



PLANNING COMMITTEE: 18 October 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0674 **Change Of Use from Islamic Community centre (Class D1) to residential dwelling with interlinked accommodation (Class D1), first floor bedroom extension 98a Colwyn Road and vehicular access from 57 Hood St.**

WARD: Castle

APPLICANT: Ms. N. Oates
AGENT: N/A

REFERRED BY: Head of Planning
REASON: Council owned property

DEPARTURE: No

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

1.1 APPROVAL with conditions for the following reasons:

The proposal, by reason of its siting and the nature, would enhance the character and appearance of the Boot and Shoe Conservation Area and would not adversely impact upon the amenity of nearby properties or lead to unacceptable traffic problems and hence complies with the objectives of PPS5 and Policies E20 and E26 of the Northampton Local Plan.

2. THE PROPOSAL

2.1. Applicant proposes to convert an existing vacant detached property previously in use as an Islamic community centre (Jinah Day Centre) to form a dwelling house with interlinked accommodation and a first floor extension and external alterations.

- 2.2 The submitted plans indicate the following layout:
- Ground floor; - Dining area/kitchen, reception area, snug, utility, shower room, entrance lobby and amenity area.
 - First Floor - 4 bedrooms, two with en-suite facilities and a bathroom.
- 2.3 The interlinked accommodation would have the following layout:
- Ground floor - Dining area/kitchen, reception and amenity space.
 - First Floor - 2 bedrooms and shower room. One of the bedrooms would be extended by 1.4 m.
- 2.4 Refuse facilities are provided within the curtilage of the site.
- 2.5 The external alterations would include the following;
- Ground floor - the snug and shower room would have three new windows added on the side elevation and two new patio doors would be added on the rear elevation facing onto a private courtyard. Three new glazed French doors would be provided.
 - First floor - three new windows would be provided to the side elevation and five roof lights would also be added. 3 solar panels would be provided.
- 2.6 Four parking spaces would be provided to serve the proposed development. Separate negotiations are taking place between the applicant with the owners of 49 Hood Road to acquire additional amenity space. This would not require planning permission as it already forms residential curtilage.
- 2.7 The proposal has been amended to ensure that an existing vehicular access to a site located between 55 and 59 Hood Road would be included to serve the development. The site would be also accessed by vehicles / pedestrians from a vehicular access serving lock up garages between 98 and 100 Colwyn Road.
- 2.8 A planning, Design and Access Statement has been submitted with the application. The proposal has been designed to include energy efficient measures in compliance with the code for sustainable homes.

3. SITE DESCRIPTION

- 3.1 The application premises comprise of a two storied detached property located within the Boot and Shoe Conservation Area at the rear of 86 and 92 Colwyn Road. Rear gardens of properties fronting along Hood St back onto the site. Vehicular access to the site is achieved between 98 and 100 Colwyn Road. A second access exists between 55 and 59 Hood St.

- 3.2 The site area is approx 0.14 ha (0.4 acres). The surrounding area is overwhelmingly residential in character consisting of tightly packed residential streets.

4. PLANNING HISTORY

- 4.1 N/1991/983. Planning permission granted to form self contained flat in association with Pakistani Community Centre use. 19 February 1992.
- 4.2 N/2002/219. Advertisement consent granted for display of community notice board. 2 March 02.

5. PLANNING POLICY

5.1 Development Plan

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 current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS3 - Housing
PPS5 – Planning For the Historic Environment
PPG13 – Transport
PPS23 Planning and Pollution Control

5.3 Northampton Borough Local Plan

E20 – New Development
E26 - Conservation Areas
H6 – Residential Development
H30 – Multiple Occupation

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **NBC Built Conservation** - No objections subject to conditions, welcome reuse of building.
- 6.2 **NCC Highways** – No objections.
- 6.3 **NBC Environmental Health** – No objections subject to conditions requiring any potential contamination issues being mitigated.
- 6.4 **Highway Agency** - No objections.

6.5 Nearby occupiers noticed, site and press notices displayed, no representations received.

7. APPRAISAL

7.1 The key issues in connection with this application relate to the impact of the proposed development on the Conservation Area and amenities of surrounding occupiers.

Impact on Conservation

7.2 The premises are situated within the Boot and Shoe Conservation Area. There is a need to ensure that the special character of the area is protected. PPS5 and the accompanying good Practice Guide requires Planning Authorities to apply development control policies flexibly and imaginatively in order to achieve long term conservation objectives. Policy HE7 advises planning authorities to identify and assess the particular significance of any element of the historic environment that may be affected and the need to take into account the desirability of new development towards making a positive contribution to the character and local distinctiveness of the historic environment. The Conservation philosophy upon which PP5 is based concerns the management of change. This is codified in the basic principle that; "intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term". There is a greater emphasis on understanding the 'significance' of a 'heritage asset'.

7.3 The Local Plan policies also seek to ensure that the special character of the conservation area is protected. The Boot and Shoe Conservation Area Character and Management Appraisal recognises changes of use can have a major impact on the character of a conservation area and it provides guidance on how new development could enhance and establish character and create a sense of place within the area. In terms of existing character, the locality is recognised for its boot and shoe industry; Victorian backstreets and a number of distinctive features which include; houses and industrial buildings side by side; a range of community buildings, specialist factories and workshops with very little public open space.

7.4 The application property is currently vacant and boarded up as a result of vandalism. The premises have a history of commercial uses and more recently a community centre use. PPS5 recognises that the best way to preserve a building is for the building to be used. Policy HE10 states that development affecting the setting of a heritage asset should be treated favourably when it preserves those elements that make a positive contribution to better reveal the significance of the asset. It is considered that minor alterations including roof lights and the reinstatement of traditional window features would improve the overall appearance of the building. A number of unsympathetic changes have

been made to the building including an external staircase, these would be removed by the current proposal. The character and appearance of the Boot and Shoe Conservation Area would be enhanced by the proposed alterations and would facilitate bringing back into use of a void and underutilised building.

- 7.5 The proposed alterations are sympathetic and would allow for the adaption of the application property to a new use that would ensure its continuing vitality and improve the environmental quality of an area. The Council's conservation service has raised no objections to the proposal subject to conditions, welcome reuse of building.

Impact on Amenities

- 7.6 The proposal would involve a number of external alterations, which include new windows being inserted to improve daylight entering the property. In particular two ground floor windows serving a lounge/snug and two first floor windows serving two separate bedrooms would be inserted along the rear boundary with residential accommodation at 86 – 90 Colwyn Rd.

- 7.7 These neighbouring properties, which front along Colwyn Road are situated immediately adjacent to the application premises and have been converted to flats and they share a common boundary at the rear. The original rear garden area of the Colwyn Road flats has been converted into a hard surfaced communal parking area. There is also a communal open drying area. The new windows referred to above would be sited along the boundary with the existing parking area. Adequate separation distances exist between the new side facing windows and the habitable rooms of existing properties fronting Colwyn Road. As a result of this there would be no significant direct overlooking or loss of privacy to existing residents. No representations have been received from nearby occupiers.

- 7.8 Adequate provision has been made for car parking provision. The County Council as Highway Authority has raised no objection to the proposed development.

8. CONCLUSION

- 8.1 Overall, as an exercise of judgement, taking the development plan policies as a whole, and having given careful consideration to the application and supporting information, the consultation responses and other material considerations referred to above, it is reasonable to conclude that the proposed development is acceptable and should be permitted subject to conditions.

9. CONDITIONS

(1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

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

(2) The proposed extension the subject of this consent shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

Reason: In the interests of visual amenity and to ensure that the development will accord with Policy E20 of the Northampton Local Plan.

(3) Within one month of the commencement of the development, detailed drawings/samples/photos of the proposed doors and window frames shall be submitted to and approved in writing by the Local Planning Authority. The windows frames shall be constructed and installed in accordance with the approved details and thereafter maintained.

Reason: To maintain the character of the building which is in a Conservation Area) in accordance with PPS5 and Policy E26 of the Northampton Local Plan

(4) Within three months of the commencement of the development, a desktop study in respect of possible contaminants within the site shall be completed and a site investigation be designed. The scope and methodology of the desktop study and site investigation report shall be submitted to the Local Planning Authority for writing for approval. The site investigation and appropriate risk assessments shall be carried and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to for approval to the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with PPS23 Planning and Pollution Control.

(5) In the event that any contamination is found at the site 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 and, where remediation is necessary, a remediation scheme must be prepared, submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with PPS23 Planning and Pollution Control.

(6) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any order amending, revoking or re-enacting that Order with or without modification, the development approved under this

permission shall be used solely for the purposes of a dwelling house as defined within Class C3.

Reason: In order to define the permission and to allow the local planning authority opportunity to assess the impact of an alternative residential use of the property in the interests of residential and general amenity in accordance with PPS3 and Policy H30 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2011/0674.

11. LEGAL IMPLICATIONS

11.1 None.

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 and associated Frameworks and Strategies.

Position:	Name/Signature:	Date:
Author:	Reddy Nallamilli	26/09/2011
Development Control Manager Agreed:	Gareth Jones	30/09/2011



Name: LZ
 Date: 28th September 2011
 Scale: 1:1250
 Dept: Planning
 Project: N/2011/0674

Title
Location Plan

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