

**PLANNING COMMITTEE:** 14<sup>th</sup> June 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0326

**LOCATION:** 62 Billing Road

**DESCRIPTION:** Change of use from offices (Use Class B1) to a single dwelling (Use Class C3) with a rear extension and a new two storey garage in the rear garden, new front boundary wall and gate

**WARD:** Abington Ward

**APPLICANT:** Danelaw Partners LLP  
**AGENT:** HDA Architecture

**REFERRED BY:** Councillor Zoe Smith  
**REASON:** Concerned about height of garage and impact on residential properties

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

##### **1. RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development represents an acceptable use of the land and is complementary with the surrounding land uses. The development would not have an undue detrimental impact on the character and appearance of the host dwelling, Billing Road Conservation Area and the amenity of adjoining occupiers in accordance with the requirements of the National Planning Policy Framework; Policies H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H11 of the Northampton Local Plan.

##### **2. THE PROPOSAL**

2.1 The application seeks change of use of offices to a single dwelling. The proposal includes the erection of a rear extension and a two storey garage with study above within the rear garden. The proposal includes the erection of a new front boundary wall and gate and garden landscaping.

##### **3. SITE DESCRIPTION**

3.1 The application site consists of a three storey mid terraced property, which was originally a dwellinghouse, located on the north side of Billing Road. The site has a front garden and a rear yard that is currently tarmaced and used as a car park. The rear yard is accessed via a shared

private road that runs between Upper and Lower Thrift Street. The property was converted to offices in the 1970s and is currently empty. The site is located within the Billing Road Conservation Area and within a primarily residential area as allocated in the Northampton Local Plan.

- 3.2 Adjacent properties are both residential dwellings. No. 61 consists of 3 flats and no. 62a is a single family dwelling. Surrounding properties are all residential in character.

#### **4. PLANNING HISTORY**

- 4.1 72/0281 – Change of use of a dwelling to offices – Approved with conditions.
- 4.2 84/0889 – Change of use to include small ground floor flat within the office use of building – Approved with conditions.

#### **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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

##### **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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 131 and 132 encourage the consideration of the impact on the significance of heritage assets and their settings.

##### **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:

Policy H1 – Housing Density and Mix and Type of Dwellings – states that development should provide for a mix of house types, sizes and tenure to cater for different accommodation needs.

Policy H5 – seeks to manage and safeguard existing housing stock where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 – requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

Policy BN5 – requires that heritage assets and their setting should be conserved and enhanced.

#### 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 policies are material to this application:

E20 – Design of new development – development should be designed to adequately reflect character of surroundings in terms of layout, siting, form, scale and materials and impact on neighbour amenity in terms of light and privacy.

E26 – Conservation Areas – development will be permitted provided it preserves or enhances the character and appearance of those areas.

H11 – Housing development - Planning permission will be granted in primarily residential areas for the development of existing commercial property for residential development, either by conversion or redevelopment, so long as the overall effect would be to maintain or improve the appearance and character of the area.

#### 5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

#### 5.6 **Other Material Considerations**

Residential Extensions Design Guide

Billing Road Conservation Area Appraisal

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Built Conservation** - No objections. The property was built as a house and conversion back to a residential use will help preserve the character and appearance of the conservation area. The proposed rear extension and garage and the front boundary wall will not harm the appearance of the area.

6.2 **Councillor Tony Ansell** – Concerned about the visual impact of the garage/study, the potential infilling of the rear service road and the potential loss of a tree.

6.3 **Councillor Zoe Smith** – Pleased to see the property return to residential use but concerned about height of garage and significant impact upon light, privacy and outlook of surrounding properties. Requests that application be called in to be heard by the Planning Committee.

6.4 Proposal advertised by press and site notice and nearby occupiers notified. Letters received from the occupiers of **60, 62a and 121 Lower Thrift Street** who objected as follows:

- Design statement is incorrect and position of garage is unclear
- Concerned about whether tree in rear garden will be retained
- Two storey garage will block visual amenity of all surrounding dwellings

- Concerned about future development infilling rear access road
- Existing established two storey buildings at 62a and 63 Billing Road should not be used as a precedent
- Building will be overwhelming
- Considers it is unnecessary for such a large house to need a separate study in the rear garden
- Construction of 7m high garage will impact on privacy, light and visual amenity
- Proposed new build will have a larger footprint than the existing coach house at 62a Billing Road and would not be in keeping
- Questions why the garage needs to be sited at the end of the rear garden.
- Concerned that if granted a future change of use to a dwelling could be granted with infilling along the service road
- Building will be overbearing and not in keeping with the type, use and style of surrounding buildings
- Proposal will involve extra traffic using the service road
- The site has enough floor space for a single storey garage and adjacent study
- One letter lists names and addresses of additional objectors as – 60, 63, 64 Billing Road and 119, 121 Lower Thrift Street, The Old Dairy, Upper Thrift Street

## **7. APPRAISAL**

### **Impact on appearance and character of the host building and conservation area**

- 7.1 The proposal is to convert the property back to a dwellinghouse with ground floor living accommodation, 2 bedrooms on the first floor and three bedrooms on the second floor. It is proposed to erect a conservatory extension to the rear and to install new sliding doors and a rooflight to the proposed new kitchen.
- 7.2 To the front of the site a new low wall (0.8 m high) will be constructed across the front of the site in reclaimed brickwork with black copings and a wrought iron gate. Paving in the front garden will be replaced with turf and perimeter planting.
- 7.3 To the rear a new two storey garage will be constructed with facing bricks and slate roof to match the main house. Access to an upper floor study will be via an internal staircase. The rear tarmaced car park between the house and the proposed garage will be changed to garden with a mixture of hard and soft landscaping.
- 7.4 During the course of the application amended plans have been submitted to rectify discrepancies in the layout, to include a retained tree in the rear garden, to reduce the height of the front wall and to remove first floor garage windows, replacing them with rooflights. As the tree is now shown to be retained separate consent would be required to remove it, given its siting within a Conservation Area.
- 7.5 The Billing Road Conservation Area Appraisal identifies the majority of buildings on the north side of Billing Road as being high quality buildings of local architectural interest and significant due to the contribution they make to the street scene. It states that particular characteristics of the area are boundary walls, railings, entrance gates and piers. The Article 4 Direction protects the Billing Road Conservation Area by restricting any development that fronts a highway.
- 7.6 The change of use of 62 Billing Road from offices to residential will restore the building to its original use and help to preserve the character and appearance of the conservation area. The reinstatement of a landscaped front garden with a boundary wall and gate will enhance the character and appearance of the conservation area.

- 7.7 Development of rear extensions and the land in rear gardens with the loss of ancillary buildings such as coach houses has been identified in the Billing Road Conservation Management Appraisal as being an issue that detracts from the overall character of the Conservation Area. Rear extensions and development of curtilage buildings should be carefully designed to complement the character of an area.
- 7.8 The proposed extension and detached garage/study to the rear will not be visible in the street scene. Their erection will not therefore impact on the character and appearance of the conservation area. The restoration of the rear garden from hardstanding and use as a car park to a landscaped garden, whilst not visible in the street scene, is considered to be an enhancement to the character of the area.
- 7.9 In design terms the proposals are considered to be acceptable. The rear conservatory will infill an area between the side wall of the adjacent dwelling and the existing property with a design in keeping with the sloping roof of the existing rear projection. The proposed garage will be brick built with a sloping slate roof. The eaves height will be 4.4 metres with a ridge height of 6.8 metres. Although it will have a larger footprint (7m x 6.5m), it will be similar in appearance to existing two storey garages/outbuildings at adjacent sites. Sited at the rear of the garden (16 metres from the rear of the host property) and set back 3.5 metres from the rear service road, it is not considered that the proposed garage will unduly impact on the character and appearance of the area.

#### **Impact on neighbouring amenity**

- 7.10 The change of use back to a residential dwelling will not impact on neighbouring amenity and no objections have been received in this regard. Likewise the proposed rear extension and front garden wall will not impact on neighbouring amenity.
- 7.11 Objections received principally relate to the erection of the two storey garage building to the rear of the site. Concerns have been expressed regarding loss of privacy, light and outlook and also about the future use of the garage and future development along the service road to the rear.
- 7.12 First floor windows that were originally to be installed on the north and south elevations of the garage have been removed to overcome any impacts of overlooking. The garage is sited adjacent to a block of garages to the west and between 1.2m and 3.5m from the side boundary with 62a Billing Road to the east. Due to the separation distances between the proposed building and surrounding properties, which accord with local planning requirements, it is not considered that there will be significant loss of light, outlook or privacy caused by the development. Loss of views are not a material planning consideration.
- 7.13 In order to provide certainty regarding the future use of the garage, conditions are recommended to ensure the garage remains ancillary to the use of the dwellinghouse and to control the introduction of future windows. With regard to concerns about the service road being infilled with development, it should be noted that any future applications for development at adjacent sites would be dealt with on their own merits.
- 7.14 The proposed garage would not adversely impact on highway safety, bearing in mind the rear yard was used as a car park to serve the previous offices on site.

#### **8. CONCLUSION**

- 8.1 It is considered that the proposed development is acceptable and would not harm the character or appearance of the Conservation Area and, subject to conditions, would not unduly impact on neighbouring 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: 6008/1C, 6008/2 (existing layout), 6008/3 (proposed plans), 6008/4B (section and elevations received 26/4/16), 6008/5C (site plan and garage).

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

3. The garage and study hereby permitted shall be used as a garage and study ancillary to 62 Billing Road and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt as a separate planning unit would be undesirable in this location in accordance with Policy E20 of the Northampton Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the elevations and roof slopes of the proposed garage building.

Reason: To safeguard the privacy of adjoining properties in accordance with policy E20 of the Northampton Local Plan.

5. The external walls and roof of the proposed garage 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 to ensure the proposed garage harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

6. The external walls of the proposed conservatory 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 to ensure the proposed garage harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

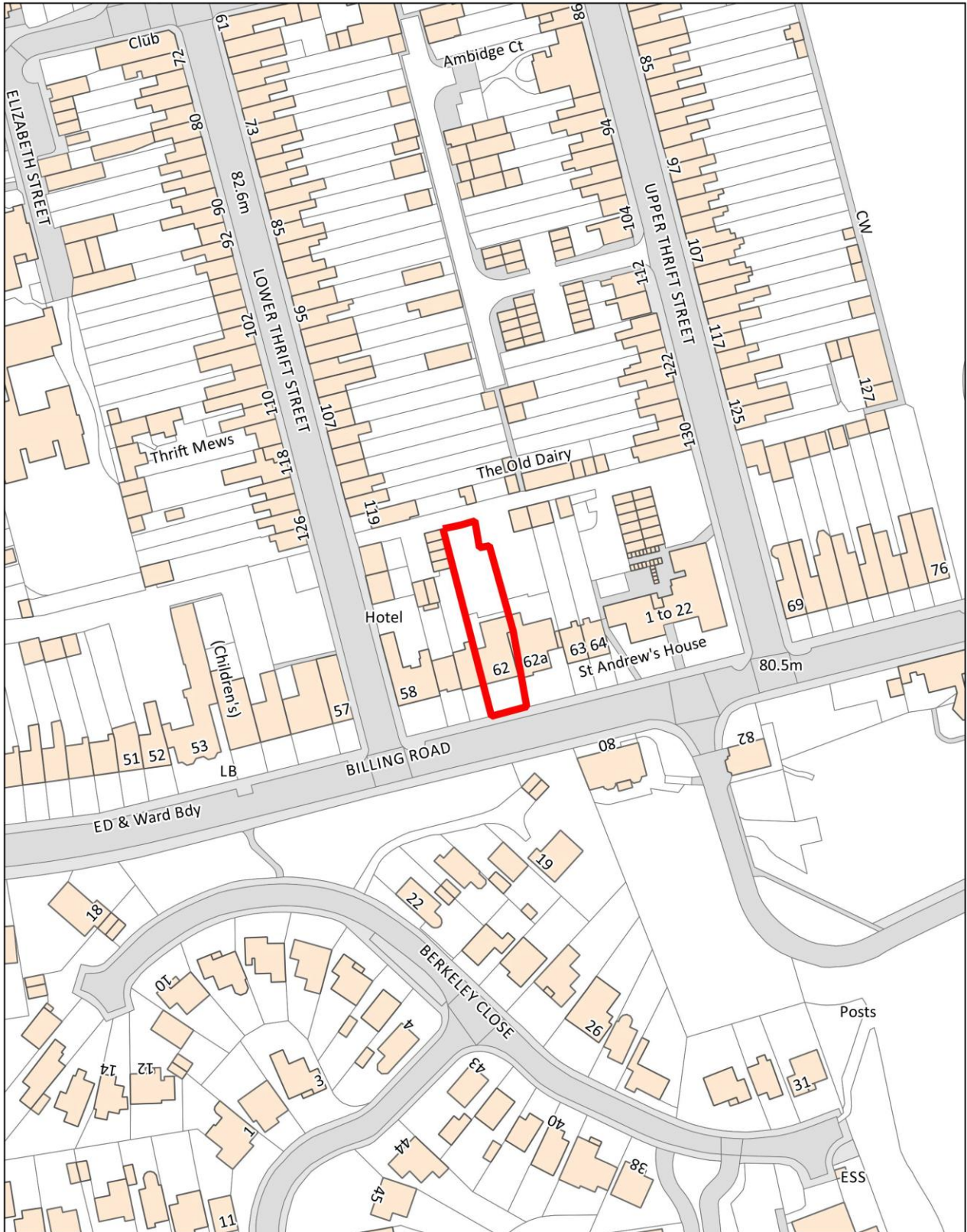
- 10.1 N/2016/0326.

## **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: **62 Billing Road**

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Date: 31-05-2016

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