



Planning Committee Report

Committee Date: 4th April 2023

Application Number: WNN/2022/1292

Location: 4 Albion Place, Northampton, Northamptonshire NN1 1UD

Development: Change of Use from Office (Use Class E) to 9 person House in Multiple Occupation (Sui Generis) with bin and cycle storage

Applicant: Mr Kakad

Agent: Plan My Property

Case Officer: Jonathan Moore

Ward: Castle Unitary Ward

Referred By: Called in by Councillor D Stone

Reason for Referral: Due to over-development, impact on parking and services, inappropriate development for conservation area and effect on listed building

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT APPROVAL subject to conditions as set out below with delegated authority to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary

Proposal

Planning permission is sought for the change of use from office (Use Class E) to 9 person House in Multiple Occupation (Sui Generis) with bin and cycle storage. The bin storage would be located externally to the site frontage and the cycle stores in the basement.

Consultations

The following consultees have raised **objections/ concerns** to the application:

- Town Centre Conservation Area Advisory Committee (TCCAAC)
- Conservation
- Northampton Town Council

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

- Northamptonshire Highways
- Development Management

- Private Sector Housing

4 letters of objection have been received and 1 letter of support have been received for the ground detailed below.

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:

- Principle of Development
- HIMO Concentration
- Size of property and facilities
- Flood risk
- Highways and Parking
- Refuse storage
- Amenity
- Impact on Heritage Assets

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 site consists of a former office building located along a street of commercial and residential uses. The property is located along a terrace and has a hard paved area to the front. The property is Grade II listed and has been vacant since Spring 2022.

2 CONSTRAINTS

- 2.1 The application site within the Derngate Conservation Area and is a Grade II listed building

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application site is Change of Use from Office (Use Class E) to 9 person House in Multiple Occupation (Sui Generis) with bin and cycle storage

4 RELEVANT PLANNING HISTORY

- 4.1 There is no recent planning history directly relevant to the proposal

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.

Development Plan

- 5.2 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

- 5.3 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 mix and type of dwellings
S10 – Sustainable Development Principles
BN5 – Historic Environment
BN7 – Flood Risk
BN9 – Pollution control

Northampton Local Plan Part 2 (2011-2029)

- 5.5 Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

On 3rd February 2023, the Council received the Inspector's Final report which concluded that the Plan is legally compliant and sound, subject to Main Modifications being made. The policies therein are therefore considered to carry significant weight.

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The policies relevant to this application are:

Policy 1 Presumption in favour of sustainable development (significant weight)
Policy 2 Place Making and Design (significant weight)
Policy 4 Amenity and Layout (significant weight)
Policy 31 Heritage (significant weight)

National Policies

5.6 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 104 – Transport issues
 Paragraph 130 – Design and amenity
 Paragraph 199 – Heritage and Conservation

Material Considerations

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

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards
- HMO Planning Policy SPD

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	Comment
Highways	The property is within the town centre controlled parking zone and therefore all parking is controlled. Do not consider that the proposal would unduly impact on highway safety.
Conservation	The revised plans are more invasive than the original submission, the impact will effect historic building however Would not be able to support a refusal of permission. The preferred use would be a single dwelling, conversion to residential welcomed in principle
Private Sector Housing	Room sizes and amenities are considered acceptable.
Town Centre Conservation Area Advisory Committee	Object as consider to be over-development of the site, impact on services and parking, would have adverse effect on conservation area and loss of historic fabric of building. A HIMO with a smaller number of residents may be acceptable, the heritage statement is considered inadequate and more detail is needed to assess the impact on the listed building.
Northampton Town Council	The Committee object to this application as the development was not in keeping within this area on heritage and consider this over development due to concerns on the concentration of HMOs within this area. Furthermore, this development is sizeable and has no en-suite facilities which the Town Council believe should be standard within these developments.

Development Management	No contribution required to education and libraries as not major development
Cllr D Stone	Called in on grounds of over-development, impact on parking and services, inappropriate development for conservation area and effect on listed building

7 RESPONSE TO PUBLICITY

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

Objections received on following grounds:

- Property should be retained as single dwelling
- Parking concerns
- Too many HIMOs in area
- Refuse concerns
- Lack of communal space for residents
- Impact on listed building
- Loss of beautiful property

8 APPRAISAL

Principle of Development

- 8.1 The conversion of a former office building to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas. Although the proposal would result in the loss of an office building the proposal would bring a vacant building back into use again. The property is a Grade II listed building within the Conservation Area and a viable use of the building is therefore considered to weigh in its favour.

Concentration of HIMO uses in the area

- 8.2 Council records evidence that there are 3 other HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to only 4.8 per cent concentration. It is considered therefore that there would still be a reasonable mixture of house types and uses within the area and a balance of community.

Size of the property and facilities for future occupiers

- 8.3 The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Planning Policy and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 9 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. A condition would be secured that the basement does not become a bedroom.

Development and Flood Risk

- 8.4 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding. This accords with Policy BN7 of the Joint Core Strategy.

Highways/Parking

- 8.5 The site has an area of hard standing to the front. It is considered that the application site is in a sustainable location being in the town centre close to shops and services in, this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Northampton Parking Standards SPD (2019).
- 8.6 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. There is sufficient room in the basement for cycle storage and an area is shown on the submitted plans for such provision. Furthermore, the Highway Authority raise no objection as the site is in a controlled parking zone.

Refuse Storage

- 8.7 Details have been submitted for timber refuse storage area in the front which are deemed acceptable and would be secured by condition. This would accord with Policy H1 of the Joint Core Strategy in respect of appropriate amenity provision. Although siting of these to the rear would be preferred, it is noted that the rear yard is modest in size and a similar precedent for bins at the front has been established at the adjacent flats.

Amenity

- 8.8 There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by an office building. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

Impact on Heritage Assets

- 8.9 Policy BN5 of the JCS seek to ensure that heritage assets are preserved and enhanced. Policy 31 of the emerging Local Plan 2 relates to the protection and enhancement of designated and non-designated heritage. The NPPF requires that great weight is given to the conservation of a designated heritage asset when considering the impact of a proposed development on its significance. Any harm to the significance of a designated heritage asset requires clear and convincing justification. 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.
- 8.10 The property has been vacant for some time. Whilst the proposal and installation of services will result in some harm to the character and layout of the property the proposal has will have some impact on historic fabric. The building is presently vacant .On balance, it is assessed that the level of harm to be "less than substantial" and, in this circumstance, the NPPF requires the impact of the proposal be weighed against wider public benefit, which would include securing a viable re-use for an important listed building that makes a significant contribution to the character of the conservation area.

- 8.11 The proposed residential use of the property and limited external alterations proposed would assist in maintaining the building in a viable use and preserving the historic integrity of the listed building. As such, the proposal is considered to accord with the requirements of the NPPF and Policies BN5 of the JCS.

9 FINANCIAL CONSIDERATIONS

- 9.1 CIL is not payable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect upon the character of the local area, street scene or the listed building and conservation area. Nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed. Even though the proposal raises concerns in terms of impact on the historic fabric of the listed building, a refusal cannot be justified and sustained at appeal.
- 10.2 In light of the above, the proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, and the Council's Houses in Multiple Occupation SPD

11 RECOMMENDATION / CONDITIONS AND REASONS

The following conditions are considered reasonable and necessary on any grant of planning.

11.1 Reference WNN/2022/1292 PLANNING PERMISSION

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.

Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
FPA01revB/01, details of timber bin store

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

Bins and cycles

3. The bin and cycle storage shall be implemented in accordance with the approved plans prior to first occupation and retained thereafter.

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

Number of occupants

4. The maximum number of occupants shall not exceed 9 at any one time.

Reason: To avoid over-development to accord with Policy H1 of the West Northamptonshire Joint Core Strategy.

Plumbing

5. Prior to first occupation, full details of any drainage and plumbing for the approved HIMO shall be submitted to and agreed in writing with the local planning authority and agreed prior to the approved use and retained thereafter.

Reason: In the interests of preserving the historic integrity of the listed building in accordance with Policy BN5 of the West Northamptonshire

Vents

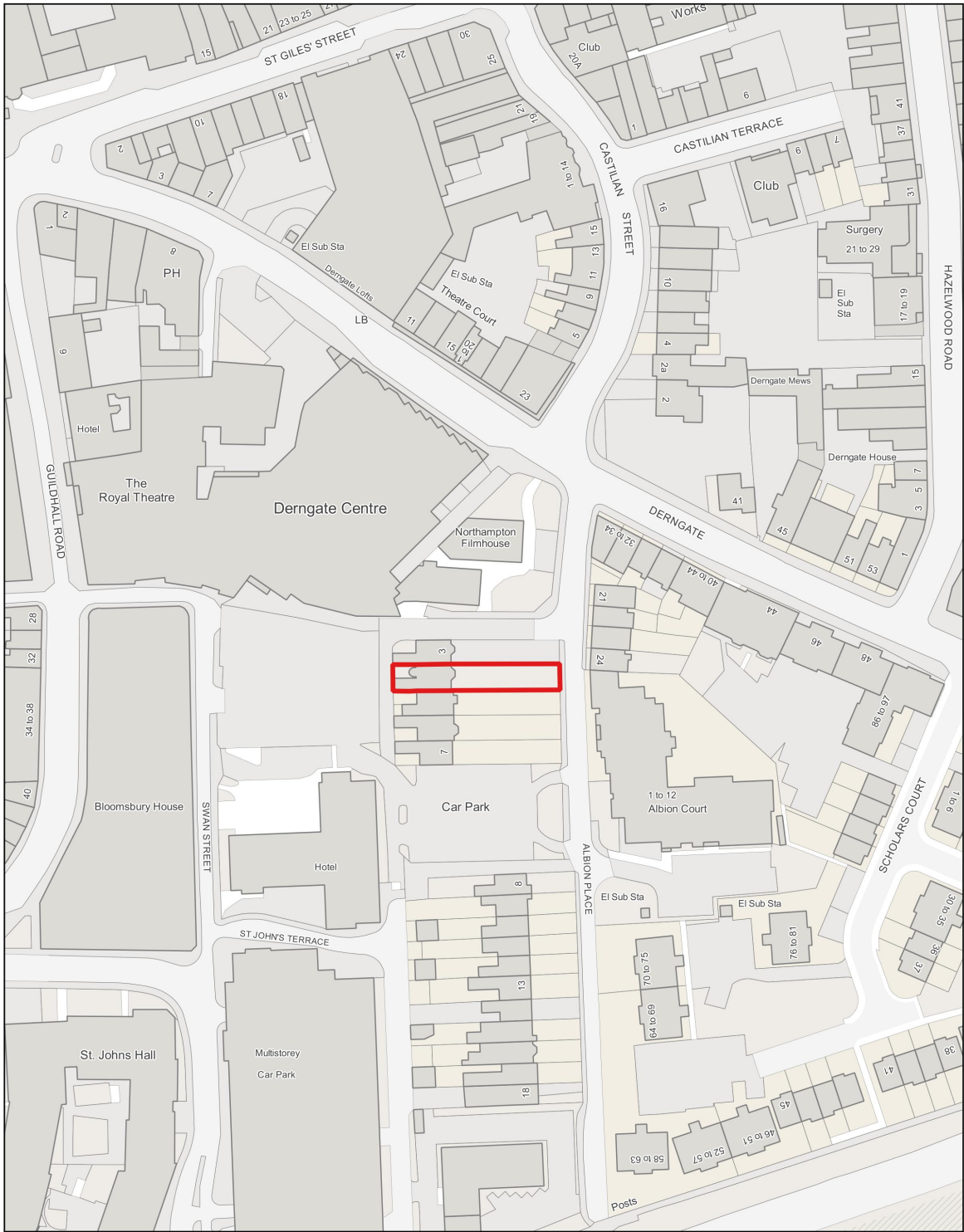
6. Prior to first occupation, full details of the design of any vents for the kitchen and bathrooms shall be submitted to and agreed in writing with the local planning authority and agreed prior to the approved use and retained thereafter.

Reason: In the interests of preserving the historic integrity of the listed building in accordance with Policy BN5 of the West Northamptonshire

Basement

7. The basement shall not be used as a bedroom at any time during the lifetime of the development

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.



**West
Northamptonshire
Council**

Title: **4 Albion Place, Northampton**

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Drawn: M Johnson