

PLANNING COMMITTEE: 20th December 2016
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1292

LOCATION: 2 Elizabeth Walk

DESCRIPTION: Change of use of existing dwelling to 3no. flats and demolition of existing rear outbuilding and erection of rear store - Part Retrospective

WARD: Abington Ward

APPLICANT: Mr T Rahman
AGENT: Design Board-Architectural Services

REFERRED BY: Councillor Zoe Smith
REASON: Parking and refuse issues

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The conversion of the property to three flats and the erection of associated storage building are considered acceptable in principle being within an established residential area and would contribute towards the Council's 5 Year Housing Land Supply. The proposal would due to its siting, scale and design not have an undue detrimental impact on residential amenity or highway safety and complies with Policies E20, H21 and H23 of the Northampton Local Plan, S10 and H1 of the West Northamptonshire Joint Core Strategy and aims of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the conversion of a former dwelling house into three self-contained flats, together with the demolition of the existing rear outbuilding and re-building to provide an ancillary store. The existing outbuilding is currently constructed in breeze block, with a flat roof to a height of 2.4 metres. In terms of the store, this is to be demolished and replaced with a smaller structure to a height of 2.3 metres. As the conversion to flats has already taken place, the application is described as "part retrospective".

2.2 Members will recall that the planning application was discussed at November's Planning Committee meeting and was deferred in order that officers could further assess issues relating to planning policy, parking and internal space.

3. SITE DESCRIPTION

3.1 The site consists of a modern three storey end of terrace residential property located within a residential area. The site is close to the Wellingborough Road Local Shopping Centre, and has a small front and private rear garden, the latter being approximately 46 sq. m in area. The site is not in a Conservation Area.

4. PLANNING HISTORY

4.1 No recent applications.

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 the 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 17 relates to good design and encourages high standards of residential amenity for all existing and future occupants of buildings.

Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. 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 reduces the potential for conflicts between pedestrians and traffic.

Paragraph 56 requires that new developments be of a good quality design.

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 be expected 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 neighbours.

Criteria (f) is of particular relevance and allows the Local Planning Authority to consider the amenity of future occupiers.

S10 Sustainable Development Principles - Development will achieve a strong sense of place and be of high quality. Criteria (e) states that development will be located where they can be easily accessed by walking, cycling or public transport.

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: encourages good design in terms of layout, materials, scale, and with respect to the effect on neighbouring amenity in terms of light and privacy.

Policy H21 – Conversion to flats: subject to compliance with other policies of the Local Plan, permission will not be granted for the conversion of a house into flats where it is considered that the introduction of or increase in the number of conversions would prejudice the character or amenity of a particular locality, irrespective of whether or not the house is suitable for conversion.

Policy H23 – Conversion to flats: subject to compliance with other policies of the Local Plan, planning permission will not be granted for the conversion to flats of a dwelling with a combined floor area (measured internally) of 100 square metres or less and with a frontage (measured internally) of less than 4.7 metres.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016).

5.6 **Other Material Considerations**

None.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **NCC Highways** - No objection. As per the Local Highway Authority Parking Standards 2016, the conversion from a single 3 bedroom property to 3 flats would increase the parking demand by one vehicle. The Local Highway Authority has previously received a Parking Survey for the area under a nearby planning application. While the parking density is approaching capacity the on-street unrestricted spaces are at approximately 85 percent of capacity during the overnight period however it is greatly reduced during the day. The LHA conclude that the potential increase in parking demand would not compromise highway safety.

6.2 **Councillor Zoe Smith** - raises concerns regarding impacts on existing parking problems, concerns on the use of the rear store and increase in refuse.

6.3 Objections received from numbers 14 Elizabeth Walk, 2 West Street, 3 and 47 Vernon Walk are summarised as follows:

- Impacts on existing parking problems
- Fly-tipping
- Over concentration of flats
- Rear building is an eye sore
- Increase in litter, noise pollution, anti-social behaviour, street drinking
- Concern that site has been used as HIMO in past

7. APPRAISAL

Principle of development

- 7.1 By reason of the site's allocation for residential use 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. If permitted the proposal would contribute to the Council's 5 Year Housing Land Supply creating an additional two units, beyond the use as a single dwelling house.

Impact on neighbours amenity and residential amenity

- 7.2 Given that the flats are each only one bedroom, it is considered that the associated comings and goings/noise would not be significantly greater than that of a family dwelling. All habitable rooms would be served by adequate light and outlook either to the front or back.
- 7.3 The proposed rear outbuilding is to be used as a store and, due to its height, scale and mass in relation to the rear windows on number 4 Elizabeth Walk, would not result in a significant loss of amenity in terms of overbearing, loss of outlook and light to this neighbouring property. The applicant has also indicated that they would provide bin storage in the rear garden which could be secured by condition.
- 7.4 The Government has published National Space Standards in 2015 for new build development, setting out minimum floor space that is required depending on the number of bedrooms and occupants. Some Local Authorities have adopted the Government's National Space Standards as part of their local plan policies, which assist in assessing residential planning applications. As these have not been adopted by this authority, they can only be used as a guide in assessing whether any accommodation has a satisfactory level of amenity.
- 7.5 The National Space Standards advises that one bedroom properties require 39 square metres floor space for one person or 50 square metres minimum for two. The application shows that each flat affords 32.6 square metres floor area. The application proposal is below the minimum size requirement set down in the above standards. As stated above, the National Space Standards have not been adopted by this authority as Development Plan Policy and the application proposal is for a conversion and not new build, the application cannot therefore be determined against such standards.
- 7.6 Policy H23 of the Northampton Local Plan is a saved policy. It specifies that planning permission will not be granted for the conversion to flats of a dwelling with a combined ground and first floor area of 100 square metres or less and with a frontage of less than 4.7 metres. However, the Policy is very dated and cannot afford much weight in decision making. The 3 flats have a combined floor area of approximately 98 square metres which is only marginally below the required standard of 100 square metres. The frontage of the flats is 5 metres which exceeds the minimum of 4.7m set down. On balance, it is considered that the proposal would not be contrary to Policy H23 to any significant degree.
- 7.7 Members should be aware that while officers have recognised that the proposed floor space and accommodation are not as spacious as one would hope to see, in their opinion, it would be difficult to resist such a proposal given that there are no up-to-date adopted room/space standards in the development plan.

Design and appearance

- 7.8 Given that the existing rear outbuilding is to be replaced by a smaller structure, the visual impact would be reduced compared to the current situation. Any approval would be subject to a

condition for materials to be approved prior to commencement of development. This will ensure a satisfactory impact on the appearance of the area.

Parking and Highways

- 7.9 No off-street parking is provided. Whilst the concerns regarding impacts on parking are noted, the Highway Authority has raised no objection to the lack of off-street parking provision, on the basis that the potential parking demand for three flats would not significantly exceed the maximum demand generated by the existing use as a single dwelling. The Local Highway Authority have considered Parking data in the locality and conclude that while it is apparent that parking density is approaching its capacity, it is greatly reduced during the day compared to overnight.
- 7.10 In reaching their conclusion, Officers have carefully balanced local residents' concerns on lack of off-road parking against other factors including the need to provide additional residential accommodation in the area.
- 7.11 Other material considerations are, the site's sustainable location (close to the Wellingborough Road Local Centre and bus routes), the provision of space for bicycle storage for each flat as shown on the submitted plans, and on-street parking within the vicinity of the site is unrestricted. It is considered that this adequately mitigates for the lack of off-street parking provision.

Other issues

- 7.12 It is apparent that the area consists of a mix of dwellings and residential flats. However, Local Authority Planning records indicate there is no evidence to suggest that the area is over-concentrated with this type of accommodation.
- 7.13 The concern on fly-tipping is a matter outside the control of Planning, and adequate provision for bin storage for the development proposed would be secured by condition.
- 7.14 There is no evidence to suggest that the proposal would result in higher levels of anti-social behaviour, litter and noise pollution.

8. CONCLUSION

- 8.1 While it is acknowledged that the conversion would result in a more intensive use of the property, and would create small units of accommodation, the site is located within a residential area in a sustainable location, and would not have an undue adverse impact on parking or highway safety. In terms of amenity, the conversion and associated storage building would have an acceptable impact on residential amenity and the appearance and character of the area. If permitted, the proposal would provide two additional units and therefore contributes positively to the Council's 5 year housing land supply. On balance, therefore, it is recommended that permission is granted, subject to conditions.

9. CONDITIONS

- (1) Within 3 months of the decision date, the rear outbuilding shall be demolished and the applicant shall provide confirmation in writing to the Local Planning Authority of the date of completion of demolition. The replacement storage building shall be erected 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 and in the interests of visual amenity to accord with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: A510-1.

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

- (3) Within one month of the date of approval of the development hereby permitted and notwithstanding the details on the submitted plans, 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 within one month of the date of approval of the submitted details.

Reason: To ensure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- (4) Within one month of the date of approval of the development hereby permitted and notwithstanding the details on the submitted plans, 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. Development shall be carried out in accordance with the approved details and fully implemented within one month of the date of approval of the submitted details.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- (5) Prior to the commencement of construction of the outbuilding hereby permitted, details of all proposed external facing materials of the rear outbuilding 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 E20 of the Northampton Local Plan. Pre-commencement condition to ensure that details are agreed in a timely manner.

- (6) The rear outbuilding hereby permitted shall be used solely for storage purposes ancillary to the approved flats at 2 Elizabeth Walk and shall at no time form a separate planning unit or for any other purpose.

Reason: In the interests of residential amenity to comply with the aims of the National Planning Policy Framework.

10. BACKGROUND PAPERS

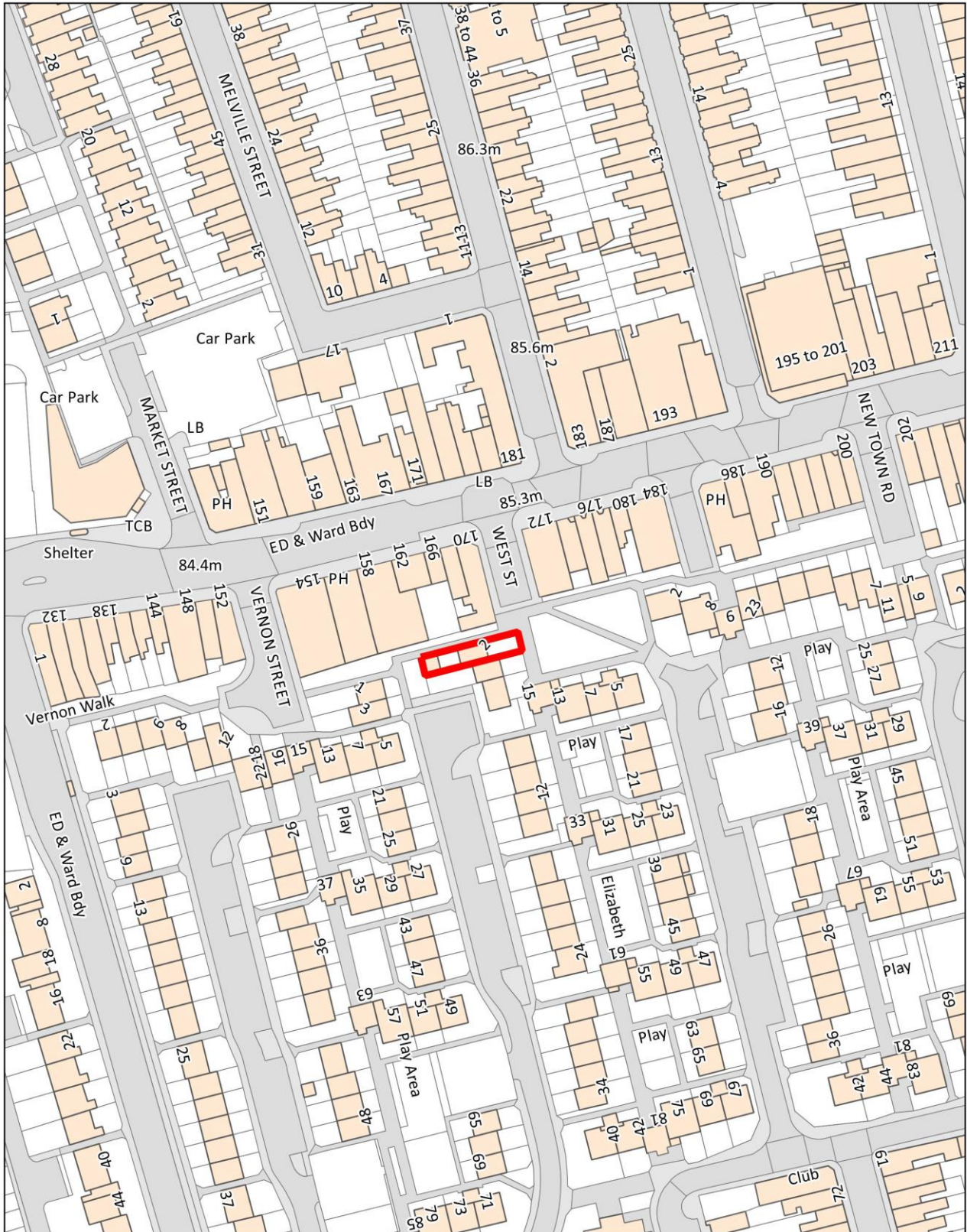
- 10.1 None.

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

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: **2 Elizabeth Walk**

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Date: 07-12-2016

Scale: 1:1,250

Drawn by: -----