



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 6th May 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0170: Planning Application: Conversion of part existing building from office (use class B1) to 2no. residential dwellings (use class C3) including new roof lights, new window openings, replacement doors and windows, blocking up existing windows, and on-site parking spaces

N/2014/0189: Listed Building Consent Application: Conversion of part of the building to 2no. dwellings including new roof lights, new window openings, replacement doors and windows, blocking up existing windows, removal of internal walls/partitions and doors; installation of new partition walls, new brick garden wall and installation of block paved areas to the rear

At Billing Arbours House, Heather Lane

WARD: Brookside
APPLICANT: Mr and Mrs Hyland
AGENT: Architectural Solutions

REFERRED BY: Head of Planning
REASON: Council Owned Building and Land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

- 1. RECOMMENDATION**
 - 1.1 Planning Application N/2014/0170:**

APPROVAL subject to the conditions attached in Paragraph 9.1 and for the following reason:

The proposal has no adverse impact on the character, appearance or historical significance of the listed building. The proposed use as two dwellings is considered acceptable and would not cause undue impact on residential and general amenity and highway safety. The proposal thereby accords with the National Planning Policy Framework, Policy E20 of the Northampton Local Plan and Policy H1 of the submitted Joint Core Strategy.

1.2 Listed Building Consent Application N/2014/0189:

APPROVAL IN PRINCIPLE subject to prior referral to the Secretary of State, and conditions attached in Paragraph 9.2 for the following reason:

The proposal has no adverse impact on the character, appearance or historical significance of the listed building. The proposal thereby accords with the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The planning application proposes the conversion of part of the building to two dwellings, one of two bedrooms and one of six bedrooms, together with external alterations comprising new roof lights, new window openings, replacement windows and doors and blocking up of existing windows. Also proposed are five on-site parking spaces to the front.
- 2.2 The listed building consent application proposes the works required to allow the change of use to take place including the external works proposed under the planning application.

3. SITE DESCRIPTION

- 3.1 Billing Arbours House is a Grade II listed building dating from the early 19th Century and originally used as a farmhouse. The building was previously in use as offices and workshops and is now disused. It is adjacent to an area of more recent housing development, including a site which was approved in 2012. Also adjacent to the site, separated by Heather Lane, is an area of woodland.

4. PLANNING HISTORY

- 4.1 The use of the building as a leisure and recreation depot was approved in 1986 and subsequently further applications were approved for the change of use of parts of the building to a photography studio and beauty salon in 1989 and 2002. A number of listed building applications

for associated works have also been approved between 1986 and 2008.

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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 National Policies

National Planning Policy Framework (NPPF) – The relevant paragraphs in this case are 49 to 51 which set out the requirements in respect of housing. In particular paragraph 51 sets out that change to residential use from commercial use should normally be permitted where there is a need for housing in the area and there are no strong economic reasons why the development would be inappropriate.

Paragraphs 129 to 132 of the NPPF set out considerations in respect of heritage assets.

5.3 Northampton Local Plan 1997 (Saved Policies)

Local Plan Policy H6 deals with residential development within Primarily Residential Areas as defined in the plan and states that within such areas planning permission will be granted for residential development, if, inter alia, the development would be at a scale and density which would not be detrimental to the character of the surrounding area, would comply with parking standards and would not result in the loss of a facility for which there is a need in the area.

5.4 Other Material Considerations

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified)

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the Inspector are awaited.

In this case the most relevant policy of the submitted JCS is Policy H1, which sets out the requirement for a mix of housing density and types and states that development will be expected to make the most efficient use of land, subject to considerations including the location and setting of the site and the character of the area.

6. CONSULTATIONS/ REPRESENTATIONS

Consultation responses received are summarised as follows:

- 6.1 **Conservation** – It is considered that many of the proposed alterations will be of benefit to the building (including the removal of some modern partitions and inserts) and will bring the building back into its original use. There are some compromises with the original building fabric but these are considered acceptable in order to bring the building into a new use. No objections subject to further information regarding any invasive work and conditions requiring details of windows, roof lights, doors details, stair balustrade and materials.
- 6.2 **Environmental Health** - The property is in very close proximity to Lumbertubs Way, which will mean the site has high levels of road traffic noise. A suitably worded condition to protect residential occupiers amenity will be required.
- 6.3 **NCC Highway Authority** - No observation to make on the above application subject to the following conditions: the vehicle crossover at the site entrance will need to be at least 4.5m wide for the first 10m from the Highway boundary; the vehicle crossover will need to be constructed with the Hard bound surface material for first 5m from the highway boundary; the pedestrian visibility splay of 2m x 2m will need to be secured and achieved at all time.

7. APPRAISAL

- 7.1 The issues to consider are the principle of the proposed use and its potential impact on neighbouring occupiers, and the impacts of the proposed alterations to the building on the character and historic fabric of the listed building and on the character of the area.

Principle of Development

- 7.2 The site is located within a generally residential area and it is considered that the change of use would improve the mix and range of housing in the area, in compliance with the requirements of the NPPF and Policy H1 of the submitted JCS.
- 7.3 In respect of saved Local Plan Policy H6, the proposal is for two dwellings within the existing buildings only, and within a site of 0.39 hectares, therefore this would not represent an over-intensive development as defined in Policy H6.

- 7.4 Submitted JCS Policy H1 calls for the efficient use of land, but also states that the location and setting of the site and the character of the area should be considered. In this case, whilst this would be a low density development, it is considered that as the site involves a listed building, that a lower density of development is appropriate in that it would allow the re-use of the building without an intensive amount of building works that may affect the integrity of the buildings.
- 7.5 The proposal includes three parking spaces for the six bedroom house and two parking spaces for the two bedroom house. There is also scope for additional casual parking within the site and on street parking is available outside the premises, as is parking within other parts of the site which is to be sold to the same applicants. It is considered, therefore, that sufficient parking would be available.
- 7.6 As the surrounding area has already been developed and this proposal represents the re-use of a listed building, it is not considered that the development can be considered piecemeal in character.
- 7.7 Policy H6 refers also to the loss of certain facilities, including social, recreational or other facilities for which there is a need. In this case the building was previously in use as offices and workshops, which were let to individual small businesses. This use was ceased due to a lack of demand. Therefore it can be concluded that the change of use would not result in the loss of a facility for which there is a need.

Suitability of the site for residential use

- 7.8 In addition to the above it is relevant to consider whether the site would form a suitable residential environment. Despite concerns raised by Environmental Health with regard to noise from Lumbertubs Way, it is considered that physical soundproofing measures would not be appropriate in a listed building and given the separation of a minimum of 70m from this road, it is considered that a suitable residential environment would be possible.
- 7.9 Whilst the site is also adjacent to the remaining refuse depot operated by Enterprise, it is considered that the proposed works to provide separation from this, in the form of blocking up adjoining window openings, would offset any adverse impact.

Impact on the character of the listed building

- 7.10 The originally submitted plans proposed significant alterations to the building, of particular concern among these was the insertion of additional windows to the front (south eastern) elevation and the removal of an original staircase, as well as the design of some of the replacement doors.

- 7.11 Following negotiations with the applicants, amendments have been made which reduce the number of additional windows and retain the staircase.
- 7.12 The conversion still includes some significant works, in particular the removal of original internal stone walls and the insertion of new stud walls in other areas of the building. However, these are necessary to produce a satisfactory living environment and are considered justifiable in the interests of achieving a viable long term use for the building.
- 7.13 Also of significance is the insertion of a new window into a stone wall on the front elevation, opposite which it is proposed to block up windows in the same room. The rear windows face onto a commercial yard (used by Enterprise for refuse operations) which is not part of the premises being sold to the applicants and therefore the infilling of these windows will be necessary to provide a satisfactory living environment for future residents.
- 7.14 Overall, it is considered that the alterations as now proposed are generally sympathetic to the character of the building whilst allowing for use as a modern home and would enable it to be brought back into a viable use.
- 7.15 Comments from the Local Highway Authority refer to the need for an improved width of access and visibility splays. It is considered that this can be achieved without significant impact on the character of the building.

8. CONCLUSION

- 8.1 It is considered that the proposed change of use is acceptable in that it would meet the requirements of the NPPF, Policy H6 of the Local Plan and the submitted JCS and would not have any unacceptable impact on the character, appearance and historic interest of the listed building, whilst bringing it back into a viable economic use which is likely to be long term.
- 8.2 In respect of the application for listed building consent it is considered that the proposal has no adverse impact on the character, appearance or historical significance of the listed building. As the application site is owned by the Council, the application will need to be referred to the Secretary of State for final determination and therefore the recommendation is that the application is approved in principle subject to such referral.

9. CONDITIONS

- 9.1 For **Planning Application N/2014/0170**:

(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: 13/H173/3A, 13/H173/5, 13/H173/6C.

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

(3) Notwithstanding the submitted plans, details of a revised vehicle crossover and site access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work on site and shall be constructed in accordance with the approved details prior to the commencement of the use hereby permitted and maintained thereafter. For the avoidance of doubt this shall incorporate a crossover of 4.5m width for the first 10m into the site, with the first 5m of this hard bound, and pedestrian visibility splays of 2m x 2m.

Reason: In the interests of highway and pedestrian safety, in accordance with the NPPF.

(4) The car parking spaces as shown on the submitted plans shall be laid out and available for use prior to the occupation of the premises for the use hereby permitted and shall be retained for so long as the use continues.

Reason: In the interests of highway and pedestrian safety, in accordance with the NPPF.

(5) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the use hereby permitted shall be as two dwellinghouses (Use Class C3) and no change of use of either or both dwellings to a House in Multiple Occupation (Use Class C4) shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of adjoining residents in accordance with Policy H6 of the Northampton Local Plan and the NPPF.

(6) 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 prior to the commencement of development, implemented prior to the occupation or bringing into use of the building and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H6 of the Northampton Local Plan.

(7) 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 and that the integrity of the listed building will be protected, in accordance with Policy H6 of the Northampton Local Plan and the NPPF.

9.2 For **Listed Building Consent Application N/2014/0189**:

(1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 13/H173/3A, 13/H173/5, 13/H173/6C.

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

(3) Notwithstanding the submitted plans, a schedule of works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work, which shall include full details in respect of new windows, doors, rooflights and stair balustrades including details of materials and drawings including sections and profiles at an appropriate metric scale. The development shall be carried out in full accordance with the approved schedule of work.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

(4) 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 and that the integrity of the listed building will be protected, in accordance with the NPPF.

10. BACKGROUND PAPERS

10.1 N/2014/0170 & N/2014/0189.

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.



Issue: Planning
 Date: 23rd April 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title

Billing Arbour House, Heather Lane

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