



Planning Committee Report

Application Number: WNN/2023/0343

Location: 99 Colwyn Road
Northampton
Northamptonshire
NN1 3PU

Development: Conversion into 9no Flats

Applicant: Mr William Agroh

Agent: Planners & Architects

Case Officer: Jonathan Moore

Ward: Castle Unitary Ward

Reason for Referral: Called in by Councillor D Stone
Parking, too many flats in area, effect on local area and fly-tipping

Committee Date: 3 August 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION 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

Full planning permission is sought for the conversion of the existing terraced house into 9no Flats. There are no external alterations proposed to the building other than bin and cycle storage to the rear of the premises.

Consultations

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

- WNC Conservation
- Northampton Town Council
- Colwyn Road Residents Association
- Councillor D Stone

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

- Environmental Health
- Northants Police
- Northants Highways

25 letters of objection have been received and no letters of support.

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
- Impact on appearance and character of conservation area
- Amenity of future occupiers
- Impact on neighbouring amenity
- Parking and Highway safety.

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 a 5 storey terraced building (including basement and attic), historically converted from two original houses, located along a residential street in the Boot and Shoe Quarter Conservation Area. Parking is provided on street and the property has a sizeable amenity space to the rear. The site backs on to the Kingsley Conservation Area. The front entrances to the building face onto Colwyn Road with the rear of premises close to the Race Course, an area of public open space.

2 DESCRIPTION OF PROPOSED DEVELOPMENT

2.1 The development is proposing the conversion of a now vacant religious commune to 9 one bedroom flats. The applicant has confirmed that the property was used as a religious commune from 1997 to 2021 for 21 persons. There are no external works proposed apart from bin and cycle storage to the rear.

3 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/1988/21	Formation of three self contained flats	APPROVED
N/2013/0063	Single storey rear extension and access ramp	APPROVED
N/2019/0309	Sub-division of property to create two dwellings	APPROVED – now lapsed
N/2020/0422	Conversion of single religious shared house with 21 occupants into large HMO	REFUSED parking, over

		concentration
N/2021/0265	LDC application for use of property as large HMO	REFUSED
WNN/2022/0001	Change of use of 21 person commune to hotel and serviced apartments for 12 guests	WITHDRAWN
WNN/2023/0107	Sub-division of property to two dwellings	APPROVED

4 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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.

4.2 Development Plan

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

H1- Housing Design, density and mix
H5 – Managing existing housing stock
BN5- Historic Environment
BN7- Development and Flood Risk
BN9- Planning and Pollution Control
S1-Distribution of development
SA- Presumption in favour of sustainable development

- Northampton Local Plan (Local Plan Part 2)-

SD1- Presumption in favour of sustainable development
H01- Residential development/ allocations
H02- Type and mix of housing
Q1- Place making and design
Q2- Amenity and layout
M02- Highways network and safety
ENV6- Protection and enhancement of heritage assets

4.3 Material Considerations

National Planning Policy Framework (NPPF)

Paragraph 104 Transport issues
Paragraph 130 Design and amenity
Paragraph 199 Heritage

Northampton Parking Standards Supplementary Planning Document
Northamptonshire Parking Standards
Planning out Crime SPG

5 RESPONSE TO CONSULTATION

5.1 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
Conservation	The previous proposal to convert to two properties and return the building to its original use is clearly preferable to that incorporated in this proposal. The proposed change to 9 separate flats will not have an immediate impact on the appearance of the area, but there will be an impact on the character of the area particularly as the residential use is to be intensified. The Conservation Area Appraisal identified that parking issues and traffic management can have a negative impact on the area.
Environmental Health	No objection. Recommend condition for noise insulation to party walls
Highways	<p>Noted that the existing area is extremely heavily parked with little or no residual parking capacity on street. It is important to consider the permitted uses and in 2023 permission was granted for 2 dwellings, 5 and 7 bedrooms each, however as the overall number of bedrooms would decrease the increase in parking demand may be minimal.</p> <p>Compared to the existing use as a 21 person commune the proposal would not increase parking demand but is likely to decrease it. Therefore there is no objection on parking demand.</p> <p>In terms of the garage the LHA strongly object to this as not only impractical due to it dimensions but back of vision for pedestrians, cycle storage needs to be secure and lockable.</p> <p>In terms of the parking survey, this is not acceptable as 5.5m long spaces are needed rather than 5m spaces however due to existing and proposed used, no further analysis is needed.</p> <p>In summary, the proposed development would result in high parking demand however the existing use would be considered to generate a higher demand and the approved 2023 permission would generate comparable.</p>
Northants Police	General comments on security of doors , cycle and bin stores
Cllr D Stone	Called in to committee- area has too many flats already. Area has enormous parking problems and issues with illegal parking and double parking, safety issues, impact on local area and fly-tipping
Northampton Town Council	Object on parking, refuse, over-development concerns, over-development, degradation of the area, no provision for on street parking, recommend parking survey to be carried out
Colwyn Road Residents Association	No more space to park in area, would lead to double parking and highway safety issues.

6 RESPONSE TO PUBLICITY

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

6.1 There have 25 number of objections raising the following comments:

- Parking
- No provision for EV charging
- Access for emergencies
- Highway safety
- Too many flats in area
- Impact on community
- Refuse/litter/noise/high density/ transient living
- Fly tipping
- Impact on services
- Over-development
- Too many multi-occupancy homes
- Concern use has started/ been implemented already
- Inaccurate calculation of parking methodology
- Intensification
- Neighbour impact
- Not appropriate development

7 APPRAISAL

Principle of Development

7.1 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under the Joint Core Strategy. The development of the site for housing would contribute towards the Council's housing supply with associated social and economic benefits. This therefore weighs in favour of the proposal. Furthermore, the proposal would bring a vacant building back into use again.

Impact on appearance and character of the conservation area

7.2 The site is located in the Boot and Shoe Quarter Conservation Area with no external alterations proposed to the actual building. The Council's Conservation Officer has been consulted and raises concerns regarding the proposed intensification of use in terms of parking and traffic management which is identified in the Conservation Area Appraisal. The impact on parking and the comparison with the previous use are considered later in this report. However, it is considered that the concerns raised regarding the impact on the conservation area could not be substantiated at appeal if the application were refused on this basis.

Amenity of future occupiers

7.3 In assessing the living conditions of future occupiers, the proposal needs to be considered against Policy H1 of the Joint Core Strategy which can be afforded weight in decision making given that it is an up to date development plan policy; criteria (f) relates specifically to the amenity of future occupiers.

- 7.4 Adopted Policy H1 of the JCS and the NPPF require a good standard of amenity for proposed occupiers and the Nationally Described Space Standards are considered an appropriate standard by which to assess what is an appropriate level of amenity. The proposed flat sizes are all in excess of 50 square metres, over the 37 square metres required standard for 1-bedroom flats, and therefore considered provide an acceptable level of amenity in respect of size of units. In addition, habitable rooms are served by sufficient windows to provide adequate light and outlook. There are also bins and cycle stores proposed to the rear which can be conditioned on any approval. This accords with Policy H1 of the Joint Core Strategy (JCS). There is no evidence to suggest that the intended use would increase litter or fly-tipping.

Impact on Neighbouring Amenity

- 7.5 Due to the proposed intensity of the use it is noted that there would be an impact on neighbouring amenity in terms of comings and goings and disturbance. Notwithstanding this, a comparison must be made with the previous submitted use as a 21 person religious commune which it is understood existed for well over 20 years and to the more recently approved use as two dwellings comprising 5 and 7 bedrooms each. The use is considered acceptable in this regard and accords with Policy Q2 of the Local Plan Part 2 and paragraph 130 of the NPPF. The argument that there are too many flats in the area and over-development is not considered a reason to resist the application on amenity or policy terms.

Parking and Highway safety

- 7.6 The site is located along a busy residential terraced street where parking is at a premium throughout the day. It is especially the case that in the evenings residents compete for on street parking on Colwyn Road and surrounding streets. Highways identify that there is limited or no residual on street parking.
- 7.7 When assessing parking it is important to consider the recent and lawful uses of the site. Although not the lawful use, the applicant maintains that the building has been in use for many years as a 21 person religious commune and this in itself would have attracted significant parking need and comings and goings. The existing plans shows the building divided into 12 bedrooms.
- 7.8 The proposed use is potentially less intensive in terms of number of bedrooms and occupiers and while noting that there is limited parking capacity on street for additional parking the site is in a sustainable location close to shops and services on the Kettering Road and close to the Racecourse, one of Northampton's main green spaces providing amenity for future residents within easy walking distance. In addition, the site has had recent planning permission under reference WNN/2023/0107 for conversion to 2 separate dwellings one 5 bed and one 7 bed which is potentially more intensive than the proposed use which is for 9 one bedroom flats, a reduction in number of bedrooms.
- 7.9 Although local residents have valid concerns over parking the fact the site is very sustainable and the recent use of the premises must be given consideration in decision making as well as the recently approved use.
- 7.10 A consideration is also relevant that if refused the building could lie vacant for more time and the proposal would bring an empty premises within the Conservation Area back into active use. This accords with Paragraph 104 of the NPPF.

Other issues

- 7.11 The Police Crime Advisor comments on need for security to bins and cycles stores and doors both of which can be secured by planning conditions on any approval to accord with Policy S10 of the JCS and the Planning out Crime SPG.
- 7.12 Noise insulation is a matter for Building Regulations.
- 7.13 As the site relies upon on street parking, there is no location or justification for insisting on provision of EV charging points in the locality.

8 FINANCIAL CONSIDERATIONS

- 9.1 CIL is Liable

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal is located in an established residential area close to parks, bus routes and the Kettering Road and would bring a vacant building back into active use. The proposal would also contribute to the Council's 5 Year Land Supply and due to its layout and scale would not have an undue adverse effect on visual of residential amenity and would preserve the appearance and character of the conservation area and have an acceptable impact on highway safety.

11 CONDITIONS

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: CR03, 04, 05, 06.

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

Refuse Storage

- 3 Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy

Cycle Storage

- 4 Full details of facilities for the secure and covered parking of bicycles shall be first 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 prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

Parking

- 5 The ground floor garage shown on the approved floor plans shall not be used for car parking at any time.

Reason: In the interests of highway safety to comply with the National Planning Policy Framework.

Security

- 6 Prior to first occupation, a security statement detailing measures to protect the approve development from crime and vandalism shall be submitted to and agreed in writing with the Local Planning Authority and implemented prior to occupation of the development hereby permitted.

Reason; In the interests of security to comply with Policy S10 of the West Northamptonshire Joint Core Strategy.



**West
Northamptonshire
Council**

Title: 99 Colwyn Road. Northampton

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Scale: 1:1,250 @A4

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