

- Members of the public should register to speak by email (democraticservices@northampton.gov.uk) or telephone (01604 837722) by 12pm on the day of the meeting.
- An invitation will be sent to Members and registered Public Speakers for the meeting via Zoom Conferencing Webinar.

*****Remote Public Access*****

- The meeting will be available to view here: <https://www.youtube.com/user/northamptonbcTV>

**NORTHAMPTON BOROUGH COUNCIL
SPECIAL PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held remotely at
<https://www.youtube.com/user/northamptonBCTV>

on Tuesday, 19 May 2020

at 5:00 pm.

AGENDA

1. **APOLOGIES**
2. **DEPUTATIONS / PUBLIC ADDRESSES**
3. **DECLARATIONS OF INTEREST/PREDETERMINATION**
4. **MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
5. **LIST OF CURRENT APPEALS AND INQUIRIES** (page 1)
Report of Director of Planning and Sustainability (copy herewith)
6. **OTHER REPORTS**
 - (A) **N/2020/0175 - APPLICATION FOR THE PERMANENT DIVERSION OF A FOOTPATH AT DAYRELL ROAD, DEVELOPMENT LAND REAR OF HUNSBURY PARK PRIMARY SCHOOL, DAYRELL ROAD** (page 3)
7. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
8. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
9. **ITEMS FOR DETERMINATION**
 - (A) **N/2019/0612 - ERECTION OF PURPOSE-BUILT STUDENT ACCOMMODATION COMPRISING 347NO. ROOMS WITH 356NO. BED-SPACES, FOLLOWING PARTIAL DEMOLITION OF EXISTING BUILDINGS. REFURBISHMENT AND CHANGE OF USE OF LISTED BUILDING TO PROVIDE ANCILLARY STUDENT HUB, RETAIL UNITS, PLANT, STORAGE AND REFUSE AREAS, WITH ASSOCIATED LANDSCAPING AND OTHER WORKS. BECTIVE WORKS, BECTIVE ROAD** (page 9)
 - (B) **N/2019/1451 - CHANGE OF USE OF OFFICE (USE CLASS B1) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING DEMOLITION OF EXISTING GROUND FLOOR FLAT ROOF REAR STRUCTURE, CONSTRUCTION OF NEW TWO STOREY FLAT ROOF REAR EXTENSION AND TWO NEW DORMERS AT REAR, INTERNAL RECONFIGURATION AND INSTALLATION OF ROOFLIGHT TO FRONT ELEVATION. 8 PALMERSTON ROAD** (page 29)

- (C) **N/2019/1482 - ALTERATION OF SHOP FRONT TO ICE CREAM KIOSK TO INSTALL COUNTER/SERVICE WINDOW AND NEW SHUTTERS TO SIDE WINDOW. 8 NEWNHAM ROAD (page 39)**
- (D) **N/2020/0114 - SINGLE STOREY FRONT AND REAR EXTENSIONS INCLUDING EXTERNAL ALTERATIONS AND RELOCATION OF AIR CONDITIONING UNITS TO REAR. 22 DALLINGTON ROAD (page 45)**
- (E) **N/2020/0119 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 108 LOWER THRIFT STREET (page 51)**
- (F) **N/2020/0128 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 10 OCCUPANTS. 51 ST MATTHEWS PARADE (page 59)**
- (G) **N/2020/0133 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 10 OCCUPANTS. 53 ST MATTHEWS PARADE (page 69)**
- (H) **N/2020/0148 - VARIATION OF CONDITIONS 2 AND 24 OF PLANNING PERMISSION N/2019/0851 (ALTERATIONS AND EXTENSION TO EXISTING BUILDING AND CONVERSION TO 20NO FLATS INCLUDING 3NO OFFICES AS PART OF LIVE-WORK UNITS, PROVISION OF BIN STORE AREAS AND CAR PARKING) TO BROADEN THE USE OF TWO OF THE OFFICES TO INCLUDE USE BY THE MANAGEMENT COMPANY OF THE BUILDING. FORMER PEARCE LEATHER WORKS, WELLINGBOROUGH ROAD (page 79)**
- (I) **N/2020/0197 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS (RETROSPECTIVE). 117 UPPER THRIFT STREET (page 89)**

10. ITEMS FOR CONSULTATION

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

12. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

PHOTOGRAPHY AND AUDIO/VISUAL RECORDINGS OF MEETINGS

Anyone may record meetings of the Council, the Cabinet, any Committee or Sub-Committee of the Council through any audio, visual or written method to include taking photographs of meetings, filming meetings or making audio recordings of meetings. The Chair of the meeting shall have the discretion to revoke the permission in the event that the exercise of the permission is disturbing the conduct of the meeting in any way or when it is otherwise necessary due to the nature of the business being transacted at the meeting. Permission may only be exercised where the public have the right to attend the meeting; and if a meeting passes a motion to exclude the press and public, then in conjunction with this, all rights to record the meetings are removed.

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Planning Service

Director of Planning and Sustainability: Peter Baguley



List of Appeals and Determinations – 19th May 2020

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2019/0486 APP/V2825/W/19/3241756	DEL	Loft conversion and extension of residential building to create 4no additional rooms and a kitchen to existing House in Multiple Occupation (Sui Generis) at 5-11 Horseshoe Street	AWAITED
N/2019/0749 APP/V2825/W/20/3244897	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 5 St Michaels Mount	AWAITED
N/2019/0884 APP/V2825/W/20/3246371	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 49 Lutterworth Road	AWAITED
N/2019/0959 APP/V2825/W/20/3244727	DEL	Change of Use from Offices/Warehouse (Use Class B1/B8) to Church (Use Class D2) (Amendment to planning application N/2018/0055) to include additional on site parking and turning area on land under client ownership at 3A Kingsfield Way	AWAITED
N/2019/1165 APP/V2825/W/20/3246171	PC	Change of Use from Dwelling house (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including single storey rear extension at 15 Burns Street	AWAITED
N/2019/1175 APP/V2825/W/19/3242722	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants at 8 Bostock Avenue	AWAITED
N/2019/1286 APP/V2825/W/20/3245912	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective) at 41 Alfred Street	AWAITED
N/2019/1329 APP/V2825/Z/20/3246034	DEL	Installation of illuminated D-Poster and ancillary vertical meadow at Aladdin Balti Hut, 96 Bridge Street	AWAITED
N/2019/1390 APP/V2825/W/20/3245648	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants including single storey rear extension and new rear door and window at 9 Allen Road	AWAITED
N/2019/1416 APP/V2825/D/20/3246374	DEL	Loft conversion with reduced dormer and new roof to rear (Part Retrospective) at 58 Whitworth Road	AWAITED
N/2019/1425 APP/V2825/D/20/3246616	DEL	Single storey rear extension, loft conversion with dormers and detached garage- part retrospective at 25 Beechwood Road	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Mrs Rita Bovey, Development Manager
Telephone 01604 837237
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0175

LOCATION: Development Land rear of Hunsbury Park Primary School,
Dayrell Road

DESCRIPTION: Application for the permanent diversion of a footpath at Dayrell Road

WARD: West Hunsbury Ward

APPLICANT: Mr Ian Ellison
AGENT: N/A

REFERRED BY: Director of Planning and Sustainability
REASON: No delegated authority to make the Order

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

- 1.1 That an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 to permanently divert part of Public Right of Way, Bridleway BH4, as detailed on the submitted Section 257 application and shown on the plan attached.

2 THE PROPOSAL

- 2.1 The Section 257 application has been submitted to permanently divert part of the existing Bridleway BH4 which runs from Hunsbury Hill Country Park eastwards towards Danes Camp Way and then extends north in line with Danes Camp Way to meet a footpath to the rear of properties on Yarwell Square. The diversion is required to enable development to be carried out in accordance with planning permission granted under Part III of the Town and County Act 1990.
- 2.2 The relevant planning permission relates to the development of land to the rear of Hunsbury Park Primary School, Dayrell Road, approved by Committee on 25th March 2020 for the erection of 73 dwellings with associated parking, open space and landscaping (ref: N/2019/1225).

3 SITE DESCRIPTION

- 3.1 The development to which the bridleway is related comprises a currently overgrown and unkempt piece of undeveloped land approximately 3.007 hectares in size, located within a predominantly residential area approximately 1.5 miles to the southwest of Northampton town centre. To the west

of the site is Hunsbury Park Primary School, to the north is existing housing, to the east is Danes Camp Way and to the south is Hunsbury Hill Country Park.

- 3.2 Access to the proposed development would be via the existing roundabout on Dayrell Road, which also serves as vehicular access to a number of residential properties in the vicinity, as well as Hunsbury Park Primary School and community centre.
- 3.3 Public Right of Way, Bridleway BH4 connects from the north of the site extending southwards along the eastern boundary, and then in a south westerly directing along the southern boundary of the site connecting to Hunsbury Hill Country Park.

4 PLANNING HISTORY

- 4.1 N/2019/1225 – Erection of 73 no. dwellings with associated parking, open space and landscaping. Approved 25/03/20.
- 4.2 N/2017/0836 – Outline planning permission for the development of up to 50 no. dwellings with associated access, green infrastructure, open space and landscaping (all matters reserved except for access). Approved 28/03/18.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

National Policies

- 5.2 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:
- 5.3 Section 2 of the NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 91 encourages the provision of healthy, inclusive and safe places and layouts that encourage walking and cycling. Paragraph 98 seeks to ensure planning decisions protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. Paragraph 102 encourages opportunities to promote walking and cycling.
- 5.4 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10 requires that developments are used to facilitate more sustainable means of transport, whilst Policy C2 states that new developments should mitigate any impacts on the transport system.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Highway Authority (Definitive Map Officer)** – advises that as planning authority the Council has power under S257 of the Town and Country Planning Act 1990 to divert a public bridleway if it is necessary to do so in order for development for which planning consent has been granted to be implemented. The Council will need to satisfy themselves that a diversion is necessary on the strength of the development planned. The proposed diversion between X and W seems very close to the edge of the adopted highway. For legal reasons the defined width of the diverted bridleway must not overlap with the legal width of the all-purposed highway. Any part of the diverted bridleway which overlaps with the existing carriageway legally would count as having been extinguished rather than diverted.
- 6.2 **Ramblers Association** – no objection.
- 6.3 West Hunsbury Parish Council, Ward Councillors, NCC Development Management, British Horse Society and Open Spaces Society – no comments received.

7 APPRAISAL

- 7.1 The relevant test to be applied to applications of this type is whether it is necessary to divert the bridleway in order to implement a previously approved development. In this particular instance, planning permission has been granted for development of the site for the erection of 73 no. dwellings with associated parking, open space and landscaping.
- 7.2 The approved layout has been designed to maximise and make the most efficient use of the land available. This has resulted in some of the dwellings and rear gardens extending over the alignment of the existing bridleway. In addition, in order to mitigate the drainage impacts of the proposed development, the proposed Sustainable Urban Drainage System (SuDS) includes the provision of a swale along the eastern boundary of the site which extends over the existing alignment of the bridleway.
- 7.3 As planning permission does not confer a right to build over or alter the use of a public right of way, it would not be possible to construct the development in accordance with the permission unless the bridleway were diverted.
- 7.4 The section of the existing bridleway that is to be diverted has a distance of approximately 355m and traverses the site in a straight line along the southern boundary and then extends northwards along the eastern boundary. The proposed diverted route measures approximately 353m deviating slightly from its current alignment along the southern and eastern boundaries of the site. As a consequence, the proposed diversion does not represent an increase in the length of the bridleway along its diverted route. The diverted route is proposed to be 3m in width along its length with a grass surface. For these reasons, it is not considered the proposed diversion would create an undue level of inconvenience for future users of the bridleway.
- 7.5 In respect of comments received from the Highway Authority with regard to a potential overlap of the diverted route onto highway land, the applicant has submitted plans which demonstrate that the entirety of the proposed 3m wide diverted bridleway route would be situated within land owned by the applicant and would not extend into highway land.

8. CONCLUSION

- 8.1 It has been demonstrated that the approved development would obstruct part of Bridleway BH4 and that the proposed diversion would not result in inconvenience or loss to the public in general. The making of the diversion order would enable planning permission already granted to be carried out whilst retaining the use of Bridleway BH4. Accordingly, it is considered appropriate for a diversion Order to be made under the provisions of Section 257 of the Town and Country Planning Act 1990.

9 BACKGROUND PAPERS

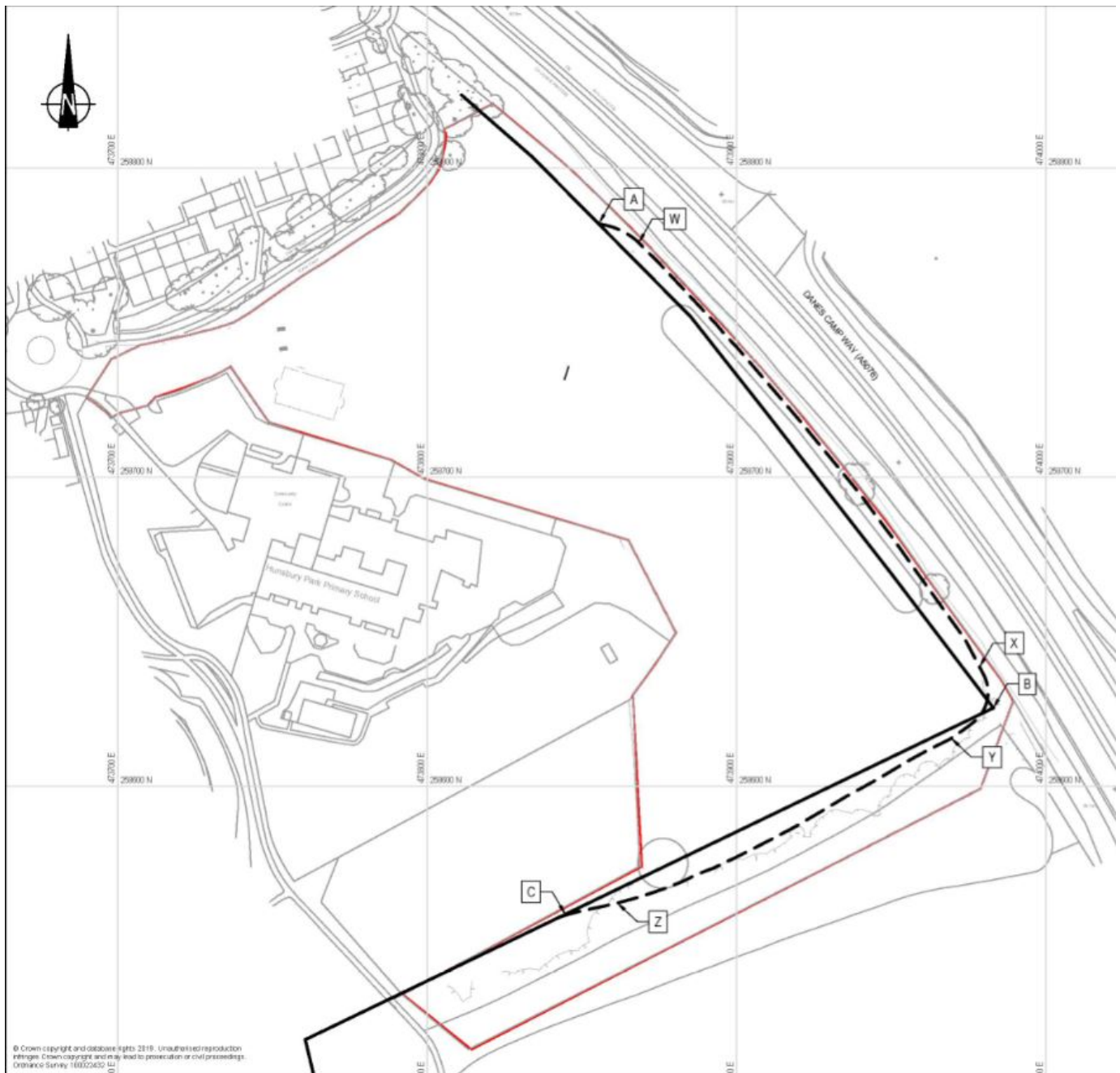
9.1 N/2020/0175 & N/2019/1225.

10 LEGAL IMPLICATIONS

10.1 None.

11 SUMMARY AND LINKS TO CORPORATE PLAN

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NOTES:

1. BRIDLEWAY ROUTE:

EXISTING ROUTE: A - B - C

PROPOSED ROUTE: A - W - X - Y - Z - C

**LAND AT DAYRELL ROAD, NORTHAMPTON
SECTION 257 APPLICATION
PROPOSED BRIDLEWAY DIVERSION**

KEY:

- TITLE BOUNDARY
- EXISTING BRIDLEWAY
- - - PROPOSED BRIDLEWAY

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Addendum to Agenda Items Tuesday 19th May 2020

6. OTHER REPORTS

Item 6a

N/2020/0175

**Application for the permanent diversion of a footpath at Dayrell Road
Development land rear of Hunsbury Park Primary School, Dayrell Road**

West Hunsbury Parish Council – no comments to make.

9. ITEMS FOR DETERMINATION

Item 9a

N/2019/0612

**Erection of purpose-built student accommodation comprising 347no rooms with 356no bed-spaces, following partial demolition of existing buildings. Refurbishment and change of use of listed building to provide ancillary student hub, retail units, plant, storage and refuse areas, with associated landscaping and other works
Bective Works, Bective Road**

One additional neighbour objection has been received. The comments raised within this objection can be summarised as follows:

- Location not suitable for student accommodation as University has moved. (*Officer Comment: An assessment of the principle of the development has been made at 7.6-7.9 of the Committee Report.*)
- No high-rise in the area. (*Officer Comment: An assessment of the design of the scheme is made at 7.16-7.21 of the Committee Report.*)
- Parking issues – already issues for terraced properties to park and this would exacerbate, and pressure on highway infrastructure. (*Officer Comment: An assessment of the highway impact of the development has been made at 7.31-7.36 of the Committee Report.*)
- Carbon emissions (*Officer Comment: NCC Highways and NBC Public Protection have been consulted on this application and raise no objection.*)
- Better locations for student accommodation (*Officer Comment: The assessment of this planning application must be on that applied for in the location applied for and consideration cannot be given to whether other locations are available.*)

Item 9b

N/2019/1451

**Change of Use of Office (Use Class B1) to House in Multiple Occupation (Use Class C4) for 4 occupants, including demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers at rear, internal reconfiguration and installation of rooflight to front elevation
8 Palmerston Road**

Additional objection received and are summarised as follows:

- Impact on the community cohesion due to the transient nature of HIMO
- Over concentration of HIMOs in the area
- Fly tipping issues due to high concentration of HIMOs
- Anti-social behaviour resulting from HIMOs

Officer Comment: All the issues raised in this representation has been addressed in the officer's report. It is considered that these comments would not affect the recommendation and the application is still recommended for approval.

Item 9c

N/2019/1482

**Alteration of shop front to Ice Cream Kiosk to install counter/service window and new shutters to side window
8 Newnham Road**

No update.

Item 9d

N/2020/0114

**Single storey front and rear extensions including external alterations and relocation of air conditioning units to rear
22 Dallington Road**

Amended Paragraph 8.2:

Therefore, the proposal **would not be** contrary to the advice given within the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, saved policy E20 of the Northampton Local Plan.

Item 9e

N/2020/0119

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants
108 Lower Thrift Street**

No update.

Item 9f

N/2020/0128

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 10 occupants
51 St Matthews Parade**

No update.

Item 9g

N/2020/0133

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 10 occupants
53 St Matthews Parade**

No update.

Item 9h

N/2020/0148

Variation of Conditions 2 and 24 of Planning Permission N/2019/0851 (Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of

**live-work units, provision of bin store areas and car parking) to broaden the use of two of the offices to include use by the management company of the building
Former Pearce Leather Works, Wellingborough Road**

No update.

Item 9i

N/2020/0197

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants (retrospective)

117 Upper Thrift Street

No update.

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0612

LOCATION: Bective Works, Bective Road

DESCRIPTION: Erection of purpose-built student accommodation comprising 347no rooms with 356no bed-spaces, following partial demolition of existing buildings. Refurbishment and change of use of listed building to provide ancillary student hub, retail units, plant, storage and refuse areas, with associated landscaping and other works

WARD: Sunnyside Ward

APPLICANT: U3 Developments Limited
AGENT: Smith Jenkins Ltd

REFERRED BY: Councillor S Beardsworth
REASON: Parking concerns and question need of student accommodation

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to S106 legal agreement to secure:

- Contribution to fusion 22 for construction training;
- Contribution to traffic regulation alterations;
- Contribution to the maintenance of bus shelters;
- Contributions towards monitoring of Travel Plan;
- Requirement as an obligation that listed building works on site must be completed prior to first occupation of the student hall;
- Requirement for a clause to be included in students tenants agreements prohibiting car use;
- Requirement for the minibus service to continue for the life of the development.

1.2 The conditions as set out below and for the following reason:

The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity, the highway system, crime and safety. Whilst there would be some harm to the historic

environment, this would not be significant and would be outweighed by the public benefits of the scheme. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, E1,H1, BN5, BN9, INF1, INF2, N1, S1, S2, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan (Saved policies) 1997.

- 1.3 It is recommended that in the event that the Section 106 Legal Agreement is not completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Planning and Sustainability be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The application proposes the erection of a purpose built student accommodation comprising 347 rooms with 356 bed-spaces. As part of this, the existing listed building would be converted to an ancillary student hub and retail units. A basement carpark is also proposed.

3 SITE DESCRIPTION

- 3.1 The application site is located on the southern side of Bective Road and extends to the south to join Yelvertoft Road. To the west of the site is a small row of shops fronting Harborough Road. To the north, east and south the application site is predominantly bordered by residential dwellings within two storey terraced rows.

- 3.2 The application site includes the grade II listed Abraham Lee boot and shoe factory dating from 1902, and extended by 1924. This listing advises:

‘This purpose-built boot and shoe factory has a carefully detailed front, and not only was it one of the first single-storey boot and shoe factories but it is one of the few pre-1st World War ones to survive...Very few survive and this is a fine example.’

- 3.3 The majority of the site is now vacant. The extended element of the listed building was recently in use by a martial arts studio and furniture restoration company. The 1902 section of the listed building is in a poor state of repair and has been vacant for an extended period of time.

4 PLANNING HISTORY

- 4.1 N/2019/0613 - Listed Building Application for partial demolition of existing buildings, redevelopment of site to provide student accommodation. Refurbishment and change of use of listed building to provide ancillary student hub, retail units, plant, storage and refuse areas with associated works – Pending Consideration
- 4.2 N/2019/1450 - Lawful Development Certificate for existing implementation of Planning Permission N/2015/0419 (Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road) – Approved 27/01/2020
- 4.3 N/2019/0449 – Non-Material Amendment of Planning Permission N/2015/0419 (Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road) to amend the wording of Conditions 13 and 14 – Approved 16/04/2019
- 4.4 N/2017/0028 - Listed Building Consent Application for demolition of outbuildings and later extensions to the Grade II listed Enterprise House – Approved 15/03/2017

- 4.5 N/2015/0419 - Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road – Allowed at appeal 14/06/2016
- 4.6 N/2012/1269 – Repairs to roof following fire damage – Approved 07/02/2013
- 4.7 N/2012/1093 – Demolition of Bective Works and Jebez House. Erection of a new student accommodation building, incorporating a retail unit and lower ground floor parking and service space, together with new vehicular access and pedestrian access and associated landscaping proposals, plus the alteration and restoration of the circa 1902 part of the Listed Building Enterprise House and its change of use to student community use – Dismissed at appeal 04/08/2014
- 4.8 N/2012/1092 - Application for Listed Building Consent for alteration and restoration of the circa 1902 part of the Listed Building Enterprise House and its change of use to student community use – Approved 04/09/2013
- 4.9 N/2011/1074 - Demolition of existing Bective works and Jebez House and the erection of 406 no. student accommodation building incorporating a 288sqm retail unit, 17 no. space lower ground floor car park and servicing space. New vehicular and pedestrian access and landscaping. Alteration, restoration and extension of Enterprise House for student community use. (WNDC Consultation) – Refused 17/02/2012
- 4.10 N/2011/0844 - Temporary 5 month change of use for storage of materials for works to Harborough Road. Retrospective – Approved 27/10/2011
- 4.11 11/0065/FULWNN – Demolition of existing Bective Works and Jebez House and the erection of 406 student accommodation building incorporating a 288sqm retail unit, 17 space lower ground floor car park and servicing space. New vehicular and pedestrian access and landscaping. Alteration, restoration and extension of Enterprise House for student community use – Refused.
- 4.12 WN/2006/0028 - Demolition of existing Bective Works and Jebez House and the erection of 155 residential units with associated landscaping and underground car parking – Approved.
- 4.13 N/2005/1434 – Partial demolition and external and internal alterations to form B1 offices together with landscaped courtyard – Approved 20/01/2006
- 4.14 N/2004/0193 – Use of part of building as coffee shop – Approved 31/03/2004
- 4.15 N/2003/1267 – Change of use of first floor from factory unit to martial arts club – Approved 20/11/2003
- 4.16 N/1999/530 – Change of use from business (B1) to warehouse/distribution of car components (B8) – Approved 04/08/1999
- 4.17 N/1995/195 – Double storey office block car park and access plus associated work – Approved 01/06/1995

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997).

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

S1 – The distribution of development

S2 – Hierarchy of Centres

S3 – Scale and distribution of housing development

S10 – Sustainable Development Principles

C2 – New developments

E1 – Existing employment areas

H1 – Housing density and mix and type of dwellings

BN5 – Historic Environment

BN9 – Pollution control

INF1 and 2 – Infrastructure delivery

N1 – The regeneration of Northampton

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northampton Parking SPD (2019)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection subject to conditions covering air quality, land contamination, environmental noise, refuse and recycling, and a construction and environmental management plan.

- 6.2 **NBC Planning Policy** – Concerns raised as to proposed use although it is noted that the previous permission N/2017/0028 can still be implemented on the site.
- 6.3 **NBC Conservation Officer** – The change of use of the main building is acceptable as a means of bringing them into use. The revised scheme better relates to the pattern of development in the area and as such the development would have an acceptable impact on the setting of the listed building. The level of harm would be less than substantial and would need to be weighed against the public benefit of the proposal. Request condition on materials and boundary treatments.
- 6.4 **Historic England** – No comment.
- 6.5 **Anglian Water** – Request informative advising of Anglian Water assets near to the site, used water network, and surface water disposal. A condition is requested regarding surface water.
- 6.6 **NCC Highways** – No objection. Advise that whilst a minibus is provided by the University to provide transport to Bedford Road, and public transport is available, it is inevitable that a percentage of students will bring personal vehicles into the area. Parking on the street is in high demand and these likely vehicles will inevitably affect the amenity of existing residents in the area. Contributions are requested towards traffic regulation alterations, bus shelters, and for the travel plan for this proposal. Request conditions on a site management plan, a clause in the lease prohibiting car ownership, the reinstatement of dropped kerbs, and that the minibus will continue for the life of the development.
- 6.7 **NCC Archaeology** – Request condition on an archaeological programme of works.
- 6.8 **NCC Ecology** – A condition is requested on ecology.
- 6.9 **NCC Planning** – A library contribution is requested. A condition requiring fire hydrants and sprinkler systems is requested.
- 6.10 **Environment Agency** – No objection. Request condition on remediation strategy, verification report, unexpected contamination, and drainage systems.
- 6.11 **Lead Local Flood Authority** – No objection. Request conditions on surface water drainage, maintenance and verification.
- 6.12 **Northamptonshire Police** – Request condition requiring security measures to be implemented on site.
- 6.13 **Fusion 22** – A contribution is requested towards apprentice schemes.
- 6.14 **Councillor S Beardsworth** – Concern regarding height and lack of parking facilities and that the university is now not in Kingsthorpe and so there shouldn't be a need for student accommodation.
- 6.15 **Michael Ellis MP** – received concern from constituent that development will result in parking and litter issues.
- 6.16 23 letters have been received for this application and 8 for the associated listed building consent application N/2019/0613. The concerns raised in these letters can be summarised as follows:
- Regenerating a brownfield derelict site is worthwhile.
 - The University has moved away from this area and as such student accommodation is not needed in this area – unsustainable.
 - No need for student accommodation – existing halls of residence are not full.
 - Student accommodation in this area is contrary to planning policy.
 - Area is family community and not for students.
 - No amenities in area for students.

- Proposed retail units will remain empty as there are existing empty shops in the area.
- Proposed development will overshadow neighbouring properties.
- Overlooking of neighbouring properties from windows.
- Scale and appearance of development is out of character with area – visually overpowering, imposing and not sympathetic to local area.
- Noise pollution from students.
- Light pollution from proposed building.
- Exacerbation of poor air quality from students.
- Impact upon heritage assets.
- Parking issues in area will be exacerbated by proposal as students will have cars and park in surrounding streets, alongside visitors. Insufficient parking is provided on site.
- Any agreement that students will not bring cars will be unenforceable.
- Parking issues when students move in and out.
- Taxi and minibus movements will disturb neighbouring residents especially at night.
- Nearby shops rely on people parking in streets. If customers can't cope this will impact upon the shops.
- Residents have tried to get permit parking in the area but it is not allowed.
- Concern only access is off Bective Road.
- As the University has moved, University bus serves have curtailed.
- Infrastructure cannot cope with proposed number of students i.e. bus numbers, road network.
- NCC Highway comments needed on application.
- Proposal increases number of students from that previously approved.
- Crime issues from students – County Line crime issues exist with students.
- Students intimidating to elderly residents.
- Developer should provide Police Community Support Officers for the area to deal with any issues.
- Previous approval was not commenced within 3 years and as such has expired.
- Want affordable housing not student accommodation.
- If unit is built it may be turned into flats without parking.
- Fire risk due to density of development.
- Increase in litter as a result.
- Result in a decrease in property values.
- Impact on and damage to neighbouring properties from construction work.
- Impact of site construction vehicle parking.

7 APPRAISAL

- 7.1 The current application follows previous application N/2015/0419 which was approved at appeal on the 14th June 2016. A Lawful Development Certificate reference N/2019/1450 was granted on the 27th January 2020 confirming the lawful implementation of application reference N/2015/0419. As such, the previous permission on this site can still be implemented. This was for student accommodation for 293 study bedrooms and retail unit.
- 7.2 The application now under consideration proposes student accommodation with 347 rooms and 356 bed spaces, an increase of 54 bedrooms over that previously approved on the site. These rooms would be provided within 107 separate flats, and each flat would have its own kitchen and each bedroom would be en-suite. The proposal would comprise 6 blocks, A-F. Blocks A-D would visually form one building, appearing as a three storey terrace row from Bective Road and Yelvertoft Road with two storey links. Blocks E and F would form one three storey building positioned to the south of the existing listed building in line with Yelvertoft Road. There would be a primary and secondary entrance for the proposed halls from Bective Road.
- 7.3 The application also includes the conversion of the existing listed building into a student hub alongside two commercial shop units (Use Class A1). The shop units would be provided fronting Bective Road and accessible by the general public alongside the student occupants. At first floor a

gym would be provided accessible from the general public entrance. With regards to the student hub, a common room with kitchen would be provided at ground floor. It has been confirmed that this kitchen would only be for cold food. A large cycle store and bin store would be provided within the rear (south) of the building. Fenestration alterations would occur as part of this conversion with the replacement and repairing of existing windows and doors, the insertion of 2 new doors and the infilling of two doors within the southern elevation, and the insertion of 8 new windows and doors within the western elevation. An existing rear projection to this listed building would be demolished as part of the works.

- 7.4 The application also includes a basement car park with 36 parking spaces (4 of which are disabled parking bays).
- 7.5 During the course of the application the proposal has been revised to reduce the number of bedrooms and to alter the appearance of the buildings through lowering the height and providing a terrace appearance to Bective Road and Yelvertoft Road.

Principle of development

- 7.6 The application proposes the provision of student accommodation alongside the conversion of the existing listed building on site into a student hub and retail units.
- 7.7 The principle of providing student accommodation on this site has been established within appeal approval N/2015/0419. Whilst since this previous approval, the University has relocated away from this area, it is the case that the previous approval for this site has been implemented and as such student accommodation can be provided on this site under the previous approval. As permission N/2015/0419 is extant, the principle of providing student accommodation on this site is established and it would not now be reasonable to object to this proposed use. The principle of providing student accommodation on this site is, therefore, accepted.
- 7.8 In addition to student accommodation, the proposal includes two retail units and a gym within the listed building. Concern was raised in a neighbour letter that the retail units would remain empty as there are vacant units in the area. It is the case that retail units on this site have been approved previously, and that a martial arts studio was recently on the site. It is not, therefore, considered reasonable to object to the provision of retail units or a gym in principle.
- 7.9 It is also noted that the majority of the site, excluding part of the listed building, has been vacant and semi-derelict for a notable period of time and the proposal would result in the satisfactory reuse of the site and listed building structure. This serves two main benefits. The first being that a long term use would better secure the long term future of these heritage assets. Furthermore, the proposal would also add to the footfall within the surrounding area, which would assist in supporting the general viability and vitality of the locality.

The impact of the proposed conversion on the character and appearance of the listed building.

- 7.10 The application site includes a Grade II listed former boot and shoe factory. This listed building is partially semi-derelict, having been vacant for an extended period of time. As part of this application the impact upon the listed building must be assessed, both through the works proposed to the listed building, and the setting of the listed building due to the proposed new build development.
- 7.11 The Council's Conservation Officer has been consulted on the proposal and has advised that there is no objection to the proposed development and there would be an acceptable impact upon the setting of the listed building, and that the proposed use of the listed building would be an acceptable means of bringing them into use.
- 7.12 Paragraph 196 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 7.13 The application site as existing comprises a largely disused building which is deteriorating and in need of a viable use. Adjacent this listed building is a large open space where former factory buildings have been demolished. The application proposes a viable use for the vacant listed building, and would assist in bringing a largely disused Grade II listed building back into use.
- 7.14 The proposal would bring the building back into use, ensuring its repair and long term retention. It is considered important to secure a viable use for the long term retention of the vacant listed building and to stop any further decay to the built form.
- 7.15 On balance, it is considered that the securing of a viable use for the vacant listed building would outweigh any harm to the historic form through the proposed conversion and new build development. As such it is considered that the proposal would have an acceptable impact upon the Listed Building.

Design and the impact upon the street scene

- 7.16 The application proposes minor alterations to the fenestration of the existing listed building. It is not considered that these alterations to the appearance of the existing building would harm the character and appearance of the street scene.
- 7.17 The application proposes student accommodation comprising 6 blocks, A-F. Blocks A-D would visually form one building, appearing as a three storey terrace row from Bective Road and Yelvertoft Road with two storey links. Blocks E and F would form one three storey building positioned to the south of the existing listed building in line with Yelvertoft Road. There would be a primary and secondary entrance for the proposed halls from Bective Road.
- 7.18 From Bective Road and Yelvertoft Road, the proposal would appear as a three storey flat roofed terrace row. Between each block, a lower two storey element would be used to assist in breaking up the visual bulk of the built form.
- 7.19 Bective Road and Yelvertoft Road are characterised by two storey traditional terraced rows with pitched roofs fronting the street scene. The proposal would predominantly be three storey with a flat roof, although the building forming blocks E and F would be two storey with a mansard roof forming the third floor. The height of the proposed building would be approximately 9.3 metres at three storey height and 6.3 metres at two storey height. The building approved under application N/2015/0419 that can still be erected on site is approximately 11 metres in height, raising to 14 metres in parts. It is, therefore, the case that whilst the current proposal provides an increase in bedrooms, it is visually smaller when viewed from Bective Road and Yelvertoft Road than the building which can be built under existing permission N/2015/0419.
- 7.20 The proposed development would be flat roofed, which is not in character with the traditional terraced properties found in Bective Road and Yelvertoft Road, but is in character with the flat roof commercial properties seen to the immediate west of the application site fronting Harborough Road. With the proposed development being for modern student halls, it is considered that the use of a modern design with a flat roof is acceptable on this site.
- 7.21 It is considered that the proposal would appear as a modern form of development which draws on the terraced character of the surrounding street scenes to provide a development which would not appear out of character with the surroundings, albeit using a flat roof design as opposed to the traditional pitched roofs seen on surrounding residential properties. It is considered that the proposed development is of a form and character which would complement the surrounding area and would be acceptable in design terms. It is also noted that the proposed development is a reduced height to that which can be built on the site under application N/2015/0419, assisting in reducing the visual bulk of the development from the surrounding street scenes.

Residential amenity

7.22 The application proposes 356 bed spaces within 107 flats. These comprise:

- 35 x single studio flats
- 9 x twodio flats (two people flats)
- 7 x accessible flats
- 12 x single person flats
- 2 x 4 bed cluster flats
- 12 x 5 bed cluster flats
- 10 x 6 bed cluster flats
- 10 x 7 bed cluster flats
- 4 x 8 bed cluster flats
- 6 x 9 bed cluster flats

7.23 The Council does not have a policy regarding the minimum size requirements for student accommodation. It is considered, however, that the room sizes proposed are sufficient for the intended use.

7.24 The submitted plans show central green landscaped areas within the development. These are not intended to be used by the student occupiers, due to the potential crime risks associated with any users being able to walk up to the bedroom windows on the ground floor facing these courtyards. Whilst no amenity space is provided for the student occupiers, the application site is located within walking distance of amenity space, such as Kingsthorpe Recreation Ground, Bradlaugh Fields, and Thornton Park and it is not unusual for student halls to provide no outside amenity space for the student occupiers. It is, therefore, considered that the nil provision of amenity space is acceptable.

Neighbouring amenity

7.25 The application site is bordered by residential properties to the north, east and south. The proposed development is separated from residential properties to the north and south by the roads of Bective Road and Yelvertoft Road. With the road separating the development from neighbouring properties, and the result a typical front to front relationship between the application site and existing neighbouring properties, it is not considered that the proposed development would result in an unacceptable loss of light to these neighbouring properties or result in unacceptable overlooking between properties. With the proposal being a two and three storey flat roofed building, it is not considered that the building would appear unacceptably overbearing to neighbouring residential occupiers, being a similar height to these existing properties.

7.26 To the east of the application site block F would fall adjacent the boundary of 55 Yelvertoft Road. The proposed block F would be positioned set down within the land levels, resulting in the three storey block being set lower than 55 Yelvertoft Road. It is considered that due to this set down, and the separation from the main building, the proposed block would not appear unacceptably overbearing to 55 Yelvertoft Road or result in an unacceptable loss of light. 2 windows are proposed on the eastern elevation serving the corridors at ground and first floor. In order to ensure that these windows do not result in unacceptable overlooking of 55 Yelvertoft Road, it is considered that these should be obscure glazed and non-openable.

7.27 Concern was raised within a neighbour letter that the proposal would result in unacceptable light pollution for neighbouring residential properties. The proposal is for a student halls of residence and window openings would appear similar to a terrace row of properties. It is not considered that the proposed building would result in light pollution above the normal expected levels from residential properties.

7.28 Concern was also raised that the proposal would result in noise and air pollution from the students to existing residential neighbours. The Council's Public Protection team have been consulted on

the application and have raised no objection on this matter. A condition is requested on air quality matters.

- 7.29 The application includes the provision of two shops and a gym within the existing listed building. Subject to conditions controlling opening and delivery hours, it is considered that the proposed uses would be acceptable and would not have an unacceptable impact upon neighbouring properties.
- 7.30 It is considered that the proposal would not have an unacceptable impact upon neighbouring amenity.

Highways

- 7.31 The application includes a basement car park for 36 spaces (including 4 disabled spaces). This car park is only for use by staff of the residential and commercial units, blue badge holders (residents) and motorised two-wheeled vehicles (staff and residents).
- 7.32 It is advised that provision for electric vehicle charging points will be made within the car park for future use and this will be secured through condition.
- 7.33 Section 6.6 of the submitted Transport Assessment outlines that the proposal also includes the provision of a mini-bus which will be free for students and will travel between the site, Moulton College and Waterside Campus.
- 7.34 Neighbour letters raised concerns with the lack of parking for student occupiers and the subsequent impact upon neighbouring streets, the lack of appropriate transport facilities between this area and the new university campus, and the impact of lost parking for customers of existing shops. Further concern was raised as to the impact during moving in and out periods.
- 7.35 Northamptonshire County Council Highways have been consulted on the application and have raised no objection to the scheme. Contributions towards traffic regulation alterations, maintenance of bus shelters, monitoring of travel plan are requested alongside conditions on a site management plan, a clause in the lease prohibiting car ownership, the reinstatement of dropped kerbs, and that the minibus will continue for the life of the development.
- 7.36 With no objection having been received from the County Council Highways team, it is considered that the proposed parking arrangement and cycle storage is acceptable.

Crime

- 7.37 Neighbours letters raised concern as to the crime issues resulting from student halls, and also that students may intimidate elderly residents.
- 7.38 Northamptonshire Police have been consulted on the scheme and raise no objection to the proposal. This is following extensive discussions with the applicant as to the security measures needed within the student halls. It is advised that the security measures identified must be implemented on site and this will be required through condition.

Obligations

- 7.39 As part of this application financial contributions have been requested from Fusion 22 and NCC Highways.
- 7.40 NCC Planning also request a contribution towards libraries however there is no planning basis for such a contribution to be requested.
- 7.41 In addition to financial contributions, it is also considered that any S106 agreement must also require:

- The completion of the works to the listed building prior to first occupation of any of the student accommodation hereby permitted.
- The requirement for a clause in the student lease preventing car ownership unless for disabled parking.
- The requirement for the minibus to continue for the life of the development.

7.42 The applicant has agreed to the above contributions and conditions.

Other matters

- 7.43 The Council's Public Protection team were consulted on the application and raised no objection subject to conditions covering air quality, land contamination, environmental noise, refuge, and a construction environmental management plan. It is considered reasonable to attach such conditions.
- 7.44 Anglian Water and the Lead Local Flood Authority request conditions on surface water, and the Environment Agency request conditions on remediation, verification, drainage systems and contamination. Such conditions are considered reasonable to attach.
- 7.45 NCC Archaeology raise no objection to the scheme but request a condition on an archaeological programme of works, and NCC Ecology raise no objection to the scheme subject to a condition on ecology. Such conditions are considered reasonable.
- 7.46 Neighbour letters raised that they would prefer affordable housing to student accommodation on this site. The assessment of this application must be based solely on that which has been applied for and alternatives cannot be considered.
- 7.47 Neighbour letters raise that the building may be turned into flats with no parking as this is the wrong area for students. Planning permission is required for the conversion of a student halls into residential flats, and the appropriateness of this would be assessed should such an application ever be submitted. This cannot be assessed at this stage.
- 7.48 Neighbour letters raised concern as to the impact of construction work on existing residents alongside fears the proposal would result in decreased property values. These are not material planning considerations within the assessment of the application.

8 CONCLUSION

- 8.1 The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity, the highway system, crime and safety. Whilst there would be some harm to the historic environment, this would not be significant and would be outweighed by the public benefits of the scheme. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, E1,H1, BN5, BN9, INF1, INF2, N1, S1, S2, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan (Saved policies) 1997.

9 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (SK)001 Rev F, (SK)002 Rev E, (SK)003 Rev E, (SK)005 Rev D, (SK)006 Rev F, (SK)007

Rev C, (SK)008 Rev G, (SK)009 Rev C, (SK)010 Rev A, (SK)101 Rev F, (SK)102 Rev F, (SK)103 Rev F, (SK)104 Rev D, (SK)105 Rev A, (SK)201 Rev E, (SK)202 Rev E, (SK)203 Rev C, (SK)204 Rev D, (SK)301 Rev E, (SK)302 Rev E, (SK)303 Rev D, (SK)401 Rev E, (SK)402 Rev E, (SK)403 Rev D, (SK)501 Rev D, (SK)502 Rev D, (SK)503 Rev C, (SK)601 Rev D, (SK)602 Rev C, (SK)603 Rev C, (SK)605 Rev B, (SK)606 Rev B.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Prior to the commencement of development full samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

4. Notwithstanding the details submitted, prior to the commencement of development, full details of any new windows and doors (including sections) within the listed building part of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of the historic environment in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

5. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

6. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

7. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination of the site. The contents of the scheme are subject to the approval in writing of the Local Planning

Authority prior to the commencement of development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:

(i) identification of all previous uses and contaminants associated with those uses;

(ii) a survey of the extent, scale and nature of contamination;

(iii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings
- adjoining land,
- groundwaters and surface waters, (including a conceptual model of the site indicated sources, pathways and receptors);
- ecological systems,
- archeological sites and ancient monuments;

(iv) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority prior to the commencement of development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 7 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 8 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 9.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in accordance with the agreed details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

12. No development shall commence until one of the following has been submitted to and approved in writing by the Local Planning Authority:
 - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
 - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
 - c) A statement in writing from a suitably qualified ecologist to the effect that it does not consider that the specified activity/development will require a licence.

Reason: In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

13. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The written scheme will include the following components, completion of each which will trigger the phased discharging of the conditions:
 - a) Fieldwork in accordance with the agreed written scheme of investigation
 - b) Post-excavation assessment (to be submitted within 6 months of the completion of fieldwork unless otherwise agreed in advance with the planning authority)
 - c) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the local 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 by the local planning authority.

Reason: to ensure that features of archaeological interest are properly examined and recorded in accordance with the NPPF paragraph 199. This is a pre-commencement condition to ensure timely submission of details.

14. Prior to first occupation, full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

15. Prior to first occupation of the development, details of all boundary materials (including materials, design, opening mechanism, access control of all vehicle and pedestrian gates) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be

implemented on site prior to first occupation of the development hereby permitted and retained in full working order in accordance with the approved details thereafter.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

16. Prior to the commencement of the residential use hereby permitted, a Full Site Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Full Site Management shall include, but not be limited to, the following:

- i) The process for managing students to move into, and out of, the development.
- ii) On site management.
- iii) A Code of Conduct for occupiers of the development.
- iv) Security Controls, including positions of access control measures door by door.
- v) CCTV, including the location of each camera.
- vi) External lighting.
- vii) Fire alarm system, including location of each.

The approved management plan shall be fully implemented prior to the first occupation of the development and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

17. A scheme for the containment, mitigation and management of noise emanating from the site, including details of all external mechanical fixed plant equipment, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The scheme shall be implemented in accordance with this scheme and retained as such thereafter.

Reason: In the interests of securing a satisfactory standard of development, in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

18. Prior to the occupation of the development hereby approved, the existing access points on Bective Road and Yelvertoft Road, other than that serving the proposed basement as shown within plan (SK)001 Rev F, shall be permanently closed (and the highway reinstated) in a manner to be approved in writing by the Local Planning Authority, and, notwithstanding the provisions of Class B of Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 no further points of access shall be created thereafter.

Reason: To confine access to the permitted point in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway in accordance with the requirements of the National Planning Policy Framework.

19. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

20. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy, Flood Risk Assessment and Sustainable Drainage System Statement ref 6125 R001 FRA prepared by BCAL dated March 2019 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include,

- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures and proposed pump installations
- ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations
- iii) cross sections and manufacturers hydraulic curves for all control chambers and flow control devices.
- iv) details/demonstration of exceedance routes.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site

21. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site, including the proposed pumping installation, has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

Reason: To ensure the future maintenance of drainage systems associated with the development

22. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Drainage Strategy, Flood Risk Assessment and Sustainable Drainage System Statement ref 6125 R001 FRA prepared by BCAL dated March 2019
These shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

23. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

24. Prior to first occupation of the development a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the

completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

25. Full details of a minimum of 4 electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby permitted. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019).

26. The windows within the eastern elevation of block F shall be entirely obscure glazed and secured shut up to 1.7 metres above the floor level of the room within which the window is located, and retained as such at all times thereafter.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

27. The bin stores as shown within plan (SK)601 Rev D and (SK)201 Rev E shall be provided on site prior to the first occupation of the development hereby approved and retained at all times thereafter for bin storage.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

28. The bike store as shown within plan (SK)601 Rev D shall be provided on site prior to the first occupation of the development hereby approved and retained at all times thereafter for the storage of bicycles of the student occupiers of the development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy

29. The parking spaces within the basement as shown in plan (SK)005 Rev D shall be for the use of occupiers of the student hall and employees of any part of the development only and shall not be for use by customers of the retail and gym units hereby permitted.

Reason: To protect the amenity of future occupiers of the student halls whose windows look over the access ramp for this car park in accordance with the requirements of the NPPF.

30. The retail and gym units hereby permitted shall be open to the public only between the hours of 07:30am and 22:00pm Mondays to Saturdays and at no time on Sundays or Bank or Public Holidays.

Reason: To ensure that the development does not prejudice the amenities of residential occupiers in the vicinity of the development.

31. No deliveries shall occur to the retail and gym units hereby permitted between the hours of 22:00pm and 07:30am.

Reason: To ensure that the development does not prejudice the amenities of residential occupiers in the vicinity of the development.

32. The Type 1 Mitigation proposals set out in Section 6.5 of the MEC Air Quality Assessment Report dated July 2019 reference 25187-04-AQA-01 shall be implemented on the site prior to first occupation of the development and retained as such thereafter.

Reason: In the interests of securing a satisfactory standard of development, in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

33. The residential development hereby permitted shall be a 356 bed spaces student accommodation (sui generis use) only and shall not be used for any other purpose.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

Informatives:

The Environment Agency recommend that developers:

1. Follow the risk management framework provided in the Land contamination: risk management guidance on gov.uk, when dealing with land affected by contamination
2. Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
4. Refer to the contaminated land pages on gov.uk for more information

Anglian Water advise:

(1) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

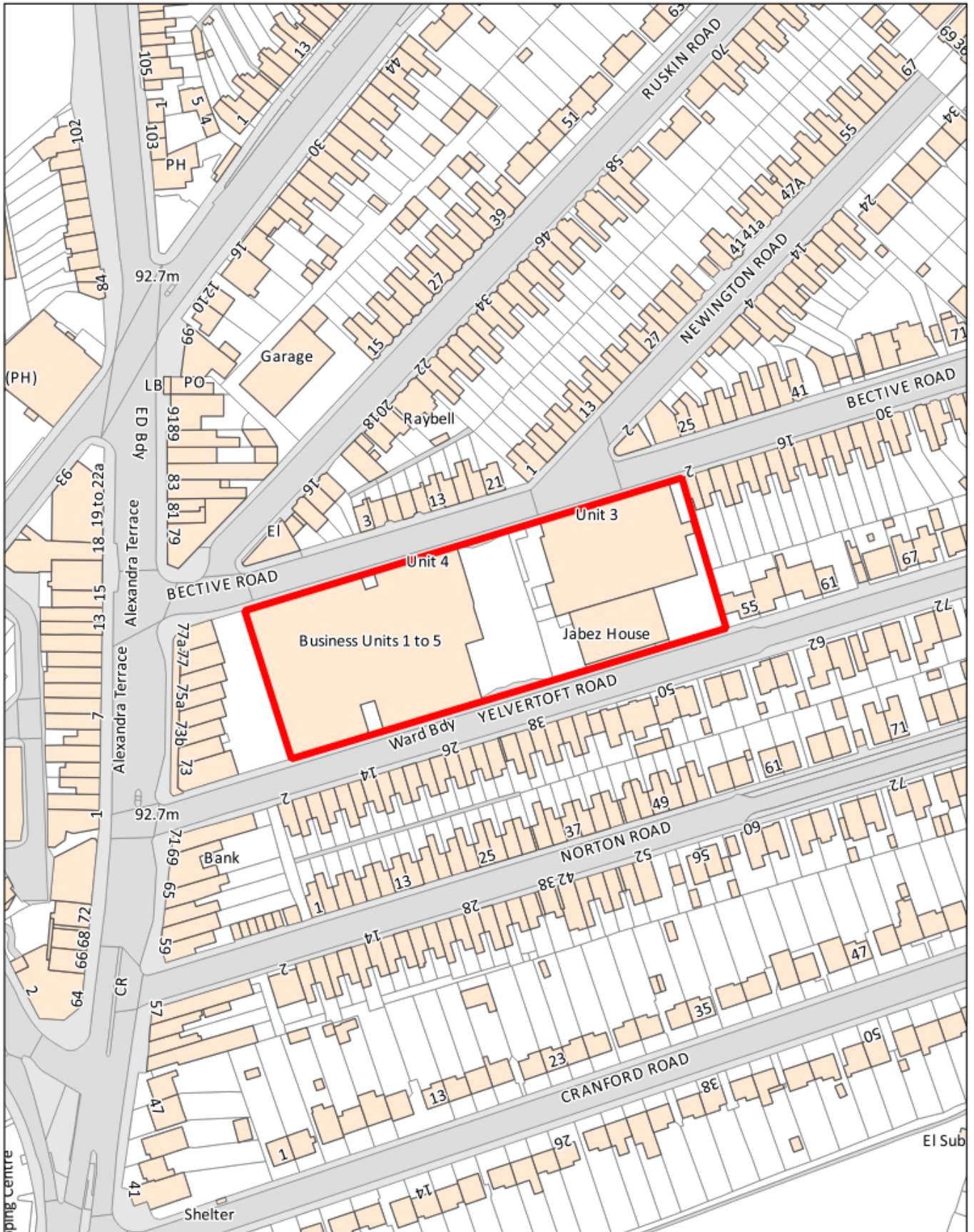
(5) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

10 LEGAL IMPLICATIONS

- 10.1 The development is not CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Bective Works, Bective Road**

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Date: 28-01-2020

Scale: 1:1,500

Drawn by: -----

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1451

LOCATION: 8 Palmerston Road

DESCRIPTION: Change of Use of Office (Use Class B1) to House in Multiple Occupation (Use Class C4) for 4 occupants, including demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers on third floor, internal reconfiguration and installation of rooflight to front elevation

WARD: Castle Ward

APPLICANT: GSD Commercial Ltd
AGENT: Mr Karl Fox

REFERRED BY: Councillor D Stone
REASON: Overdevelopment and refuse concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development for a change of use and proposed extensions is considered acceptable and the proposal would not result in an over concentration of similar uses in the vicinity of the site. The proposal would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved policies E20, E26 and H30 of the Northampton Local Plan; and, Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2. THE PROPOSAL

2.1 Permission is sought for a change of use from an office (Class B1) to a House in Multiple Occupation (Use Class C4) for 4 occupants, including demolition of existing ground floor flat

roof rear structure, construction of new two storey flat roof rear extension and two new dormers on third floor, internal reconfiguration and installation of rooflight to the front elevation.

2.2 The scheme has been amended during the course of the application and number of occupants have been reduced from 6 to 4 and the design for the dormers has been amended.

2.3 Parking would be on-street.

2.4 The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use from a dwelling to a HIMO.

3. **SITE DESCRIPTION**

3.1. The application site comprises of an office building, which is a two storey mid-terraced building located in a mix of residential and commercial area with similar terraced properties on the street.

3.2. The site is in close proximity to Wellingborough Road, which includes retail and commercial units. The application site is located within the Boot and Shoe Quarter Conservation Area.

3.3. The application site lies in Flood Zone 1, which means very low risk of flooding.

3.4. The local area has parking restrictions and is parking permit zone only.

4. **PLANNING HISTORY**

4.1. None relevant.

5. **PLANNING POLICY**

5.1 **Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 **National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Paragraph 193 - Great weight to be given to the heritage asset's conservation.

5.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy BN5 - Designated heritage assets
Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles

5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 - New development
Policy E26 - Development in Conservation area
Policy H30 - Multi occupation with a single dwelling

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Northampton Parking Standards (November 2019)
Houses in Multiple Occupation SPD (November 2019)
Proposals for HIMO should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities.
- Provide adequate waste and recycling facilities and sufficient refuse storage.
- Minimise flood risk.
- Secure provision of adequate parking.
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs.

5.6 **Other Material Considerations**

Boot and Shoe Quarter Conservation Area Appraisal and Management Plan

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1. **Councillor D Stone** - raises objection on the basis that application property will result in fly tipping, overdevelopment and loss of a family home. Calls in the application for consideration by the Planning Committee.
- 6.2. **Highway Authority (NCC)** – The property in question is within a Permit Zone and therefore all parking in the vicinity is controlled. The LHA holds the right to restrict the number of permits administered to any property as it sees fit. This may result in the number of permits being limited and there is no guarantee that every resident within the revised property will be issued with a permit.

- 6.3. **Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements for a 6 occupants HIMO and advised on mandatory licensing requirements. No comments have been received on amended scheme with 4 occupants.
- 6.4. **Conservation Officer (NBC)** – Initially objected on the original scheme. On the revised scheme, he advised that the revisions are an improvement on the previous box dormer, but the height and proportion of the dormers from the eaves would mean that they would still take up a large part of the roof and are not a traditional design or feature of roofs in the conservation area. However, the property is adjacent to a former factory and is not mid-terrace, so the impact on the roofline is less than if they were in the middle of a row of pitched roofs.
- 6.5. **Town Centre Conservation Area Advisory Committee:** Objected on the initial scheme and on the revised scheme, they advised that the Committee has concerns about the dormers being visible from the St Edmunds Road and would result in over development of the site.
- 6.6. **NBC Environmental Health Officer:** No objections to principle of the proposal but note that the plans do not include any provision for waste and recycling for the occupants. Arrangements should be presented that included identified, storage areas and provision for conveying the waste to kerbside for collection by all new households created. A suitable location and strategy should be presented ahead of any decision being made on the application.
- 6.7. 6 objections and 4 support letters were received on the original scheme, which are summarised as follow:
- Increased number of residents increases fly tipping.
 - Transient nature of occupants undermines the sense of community.
 - Permitted number of HIMOs in the vicinity has been exceeded.
 - Social problem and increase in crime rates.
 - Impact on the neighbouring structure due to the proposed demolition.
 - Increase the parking issues in the area.

The support received from local residents, which are summarised as follow:

- The proposal would provide housing in the area and shall be supported.
- Residential conversion would be in character with the area.
- Would have positive impact on the street.

No comments were received on the revised scheme.

7. APPRAISAL

Principle of the development

- 7.1 The conversion of the existing offices to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 3 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 4.9% and therefore the proposal would not result in an over-concentration of such uses in line with the SPD. There is a mix of dwelling houses and a flatted development on St Edmunds Road and Palmerston Road, therefore, it is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

- 7.3 Concerns have been raised by the local residents about the over-concentration of HIMOs in the local area. It is confirmed that the concentration is calculated on the basis of Planning and Planning Enforcement records, and the Private Sector Housing HIMO register. As per these records, there are no other approved or established HIMOs within the 50m radius of the application site apart from those stated.

Size of the property and facilities for future occupiers

- 7.4 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur.
- 7.5 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 6 occupant HIMO. However, proposal has been amended to have reduced number of occupants. It is considered that all bedrooms would be served by adequate outlook and light.

Flood Risk

- 7.6 The application site is located in Flood Zone 1 with very low risk of flooding.

Highways/Parking

- 7.7 The HIMO SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 However, there is a parking permit zone in the area and Highways Authority have not raised concerns about the proposal as the number of permits could be controlled.
- 7.9 Moreover, it is considered that the application site is in a sustainable location within 100m of bus stops and within walking distance of local facilities on Wellingborough Road. There are 5 bus routes that pass through the bus stop and have service in every 10 minutes on Monday-Friday and 2 bus routes on Saturday on different routes, providing service in every 30 minutes. In this regard, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations.
- 7.10 The HIMO SPD recommends that storage space should be provided, which is accessible to cycle users. Space would be available to the rear of the property, and a condition has been recommended to submit full details for the cycle storage. The proposal is, therefore, in compliance with Principle 1 of the HIMO SPD.
- 7.11 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 4 parking spaces, which is an increase of 1 compared to the existing use as office, which would require 3 spaces (1 space per 30sqm) as parking requirement for an office.
- 7.12 Further consideration has been given to the recent appeal decisions; where weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable

location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the HIMO SPD and the Parking SPD, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse Storage

- 7.13 The proposal would result in demolition of the part single storey part of the building, which would create small rear garden, which can accommodate bin storage. A condition is therefore recommended requiring full details to be submitted.

Amenity

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

Proposed Rear Extension

- 7.15 The proposed development includes demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers on the third floor, internal reconfiguration and installation of rooflight to front elevation.
- 7.16 The proposed design of the scheme has been amended during the course of the application and the proposed flat roof dormers have been amended to pitched roof dormers. The proposed two storey rear extension has been reduced in footprint. These proposed works would not be visible from Palmerston Road; however, they would be partly visible from St Edmunds Road.
- 7.17 Whilst it is acknowledged that the proposed extension would be partly visible from the St Edmunds Road; it is noted that Palmerston Road does not have a uniform pattern of development. The application site is located next to a former factory, which has a three storey high brick wall adjoining the application site and is widely visible from St Edmunds Street.
- 7.18 Conservation officer had objected initially; however, in his revised comments on the amended scheme, he has advised that revisions are an improvement on the previous box dormer, but the height and proportion of the dormers from the eaves would mean that they would still take up a large part of the roof and are not a traditional design or feature of roofs in the conservation area. However, the property is adjacent to a former factory and is not a mid-terrace, so the impact on the roofline is less significant than if they were in the middle of a row of pitched roofs.
- 7.19 Moreover, the extension would be partly screened behind the existing two storey outrigger associated with no.7. Therefore, whilst it is acknowledged that the proposed extension and dormers would be partly visible from the street, owing to the existing constraints on the site, including the existing three storey factory wall on one side and the existing outrigger on the other side, the proposed extension and dormers would not introduce an incongruous feature in the streetscene and would not fail to preserve the character of the local conservation area.
- 7.20 The proposed alterations on the front elevation including the new roof light and alterations of the existing first floor window to match the existing sash window, which would contribute positively towards the residential character of the property and would have acceptable impact on the conservation area.

- 7.21 To ensure that the proposed extension and dormer would integrate well with the existing building, a condition has been recommended to ensure that the development will harmonise with its surroundings in accordance with Policy E20 and E26 of the Northampton local Plan. It is considered that the amended scheme is acceptable and would comply with aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and E26 of the Northampton Local Plan.
- 7.22 The proposed windows on the rear elevation would overlook the blank elevations to the rear and is not considered to be have any adverse impact on the residential amenity of the neighbouring properties.

Construction noise

- 7.23 Concerns have been made by the local residents about the construction noise, however due to the small scale of development, the matter will be covered under other legislations and is not material planning consideration in this instance.

Impact on structures

- 7.24 Concerns have been raised regarding the proposed demolition of the rear structure next to the adjoining properties. This is a civil matter, which is covered under the Party Wall Act and is not a material planning consideration.

8. CONCLUSION

- 8.1 The proposed development for change of use of office (Use Class B1) to a HIMO (Use Class C4) for 4 occupants, including demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers on third floor, internal reconfiguration and installation of rooflight to front elevation would not lead to overconcentration of the HIMOs in the local area and would not have significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD and Parking SPD.
- 8.3 It is considered that the proposed development is acceptable and is recommended for approval subject to the following conditions.

9. CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 19-32-P-L- Rev A, 19-32-P-05 Rev B, 19-32-P-04 Rev C, 19-32-P-01 Rev B.

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

3. Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with

the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 and E26 of the Northampton local Plan.

4. The development hereby permitted shall be occupied by a maximum of four residents at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

5. The proposed demolition of the rear structure and extensions to provide the additional bedrooms hereby permitted shall be carried out/built before the premises are first occupied as a 4 people house in multiple occupation and should be retained thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. Full details of facilities for the cycle storage shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Full details of facilities for the recycling and refuse storage shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. The basement room shall be used as storage room only and shall be maintained as such for the duration of the use hereby permitted and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

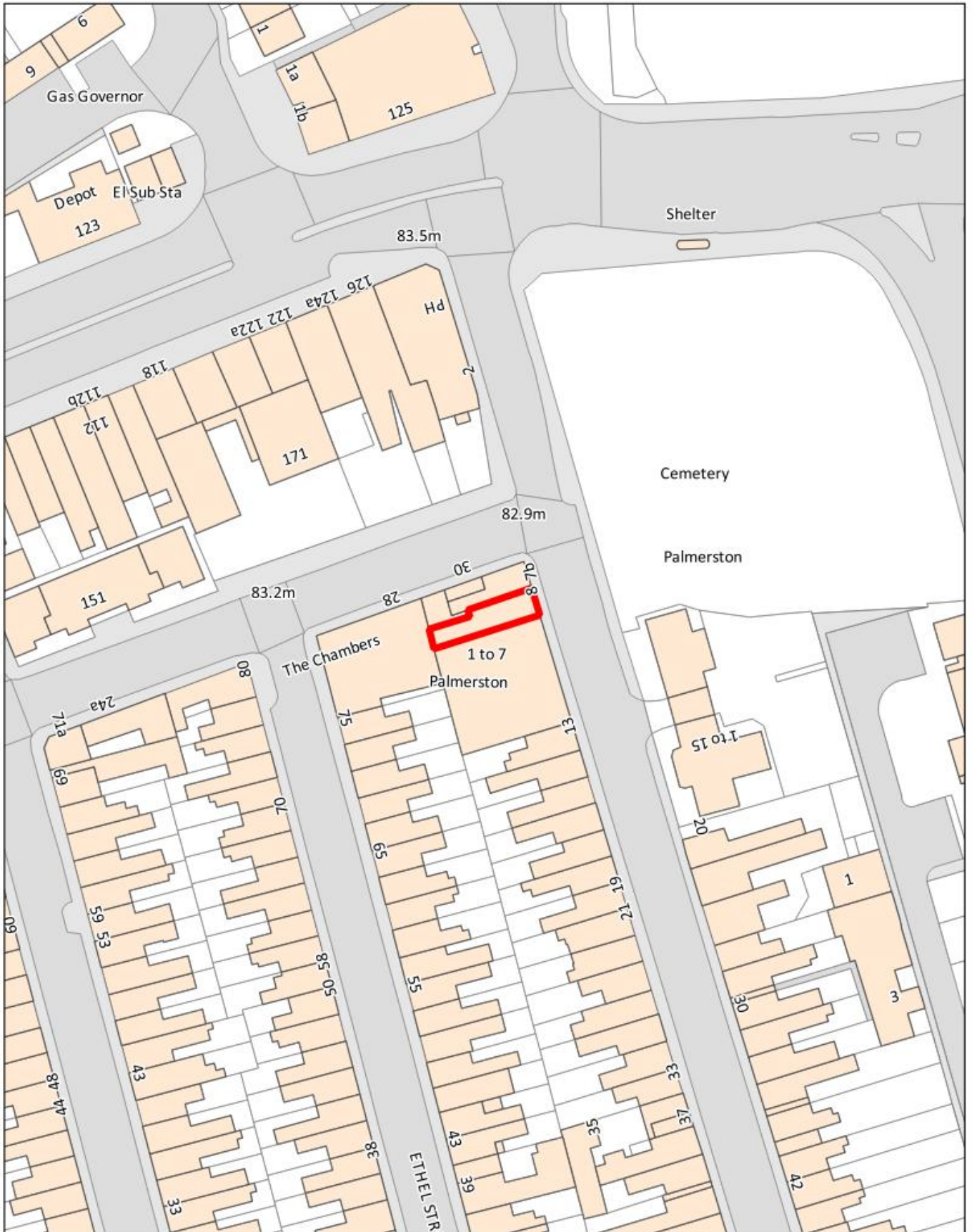
- 10.1 N/2019/1451.

11. LEGAL IMPLICATIONS

- 11.1 The development is CIL not chargeable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **8 Palmerston Road**

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Date: 22-04-2020

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1482

LOCATION: 8 Newnham Road

DESCRIPTION: Alteration of shop front to Ice Cream Kiosk to install counter/service window and new shutters to side window

WARD: St Davids Ward

APPLICANT: Mr Hassan Malik
AGENT: N/A

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building and wider street scene and security to accord with the aims and objectives of the National Planning Policy Framework, Policies S10 of the West Northamptonshire Joint Core Strategy and E20, E29 and E30 of the Northampton Local Plan and the Council’s Shop front Design Guide.

2 THE PROPOSAL

2.1 Planning permission is sought for alterations of a shop front to install counter/service windows to the front facade and also shutters to the side of property to cover the existing window for an ice cream kiosk.

2.2 The proposed shutters would be perforated and would echo the colour of the existing shutters on the principal elevation which are to be retained in their current position. In terms of the shop front alterations, this would allow service to customers via an opening in the existing window. The proposed shop front alterations also include a wooden surround which would enclose the window on four sides.

3 SITE DESCRIPTION

- 3.1 The site consists of a former betting shop located along a parade of five commercial units that includes a convenience store, a supermarket and a hot food takeaway. There is a separate flat above the application site. The site has recently received planning permission for a hairdressers/ beauty salon at ground floor.
- 3.2 Parking is provided along the street on an unrestricted basis. The site is located in an established residential area and the site comprises Council owned land. The site is opposite to a derelict public house and is not in a conservation area or near any listed buildings.

4 PLANNING HISTORY

- 4.1 N/2019/1041 Permission for Change of Use from Betting Shop (Sui Generis) to Hairdresser/Beauty Salon, incorporating small ice cream kiosk (Sui Generis)

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

6 National Policies

- 6.1 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following section is of particular relevance to this application:

Paragraph 127 Design and residential amenity

6.2 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policy of particular relevance is:

S10 Sustainable Development Principles

6.3 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 Design of new development

E29 Shop fronts

E30 Shutters

6.4 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

NBC Shop front Design Guide 2011

7 CONSULTATIONS/ REPRESENTATIONS

7.1 **Public Protection (NBC)** No objection to make as long as use conforms to previous permission.

8 APPRAISAL

8.1 The main issues to consider are the impact on the appearance and character of the host building, street scene and security.

8.2 The National Planning Policy Framework (NPPF) requires high standards of design which is also reflected in S10 of the Joint Core Strategy and Policy E20 of the Local Plan. Local Plan Policy E29 states that planning permission for shopfronts will be granted where the:

- The quality of design complements the character of the building
- The quality and use of materials complements the townscape
- The proposal does not detract from the appearance and character of the street scene and
- The proposal would not involve removal of a historic shop front.

8.3 Furthermore, the Council's Shop Front Design Guide 2011 sets down Principles for developers when designing shop fronts and also contains advice in security shutters citing that perforated are preferred and the colour should be sympathetic to the host building. Local Plan Policy E30 provides policy on security shutters too.

8.4 In this instance, the existing shop front is modern appearance as are most of the others along the same parade. The proposed alterations are reasonably modest in scale in the context of the site frontage affecting mainly one window on the principal building elevation and are not considered to detract significantly from the host building and wider area. While it is noted that the wooden surround on the front elevation is unusual but is not considered unacceptable, a condition for further details / colour treatment of this is to be secured on the planning permission.

8.5 Although none of the other shop fronts appear to have a window opening on the front elevation, this is not a reason to justify refusal of planning permission.

8.6 In terms of the proposed shutters, these are proposed to the side facing window with the same colour as the existing front shutters although would be perforated which accords with guidance contained within the Northampton Shop front Design Guide. It is noted that perforated shutters are normally preferred from a Security perspective.

9 CONCLUSION

9.1 The proposal is considered acceptable and would not have an undue detrimental impact on the appearance and character of the host building, street scene and security. Subject to the following conditions, the proposal is recommended for approval.

10 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plans and floor plans/ site plan, elevations existing and proposed.

Reason: For the avoidance of doubt and to accord with the terms of the planning application

3) Prior to the first use of the approved unit, details of the external colour treatment and finish of the approved side shutters and the front wooden surrounds enclosing the shop front window as altered have been submitted to and agreed in writing with the Local Planning Authority and the approved details shall be implemented thereafter.

Reason: In the interests of visual amenity to comply with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

11 BACKGROUND PAPERS

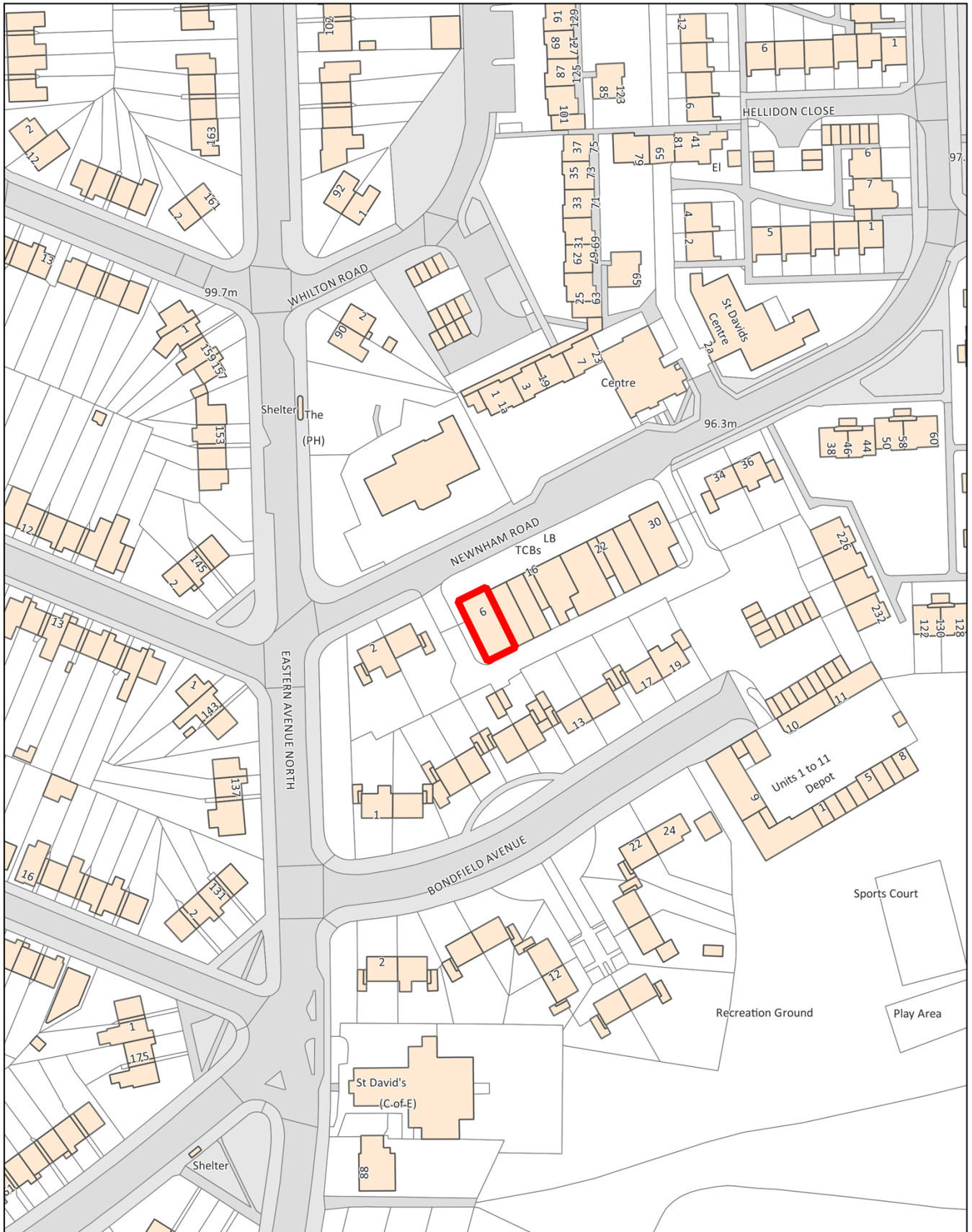
11.1 N/2019/1482.

12 LEGAL IMPLICATIONS

12.1 The development is not CIL liable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

13.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **8 Newnham Road, Northampton**

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Date: 27-02-2020

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0114

LOCATION: 22 Dallington Road

DESCRIPTION: Single storey front and rear extensions including external alterations and relocation of air conditioning units to rear

WARD: Spencer Ward

APPLICANT: Ms A Tharmlingam
AGENT: Anva

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

Due to the siting, scale and mass of the proposed extensions, the proposal would not result in any undue impact on the character of the area or the residential amenity of neighbouring occupiers. The proposed development would comply with the aims of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, saved policies E20 and H18 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide.

2 THE PROPOSAL

2.1 The current application seeks planning permission for single storey front and rear extensions including external alterations and reposition of 2 existing air conditioning units from existing rear elevation to proposed rear elevation.

2.2 The current application is a resubmission of originally refused application, which was refused due to the impact of the rear extension on the adjoining property. In the current application the single storey rear extension has been reduced in depth by 1.5m to address the reason for refusal and impact on the neighbouring property, no.20.

3 SITE DESCRIPTION

- 3.1 The application site consists of a semi-detached property, which has a retail unit on the ground floor and residential on the first floor. The neighbouring pair, no.24 has a similar uses with a commercial unit on the ground floor and residential above.
- 3.2 The local area is predominantly residential with a mix of terraced properties and semi-detached houses.

4 PLANNING HISTORY

- 4.1 N/2019/0503- Single storey front and rear extension including external alterations and reposition of air conditioning units. Refused.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

National Policies

- 5.2 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following section is of particular relevance to this application:

- Paragraph 127 Design and amenity

West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

- S10 - Sustainable Development Principles
- BN9 – Noise pollution risk

5.3 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

- E20 -New development (design)

5.4 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 NBC Asset Management: have advised that they are not aware of the works and the applicant has not sought any permission to carry out the proposed works.

6.2 NBC Environmental Protection: no objection was raised.

7 APPRAISAL

7.1 A previous planning application for a larger single storey extension on the site was refused on the following reason:

Due to the siting, scale and mass of the proposed single storey rear extension and close proximity to the boundary, the proposal would result in a visually dominant and overbearing structure to the rear habitable room windows and private amenity space of the neighbouring property, No.20 Dallington Road, to the detriment of the residential amenity of these neighbouring occupiers. The proposed development would be contrary to the aims of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, saved policies E20 and H18 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide.

7.2 The main issues to consider for the current application are the impact on the appearance and character of the host building, wider area, parking and highway safety and impact on neighbouring amenity, in the light of the originally refused application.

Design and Appearance

7.3 The proposed development includes a single storey front extension, which would be visible from Dallington Road. However, there is a mix of different designs in the surrounding area and therefore, the proposed front extension would not appear prominent. Moreover, a condition has been recommended to build the extension in matching materials, which would integrate the proposed extension with the existing building. It is considered that proposed single storey front would not have any adverse impact on the character of the area.

7.4 The proposed extension to the rear would not be widely visible in the streetscene and would have a minimal impact on the character of the wider area. A matching materials condition has been recommended to ensure a satisfactory external appearance of development to accord with Policy S10 of the Joint Core Strategy and Policy E20 of the Northampton Local Plan.

7.5 The proposed single storey rear extension would cover a part of the rear garden; however, owing to the size of the application site, the proposed development would not result in overdevelopment of the plot.

7.6 It is considered that the proposed development including the single storey front and rear extensions would not result in any adverse impact on the character of the area and would comply with the advice contained in the NPPF and saved policy E20 of the Northampton Local Plan.

Residential amenity

7.7 In terms of the impact on the neighbouring properties, the proposed single storey rear extension would be sited adjoining the existing extension at no.24, which is approximately 5.5m deep. It is considered that the proposed extension would have a neutral impact on this property.

7.8 The neighbouring property on the other side, no.20 has habitable windows on the rear elevation and windows on the side elevation on the existing extension, overlooking the application site. The proposed single storey rear extension has been reduced by 1.5m in depth, to reduce the potential overbearing impact on the neighbouring property.

- 7.9 There is an existing outbuilding at the application site and there is some existing impact resulting from this outbuilding. The proposed rear extension would be partly visible above the 1m high brick wall along the side boundary at no.20. Whilst it is acknowledged that the proposed 4.5m deep single storey rear extension would have some impact, the resulting impact is not considered detrimental to warrant a refusal of the application. No objection has been received from neighbouring properties. It is considered that the proposed single storey rear extension would have an acceptable impact on the residential amenity of this property and would be deemed acceptable. The proposal would comply with the guidelines outlined in the NPPF and saved policy E20 of the Northampton Local Plan.

Air conditioning units

- 7.10 The application property and adjoining unit have residential units on the first floor. The proposal includes the relocation of the existing air conditioning units from the existing rear elevation to the proposed rear elevation. Therefore, they would be sited away from residential units on the application property and adjoining neighbours on either side. There are no neighbours directly to the rear of the application site. It is considered that repositioning of the units would have a neutral impact resulting from the proposal and would accord with Policies BN9 and S10 of the Joint Core Strategy.

Ownership issue

- 7.11 The application site is owned by the Council and the property has been long leased to the applicant. Council's Asset Management has advised that they have no information about the proposed works. The agent has confirmed that the matter would be dealt with formally by their solicitors. It is not considered that this issue is material to the consideration of the current application.

8 CONCLUSION

- 8.1 It is considered that the proposed scheme for the front extension and rear extension is acceptable. The proposed rear extension has been amended and reduced in depth by 1.5m to address the reason for refusal on the original application.
- 8.2 Therefore, the proposal would be contrary to the advice given within the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, saved policy E20 of the Northampton Local Plan.
- 8.3 The proposed development is acceptable and is recommended for approval.

9 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 064.19/02, 064.19/04.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

10 BACKGROUND PAPERS

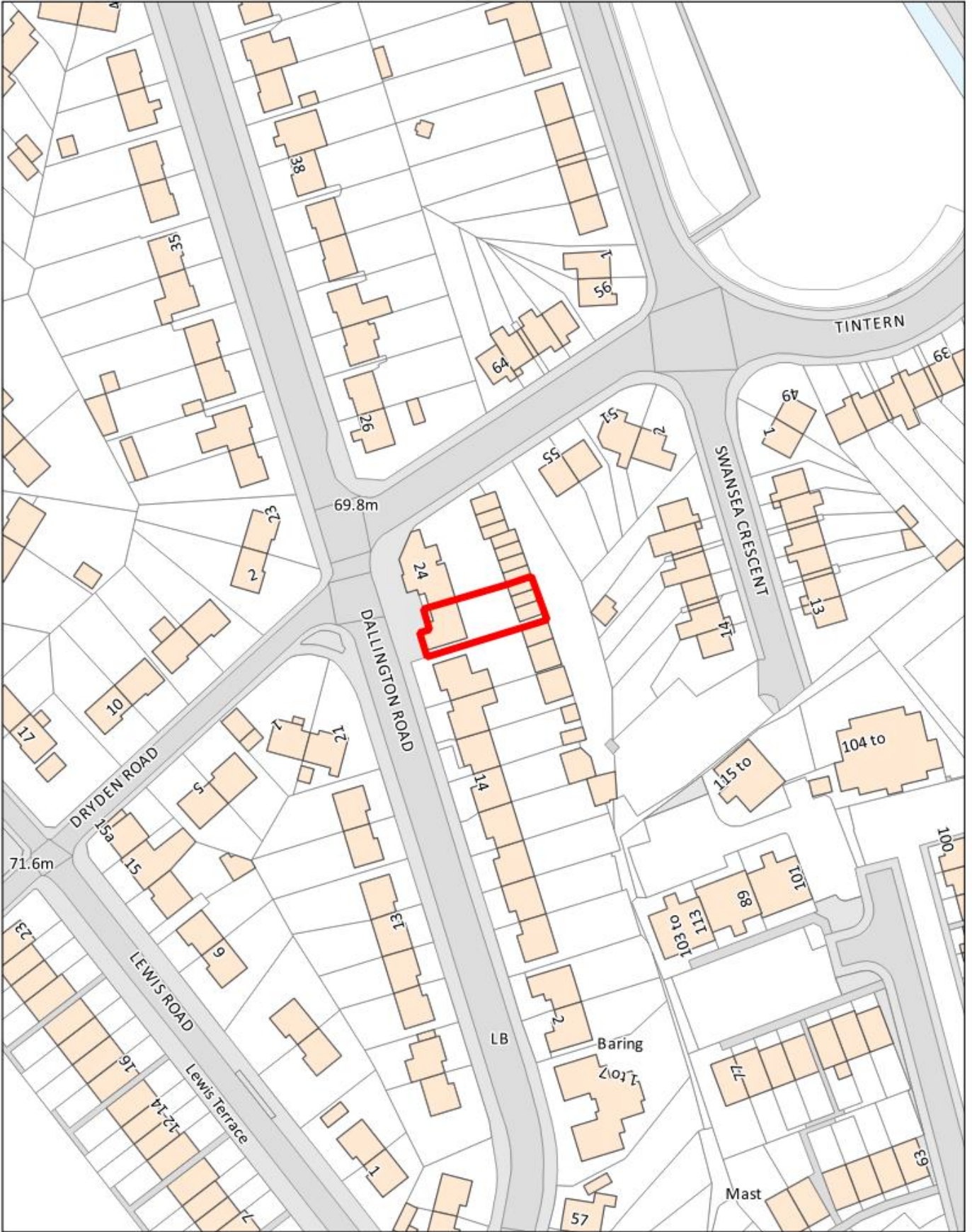
10.1 N/2019/0503 and N/2020/0114.

11 LEGAL IMPLICATIONS

11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **22 Dallington Road**

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Date: 22-04-2020

Scale: 1:1,000

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0119

LOCATION: 108 Lower Thrift Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

WARD: Abington Ward

APPLICANT: Mr Mark Evans
AGENT: N/A

REFERRED BY: Councillor T Ansell
REASON: Parking and noise concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered acceptable within an established residential area. The premises would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to the town centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage and have an acceptable impact on flood risk. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 Permission is sought to convert a dwelling house into a House in Multiple Occupation for 4 persons (Use Class C4). There is an existing basement however this is not currently in use.
- 2.2 The proposal would see the conversion of a two bedroom dwelling to four bedroom HIMO with two bedrooms at ground floor with lounge, kitchen/dining and bathroom and two bedrooms above.

3 SITE DESCRIPTION

- 3.1 The application site comprises a mid-terraced, property located in a residential area with similar terraced properties on the street. The property has a lounge, dining room, kitchen and utility room at ground floor with 2 bedrooms and a bathroom on the first floor, a basement space that is not in use.
- 3.2 The site is near to Billing Road and within easy walking of the town centre and Wellingborough Road Local Centre. The site is within close proximity to bus routes in the town centre and Billing Road. The site is not in a conservation area and is in a low risk flood zone (flood zone 1). The property is not listed.

4 PLANNING HISTORY

- 4.1 No recent planning applications

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

6 National Policies

- 6.1 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

6.2 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy H1 - Housing Density, Mix and Type of Dwellings
Policy H5 - Managing the existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

6.3 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 – New development
H30 - Multi occupation within a single dwelling

6.4 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019

6.5 Houses in Multiple Occupation (HIMO) Supplementary Planning Document (November 2019)

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **Councillor Tony Ansell** call in and object to on grounds of impact of parking, loss of family home and noise.

7.2 **NCC Highways** confirmed that a parking beat survey is not required.

7.3 Objections received from 4 separate addresses on following grounds:

- Impact on parking especially close to hospital
- Already too many HIMOs in area
- Impact on community and character of area
- Anti-social behaviour
- Impact on nearby conservation area
- Fly tipping
- Sewage issues
- Noise concerns
- Already application at number 104
- Unsustainable development
- Impact on well balanced community. Community pride

8 **APPRAISAL**

Principle of the development

8.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

8.2 NBC records evidence that there are 2 other HIMOs (out of 49 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 6.1% concentration and

would clearly fall within the 10% maximum threshold recommended by the Council's adopted SPD in relation to HMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

Size of property and facilities for future occupiers

- 8.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HMO Supplementary Planning Guide and appropriate kitchen, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. The application property has a basement and a condition has been recommended to ensure that it would not be used as a habitable room.

Flood Risk

- 8.4 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

Highways / Parking

- 8.5 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.6 No parking beat survey was submitted with the application however the applicant did provide a Sustainability Statement upon request. It is considered that the application site is in a sustainable location within 400 metres of a bus stop with buses stopping, on average, every 30 minutes. The site is also located within 150m of the nearest bus stop on Billing Road to the south of the site. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD (2019).
- 8.7 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Full details have not yet been submitted for the cycle storage located to the rear of the property, however, this can be secured by condition. The proposal is, therefore, in compliance with this principle of the SPD. The Northamptonshire Parking Standards state that HMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 2 additional spaces than the lawful use, as a proposed 4 bedroom HMO would normally require 4 parking spaces compared to 2 for a 2 bedroom dwelling.
- 8.8 There is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 8.9 In view of recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 8.10 Limited details have not been submitted for refuse storage however there is capacity for this in the rear amenity space which are deemed acceptable. A condition has been recommended to secure the arrangement and provision.

Amenity

- 8.11 The proposed use falls within Use Class C4, which in effect categorises this as a residential use here is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

9 CONCLUSION

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD and the aims and objectives of the National Planning Policy Framework

10 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed floor plans and location plan.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- 3) The maximum number of occupiers shall not exceed four at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

- 4) Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building as a house in multiple occupation hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

- 5) Full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

6) The basement shall not be used as a habitable room at any time during the lifetime of the development.

Reason: In the interests of residential amenity to comply with Policy H1 of the Joint Core Strategy.

8 BACKGROUND PAPERS

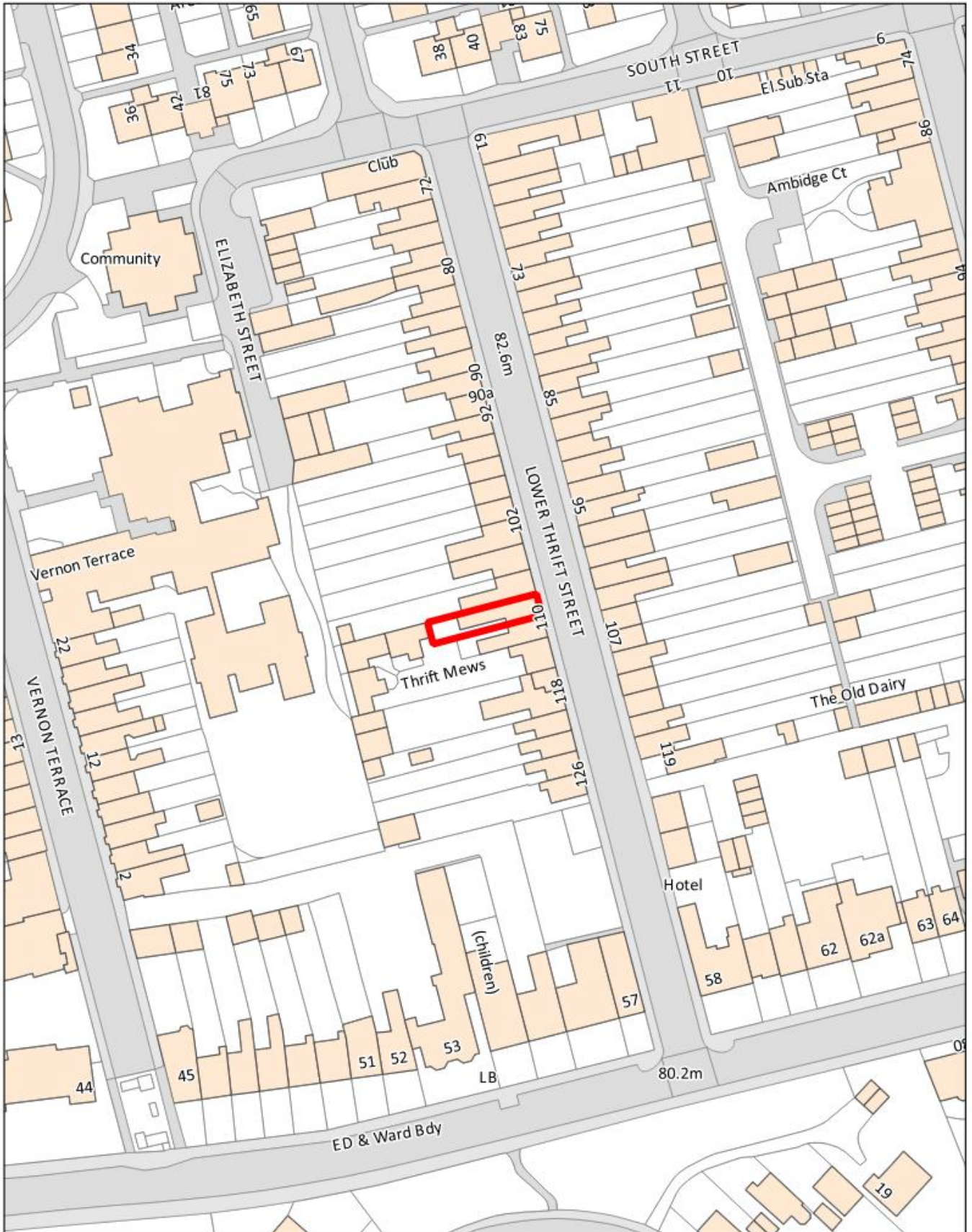
8.1 N/2020/0119.

9 LEGAL IMPLICATIONS

9.1 The development is not CIL liable.

10 SUMMARY AND LINKS TO CORPORATE PLAN

10.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **108 Lower Thrift Street**

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Date: 22-04-2020

Scale: 1:1,000

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0128

LOCATION: 51 St Matthews Parade

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 10 occupants

WARD: Phippsville Ward

APPLICANT: MSA Properties Ltd
AGENT: Mr Lee Randall

REFERRED BY: Councillors A King and C Russell
REASON: Overdevelopment and parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 10 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to facilities on the Kingsley Park Parade. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

2.1 The proposal is for the change of use of a dwellinghouse into a 10-person house in multiple occupation (HIMO). The 7 bedrooms will share bathroom and toilet facilities located on the ground floor, first floor and second floor. One double bedroom will have an en-suite bathroom. The proposed kitchen will be located on the ground floor. Parking will be on-street.

3 SITE DESCRIPTION

- 3.1 The site comprises a large mid-terraced property over three floors with an additional cellar in the basement. The property has a large front yard and attractive front façade facing St Matthews Parade and long rear garden with a garage which utilises the shared access onto Oakwood Road.

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Section 12 – seeks to achieve well designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy H1 - Housing Density & Mix & Type of Dwellings

Policy H5 - Managing the Existing Housing Stock

Policy S10 - Sustainable Development Principles

Policy BN7 - Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019
Houses in Multiple Occupation Supplementary Planning Document 2019

Proposals for HMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

6.1 Comments received are summarised as follows:

6.2 **NCC Highways** – Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, I would advise that the applicant undertakes an on-street car parking beat survey.

6.3 **Private Sector Housing** – the applicant should be advised that the premises will require licensing under the mandatory licensing scheme or a variation to the existing licence, as appropriate.

The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 10-occupant HMO.

6.4 **Environmental Health** – no objections subject to recommended planning conditions being attached to any successful planning decision. Future occupiers may be subject to adverse noise annoyance from road traffic and early morning deliveries from commercial shops on the adjacent side of Kettering Road in close proximity to the development site. Prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted. In addition, a condition requiring details for the storage and collection of waste and recycling should be attached.

6.5 **Councillors Anna King and Cathrine Russell** call in the application on grounds that it would comprise overdevelopment of the site; would detract from the residential nature of the street; and would add pressure on parking in the area.

6.6 **7 neighbour representations** objecting to the proposal have been received. Three additional comments were received after consultation on revised floor plans. Comments are summarised as follows:

- Proposal will change the character of the row of properties and detract from established residential neighbourhood.
- There are enough HMOs in the area.
- Decrease in value of nearby properties.

- Already a lack of car parking in this area. Parking currently across driveways and on junctions. More pressure will be added.
- Refuse collection trucks will take longer to collect bins therefore making main road more unsafe.
- Traffic hazards and dangerous parking on Kettering Road will increase.
- Living near a bus stop does not mean less likely to own a car.
- Fly tipping and littering will increase and changes in refuse collection will make this worse.
- Bins overflowing, there does not appear to be any greater provision than for a private dwelling.
- Generate noise.
- Destroying the demographics of the area.
- Unsuitable location for affordable housing and rentable spaces.
- Males only occupants have a different way of life to local families.
- A previous HMO in this area housed prisoners and led to crime/police callouts.
- Transient population do not take pride in the area.
- Owner has already begun works/mixing concrete on site.
- Proposal is wholly for financial gain of applicant.
- Occupants would not manage in self-solation because of shared facilities and lack of space. Social distancing would not be possible.
- Negatively affect the outlook and amenity of nearby residences
- Provision should be shown for 2 sets of appliances in the kitchen
- The area will not be as welcoming and therefore reduce custom to local businesses.
- Application for 20 bedsits was refused in 1979 as it was considered to be overdevelopment.

7 APPRAISAL

- 7.1 The principle of the conversion of the existing large dwellinghouse to a large HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

- 7.2 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

- 7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act and other data held by the Council. Within the 50m radius, there are currently no other HIMOs (established or with planning approvals) on St Matthews Parade, Kingsley Park Terrace, The Drive and Oakwood Road.
- 7.4 Neighbour concerns have been raised about the existing HIMOs. Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site. The inclusion of the proposed HIMO would result in a concentration of 2%. If both this application and the application at 53 St Matthews Parade (N/2020/0133) were to be approved, the concentration within a 50m radius of this site would be 4%.
- 7.5 The proposed 2% concentration is within the threshold of 10% as described in the adopted SPD.

Size of property and facilities for future occupiers

- 7.6 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs to be of sufficient size to accommodate the proposed use.
- 7.7 The property is considered to be of sufficient size, it provides a mix of bedroom sizes. Three double bedrooms are proposed for the larger rooms with outlook over the front of the property. These exceed the minimum bedrooms size of 10.22 sqm for two occupants. Four single bedrooms are also provided all of which exceed the minimum bedroom size requirement of 6.51 sqm. For a ten occupant HMO set over 3 storeys and meeting the minimum size requirements, a 24 sqm combined kitchen/living/dining room is required. The ground floor provides a space of just over 24 sqm sufficient to accommodate this. This is in accordance with the Council's HMO Facilities and Amenities Guidance.
- 7.8 The property provides a toilet on the ground floor, a bathroom on the first floor and shower room on the second floor. This would meet the requirement as stated in Principle 2 of the HMO SPD 2019. There is also an additional cellar which would be used for storage only.
- 7.9 The kitchen/living/diner would be served by large glazed rear doors with additional side window, and a window to the side elevation. This provides good outlook and light into this main shared space for future occupants. Each bedroom is served by at least one window, each providing sufficient light and outlook to the front or to the rear elevations of the property. The main shared bathroom is spacious and well fitted, serving 4 bedrooms with an additional W.C. to the ground floor. The first-floor double bedroom is provided with an en-suite shower room, and the two bedrooms to the second-floor share one shower room between them.
- 7.10 A condition restricting the use of the property to a maximum of 10 people could be imposed. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 10-occupant HMO.
- 7.11 The property also has a basement which would not be suitable for habitation and a condition could be imposed requiring this to remain for storage purposes only.
- 7.12 There are no external alterations proposed to the property as part of this change of use application.

Flooding

- 7.13 The application site is located in Flood Zone 1 and with very low risk of flooding.

Highways/Parking

- 7.14 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.15 No parking beat survey has been submitted with the application, although NCC Highways also requested a survey; however, the applicant has submitted a short assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the property is located on Kettering Road, close to bus stops and the main route into the town centre. It is also located in close proximity to the local centre on Kingsley Park Terrace.
- 7.16 It is therefore noted that the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. It is clear that Kettering Road has existing pressure on parking and a number of objections have been received regarding the pressure on parking in the

surrounding streets from use by both residents and businesses. There are 4 bus routes that pass through the bus stops and have services every hour between Kettering and Northampton Town Centre and another running between Blackthorn and the town centre. Buses also run to Moulton Park and Rectory Farm. In combination, buses run more frequently than every half an hour providing a regular service into the town centre. Whilst it is acknowledged that not all people who live close to bus stops will necessarily choose these as their main form of transport, the proposed location does mean the proposal is in accordance with the requirements of the HIMO SPD in respect of parking considerations. The SPD also requires that cycle storage is made available as another option for future occupants.

- 7.17 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the property for a sufficient amount of cycle storage (10 bicycles). Although these are not shown on the submitted floorplans, this can be secured via a condition. The cycle storage would be accessible within the rear garden and could be stored within the garage if necessary and taken out via the shared driveway. Further details including dimensions of the secure cycle storage for at least 10 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.18 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 10 parking spaces, which is an increase of 7 compared to the existing use, as parking the requirement for a 5-bed dwelling is 3 spaces. It is also acknowledged that there is a garage to the rear of the property which may accommodate at least 1 car, however this would not be counted as formal parking provision based upon the current Parking Standards. In the absence of parking provision, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is still considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

Refuse storage

- 7.19 There is sufficient space to the rear and front of the property for the outdoor storage of waste prior to refuse collection days. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments raised the potential for increased waste or fly tipping issues. However, the formal bin storage can be secured via condition and therefore easy access to the front for collection day would ensure that there is suitable provision for future tenants to utilise.

8 CONCLUSION

- 8.1 The use of the property as a 10-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and taking into account all material planning considerations, would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

9 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 019-091-002 revA, 019-091-001, 019-091-003.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. The development hereby permitted shall be occupied by a maximum of 10 residents at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

4. Prior to the occupation of development, details of facilities for the secure and covered parking of at least 10 bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the occupation of development, details of facilities for refuse and recycling storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. Prior to the occupation of the development hereby approved, a full noise survey and assessment by a competent noise consultant to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development and retained thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. For the avoidance of doubt, the existing cellar shall not be used as a bedroom/s or any habitable room at any time throughout the lifetime of the development as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

Informative

Please note that the premises will require licensing and room sizes and facilities will need to meet licensing requirements.

10 BACKGROUND PAPERS

- 10.1 Application file N/2020/0128.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **51 St Matthews Parade**

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Date: 23-04-2020

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0133

LOCATION: 53 St Matthews Parade

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 10 occupants

WARD: Phippsville Ward

APPLICANT: MSA Properties Ltd
AGENT: LMR Designs

REFERRED BY: Councillors A King and C Russell
REASON: Overdevelopment and parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 10 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to facilities on the Kingsley Park Parade. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

2.1 The proposed development is for the change of use of 53 St Matthews Parade from a dwellinghouse (Use Class C3) to a 10 occupant, 7 bedroom House in Multiple Occupation (Sui Generis). The proposal includes internal alterations to accommodate this and no external changes to the property. Parking will be on-street.

3 SITE DESCRIPTION

- 3.1 The site comprises a large mid terraced dwelling with an attractive frontage, facing St Matthew's Parade. There are existing residential properties in the vicinity, with businesses opposite and some businesses neighbouring the property. The property has a long rear garden with rear garage which has vehicular access from a shared driveway to Oakwood Road. The property is set over three floors, with an additional cellar in the basement.

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies

5.2 National Policies

National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Section 12 – seeks to achieve well designed places

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy H1 - Housing Density & Mix & Type of Dwellings

Policy H5 - Managing the Existing Housing Stock

Policy S10 - Sustainable Development Principles

Policy BN7 - Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

Proposals for HMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

6.1 Comments received are summarised as follows:

6.2 **NCC Highways** – Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, Highways advise that the applicant undertakes an on-street car parking beat survey.

6.3 **Private Sector Housing** – The applicant should be advised that the premises will require licensing under the mandatory licensing scheme or a variation to the existing licence, as appropriate. The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 10-occupant HMO.

6.4 **Environmental Health** – No objections subject to the recommended planning conditions being attached to any successful planning decision. Future occupiers may be subject to adverse noise annoyance from road traffic and early morning deliveries from commercial shops on the adjacent side of Kettering Road in close proximity to the development. Prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted. A condition should be attached requiring details for the provision of storage and collection of refuse and recycling and this should be implemented prior to the development coming into use.

6.5 **Councillors Anna King and Cathrine Russell** call in the application on the grounds that it comprises overdevelopment which would detract from the residential nature of the street and add pressure to parking in the area.

6.6 **8 neighbour representations** received objecting to the application with 4 secondary objections raised following consultation on revised plans. These are summarised as follows:

- Enough HMOs in this area both legal/illegal.
- The development will change the character of this row of properties.
- Undesirable and intrusive overdevelopment of the property.
- The proposal would negatively affect the outlook and amenity for local residents.

- Application for 20 bedsits was refused in 1979 as it was considered to be overdevelopment.
- Will reduce the value of properties in this area.
- Not enough parking in the area and there is inadequate parking provided.
- Existing parking situation is dangerous for both cars and pedestrians.
- Will lead to 10 additional cars, and 20 cars if both properties become HIMOs.
- A bus stop in the vicinity does not mean this is the preferred mode of transport for occupants.
- Local businesses will be detrimentally affected as staff and customers will not be able to park. Side roads will be littered with untaxed vans.
- There is no greater provision for refuse and recycling than for a single dwelling.
- Bin lorries will need to collect greater amounts of waste leading to an even more unsafe highway.
- Littering and fly tipping will increase.
- Communal areas are not large enough which will lead to occupants socialising outdoors causing noise disruption, street drinking, antisocial behaviour.
- Male only occupants of existing HIMOs have a different way of life to neighbouring families.
- Kingsley is overpopulated. Doctors/dentists in the area are already oversubscribed and there is a long wait for appointments. This will add strain on these services, additional people are not needed.
- Occupants tend to be transient.
- There may be a strain upon local schools.
- Local businesses will be affected if the area becomes unwelcoming and customers do not want to visit.
- Occupants would not cope with self-isolation.

7 APPRAISAL

- 7.1 The principle of the conversion of the existing large dwellinghouse to a large HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

- 7.2 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

- 7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act and other data held by the Council. Within the 50m radius, there are no established HMOs licensed or with planning permission on St Matthews Parade, Kingsley Terrace, Oakwood Road or The Drive.
- 7.4 The inclusion of the proposed HIMO would result in a concentration of 2%. If both this application and the application at 51 St Matthews Parade (N/2020/0128) were to be approved, the concentration within a 50m radius of this site would be 4%.
- 7.5 The proposed 2% concentration is within the threshold of 10% as described in the adopted SPD. This would ensure there would be a good mix of family homes, shared homes and other facilities retained within the local area.

Size of property and facilities for future occupiers

- 7.6 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use.
- 7.7 The property is considered to be of sufficient size, it provides a mix of bedroom sizes. Three double bedrooms are proposed for the larger rooms with outlook to the front of the property and St Matthews Parade. These exceed the minimum bedrooms size of 10.22 sqm for two occupants set out within the Houses in Multiple Occupation Supplementary Planning Document 2019. Four single bedrooms are also provided all of which exceed the minimum bedroom size requirement of 6.51 sqm for a bedroom for one occupant. For a ten occupant HIMO set over 3 storeys and meeting the minimum size requirements, a 24 sqm combined kitchen/living/dining room is required. The ground floor provides a space of just over 24 sqm sufficient to accommodate this. This is in accordance with the Council's HIMO Facilities and Amenities Guidance.
- 7.8 The property provides a toilet and shower room on the ground floor, a large bathroom on the first floor and shower room on the second floor. This would meet the requirement as stated in Principle 2 of the HIMO SPD 2019. There is also an additional cellar which would be used for storage only.
- 7.9 The kitchen/living/diner would be served by large glazed rear doors with some additional side windows, and a window to the side elevation. This provides good outlook onto the garden and good natural light into this main shared space for future occupants. Each bedroom is served by at least one window, each providing sufficient light and outlook to the front or to the rear elevations of the property. The two ground floor bedrooms have an additional shower and W.C. The main shared bathroom is spacious, serving 3 bedrooms on the first floor. The two bedrooms to the second-floor share one shower room between them.
- 7.10 A condition restricting the use of the property to a maximum of 10 people could be imposed. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 10-occupant HIMO.
- 7.11 The property also has a basement cellar which would not be suitable for habitation and a condition could be imposed requiring this to remain for storage purposes only.
- 7.12 There are no external alterations proposed to the property as part of this change of use application. Elevations will remain as existing.

Flooding

- 7.13 The application site is located in Flood Zone 1 and with very low risk of flooding.

Highways/Parking

- 7.14 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.15 No parking beat survey has been submitted with the application, although NCC Highways also requested a survey; however, the applicant has submitted a short assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the property is located on Kettering Road, close to bus stops and the main route into the town centre. It is also located in close proximity to the local centre on Kingsley Park Terrace.
- 7.16 It is therefore noted that the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. It is clear that Kettering Road has existing pressure on

parking and a number of objections have been received regarding the pressure on parking in the surrounding streets from use by both residents and businesses. The property is also within walking distance of local facilities at Kingsley Park Terrace. There are 4 bus routes that pass through the bus stops and have services every hour between Kettering and Northampton Town Centre, hourly between Blackthorn and the town centre and buses also run to Moulton Park and Rectory Farm. In combination, bus services stop locally more regularly than every 30 minutes providing services into town and therefore the proposed site location complies with requirements in the SPD. The proposal is therefore in accordance with the requirements of the HIMO SPD in respect of parking considerations.

- 7.17 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the house for a sufficient amount of cycle storage (10 bicycles). Although these are not shown on the submitted floorplans, this can be secured via a condition. The cycle storage would be accessible within the rear garden and could be stored within the garage if necessary and taken out via the shared driveway. Further details including dimensions of the secure cycle storage for at least 10 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.18 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 10 parking spaces, which is an increase of 7 compared to the existing use, as parking the requirement for a 5-bed dwelling is 3 spaces. It is noted that there is a garage to the rear of the property which may accommodate at least 1 car, however this would not be counted as formal parking provision as garages are not included within the calculations. In the absence of the parking, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is still considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

Refuse storage

- 7.19 There is sufficient space to the rear and front of the property for the outdoor storage of waste prior to refuse collection days. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments raised the potential for increased waste or fly tipping issues. However, the formal bin storage can be secured via condition and therefore easy access to the front for collection day would ensure that there is suitable provision for future tenants to utilise.

8 CONCLUSION

- 8.1 The use of the property as a 10-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and taking into account all material planning considerations, would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

9 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 019-091-103, 019-091-101, 019-091-102 revA.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. The development hereby permitted shall be occupied by a maximum of 10 residents at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

4. Prior to the occupation of development, details of facilities for the secure and covered parking of at least 10 bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the occupation of the development hereby approved, details of facilities for refuse and recycling storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. Prior to the occupation of the development hereby approved, a full noise survey and assessment by a competent noise consultant to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development and retained thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. For the avoidance of doubt, the existing cellar shall not be used as a bedroom/s or any habitable room at any time throughout the lifetime of the development as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

Informative

Please note that the premises will require licensing and room sizes and facilities will need to meet licensing requirements.

10 BACKGROUND PAPERS

- 10.1 N/2020/0133.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **53 St Matthews Parade**

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Date: 23-04-2020

Scale: 1:1,000

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PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0148

LOCATION: Former Pearce Leather Works, Wellingborough Road

DESCRIPTION: Variation of Conditions 2 and 24 of Planning Permission N/2019/0851 (Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking) to broaden the use of two of the offices to include use by the management company of the building

WARD: Billing Ward

APPLICANT: Clayson Country Homes
AGENT: N/A

REFERRED BY: Director of Planning and Sustainability
REASON: Major application

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposal would bring about the development of a disused Grade II listed building in an area surrounded by residential development in a sustainable location, the renovation of which would make an overall positive contribution to the environmental character of the area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need in the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policies S3, S10, E1, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 Variation of Conditions 2 and 24 of Planning Permission N/2019/0851 (Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units,

provision of bin store areas and car parking) to broaden the use of two of the offices to include use by the management company of the building.

2.2 Condition 2 is the plans condition, and it is proposed to amend this to include a new ground floor plans which outlines two of the offices to be used by the management company.

2.3 Condition 24 outlines:

'The office floor space as detailed on drawing nos. 2371/1D and 2371/2D shall be used as ancillary accommodation for the use of residents of the site only and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt and to ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.'

2.4 It is proposed to amend Condition 24 to permit two offices on the ground floor to also be used by the management company of the building.

3 SITE DESCRIPTION

3.1 The application site is located on the south-eastern side of Wellingborough Road. The application site comprises a Grade II listed building, set back from Wellingborough Road and framed with Grade II listed entrance gate piers, gates, and forecourt pool.

3.2 The entire building is now disused.

4 PLANNING HISTORY

4.1 N/2019/0851 - Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking – Approved 22/1/2020

4.2 N/2019/0852 - Listed Building Consent Application for alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking – Approved 18/12/2019

4.3 N/2016/0446 - Listed Building Consent for Alterations of building to form residential units including ground and first floor extensions, installation of new windows and doors, removal of sky lights, internal walls, north lights, erection of garden fence and internal walls – Approved 17/3/17

4.4 N/2016/0365 - Alterations and extension to existing building and conversion to 14 flats and offices as part of livework units provision of bin storage areas and car parking – Approved 17/3/17

4.5 N/2012/0926 - Conversion of existing power house to 17 dwellings – Approved 8/8/13

4.6 N/2012/0888 - Listed Building application for the conversion of the power house to 17 dwellings – approved 7/12/12

4.7 N/2010/0244 - Partial demolition of Pearce Leather Works and outbuildings with remaining building to be an office use. Erection of new screen wall to enclose retained part of building and alterations to business area parking. Construction of 126 dwellings (including conversion of existing Power house to 6 units), associated highway works, public open space, landscaping and ancillary works (WNDC Consultation) – Approved 14/10/10

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan saved policies.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport.

Section 12 - Achieving well-designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

S1 – The distribution of development

S2 – Hierarchy of Centres

S3 – Scale and distribution of housing development

S10 – Sustainable Development Principles

C2 – New developments

E1 – Existing employment areas

H1 – Housing density and mix and type of dwellings

BN5 – Historic Environment

BN9 – Pollution control

INF1 and 2 – Infrastructure delivery

N1 – The regeneration of Northampton

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northampton Parking SPD (2019)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection to the changes proposed.
- 6.2 **NBC Conservation Officer** – No objection, the proposed use of two of the ground floor offices will not harm the overall character/significance of the listed building.
- 6.3 **NCC Highways** – No comment on application.

7 APPRAISAL

- 7.1 The current application is a variation application to N/2019/0851 which was approved on the 22nd January 2020. The only alteration proposed from this recent approval is to allow two of the approved offices to be used by the management company of the building.

Principle of development

- 7.2 The application proposes the conversion of the existing disused former leatherworks factory to 20 flats, 3 of which would form live work units with office units attached. The principle of converting the existing building into residential units, some as live work units, has been established within previous application N/2019/0851. In line with this, it is considered that the principle of providing residential units is acceptable. The proposal would also contribute to the Council's housing land supply.

The impact of the proposed conversion on the character and appearance of the listed building and conservation area

- 7.3 The application site comprises a Grade II listed building, and Grade II listed entrance gate piers, gates, and forecourt pool.
- 7.4 The application proposes a change in the permitted use of two rooms within the approved scheme. No alterations are proposed to the building itself as a result of this. The Council's Conservation Officer has been consulted and advises that the proposed use of two of the ground floor offices will not harm the overall character/significance of the listed building.

Residential amenity

- 7.5 The application proposes to allow two of the previously approved offices, which were conditioned to be ancillary accommodation for the residents of the building, to be used by the management company of the building. The two offices in question are located within the central atrium, away from the approved flats.
- 7.6 The Council's Public Protection team have been consulted on this amendment and raise no objection to the alteration proposed. In line with this, the offices being within the central atrium away from any of the approved flats, and with the use restricted to be the management company of the flatted scheme itself, it is not considered that the proposed alterations would have an unacceptable impact upon the living conditions of future occupiers.

Neighbouring amenity

- 7.7 It is not considered that the proposed internal change to the use of two offices would have an unacceptable impact upon existing neighbouring amenity.

Highways

- 7.8 The proposal includes the provision of 47 parking spaces. 34 parking spaces are required for the residential units previously approved, and as such 13 spaces are available for the use by the staff

within the management company alongside visitors to the site. NCC Highways have been consulted on the proposal and raise no objection to the proposed alterations.

Planning Obligations

- 7.9 Within previous approval N/2019/0851, NHS England requested a contribution for health facility. NCC Planning requested a contribution for primary education, and Fusion 22 requested a contribution for construction training. It was also the case that with the development being over 15 units, affordable housing at 35% should have been provided on site, and a contribution towards open space should also have been provided.
- 7.10 It was, however, demonstrated through a viability assessment that the scheme cannot provide any contributions or affordable housing. This was independently assessed and it was confirmed that the scheme could not provide any contributions of affordable housing. The scheme was subsequently approved by the Planning Committee on the 21st January 2020 with no requirement for contributions or affordable housing.
- 7.11 There is no change in circumstance since this recent approval, and the proposed alteration to the use of two offices does not alter this requirement.

8 CONCLUSION

- 8.1 To conclude, the proposal would bring about the development of a disused Grade II listed building in an area surrounded by residential development in a sustainable location, the renovation of which would make an overall positive contribution to the environmental character of the area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building, but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need within the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policies S3, S10, E1, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Local Plan and the aims and objectives of the National Planning Policy Framework. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, 2371/1F, 2371/2D, 2371/3, 2371/4A, 2371/5, 2371/9, 2371/10, 2371/11, 2371/12, 2371/30A, 2371/31A, 2371/32A.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Details of all proposed external facing materials including new doors and windows shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the historic integrity of the building and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy.

4. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination of

the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason: Pre-commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason: Pre-commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

6. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Pre-commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 7.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. The parking spaces shown on the submitted plan (reference 2371/5) shall be constructed prior to the first occupation of the building hereby approved and retained solely for the parking of vehicles thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, details of the intended hours and duration of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site. Development shall be carried out in accordance with the approved details during construction works.

Reason: Pre-commencement condition to manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. The first floor windows on the southern elevation shall be obscure glazed up to 1.8 metres above first floor level in accordance with details on submitted drawing no. 2371/3. Prior to installation a sample of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

11. Notwithstanding the submitted plans, further details of an enclosed bin store to be sited in the south west corner of the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to occupation of the development hereby permitted.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

12. Prior to the first occupation of the building hereby approved, the applicant shall submit to the Local Planning Authority an assessment of the Noise Exposure Category of each habitable room due to its exposure to transportation (and street noise). This must take into account the likely growth of traffic over the next 15 years.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. Where any part of a façade of any residential premises does not fall into NEC A, a noise insulation scheme to protect habitable rooms on that façade, which will require the provision of suitable mechanical ventilation, shall be submitted to the Local Planning Authority for written approval. The approved scheme shall be implemented prior to the properties being occupied.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

14. The area for cycle storage shall be provided in accordance with the approved details as shown on drawing no. 2371/1F prior to occupation of the development hereby permitted and retained thereafter.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

16. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

17. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

18. Details of the repair and proposed maintenance of the forecourt pool, entrance gate piers and gates shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the occupation of the building.

Reason: In the interests of amenity, the preservation of heritage assets and to secure a satisfactory standard of development in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

19. Full details of boundary fencing as indicated on drawing no. 2371/5 shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building hereby permitted and retained thereafter.

Reason: In the interests of visual amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the units hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no doors or windows, other than those shown on the approved plans, shall be installed or altered and no other material alterations carried out to the external appearance of the building without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the design of any alteration is appropriate to the general character and architecture of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or

without modification), no satellite dishes shall be erected on the building unless permission has been granted by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

23. Prior to first occupation of the development hereby permitted, details of access control systems for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved access control system shall be implemented on site in full accordance with the approved details and retained on site thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

24. The office floor space as detailed on drawing nos. 2371/1F and 2371/2D shall be used as ancillary accommodation for the use of residents of the site only and shall at no time form a separate planning unit, other than the two units shown hatched within plan 2371/1F which can be used as ancillary accommodation for the use of residents of the site or can be used by the management company of the flats within the application site only.

Reason: For the avoidance of doubt and to ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

25. Full details of 5 electric vehicle charging points for the approved residential units hereby approved shall be submitted to and approved in writing prior to first occupation of the development hereby approved. The approved charging points shall be provided on site in accordance with the approved details prior to first occupation of the development hereby approved and retained thereafter.

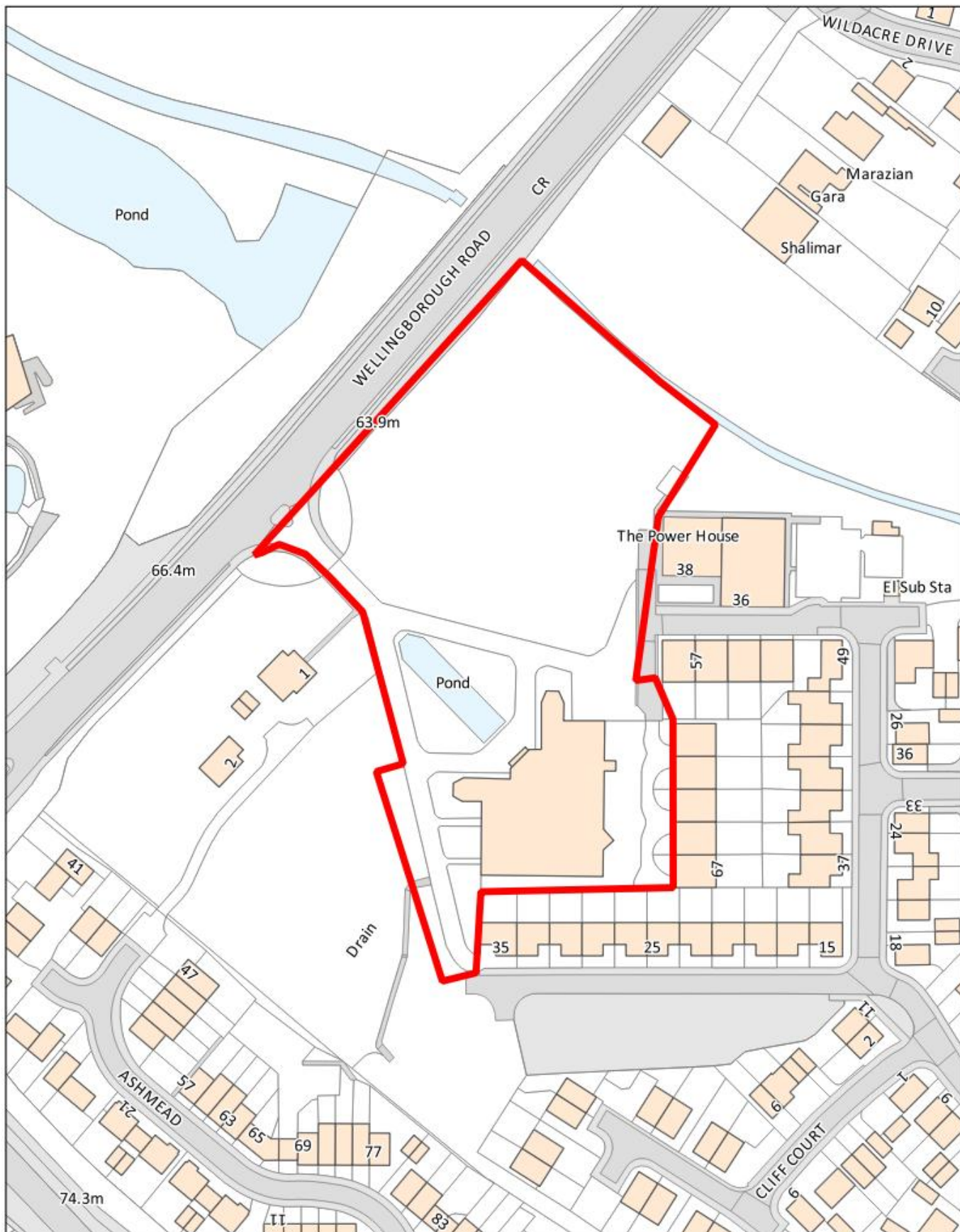
Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards SPD.

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable on the extended element.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Former Pearce Leather Works, Wellingborough Rd**

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Date: 22-04-2020

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0197

LOCATION: 117 Upper Thrift Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants (retrospective)

WARD: Abington Ward

APPLICANT: BR Northampton
AGENT: Archi-tec Architectural Design

REFERRED BY: Councillor Z Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered acceptable within an established residential area. The premises would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to the town centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage and have an acceptable impact on flood risk. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants (retrospective). No external alteration has been proposed.
- 2.2 The proposed layout includes a basement kitchen, two bedrooms and a shower room on every floor i.e. ground, first and second floors.

3 SITE DESCRIPTION

- 3.1 The site consists of a terraced property located along a residential street of similar uses. There is private amenity space to the rear enclosed on three sides. The site is located in Flood Zone 1 (low risk) and is not in a conservation area. Parking is provided on street on an unrestricted basis along Upper Thrift Street and other nearby side streets.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

6 National Policies

- 6.1 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 72 - ensure a variety of homes meet needs of different groups.

Paragraph 127 - seeks to create safe and healthy places with a high standard of amenity for existing and future occupiers.

6.2 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

H1 - Housing Density, Mix and Type of Dwellings

H5 - Managing the existing Housing Stock

S10 - Sustainable Development Principles

BN7 - Flood Risk

6.3 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 New development (design)

H30 Houses in multiple occupation

6.4 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

6.5 Houses in Multiple Occupation (HIMO) Supplementary Planning Document (November 2019)

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HIMOs within a 50 metre radius
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **Councillor Zoe Smith:** call in and object to on grounds of impact of parking.
- 7.2 **NCC Highways:** Highways requested that a parking beat survey be undertaken to establish the level of parking demand in the area. The applicant has produced a Sustainability Statement instead detailing that the site is in a sustainable town centre location with bus stops and local services nearby.
- 7.3 **Private Sector Housing (NBC):** The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 6 occupant HIMO.
- 7.4 **1 Objection received on following grounds:**
- Detract from local sense of community
 - Over concentration within the area
 - Noise and anti-social behaviour
 - Lack of family homes
 - Neglect of property
 - Not adequate facilities for number of occupants
 - Increase in vehicles, leads to lack of parking

8 APPRAISAL

Principle of the development

- 8.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

- 8.2 NBC records evidence that there are 2 other HIMOs (out of 31 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 9.6% concentration and would clearly fall within the 10% maximum threshold recommended by the Council's adopted SPD in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

Size of property and facilities for future occupiers

- 8.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen, WC and wash facilities. A condition restricting the use of the property to a maximum of 6 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing were consulted and confirmed that the rooms sizes and amenities are sufficient to meet the requirements of a 6 occupant HIMO.

Flood Risk

- 8.4 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

Highways / Parking

- 8.5 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.6 No parking beat survey was submitted with the application. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 30 minutes. The site is also located within 124m of the nearest bus stop on Billing Road to the south of the site. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD.
- 8.7 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Full details have not yet been submitted for the cycle storage located to the rear of the property, however, this can be secured by condition. The proposal is, therefore, in compliance with this principle of the SPD. The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 6 spaces. The agent noted in the Sustainability Statement that the site had been visited in both the early and late evenings and in the period after 6pm to establish the parking demand in the area and found that parking was not normally at capacity and there were spaces available along the Billing Road, it was also noted that a number of the residential properties along the Billing Road have on-site parking available off a private rear access, which helps the parking situation.
- 8.8 There is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 8.9 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 8.10 Details have been submitted for refuse storage, which is to be located within the rear amenity space which is deemed acceptable. A condition has been recommended to secure the arrangement and provision.

Amenity

- 8.11 The proposed use falls within Use Class C4, which in effect categorises this as a residential use here is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

9 CONCLUSION

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD and the aims and objectives of the National Planning Policy Framework.

10 CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: M76-1

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- 2) The maximum number of occupiers shall not exceed six at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

- 3) Within two months of the date of the planning permission hereby granted, full details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented within one month following approval of the details and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

- 4) Within two months of the date of the planning permission hereby granted, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details within one month following approval of the details and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

11 BACKGROUND PAPERS

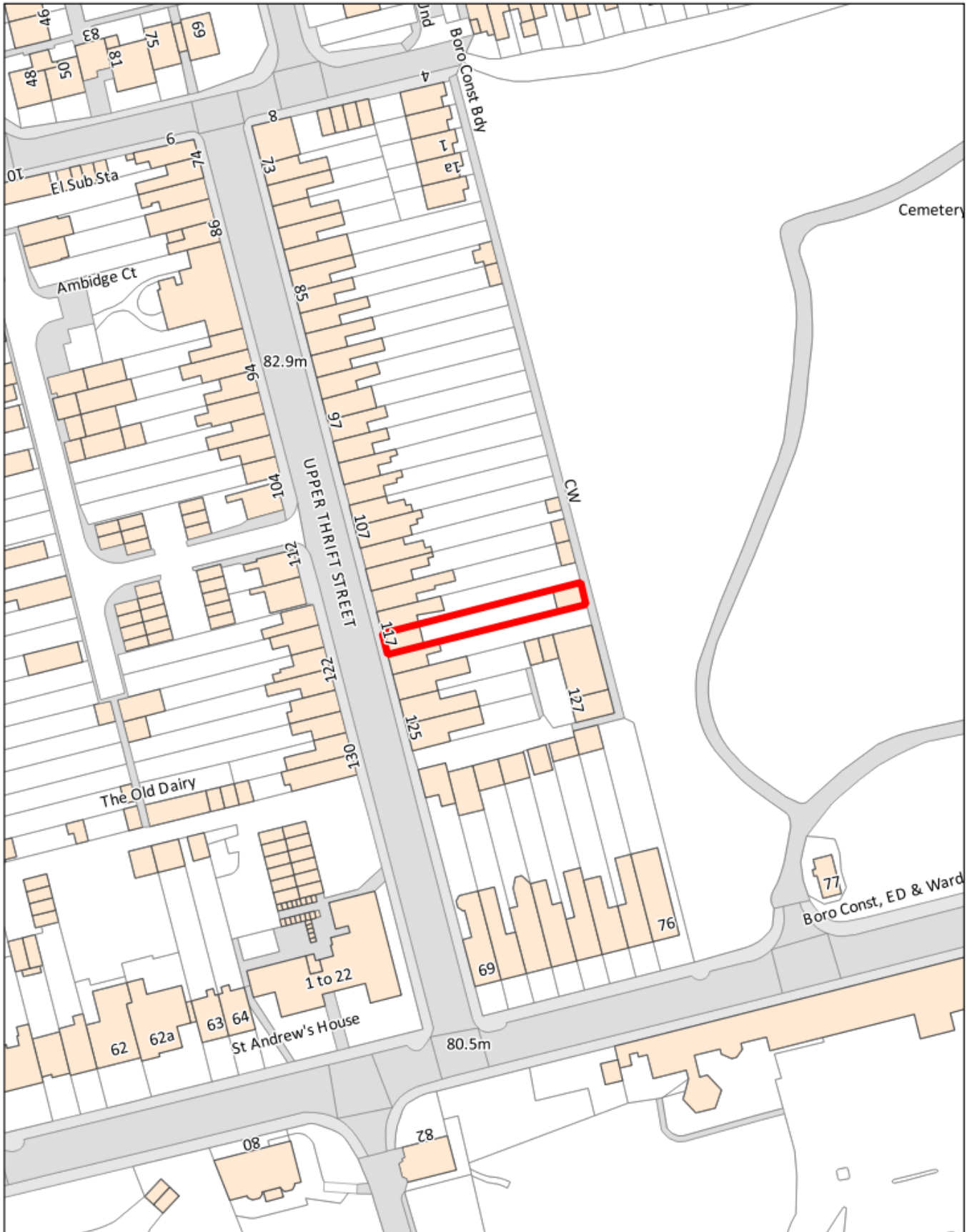
- 11.1 None.

12 LEGAL IMPLICATIONS

- 12.1 The development is not CIL liable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

- 13.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **117 Upper Thrift Street**

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Date: 23-04-2020

Scale: 1:1,000

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