



# Planning Committee Report

Committee Date: 11<sup>th</sup> January 2022

Application Number: WNN/2021/0877

Location: 6 Cheyne Walk, Northampton

Development: Change of Use from Offices (Use Class E) to 9 person House in Multiple Occupation (Sui Generis) and associated alterations

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Applicant: Mr Alex Putjatins

Agent: Mr Alex Putjatins

Case Officer: Jonathan Moore

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Ward: Castle Unitary Ward

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Referred by: Councillor D Stone

Reason for Referral: Impact on balance of community/character of the area

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

Planning Application WNN/2021/0877

**RECOMMENDATION: GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS**

Application for Listed Building Consent WNN/20210878

**RECOMMENDATION: GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS**

### **Proposal**

Planning permission and listed building consent is sought for change of use of offices to 9 person house in multiple occupation (sui generis).

The only external alteration would be the addition of a second rooflight to the front elevation. The proposal includes internal changes for the creation of new en-suites for the proposed use.

### **Consultations**

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

- Town Centre Conservation Area Advisory Committee

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

Conservation  
Private Sector Housing  
Highways  
Development Management  
Historic England

## **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 facility
- Flood Risk
- Parking
- Refuse provision
- Amenity
- Impact on listed building and appearance and character of the conservation 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 property is a four storey detached Grade II listed office building fronting Cheyne Walk and situated opposite Northampton General Hospital and close to the town centre. The site has a car park to the rear accessed off Spring Gardens to the north of Dergate.

### **2. CONSTRAINTS**

2.1. The application site is a Grade 2 listed building in the Dergate Conservation Area.

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1 Permission is sought for conversion of former office building to 9 person house in multiple occupation ( sui generis use) with internal alterations.

### **4. RELEVANT PLANNING HISTORY**

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

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
WNN/2021/0878	Listed building consent application for change of use to 9 person house in multiple occupation with associated works	Under consideration

## **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 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.
- 5.3 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**

- 5.4 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 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Central Area Action Plan and Emerging Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.5 The relevant policies of the LPP1 are:
- H1 - Housing Density & Mix & Type of Dwellings
  - H5 - Managing the Existing Housing Stock
  - S10 - Sustainable Development Principles
  - BN5 - Heritage Assets.
  - BN7 – Development and Flood Risk

#### 5.6 Northampton Central Area Action Plan (CAAP)

- Policy 1 Promoting Design Excellence
- Policy 16 Central Area Living

### **Material Considerations**

- 5.7 Below is a list of the relevant Material Planning Considerations
- National Planning Policy Framework (NPPF)

Paragraph 104 Transport issues  
 Paragraph 130 Design and amenity  
 Paragraph 199- heritage and conservation

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

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).

The policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to be afforded to the policies relevant to this application are set out below:

- Policy 3 Design- ( Moderate weight)
- Policy 4 Amenity and Layout ( Moderate weight)
- Policy 14 Houses in Multiple Occupation ( Moderate weight)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance HMO Planning Policy

## 6 RESPONSE TO CONSULTATION

- 6.1 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
Highways	The property in question is within the town centre CPZ (Controlled Parking Zone) and therefore all parking in the vicinity is controlled. Although this may impact on residential amenity, the LHA does not believe that the proposed application would result in an undue impact on highway safety in this instance.
Conservation	The application has been revised to retain two of the principal rooms on the ground floor for communal use for residents and no internal demolition is proposed. The remaining rooms would be converted to bedrooms with en-suites and the resultant subdivision and installation of services will result in some harm to the character and layout of the property. Whilst reversion to residential use is likely to be appropriate in principle, given the origins of the building and its edge of town centre location, a smaller number of individual apartments would be preferred as being likely to require less intrusive alteration and sub-division of the building. However, the building is presently vacant and potentially at risk. The proposal has minimised the impact on historic fabric and the alterations are, in theory, reversible. On balance, the level of harm is assessed 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.
Private Sector Housing	A mandatory license is required, there is no objection subject to consideration of fire protection measures, room sizes are adequate
Town Centre Conservation Area Advisory Committee	Raise objection- concern over insertion of ground floor space impacting on historic fabric of building, consider to be over-development. High quality flats would be more consistent with the quality of the listed building
Historic England	No comments to offer
Development Management	Comment on requirement of libraries, broadband and fire hydrants, no need for early years education contributions
Cllr D Stone	Calls the application to committee: objects on grounds that Cheyne Walk is a highly polluted and congested area. Proposal will bring turbulence to the area and add huge pressure to existing services and further undermine our aim of building balanced communities.

## 7 RESPONSE TO PUBLICITY

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

7.2 One representation has been received; the comments are summarised as follows:

- The town is saturated with HIMOs
- Concern over increase in rubbish and fly tipping
- Over-development and cramming
- Impact on listed building

## 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.

8.2 Although the proposal would result in the loss of an office building the applicant has provided Marketing information with their application to demonstrate that the property has been vacant since June 2020 and marketed since November 2019.

8.3 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**

- 8.4 Council records evidence that there is one other HIMO within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to only 4.7 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**

- 8.5 The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance 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. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 9 occupant HIMO. All bedrooms would be served by adequate outlook and light.

### **Development and Flood Risk**

- 8.6 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding. In addition, no habitable accommodation would be provided at basement level.

### **Highways/Parking**

- 8.7 The application has rear off road parking to serve the property for approximately 10 cars. It is considered that the application site is in a sustainable location within 400 metres of a bus stop with buses stopping, on average, every 30 minutes and within walking distance to the central area. 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).
- 8.8 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. There is sufficient room to the rear of the site for cycle storage and an area is shown on the submitted plans for such provision. Details of secure cycle storage will be required by condition to ensure compliance with this principle of the SPD.
- 8.9 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that a HIMO should provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 9 parking spaces, which can be met on site. Furthermore, the Highway Authority raise no objection.

### **Refuse Storage**

- 8.10 Details have been submitted for refuse storage area in the rear 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.

### **Amenity**

- 8.11 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**

- 8.12 Policy BN5 of the JCS and Policy 1 of the CAAP 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.
- 8.13 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.
- 8.14 The property has been vacant and marketed 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 minimised the impact on historic fabric and the alterations are, in theory, reversible. The building is presently vacant and potentially at risk. 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.
- 8.15 The proposed residential use of the property and minimal 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 and Policy 1 of the CAAP.

### **Other issues**

- 8.16 Development Management recommend contributions towards broadband , libraries and fire hydrants however there is currently no policy basis to support such provision.

## **9. FINANCIAL CONSIDERATIONS**

- 9.1 The proposal is not CIL Liable.

## **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.
- 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, Policy 1 and 16 of the CAAP and the Council's Houses in Multiple Occupation SPD.

## **11. RECOMMENDATION / CONDITIONS AND REASONS**

11.1 The proposed development is recommended for approval subject to the following conditions:

Planning Application WNN/2021/0877

- 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.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, DR02.

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

- 3) Notwithstanding the submitted details, 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 Joint Core Strategy

- 4) Notwithstanding the submitted details, 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 Joint Core Strategy.

- 5) The maximum number of occupiers shall not exceed 9 at any one time

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

- 6) The car parking spaces shall at all times be reserved for the parking of vehicles by residents and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with the requirement of the NPPF and to ensure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint core Strategy.

- 7) The basement shall not be used as habitable accommodation at any time.

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

LISTED BUILDING APPLICATION WNN/2021/0878

- 1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

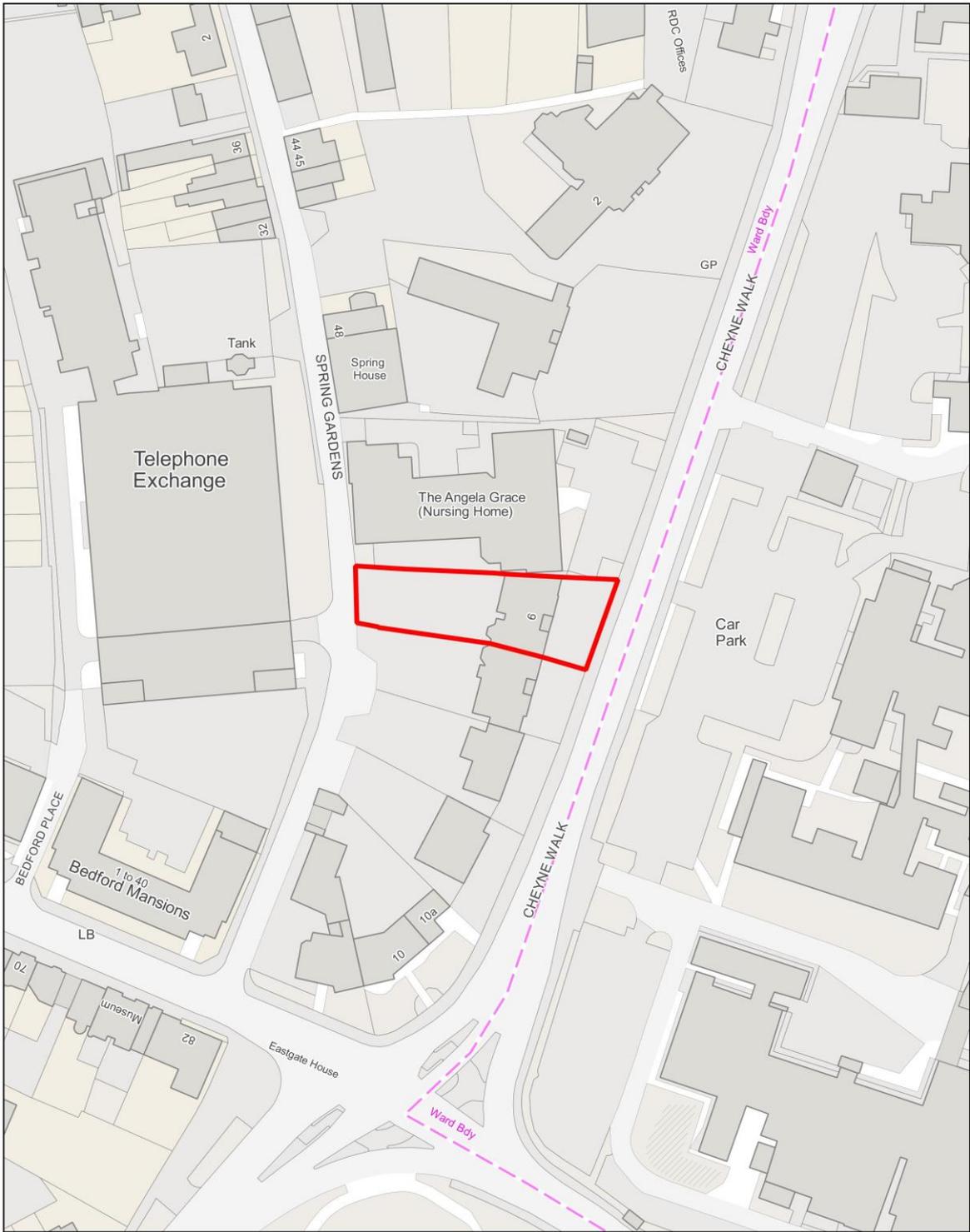
Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, DR02.

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

- 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.



**West  
Northamptonshire  
Council**

Title: **6 Cheyne Walk**

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Drawn: M Johnson