

PLANNING COMMITTEE:	16 th February 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2015/1265
LOCATION:	Oakley Cycles,84 - 86 Lutterworth Road
DESCRIPTION:	Conversion of existing retail/office units into 5 no. flats including erection of external staircase and alterations to building
WARD:	Abington Ward
APPLICANT:	Mrs Hefina Pereira
AGENT:	LMR Designs
REFERRED BY:	Called in by Cllr Tony Ansell
REASON:	Concerned about parking
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 change of use to residential flats is considered acceptable in principle in an established residential area and would not have an undue detrimental impact on the appearance and character of the area, amenity of neighbours or highway safety to comply with Policy E20 of the Northampton Local Plan, H1 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought to convert a vacant shop/office unit into 5 flats with associated external works including front light wells, new fenestration and external staircase.

3. SITE DESCRIPTION

3.1 The property is a former commercial building occupying a corner location at Lutterworth Road and King Edward Road. The site is within an area with traditional terraced housing of uniform character, with some commercial uses. Notwithstanding the commercial uses that are present in the vicinity, the site is allocated in the Local Plan as being suitable for residential accommodation. The vast majority of the surrounding properties are reliant upon on-street car parking provision. The application site was most recently use used a shop / office selling bicycles. There is an existing two storey building at the rear of the site which is to be retained for storage purposes and will not be related directly to the flats proposed.

4. PLANNING HISTORY

- 4.1 N/2006/1442 Planning permission for a change of use to 4 flats and new shop front. Permission not implemented and has lapsed.

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.

5.2 National Policies

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 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.

In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50).

Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

5.3 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 Density and Design - New housing development will expect to make the most efficient use of land having regard to the existing character and density of the local area, accessibility to services, proximity to public transport routes, living conditions of future residents and impact on neighbour amenity.

S10 Sustainable Development Principles - Development will achieve a strong sense of place.

5.4 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 policy is material to this application:

E20 Design of new development - proposals for new development take into account high standards of design in terms of layout, scale, density and form.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** - Parking spaces are at a premium in the area and whilst demand may be reduced between 8am and 6pm parking outside these times is likely to increase. However, while the conversion is likely to have a negative impact on parking amenity it is unlikely to be much greater. Parking restrictions are in place at junctions in the area, which will help deter dangerous parking.
- 6.2 **NBC Environmental Health** - no objections, recommend a site investigation condition relating to contamination be imposed on any permission.
- 6.3 **NBC Planning Policy** - The proposal will capitalise on the potential of the property and contribute to the delivery of additional homes including the need to provide different types of homes. It is located in an area which is within walking distance of public transport and local services which means it is sustainable and there are therefore no Policy objections.
- 6.4 **Councillor Tony Ansell** - Concern that parking is already limited around this area and that the problem is becoming extremely common where commercial properties are being converted into flats. Referred the application to Planning Committee.
- 6.5 Objections received from numbers **41, 46, 58, 64, 68, 77, 79, 80, 81, 85, 92, 93, 106, 110, 114, 127, 138 Lutterworth Road, 24 Covington Street, 87 and 89 Wycliffe Road:**
- Concern on impact on parking in area
 - Increase in traffic close to dangerous junction and nearby school
 - Inadequate visibility
 - Disruption during construction work
 - Access for emergency vehicles
 - Area already has a number of flats and houses in multiple occupation
 - Over-development
 - Overlooking/loss of privacy
 - Increase in Noise
 - Concern on lack of notification and advertisement of neighbours
 - Flats would be out of character with the area
 - Impact on neighbours amenity and Noise
 - Concern on refuse provision

7. **APPRAISAL**

Main issues

- 7.1 The main issues to consider are the principle of development, impact on appearance and character of the area, neighbouring amenity and parking/highway safety.

Principle of development

- 7.2 By reason of the site's allocation in the Local Plan, it is considered that the development of this site for residential purposes is acceptable and compatible with the character of the surrounding area. In addition, the proposal would result in the removal of a non-conforming land use that has the potential to have a significant negative impact upon neighbour amenity and highway condition. It is also considered that the building is large enough to accommodate 5 flats without resulting in significant over-development.

Planning History

- 7.3 The site has been subject to other residential planning applications over the years and an application for the change of use to 4 flats was approved in 2006. This permission has now lapsed.

Parking and Highway Safety

- 7.4 The site is located in an area that currently experiencing parking pressures. However, the site is in a sustainable location being within easy walking distance of major bus routes and shops and services on Wellingborough Road which is a Local Centre. The applicant also proposes 5 cycle stands in order to promote sustainable means of travel. This is in line with the County Parking Guidance at one space per flat. The Local Highway Authority acknowledges that the conversion is likely to have a negative impact on parking amenity however they also contend that as parking restrictions are in place this would help deter dangerous parking in the vicinity.
- 7.5 It is not considered that the lack of on-site parking would warrant the proposal unacceptable in this instance.

Impact on amenity of neighbours and residential amenity

- 7.6 While it is acknowledged that the proposed use is likely to generate a number of daily traffic movements that would have some impact on neighbours living conditions, it should be bore in mind that that the lawful use as a shop and offices would have generated significant comings and goings including deliveries by HGVs. Consideration should therefore be given to the fact that the proposed use would be less intensive. It is also considered that given the separation to adjoining uses, there would be no significant overlooking from the proposed flats that would justify refusal of planning permission. All habitable rooms would be served by adequate light and amenity.

Impact on character and appearance of area

- 7.7 The proposed light wells at the front of the site and fenestration are considered of scale and appearance that would be in keeping with the host building. The proposed external staircase would be located inside a boundary brick wall, it is not considered that it would cause undue overlooking to nearby properties and would have a neutral impact on the appearance of the area.

Bin storage

- 7.8 The proposal shows an area of refuse storage which would be suitable for future occupiers and is accessible to all flats.

Five Year Land Supply

- 7.9 If permitted, the proposed development would contribute positively to the Council's 5 Year Housing Land Supply.

Other matters

- 7.10 In light of the commercial history of the site, the Council's Environmental Health Officers recommend standard conditions to mitigate any contamination at the site. In response to this, given that the application is primarily for a change of use with limited external work it is considered that this is not necessary. The argument that the proposal would lead to a lot of disruption during construction holds limited weight in decision making given that this would be only for a temporary period of time and is part and parcel of any development project.

8. CONCLUSION

- 8.1 The proposal is considered acceptable within an established residential area. It is considered that the impact on parking, highway safety and residential amenity is acceptable and compliant with Development Plan and national policy and is recommended for approval subject to the conditions below.

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; 015-034-001, 002, 003C, 004D, 005A.

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

- 3) Prior to the commencement of development, details of the provision for 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 flats hereby permitted and thereafter retained.

Reason: In the interest of amenity and to secure a satisfactory standard of development to accord with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition in order that satisfactory bin storage is secured before work starts.

- 4) Prior to the commencement of development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities to accord with the NPPF. This is a pre-commencement condition to ensure sustainable travel encouraged to the site.

- 5) Notwithstanding the details as submitted, the proposed boundary treatment fronting Lutterworth Road shall have a height of not more than 0.9m above ground level. Full details of the boundary treatment shall be first submitted to and approved in writing by the Local Planning Authority and thereafter implemented fully prior to the occupation of the flats hereby permitted.

Reason: In the interests of amenity in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

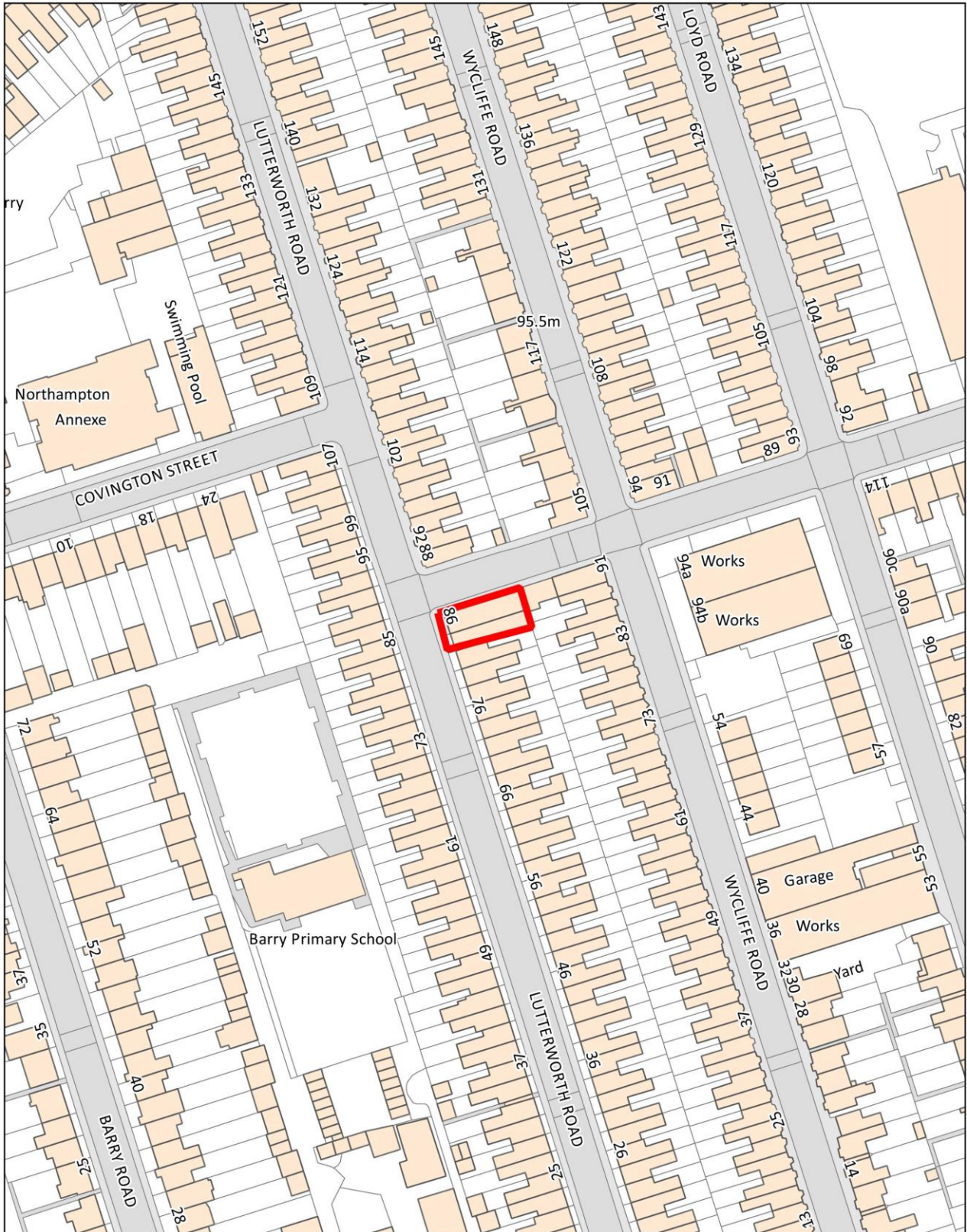
10.1 N/2015/1265

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.



Title: **84 - 86 Lutterworth Road**

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