



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 29th July 2014
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2014/0621: Change of use from offices (Use Class B1) to HIMO for 13 residents (Sui Generis) and installation of rear conservation rooflight at 87 St. Giles Street.

and;

N/2014/0622 Application for Listed Building Works constituting internal alterations including removal of partition walls and toilets, block up doorways and installation of new doorways and new partitions, alterations to third floor window to front elevation and installation of rear conservation rooflight at 87 St. Giles Street.

WARD: Castle

APPLICANT: Mr. Gary Bees
AGENT: Mr. Rod Kilsby

REFERRED BY: Head of Planning
REASON: N/2012/0621: Called in by Cllr Winston Strachan on the grounds of concerns related to the density of development and traffic impact.
N/2014/0622: Application for Listed Building Works inherently linked to planning application.

DEPARTURE: NO

APPLICATIONS FOR DETERMINATION:

1. RECOMMENDATION

N/2014/0621

1.1 APPROVAL subject to conditions for the following reason:

The proposed development would positively contribute to the character of the St Giles Conservation Area, would safeguard the setting of a Grade II Listed Building, would provide appropriate living conditions for future occupants, would be served by an appropriate level of car parking and would safeguard existing residential amenity in compliance with the guidance contained within the National Planning Policy Framework and Policies 1, 10 and 16 of the Northampton Central Area Action Plan.

N/2014/0622

1.2 APPROVAL subject to conditions for the following reason:

The proposed development would appropriately respect the original fabric and layout of a Grade II Listed Building in compliance with the guidance contained within the National Planning Policy Framework and Policy 1 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks to convert the vacant offices into a house in multiple occupation for 13 residents. A total of 12 bedrooms would be provided. It is proposed that a conservation rooflight is added to the rear of the property in the interests of satisfying fire safety requirements. The only other external alteration would be to the front elevation where the existing small 3rd floor casement window would be replaced with a wooden sash alternative.

2.2 The layout would comprise the following schedule of rooms:

Basement: one bedroom (en-suite), shared lounge / dining areas (two rooms), two toilets, one shared bathroom, one shared store.

Ground Floor: two bedrooms (one en-suite), shared double kitchen, one toilet.

First Floor: three bedrooms (one en-suite), shared shower room, two toilets.

Second Floor: three bedrooms (two en-suites), one toilet.

Third Floor: two bedrooms, shared shower room, shared kitchen, one toilet.

- 2.3 The planning application is accompanied by an application for Listed Building Works to cover internal alterations necessitated by the proposed revised layout. These include removal of partition walls, erection of new partition walls incorporating doorways and alteration of third floor window on front elevation.

3. SITE DESCRIPTION

- 3.1 The premises constitute a large end-of-terrace property located on St. Giles Street at its junction with St. Giles Terrace. The application property is currently vacant having previously formed offices. Nos.73, 81-87(odds) and 74 St. Giles Street are Grade II Listed and are all located within the St. Giles Conservation Area. The property is afforded a hard-surfaced rear amenity area with direct vehicular access to St. Giles Terrace. There is sufficient space allocated to the application property to provide up to four off-street car parking spaces to serve the newly proposed use.
- 3.2 The immediate surrounding uses along the northern side of St. Giles Street include offices, a hair salon, other retail units and a funeral directors. It should be noted that adjacent property to the west (85 St Giles Street) obtained planning permission earlier this year for the change of use to a HMO for 13 occupants under reference N/2014/0282, this approved use is yet to commence. Located directly on the opposite side of St. Giles Street is No. 76 (St. Thomas House), which forms warden-assisted sheltered accommodation. The Manna House, located to front on to St Giles Street and Hazelwood Road, contains 5 flats.

4. PLANNING HISTORY

- 4.1 *N/2004/0355* Provision of an internal connecting door to allow access between the two buildings at 85/87 St. Giles Street (Listed Building Works approval subject to conditions).
- 4.2 *N/2001/1382* Remove two UPVC windows and replace with wooden sash to match existing at 85/87 St. Giles Street (Listed Building Works approval subject to conditions).

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, for the defined central area of Northampton, comprises the saved policies of the Northampton Local Plan, the policies of the Northampton Central Area Action Plan 2013 and, whilst not yet adopted, weight can be attributed to the

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 **National Policies:**

A number of areas of the National Planning Policy Framework (NPPF) are pertinent to this scheme. In particular, paragraph 14 states that on matters where there are no up to date development plan policies, the presumption in favour of sustainable development takes precedence. Paragraph 17 requires that new developments be of a good standard of design and secure a satisfactory standard of amenity. Paragraph 47 requires that an evidence base is used to meet the full and objectively assessed housing needs of an area. Paragraph 126 requires that Local Planning Authorities recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

5.3 **Northampton Local Plan (1997)**

H30 – ‘Houses in Multiple Occupation’ requires that, within the primarily residential areas of the town, houses in multiple occupation should be of a sufficient size and have a neutral impact on the character of an area.

5.4 **Northampton Central Area Action Plan (CAAP) (2013)**

Policy 1: ‘Promoting Design Excellence’ requires that new development positively contributes to the character of an area and preserves and enhances the character, appearance and setting of the central area’s heritage assets.

Policy 10: ‘Parking’ requires that unless there are exceptional reasons that justify additional private off-street car parking, private parking provision within the Town Centre Boundary will be at a maximum of 50% of the standards set out (i.e. 50% of one space per bedroom).

Policy 15: ‘Office and Business Uses’ requires that the Council promotes the central area as an office and business centre whilst safeguarding existing stock.

Policy 16: ‘Central Area Living’ requires that the Central Area accommodates up to 3,400 homes up to 2026. Residential development proposals within the central area will comprise a mix of dwelling types, sizes and tenures.

5.5 **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.

Policy SA – ‘Presumption in favour of Sustainable Development’ requires local planning authorities to take a positive approach to determining development proposals.

Policy H6 – ‘Managing the Existing Housing Stock’ requires that existing houses be permitted to change to houses in multiple occupation in instances where they would not adversely impact upon the character and amenity of residential areas. Furthermore, existing housing stock will be managed through the re-use of empty dwellings for residential use.

Policy BN5 – ‘The Historic Environment and Landscape’ requires that the settings and landscapes of designated and non-designated heritage assets will be conserved and enhanced in recognition of their individual and cumulative significance. Heritage and landscape features, such as conservation areas and significant historic landscapes, that contribute to the character of an area should be sustained and enhanced.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 Both applications (N/2014/0621 & N/2014/0622) were advertised in the local press and via site notice. Consultation of local neighbours and consultees has been undertaken and a number of responses have been received. Representations in respect of **N/2014/0621** are summarised as follows, no responses have been received from local neighbours:
- 6.2 **NBC Environmental Health:** Concerns on noise grounds due to the number of rooms being created, representing an over-intensification of use. Concerns regarding management and control of the future occupiers of a densely occupied House in Multiple Occupation.
- 6.3 **NBC Private Sector Housing:** The space and amenities provided indicate that the property will be suitable to let to 13 individuals allowing the use of one en-suite room as a double bedroom. The property, in light of its size, will require a mandatory HMO license under Part 2 of the Housing Act 2004.
- 6.4 **Local Highway Authority:** Concerns in respect to the proposed parking. Any HMO should require 2 car parking spaces per 5

residents, 6 spaces should therefore be required. The applicant will need to demonstrate that sufficient car parking is available to cater for parking requirements associated with this change of use.

6.5 Representations in respect of **N/2014/0622** are summarised as follows:

6.6 **NBC Conservation:** The scheme takes opportunities to remove unsympathetic partitions in some of the key rooms in this listed building as well as to retain the original structural fabric. Retaining the large open area at ground floor is a positive element. The additions of en-suites do not form a complete subdivision of the spaces in question. The scheme complies with Policy 1 of the CAAP in that the character of the listed building would be preserved / enhanced and the character of the conservation area would not be undermined. Comments made on the basis of the physical impact on the fabric of the building and its setting and not on the basis of the impact that the use of the building has on the character.

7. APPRAISAL

Principle

- 7.1 The application site, although last used in a B1 office capacity, is not located within a safeguarded employment area as designated under Policy 15 of the CAAP. Furthermore, the area is not designated as primarily residential under the Northampton Local Plan. Therefore Policy 30 of the Local Plan is not of direct relevance in this instance. Notwithstanding this it is felt that the proposals accord with the principles of Policy 30, which requires properties to be of sufficient size to accommodate multi-occupancy (the property covers five stories and is of significant scale) and for proposals to have a neutral impact upon the character of an area (the immediate area is typified by a mix of uses and the site itself is not designated for any particular purpose).
- 7.2 Paragraph 51 of the NPPF notes that local planning authorities should encourage moves to bring empty properties back into residential use and recommends they should normally approve planning applications for change to residential use from commercial buildings where there is an identified need for additional housing in that area. The applicant, within their submission, has provided confirmation (endorsed by appointed commercial agents at the site) that the premises have been vacant for 7½ years despite active marketing of the premises for office use. The proposed change of use would provide a viable occupation of the building in the interests of promoting the vitality and viability of the town centre.
- 7.3 The proposals would provide for sustainable central area living in accordance with the requirements of Policy 16 of the CAAP. The site is ideally located to provide access to the full range of facilities and services provided by the town centre.

Heritage & Layout

- 7.4 NBC Conservation has confirmed that the proposed internal alterations at the property would have an acceptable impact given that the opportunity would be taken to remove existing insensitive modern partitioning. Following the receipt of a revised ground floor plan during the planning process, it is confirmed that the existing main room at ground floor would be maintained in an open-plan format. The addition of en-suite areas would not result in the complete sub-division of rooms and would have a limited impact upon the character of the listed building in the context of the spatial quality of the rooms within which they would be sited. A full detailed schedule of internal works should be secured via condition in the event that consent is granted.
- 7.5 The external alterations necessitated by the conversion would be of a minor nature and would not adversely impact upon the character and appearance of both the listed building and the St. Giles Conservation Area. Full details have been provided as regards the replacement third floor window to the frontage, which would fit the same aperture and be of near-identical design (a pair of inward opening sashes would be provided for fire escape purposes). The newly proposed rear conservation rooflight would be discreetly located and of small scale. Full details have been provided to demonstrate that it would be fitted flush to the rear roof slope.

Residential Amenity

- 7.6 It is considered that the use of the property by 13 unrelated persons as a HMO would be acceptable in planning terms. There would be adequate circulation space given the internal layout of the property, the size of the building is sufficiently large enough to cater for the scale of the conversion without appearing cramped or overdeveloped. Communal living areas would be provided at basement level (a lounge and lounge/diner totalling 25.8 sq. m in area), ground floor level (a kitchen/diner totalling 29.5 sq. m. in approximate area) and third floor level (a kitchen totalling 7 sq. m in approximate area) whilst communal toilet and washing facilities would be provided across the five floors of the building.
- 7.7 The property, given its size and scale, would also require a license to be used as a HMO. The Council's Private Sector Housing department has submitted comments through the consultation process and have confirmed that the proposed layout appears suitable to let to thirteen individuals. The proposed bedrooms are of generous dimensions (varying between 7.6 sq. m and 22.2 sq. m in area). The proposed maximum number of inhabitants (13no.) is considered to be appropriate in the context of the spacious layout of the property.
- 7.8 The applicant, in the interests of safeguarding surrounding residential amenity, has submitted a Management Plan for the property which includes confirmation of bin storage details (to the external amenity

area to the rear), a cleaning schedule and confirmation that all tenants must sign an agreement to abide by house rules. It is not anticipated that the change of use of the property would adversely impact upon the amenities of existing residential occupiers in the vicinity of the site.

Highways & Parking

- 7.9 The existing site contains off-street car parking to the rear, which is accessed directly from St. Giles Terrace; this appears large enough to accommodate 3 maybe 4 vehicles. This area would be retained as part of the proposals and would serve the future occupiers of the development.
- 7.10 The Local Highway Authority has raised concerns in respect of the level of parking provision and has stated that a minimum of 6 spaces should be provided. However, referring to the parking standards outlined under Policy 10 of the CAAP, the maximum car parking standard for this scheme is calculated at 6 spaces.
- 7.11 The site is sustainably located in the sense of its proximity to the heart of the town centre and associated facilities and services, such as public transport links. In light of this location, it would not be anticipated that car ownership would be an essential requirement for the majority of future occupants. The level of provision is considered appropriate for the proposed use in this location in the context of the CAAP's principle of restricting the provision of additional private car parking in the town centre.
- 7.12 As a further note, application N/2014/0282 for a change of use of the adjacent 85 St. Giles Street, which is of a similar scale and character, from offices to a HMO for thirteen people was approved by the Council in May 2014 despite the provision of no off-street private car parking to serve the scheme. In the consideration of N/2014/0282 it was felt that the site was appropriately positioned in the heart of the town centre so as not to raise any undue concerns in a car parking context. Whilst applications are to be considered on their own merits, such a recent decision for a similar proposal is a material consideration in the consistency of decision making.

8. CONCLUSION

- 8.1 The proposed development would positively contribute to the character of the St Giles Conservation Area, would safeguard the setting of a Grade II Listed Building, would provide appropriate living conditions for future occupants, would be served by an appropriate level of car parking and would safeguard existing residential amenity in compliance with the guidance contained within the National Planning Policy Framework and Policies 1, 10 and 16 of the Northampton Central Area Action Plan.

- 8.2 The proposed Listed Building Works would appropriately respect the original fabric and layout of a Grade II Listed Building in compliance with the guidance contained within the National Planning Policy Framework and Policy 1 of the Northampton Central Area Action Plan.

9. CONDITIONS

N/2014/0621

- (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; Existing Layouts & Elevations (13-268-01); Proposed Layouts & Elevations (13-268-02 Rev D); Proposed Layouts & Elevations (13-268-03 Rev D).

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

- (3) The premises shall be used as a house in multiple occupation for a maximum of thirteen residents only.

Reason: To ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants and nearby residents in accordance with Policy H30 of the Northampton Local Plan.

- (4) The development hereby permitted shall be carried out in full accordance with the approved Management Plan.

Reason: In the interests of safeguarding residential amenity in accordance with Policy H30 of the Northampton Local Plan.

- (5) 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, implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Northampton Central Area Action Plan.

- (6) Full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained

thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy 1 of the Northampton Central Area Action Plan.

- (7) Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority showing the provision of car parking within the site. The parking shall thereafter be provided in accordance with the approved details and retained for such use thereafter.

Reason: To make provision for off-street parking in the interests of highway safety in accordance with the guidance within the National Planning Policy Framework.

Informative for the applicant:

- (1) This permission does not consent for the installation of any externally positioned telecoms equipment at the application address. Such installations would be subject to separate consent being attained.

N/2014/0622

- (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: Site Location Plan; Existing Layouts & Elevations (13-268-01); Proposed Layouts & Elevations (13-268-02 Rev D); Proposed Layouts & Elevations (13-268-03 Rev D).

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

- (3) Before any work is carried out a full schedule of internal works, including decorations, coving, doors and flooring, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in full accordance with the approved details.

Reason: To safeguard the character and original fabric of a Grade II Listed Building in accordance with the guidance contained within the National Planning Policy Framework.

Informative for the applicant:

- (1) This permission does not consent for the installation of any externally positioned telecoms equipment at the application address. Such

installations would be subject to separate consent being attained.

10. BACKGROUND PAPERS

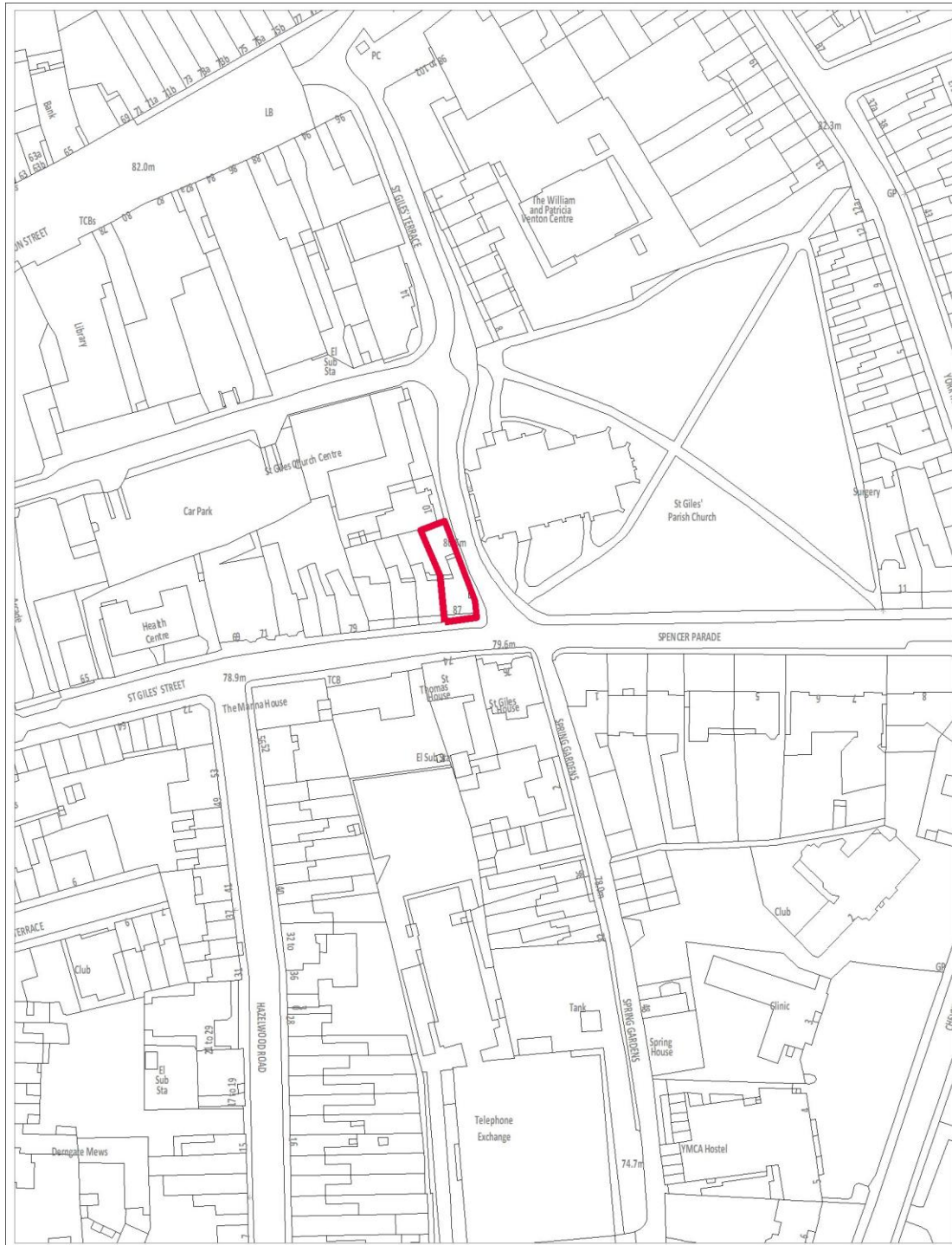
10.1 N/2014/0621 & N/2014/0622.

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: Becky Gittins
 Date: 17th July 2014
 Scale: 1:1250
 Dept: Planning Support
 Project: Location Plan

Title
87 St Giles Street

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