

PLANNING COMMITTEE: 20th November 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1393

LOCATION: 1 Billing Road

DESCRIPTION: Retention of window shutters to rear and side of building.

WARD: Castle Ward

APPLICANT: Cottons Accountants
AGENT: Lucas Land & Planning

REFERRED BY: Councillor Danielle Stone
REASON: Need for balanced and proportionate controls in Conservation Area

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 REFUSAL for the following reason:

By reason of their bulk and design, the proposed shutters are out of keeping with the character of the building and form an incongruous feature in the streetscene. The shutters are considered to result in demonstrable harm and have a negative impact on the character, appearance and setting of the St Giles and Billing Road Conservation Areas. It is therefore considered that the proposal conflicts with the criteria set out in Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The application seeks the retention of new window shutters to the rear and side of the building, currently in use as an office.

2.2 The shutters comprise of an external box fitting above the window, with a roller shutter that can be drawn down and secured when the office is closed. The unit is a medium grey metallic finish and stands proud of the face of the brick.

2.3 The submitted Heritage Impact Assessment states:

“Vandals have previously smashed ground floor windows to the reception area destroying original stained glass and damaging the fabric of a fine Victorian interior. This area is still vulnerable to further attacks from the car park area.”

“Northants Police Crime Prevention advised that security shutters be fixed to the reception area windows and night time lighting added to the car park. External shutters prevent damage to the windows and stop liquids being poured into the room, which internal shutters would not. Internal shutters would have a deleterious effect on the original Victorian interior far outweighing the minor effect on the rear and side elevations which are only partially visible from Billing Road.”

- 2.4 A copy of a letter to Northamptonshire Police has also been supplied (dated 19 December 2017) where the applicant describes the clean-up procedure following a break-in and how staff have identified drug related paraphernalia being found in the car park to the property. The letter indicates that the Council are trying to insist that security shutters are not installed.

3 SITE DESCRIPTION

- 3.1 Mid-19th century building at the junction of Billing Road and York Road, within St Giles Conservation Area and adjacent to Billing Road Conservation Area. Included on the Local List of Buildings of Interest.
- 3.2 The property is an attractive four storey commercial brick built building (with basement) with attractive banding and stonework detailing incorporated in the design. Adjacent to the property is a car park with approximately 15 car parking spaces. The property and car park are set behind a low brick wall.
- 3.3 The property forms an important and prominent feature in the street scene and within the setting of the conservation areas.
- 3.4 Since the current occupant has been the leaseholder, the front garden has been cleared and trees removed, which has made the building itself more visible.

4 PLANNING HISTORY

- 4.1 N/1991/236 – expansion of use from existing to include A2. Approved June 1991
- N/1991/671 – alterations to offices, demolition of outbuildings, office extension. Approved September 1991.
- N/1991/6005 – demolition of outbuildings and boundary walls, new extension (demolition in CA). Approved September 1991.
- N/2018/0228 – Retention of new window shutters to rear and side of building. Refused 13/04/18.
- N/2018/0213 – retrospective advertisements – split decision in April 2018 and the sign on the side elevation has now been removed.

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), Northampton Local Plan (1997) saved policies and Northampton Central Area Action Plan (2013)

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:

- Para 192 - in determining planning applications, the desirability of sustaining and enhancing significance of heritage assets should be taken into account
- Para 193 – great weight to be given to conservation of heritage assets
- Para 196 – less than substantial harm should be weighed against public benefits of the proposal

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 S10: Sustainable Development Principles
Policy BN5: The Historic Environment and Landscape

5.4 Northampton Central Area Action Plan 2013

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1: Promoting Design Excellence – seeks to preserve and enhance the character, appearance and setting of the Central Areas heritage assets and conservation areas.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

St Giles Conservation Area Appraisal – no specific mention of the property other than reference to the property being one of 5 properties in this conservation area that is on the local list;

“In the St. Giles Conservation Area, 5 buildings are included on the Local List. As they contribute to the overall area, it is important to carefully monitor any proposed changes.

These buildings will not enjoy the full range of protection of those which are statutory listed, but they will be given due thought and concern when applications are submitted, and have the additional protection of the Article 4 Direction.”

St Giles Article 4 Direction – relates to works to residential properties only.

6 CONSULTATIONS/ REPRESENTATIONS

6.1 **NBC Conservation** - states the application proposes retention of the existing shutters but with the shutter and housing box painted brick red in colour and with potted trees placed to hide the

shutters. Does not consider that the measures have overcome the harm previously identified (application N/2018/0228). The previous comments are referred to later in this report.

- 6.2 **Crime Prevention Design Advisor** - refers to comments made on previous application which stated Northamptonshire Police were aware of the security issues relating to the premise as a victim of crime. The external shutters reduce the opportunity of a forced entry and protects the glazing from attack, so no objection is raised. However, in the event of more pressing reasons, a combination of laminated glazing and internal expandable grilles can be used. Advice on standards has been provided in the response.
- 6.3 **Town Centre Conservation Area Advisory Committee** – the painted shutters are unacceptable and recommend refusal.
- 6.4 **Councillor Danielle Stone** – supports the application and calls the application in for Committee determination adding that there is a need for balanced and proportionate controls in the Conservation Area.
- 6.5 A site notice was displayed on the site and press notice published in the local newspaper.

7 APPRAISAL

- 7.1 The NPPF seeks to ensure the significance of heritage assets is sustained and enhanced advising at paragraph 196, that where proposals lead to less than substantial harm, this should be weighed against public benefits. Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy seek to conserve and enhance heritage assets.
- 7.2 The building is prominent in views within both St Giles and Billing Road Conservation Areas and its quality has resulted in its inclusion on the Local List. The building makes a positive contribution to the character and appearance of both Conservation Areas. This visual prominence has further increased with the removal of landscaping with the car park area, allowing clear views of the shutters.
- 7.3 The solid metal shutters, housing boxes and guide rails that have been fitted on the three windows on the side elevation are visible from Billing Road and appear as an obtrusive addition, detrimental to the appearance of the attractive building; the large and prominent projecting shutter boxes have also hidden the polychrome brick lintels that are a feature of the property. In addition, the shutters have been painted red, which has increased their visual prominence. The shutters on the rear elevation are not apparent in views of the building within the Conservation Area and have an acceptable impact.
- 7.4 The applicant has indicated pot-planted trees to be located outside the windows, as a means of screening the shutters, however, this would not provide an acceptable and controllable form of mitigation in this instance.
- 7.5 The issues of security are acknowledged, and advice has been provided for the benefit of the applicant on an alternative form of internal shutter and laminated glazing, which, subject to meeting the requirements of a recognised security standard, would be an acceptable solution and result in less harm to the appearance of the building and be less visually apparent in the conservation area. However, the applicant has suggested that the installation of internal shutters would have a greater impact on the internal fabric of the building, than the existing shutters would.
- 7.6 It is considered that whilst the level of harm to the character and appearance of St. Giles Conservation Area and the setting of Billing Road Conservation Area is less than substantial, and the need for security is appreciated, other less obtrusive measures could be used to secure the building, and therefore the harm in this instance is not considered to be outweighed by the public benefit.

8 CONCLUSION

8.1 The shutters, due to their bulk, design and incongruous appearance in the streetscene, are considered to result in demonstrable harm to the character and appearance of St. Giles Conservation Area and the setting of Billing Road Conservation Areas contrary to the above planning policy.

9 CONDITIONS

9.1 Not applicable.

10 BACKGROUND PAPERS

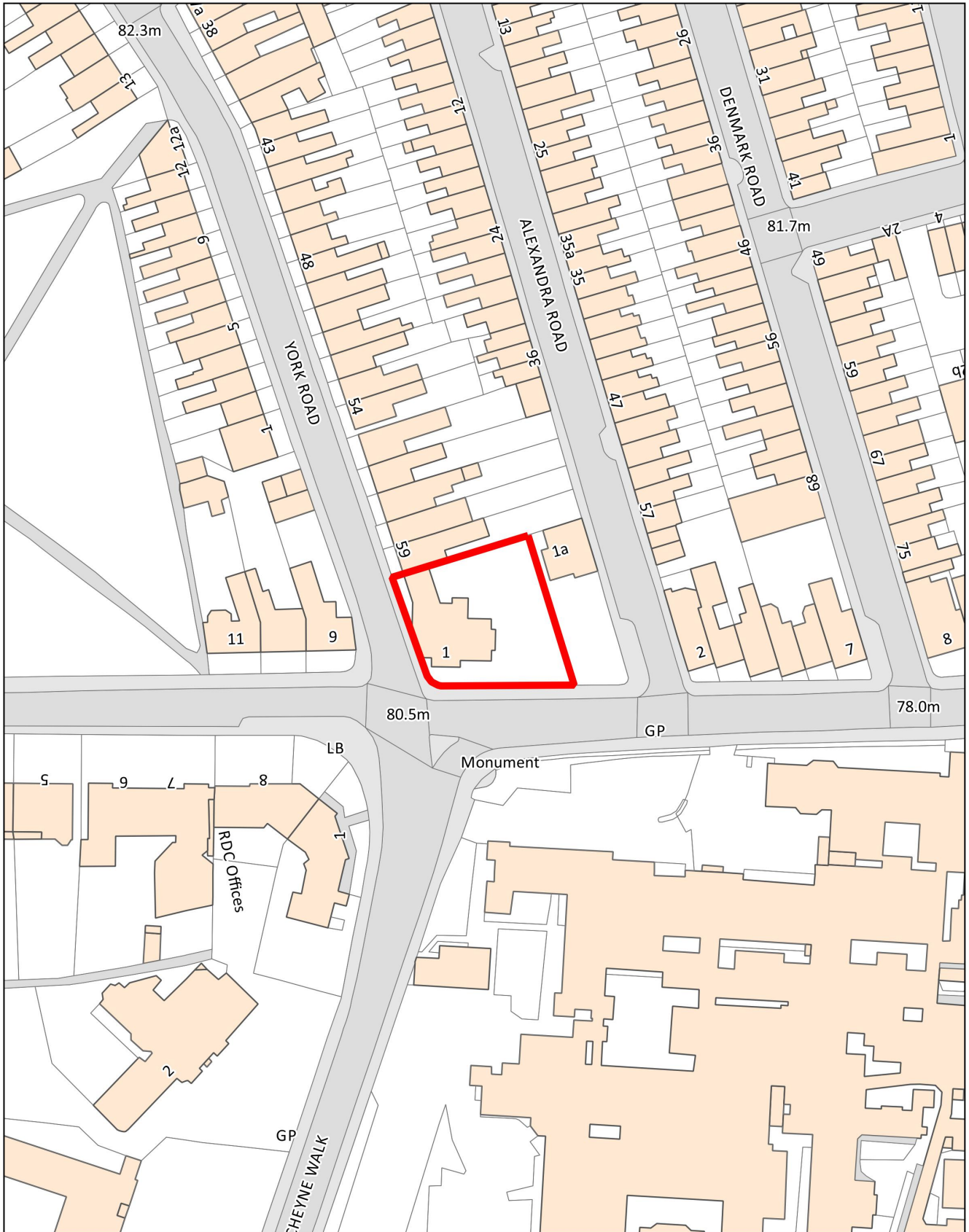
10.1 N/2018/1393

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **1 Billing Road**

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Date: 06-11-2018

Scale: 1:1.000

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