



PLANNING COMMITTEE: 17th December 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/1142: Change of use of first and second floors from offices to residential including 4no. one bedroom flats and 2no. two bedroom flats. Erection of extension to rear and replacement of windows at 49-53 Abington Street

WARD: Castle

APPLICANT: Steinberger Developments Ltd
AGENT: Mr R. Grant; Grant and Associates Ltd

REFERRED BY: Cllr. D. Stone
REASON: Concerned regarding the impact on the surrounding area due to the scale of development, pressure on services and noise

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The proposed development would represent the satisfactory reuse of vacant units, would support the viability and vitality of the town centre and would, subject to conditions, secure a satisfactory standard of development. The proposal therefore complies with the requirements of the National Planning Policy Framework and Policies 1, 10, 15 and 16 of the Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks permission to convert the first and second floors of the property to form six flats (comprising four 1 bedroom units and two 2 bedroom units). In order to facilitate this development, it is proposed that a second storey extension be constructed at the rear of the

property. Access to the flats would be directly from Abington Street. The staircase would also serve existing offices at 53 Abington Street. The proposal includes the replacement of the windows on the building.

3. SITE DESCRIPTION

- 3.1 The application site contains a three storey, flat roofed building located within a primary shopping frontage in Northampton town centre. The ground floor of the site is occupied by various retailers including Blue, Greggs and Fab Shoes. The upper floors of the building have been used as ancillary facilities to the ground floor shops and standalone office units. The surrounding land uses comprise a variety of functions commensurate with a town centre location.

4. PLANNING HISTORY

- 4.1 None relevant.

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.

5.2 National Policies

Paragraph 17 of the National Planning Policy Framework (NPPF) states that previously developed sites should be effectively reused, whilst ensuring that new developments are well designed that secure a good standard of amenity for the residents of the development and those that occupy existing properties, whilst promoting mixed use developments.

5.3 Northampton Central Area Action Plan

- 1 – Promoting Design Excellence
- 10 – Parking
- 15 – Office and Business Uses
- 16 – Central Area Living

5.4 Supplementary Planning Guidance

- Parking
- Planning out Crime

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Environmental Health** - The location is within a potentially high noise environment due to the night time licensed trade and associated street noise. Replacement of windows on its own is unlikely to be sufficient to provide an adequate level of amenity for sleeping. Details regarding refuse storage are requested.
- 6.2 **Highway Authority** – No objections.
- 6.3 **Northamptonshire Police Crime Prevention Design Advisor** – As access to the flats would be shared with the existing offices details of a secure entry system are required, which should include details of doors.
- 6.4 **Cllr. D. Stone** – Requesting that the application be determined by the Planning Committee on the grounds that it is considered that the proposal amounts to overdevelopment by reason of the negative impacts on the neighbourhood because of the pressure on services, noise nuisance and the number of people that would be resident within the development.

7. APPRAISAL

- 7.1 The site's permitted use is for commercial purposes; however, the application details that the offices do not have an occupier and despite attempts by the land owner to market the property, it has not been possible to find new tenants. Policy 15 of the Central Area Action Plan (hereafter referred to the CAAP) seeks to promote the town centre as a location for office and business developments, but states that a deviation from such functions is permissible in instances when the loss of office space is outweighed by meeting the strategic objectives of the CAAP or that a mixed use development would be provided.
- 7.2 A strategic objective of the CAAP is to increase the level of residential accommodation in the town centre. In addition to this point, it is considered that as the building would include a combination of retail, office and residential accommodation, a mixed use development would be provided in line with the requirements of policy. Therefore, the use of part of this building for flats would not be contrary to the CAAP.
- 7.3 It is accepted that comments have been received from the Council's Environmental Health section regarding the potential for noise to impact on residential amenity. However, it is considered that the types of activity that take place within the vicinity of the site are consistent with a town centre location and as such any noise would be reasonably anticipated by potential occupiers of the residential development. Furthermore, weight should be given to the strategic objectives of the CAAP, which seeks to repopulate the central area.
- 7.4 The proposed development does not include any outside recreation space; however, given that the proposal does not involve the provision of family housing (as the proposal is for one and two bedroom flats), it

is considered that this situation is acceptable. In addition, the site is within walking distance to various areas of public open space.

- 7.5 The layout of the proposed flats has provided a satisfactory level of light, outlook and privacy for the occupiers of the proposed development. All units have separate windows to all bedrooms and living rooms, except for one of the flats that has an open plan arrangement with a through lounge and bedroom. Given that the application is for the provision of one and two bedroom flats, it is considered that the sizes of the proposed units are acceptable.
- 7.6 Entrance to the proposed development is from Abington Street. This will be shared with other offices and it is considered that this entrance would provide a good level of natural surveillance. The applicant has revised the scheme in light of the comments from the Crime Prevention Adviser and increased the number of secure doors from the communal stairwell. In addition, a condition is recommended that would require a secure entry system to be provided prior to the first commencement of the residential development. The measures are considered sufficient to ensure that a safe and secure form of development is provided.
- 7.7 The proposed rear extension at the second floor level would encompass an existing flat roof and would not project further than the existing rear elevation of the building. This element of the development would not adversely affect the amenities of the surrounding properties. A condition is recommended to ensure that the building materials used harmonise with its surroundings.
- 7.8 As the site is not situated within a Conservation Area, the replacement of windows with UPVC frames would be acceptable and unlikely to lead to adverse impact upon visual amenity. With the exception of the extension, no additional windows would be installed.
- 7.9 The proposal does not provide any car parking spaces, however, given its town centre location, the development is sustainably located and the future residents would be within ready access to various town centre facilities and public transport. The Highway Authority has been consulted and raised no objections to the application.
- 7.10 The flats are large enough to include an area for refuse storage, which is considered necessary given that they would be accessed from Abington Street. A condition to secure this storage area is recommended.
- 7.11 The application site is covered by an Article 4 Direction, which means that if planning permission were to be granted, a further planning application would be required if there were to be a future proposal to use the flats as houses in multiple occupation.

8. CONCLUSION

- 8.1 The provision of residential accommodation represents an acceptable reuse of the building that would contribute towards meeting the core objectives of the CAAP. The development would have a neutral impact upon neighbour and visual amenity.

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: Ex. 001; Ex. 002; 001; and 002.

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

3. Details and/or 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 1 of the Central Area Action Plan.

4. Notwithstanding the details submitted, 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, implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy 1 of the Central Area Action Plan.

5. Notwithstanding the details submitted, full details of a proposed secure entry system shall be 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 first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy 1 of the Central Area Action Plan.

10. BACKGROUND PAPERS

- 10.1 N/2013/1142

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 together with those of associated Frameworks and Strategies



Name: **Planning**
 Date: **3rd December 2013**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Committee**

Title
49-53 Abington Street

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