

PLANNING COMMITTEE: 27th October 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/1109

LOCATION: 64 Charles Street

DESCRIPTION: Conversion of single dwelling into 2no apartments with new window to basement and alteration to window opening

WARD: Castle Ward

APPLICANT: Mr Yueng
AGENT: Plan My Property

REFERRED BY: Councillor D Stone
REASON: Parking 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 would, subject to conditions, represent an acceptable land use contributing to the Council's 5-year housing land supply. The proposal would not have undue impact upon neighbour and visual amenity and would not adversely impact on the Boot and Shoe Quarter Conservation Area. The proposal is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, H21 and H23 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The proposal is for the conversion of the existing property from a two-bedroom dwellinghouse to two one-bedroom flats. The proposed external alteration involves a new window to the basement and new door and window opening in the side elevation. Parking will be on-street.

3 SITE DESCRIPTION

3.1 The application premises consist of a two storey building, with a basement, which is in use currently as a dwellinghouse. Historically it can be seen that this would have been a corner shop, the area of the former shopfront being clearly distinguishable. The property has no outdoor space, being connected at the side and rear to the neighbouring property at 37 Cranstoun Street.

4 RELEVANT PLANNING HISTORY

- 4.1 **N/2004/1351** – Change of use from office / warehouse to 2 no. residential dwellings – Approved 10/11/2004 (relates to this property and the neighbouring house at 37 Cranstoun Street).

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.

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.

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 61 – Housing should be provided for different groups including families, older people, students, disabled

Paragraph 117 – Decisions should promote an effective use of land in meeting the need for new homes

Paragraph 127 – Relates to good 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. Policies of particular relevance are:

H1 - Housing Mix and design
S10 - Sustainable Development Principles
BN5 - The Historic Environment And Landscape
BN9 - Pollution Control

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)
H21 Conversion to flats – Amenity of the area
H23 Conversion to flats – Minimum size

6.4 Supplementary Planning Documents

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **Conservation** – No objection to the change of use, which will not harm the character of the Conservation Area provided it does result in an over-concentration of HIMO's in the street. The alterations to the window openings will have an acceptable impact on the appearance of the area
- 7.2 **Environmental Health** – No objections, but require all gas fired boilers to meet low emission standards and for the hours of construction work to be limited.
- 7.3 **Town Centre Conservation Area Advisory Committee** – While it is considered that the proposals would not have an adverse effect on the appearance of the Conservation Area, the loss of an affordable family home in an area with many HIMO'S, would affect the character of the Conservation Area.
- 7.4 **Local Highway Authority** – No comments to make.
- 7.5 **Councillor D. Stone** – Calls in the application on the following grounds: This is an already overcrowded area with many social problems, including fly tipping, parking pressures, crime, anti-social behaviour. This application will add to the pressures and make it ever more difficult for the existing residents and families to create community.

8 APPRAISAL

- 8.1 The main issues to consider are the principle of residential development impact on the character of the area, neighbouring amenity and highway safety.

Principle of development

- 8.2 The conversion of the existing dwelling house to 2 new independent residential flats, over the two floors, is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Section 2 of the NPPF advises that housing applications should be considered in the context of a presumption in favour of sustainable development.
- 8.3 Policy H23 of the Local Plan specifies that planning permission will not be granted for the conversion to flats with a combined ground and first floor area of 100 square metres or less and with a frontage of less than 4.7m. The existing dwelling has a combined ground and first floor area of approximately 77.5 square metres. The frontage is 11.7m, as the building has a frontage to two streets, which exceeds the minimum. Whilst the floor area is below the standard specified, it should be noted that this policy is designed to protect the stock of family homes. Given that this property has no outside space it would not make a good family home, therefore it is considered, on balance, that the proposal would be acceptable. It can be noted also that this policy is dated, and can be afforded limited weight.
- 8.4 The application site is in a residential area, in a sustainable location and within the easy access of local facilities, the town centre and public transport. The development of the site for residential use would also contribute, albeit on a small basis, to the Council's 5-year housing land supply.

Design and Impact on the character of the Conservation Area

- 8.5 Policies S10 and H1 of the JCS, and saved policy E20 of the Northampton Local Plan seek to ensure high quality design in new development that is appropriate to the character of the

surrounding area. The site is located within the Boot and Shoe Conservation Area and therefore Policy BN5 is also relevant.

- 8.6 The property has been altered in the past, having originally been a corner shop and has now been infilled with brick in the location of the former shopfront, whilst the rest of the property is rendered. The appearance of this is nevertheless acceptable, and it is considered that in this context a small infill window would have a limited visual impact, and would not affect the character of the dwelling or the Conservation Area. The proposed alteration to a door and window opening would also not affect the character of the dwelling or the Conservation Area

Amenity of future occupiers

- 8.7 In assessing the living conditions of future occupiers, Policy H1 of the JCS seek to ensure high quality design and a good standard of amenity for existing and proposed occupier. The NPPF at paragraph 124 advises that good design is a key aspect of sustainable development. Paragraph 127 advises on the need to ensure that new development provides a high standard of amenity for existing and future users.
- 8.8 Emerging Policy under Policy 4 of the Part 2 Local Plan requires new development to meet at least the minimum internal space standards under the Nationally Described Space Standards (2015) (NDSS). This policy is emerging and therefore is afforded limited weight in determining this application. The government's guidance on internal space standards is contained within the NDSS document. The minimum recommended space for a 1-bedroom dwelling for 1 person is 37 square metres.
- 8.9 Under the current proposals, the ground floor flat would have a floor area of 33 square metres on the ground floor and an additional 15 square metres in the basement study area, making 48 square metres. The first floor flat would have 30.5 square metres of useable floorspace. Whilst this would not meet the NDSS standard, given that this policy is not yet adopted, it is considered that the level of space available in both flats would be acceptable, and is in line with the minimum of 30 square metres which has been accepted in other cases.
- 8.10 Most habitable rooms would be served by natural daylight and outlook from openable windows. The exception to this is part of the ground floor kitchen area, which would have no window, due to there not being a suitable wall for this, however the cooking area which is within the living room would have a window. The ground floor flat would also have a basement study area. Saved policy H24 of the Northampton Local Plan is relevant in this respect, which states that "Planning permission for flats wholly or partly in basement areas will be granted only where adequate self-contained access is provided and there is adequate natural daylight available in the habitable rooms and where The outlook is not unduly obstructed". In this case daylight and outlook would be limited, however given that the room is intended only as a study and adequate space is provided elsewhere in the flat, this is considered to be acceptable.
- 8.11 The property has no outdoor space as existing, therefore this cannot be provided to the occupants, however, the site is an approximately 5 minute walk from the Racecourse, which provides a large area of open space. It is not unusual for first floor flats to have no outdoor space in any event and it is considered that this arrangement is acceptable. At present the property is a two bedroom dwellinghouse, with no outdoor space. This is not a normal or acceptable arrangement and it is considered that the use as flats would be preferable.
- 8.12 Due to the absence of outdoor space, The location of bin storage is proposed to be within the kitchen areas of each flat. This is not an ideal arrangement, however with suitable facilities it is considered that this would be acceptable. Again, it can be noted that the property is currently a house with no outdoor space for bins or any other purpose so this would not be a worsening of the situation. A condition is proposed to secure more detailed plans and information relating to refuse storage.
- 8.13 **Impact on adjoining occupiers**

It is not considered that the proposed use would have any greater impact on the amenities of adjoining residential occupiers than the current use, in terms of noise and disturbance.

Parking and Highway Safety

- 8.14 As an existing two bedroom house, the requirement for parking under adopted standards is for two spaces plus one visitor space, whereas the requirement for the two one-bedroom flats is for two parking spaces plus two visitor spaces. There is no on-site parking available, nor any possibility of providing this, therefore the shortfall would be increased by one space. However, the site is in a sustainable location close to amenities and a relatively short walk to the town centre. It can also be noted that no comment has been made by the Local Highway Authority. In this instance, therefore, it is considered that the proposal would not have unacceptable impact on highway safety or amenity.

Other Matters

- 8.15 Comments from Environmental Health refer to the need for low emission boilers, however there is no policy basis for such a requirement. An informative detailing acceptable hours of construction is also recommended, this would be added to the decision notice rather than enforced by condition.

9 CONCLUSION

- 9.1 The proposed scheme would not have any undue adverse impact on the character of the area, would provide adequate amenity for the occupiers of the proposed flats, and subject to the submission of details as required by condition, would make appropriate provision for refuse and recycling storage. The amenities of neighbouring occupiers would not be adversely affected. The site is located within a residential area in a sustainable location, therefore the absence of parking provision is acceptable. The proposal, albeit on a very small scale, would contribute to the Council's 5 year housing land supply.

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:3CS: PA:01/01.

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

3. Prior to the occupation of the development for the use hereby permitted, 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 prior to the first occupation or bringing into use of the development 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 West Northamptonshire Joint Core Strategy.

11 BACKGROUND PAPERS

- 11.1 Application file N/2020/1109.

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: **64 Charles Street**

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Date: 16-10-2020

Scale: 1:1,000

Drawn by: -----