



Planning Committee Report

Committee Date: 7th February 2023

Application Number: WNN/2022/0954

Location: Oriel House, 55 – 57 Sheep Street, Northampton, NN1 2NE

Development: Listed Building Consent Application for Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage

Applicant: Chase Parker Holdings Ltd

Agent: br.33 Architectural Visualisations

Case Officer: Samantha Taylor

Ward: Castle Unitary Ward

Referred By: The report is referred by the Head of Planning Delivery

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

Proposal

The application seeks full planning permission for the change of use from the existing offices to 18 residential apartments, with an extension to the building. There is an accompanying full planning application for the proposal.

Consultations

The following consultees have raised **no objections** to the application:

- Arboriculture, National Highways

The following consultees have responded and offer **comments** on the application:

- Conservation Officer, Anglian Water, Archaeology, Ecology, Environmental Protection, Town Centre Conservation Areas Advisory Committee

The following consultees have responded and offer **no comments** on the application:

- Environment Agency, Highways, Historic England, Northamptonshire Police, Fire and Rescue

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Design and Impact on Designated Heritage Assets and the Local Area

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is an existing office block, on the western side of Sheep Street. The building is a Grade II listed building and forms part of the Holy Sepulchre Conservation Area. The listed building was originally an 18th Century town house, however, it is largely now the historic façade to a 1980s office building. The existing building is 5 storeys.
- 1.2 The surrounding area contains several different uses including offices, an educational facility, residential and other vacant buildings. The site is bound by Broad Street which acts as a ring road around Northampton Town Centre.

2 CONSTRAINTS

- 2.1 The application site is a Grade II listed building and is located within the Holy Sepulchre Conservation Area. The site also lies within the Central Areas as set out within the Northampton Central Area Action Plan.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application seeks listed building consent for the Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage

4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

| Application Ref. | Proposal | Decision |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Oriel House | | |
| N/2017/0712 | Various Tree Works | Approved |
| N/2020/1630 | Change of Use from Offices (Use Class E) to Residential (Use Class C3) to create 14no. Apartments | Approved |
| N2021/0007 | Listed Building Consent for the Conversion of Office (Use Class E) to create 14no. Apartments including internal alterations and replacement double glazed windows | Approved |
| WNN/2022/0954 | Listed Building Consent Application for the change of use of the existing building from Offices (Use Class E) to Residential Use for 18no. Apartments (Use Class C3) together with 8no. parking spaces to the rear and areas for cycle parking and bin storage | Under Consideration (on the Committee Agenda) |
| WNN/2022/1029 | T5 and T6 London Plane Removed. | Approved |
| Northgate House | | |
| PN/2015/0046 | Prior notification for change of use of offices to 52 residential apartments | Approved |
| N/2016/1643 | Prior notification for a change of use from offices (Use Class B1) to a free school (Use Class D1) | Approved |
| N/2018/0878 | Minor alterations comprising localised repainting work, replacement of windows/glazing, privacy window film to changing rooms. Replacement waterproofing to flat roof, rooftop balustrade/handrail and 'man-safe' roof access system at Upper Ground to Fourth Floor Level | Approved |
| N/2018/1245 | Variation of Conditions 2 and 3 of Prior Notification Permission N/2016/1643 (change of use from offices (Use Class B1) to a Free School (Use Class D1)) to improve permitted parking and drop off/pick up arrangement | Approved |
| N/2019/1595 | Variation of Condition 2 of Planning Permission N/2018/0878 for minor alterations comprising localised re-painting work, replacement of windows/glazing, privacy window film to changing rooms, replacement waterproofing to flat roof, rooftop balustrade/handrail and 'man-safe' roof access | Approved |
| 49-53 Sheep Street | | |
| N/2020/0447 | Conversion of Offices (Use Class B1) to 14no Apartments (Use Class C3), including | Approved |

| | | |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| | alterations to rear elevation and internal alterations | |
| N/2020/0448 | Listed Building Consent Application for the conversion of Offices (Use Class B1) to 14no Apartments (Use Class C3), including alterations to rear elevation and internal alterations | Approved |
| Land to the Rear of 49-53 Sheep Street | | |
| N/2020/1565 | Proposed new residential development of 4no apartments on land to the rear of 49-53 Sheep Street | Approved |

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.5 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policies

- 5.6 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:

S1 – The distribution of development
S2 – Hierarchy of Centres
S3 – Scale and distribution of housing development
S10 – Sustainable Development Principles
C2 – New developments
H1 – Housing density and mix and type of dwellings
BN5 – Historic Environment
BN9 – Pollution control
INF1 and 2 – Infrastructure delivery
N1 – The regeneration of Northampton

Northampton Local Plan (1997)– Saved Policies

- 5.7 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 – New development
B14 – Non-business development

Northampton Central Area Action Plan (CAAP) (2013) – Policies

- 5.8 The relevant policies of the Northampton Central Area Action Plan (CAAP) are as follows:

Policy 1 – Conservation Area
Policy 15 – Safeguarded Employment Sites

Northampton Local Plan Part 2 (2011-2029) (Emerging)

- 5.9 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.10 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.11 The relevant emerging policies are set out below:

Policy 1 – Presumption in favour of sustainable development (Significant Weight)
Policy 2 – Placemaking and Design (Significant Weight)
Policy 4 – Amenity and Layout (Significant Weight)
Policy 13 – Residential and other residential led allocations (Significant Weight)

National Policies

- 5.12 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:

Paragraphs 7-12 - Presumption in favour of sustainable development.
Section 12 – Design

Material Considerations

5.13 The following documents are material considerations in the assessment of the application:

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

| Consultee Name | Position | Comment |
|------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conservation Officer | Comments | <p>The removal of the top storey of the extension to the rear is welcome. The impact on the character and appearance of the conservation area and listed building will be much reduced.</p> <p>Some additional information regarding the features along the ridge of the building are required.</p> <p>Initial Comments - the Officer originally objected to the scale and design of the extension to the building, due to the impact on the character of the conservation area and the impact of the box dormers of the listed building frontage.</p> |
| Anglian Water | Comments | <p>No additional comments to add to previous response</p> <p>Initial Comments – conditions are recommended in regards to securing foul water drainage works and surface water management strategy</p> |
| Arboricultural Officer | No objections | <p>Applications WNN/2022/0790 and WNN/2022/1029 considered the removal of trees from the site. These applications were considered acceptable.</p> <p>The planting proposals require the submission of a detailed landscape scheme.</p> |
| Archaeology Officer | Comments | <p>No material changes that alter first comments.</p> |

| | | |
|---------------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Initial Comments – satisfied the proposed development will only affect the 1980s interior of the building and the historic façade will not be altered in a manner detrimental to its significance. |
| Environment Agency | No Comments | The EA does not wish to comment on this application |
| Ecology | COmments | No additional comments from initial comments made. Initial Comments – The proposal is unlikely to have features of interest to roosting bats |
| Environmental Protection Officer | Comments | The application has been reviewed and the Officer notes that the documents provided in respect of the current application regarding noise etc are those which were previously considered against the earlier application N/2020/1630, where fewer residential apartments without an extension were approved. As such, the documents provided in support of the current application require updating. Therefore, the Officer has suggested a number of conditions relating to noise, air quality, EV charging, waste storage, low Nox boilers, construction phase. |
| Highways Officer | No comments | The LHA have no comments to make on the application |
| Historic England | No comments | Do not wish to be consulted on this application |
| National Highways | No objections | No comments on the proposal |
| Northamptonshire Police, Fire and Rescue | No comments | No comments on the proposal. |
| NNC S106 Officer | Comments | Request for financial contributions towards Early Years Education of £29,792 and Libraries of £2,498. |
| Town Centre Conservation Areas Advisory Committee | Comments | Consideration to the impact of the altered frontage on the setting of the Holy Sepulchre Church, character and appearance of the conservation area and the listed building itself. It would be preferable to use secondary double glazing or like for like replacement of the windows. |

Whilst the above comments are noted, only those relevant to the assessment of the Listed Building Consent can be considered.

7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 There have been 2 objections received raising the following comments:

- Concern regarding the impact of the proposal on pupils through noise and general disturbance
- Proposal would result in overdevelopment of the site
- Proposal would cause harm through the provision of addition units, causing harm through an increase in activity, waste collection and number of occupants
- Comments that it appears works have been undertaken without a planning permission having been issued
- Concerns regarding dust and noise during construction

8 APPRAISAL

Design and Impact on the Designated Heritage Assets and Local Area

- 8.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.2 Policies BN5 and S10 of the Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan require high quality design. All refer to heritage assets and that any new development or works should be sympathetic to the listed building in terms of its character and setting.
- 8.3 The application site is a Grade II listed building and is located within the Holy Sepulchre Conservation Area. There are a number of further listed buildings within the surrounding area.
- 8.4 The Conservation originally objected to the proposed development, due to the scale and design of the extension. The scale and design of the extension has been amended and the scheme reduced from 20 apartments to 18 apartments. The top storey has been removed along with the box dormers above the existing roof projection. The Conservation Officer has advised in their updated comments, that the removal of the top storey is welcomed, and the impact on the character and appearance of the conservation area and the listed building will be much reduced.
- 8.5 The Conservation Officer recognises that whilst the building is grade II listed, the existing building is a replica building that was granted consent for demolition and rebuilding in the 1980s. The front façade is likely to be original, with some alterations. The interior of the building is entirely modern following its reconstruction and therefore, there is no impact on the historic fabric for the internal configuration of the building. On the front elevation, the additional provision of two windows on the roof eaves lines are proposed. These would match the existing window, which is located at the same height position, in the centre of the eaves line.
- 8.6 In addition, the Officer has reviewed the earlier application, for the conversion of the building to 14no. apartments, where the replacement of the windows to the frontage was agreed, and notes the proposed slim lite double glazing is considered acceptable. The current proposal states that double glazed uPVC will be used on the

windows in the rear elevation. Further details of this window type and material are considered necessary and a condition seeking these details is recommended.

- 8.7 Paragraph 196 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
- 8.8 The significance of the building is considered to be largely limited to the original front façade of the listed building and the contribution this makes to the character and appearance of the conservation area. Whilst the building does make a positive contribution to the conservation area and has significance as a listed building, overall the significance of the building is limited, due to only the front façade being original with the other parts being of 1980s construction. The modern interior of the building and design of the existing modern extension to the rear are considered not to contribute to the significance of the listed building, The existing rear extension, although modern, is of a scale and design that is in-keeping with conservation area and therefore, makes a minor positive contribution to the character and appearance of the conservation area, albeit not from a historical stance. The extension to the rear would be of a single storey and would be clad in slate to match the existing roof. The existing mansard roof would be removed and replaced with new brick.
- 8.9 Following the receipt of amended plans, the scale of the proposed extension has been reduced, which has resulted in the proposal having a much-reduced impact upon the listed building and conservation area, especially when viewed from the rear of the site. The front elevation would remain largely as existing, albeit with the provision of two new windows at eaves level and the replacement of the windows, which has previously been approved. The rear elevation of the proposal seeks to replicate the existing form, albeit raising this by a storey, with a slate clad mansard roof to match the existing at the top floor, with brick provided below.
- 8.10 The proposal would bring the building back into use, ensuring its repair and long-term retention, securing a viable use for the currently vacant listed building. In addition, there would be a modest contribution to the Council's housing supply, which is of public benefit.
- 8.11 It is considered that there would be some limited harm to the significance of the listed building, due to the extension and the alterations to the façade. However, this harm has been limited through the amendments to the design and the minor changes to the façade including the provision of two new windows and replacement windows below.
- 8.12 In terms of the impact on the character and appearance of the conservation area, the proposed addition of windows to the façade are considered to result in limited harm, through the introduction of new detailing to the historic façade. However, this is limited due to the small scale of the amendments. The rear extension is situated within the conservation area and the design is considered appropriate, replicating the existing built form through the use of similar scale and materials. The provision of an additional storey would be visible from public vantage points at the rear of the site, however, these views are limited due to the proximity of the site to Broad Street, a main road and that the proposal would not appear overly dominant from the rear. Overall, there would be harm caused to the character and appearance of the conservation area, through the introduction of additional development at the rear, however, this is considered to be limited harm to its significance due to the appropriate design and much reduced scale.

- 8.13 On balance, it is considered that securing a viable use for the vacant listed building and the contribution the development would make to the Authority's housing supply would be of sufficient public benefit to outweigh the harm caused to the significance of the Listed Building and Conservation Area. As such, it is considered that the proposal would have an acceptable impact upon the designated heritage assets.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 considered that the proposal would harm the setting of neighbouring historic buildings nor that of the Conservation Area, acceptable living conditions are provided and the scheme would not have an unacceptable impact upon neighbouring amenity. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S2, S3, S10, C2, H1, BN5 of the West Northamptonshire Joint Core Strategy, and policies 1 and 15 of the Northampton Central Area Action Plan 2013.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Grant permission subject to conditions as set out below with delegated authority to the Head of Planning Delivery for Planning and Environment to approve any amendments to those conditions as deemed necessary.

Time limit

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.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan 0002 Br.33 V1 00 DR 00000 SO Rev 01
Proposed Site Plan 0021 BR.33 V1 00 DR 10001 SO Rev 01
Proposed Lower Ground Floor Plan Br.33 00 01 DR 10110 Rev 02
Proposed Ground Floor Plan 0021 Br.33 00 GF DR 10111 Rev 02
Proposed First Floor Plan 0021 Br.33 00 01 DR 10112 Rev 02
Proposed Second Floor Plan 0021 Br.33 00 02 DR 10113 Rev 02
Proposed Third Floor Plan 0021 Br.33 00 03 DR 10114 Rev 02
Proposed East and North Elevation 0021 Br.33 00 XX DR 30100 02
Proposed West and South Elevations 0021 Br.33 00 XX DR 30101 02
Proposed Section West 0021 Br.33 00 XX DR 20100 Rev 02
Proposed Section East 0021 Br.33 00 XX DR 20101 Rev 02
Gate Elevation 0002 Br.33 V1 XX DR 30102 SO Rev 01
Sash and Case Drawing 00001 Rev A
Sturroks Joinery Proposed specification for traditional sash and case windows

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

Materials

3. Prior to the commencement of the development hereby approved a materials schedule providing full details of all proposed external facing materials (including new brickwork and external doors) showing the location of the proposed material 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 the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.



**West
Northamptonshire
Council**

Title: Oriel House, 55 - 57 Sheep Street

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Drawn: M Johnson