



Planning Committee Report

Committee Date: 4th April 2023

Application Number: WNN/2022/1293

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

Development: Listed Building Consent Application for 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 CONSENT 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

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
- Private Sector Housing

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 issue arising from the application details are:

- Impact on character and fabric of the listed building

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.

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

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. This is a listed building application.
- 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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects 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.

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

- 5.3 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

- 5.4 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)

- 5.6 The policy relevant to this application is:

Policy 31 Heritage (significant weight)

National Policies

- 5.7 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 199 – Heritage and Conservation

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 on plumbing, drainage and ventilation 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	Rooms sizes and amenities are acceptable
Town Centre Conservation Area 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.
Councillor D Stone	Object due to impact on listed building and conservation area, over-development and inappropriate form of development

7 RESPONSE TO PUBLICITY

No neighbour comments received on this application.

8 APPRAISAL

- 8.1 The only issue to consider is the effect on the character of the Grade II listed building
- 8.2 Policy BN5 of the JCS seek to ensure that heritage assets are preserved and enhanced. Policy 31 of the Local Plan 2 relates to the protection and enhancement of designated and non-designated heritage.
- 8.3 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.
- 8.4 The property has been vacant for some time. Whilst the proposed subdivision 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.

- 8.5 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 Policy BN5 of the JCS.

9 FINANCIAL CONSIDERATIONS

- 9.1 The application is not CIL Liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 In this instance, the proposal has significant benefits bringing a vacant building back into active use in a town centre location and this factor needs carefully balanced against any potential harm to the character. 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. This has been confirmed by the Council's Conservation Officer.

11 RECOMMENDATION / CONDITIONS AND REASONS

The following conditions are considered necessary and reasonable on the grant of listed building consent.

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 application

Plumbing

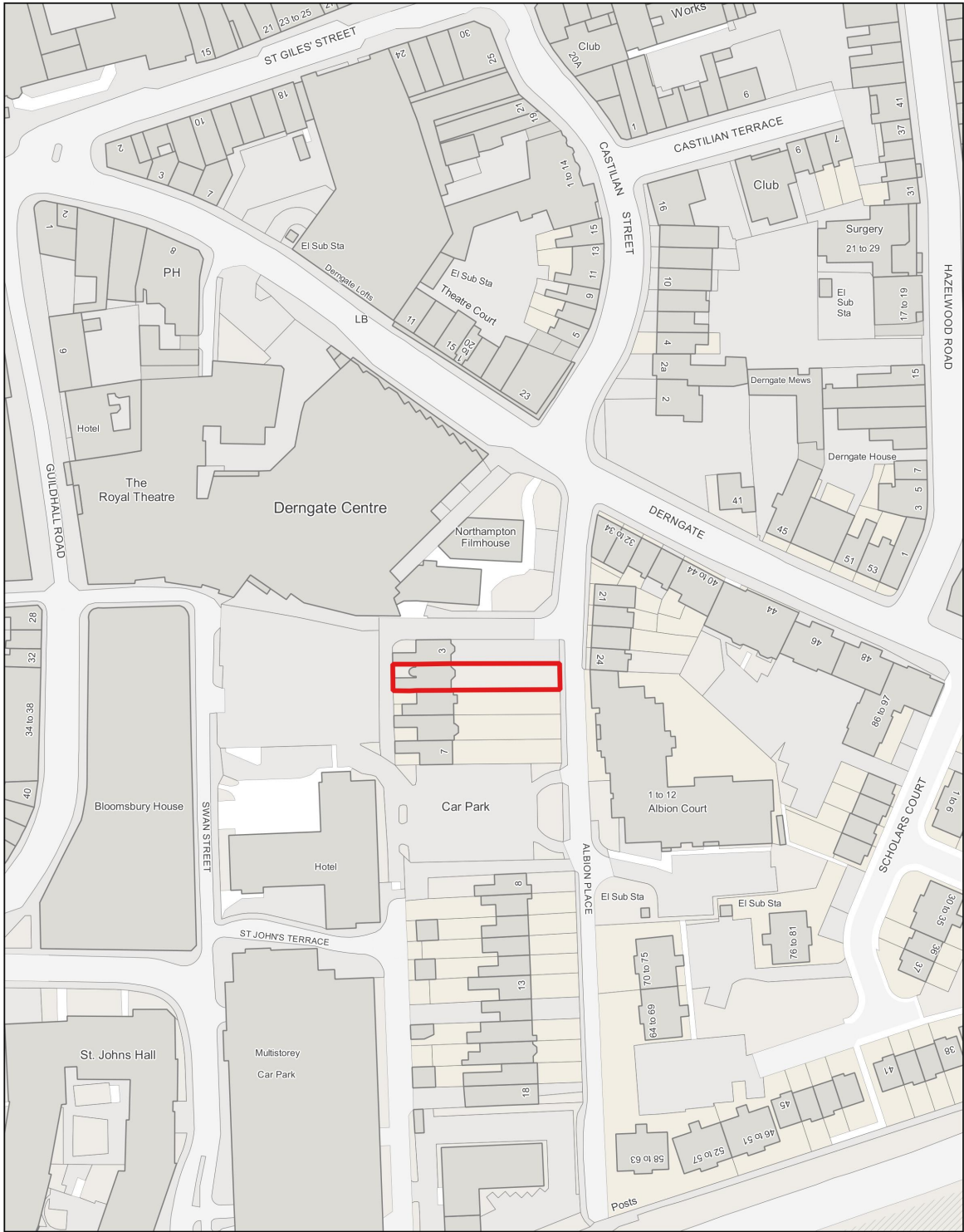
3. Prior to first occupation, full details of any drainage and plumbing for the approved HIMO shall be submitted to and agreed in writing with the local planning authority and agreed prior to the approved use and retained thereafter.

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

Vents

4. 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



West Northamptonshire Council

Title: **4 Albion Place, Northampton**

Date: 20-03-2023
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 Drawn: M Johnson

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