



# Planning Committee Report

**Committee Date:** 7<sup>th</sup> June 2022  
**Application Number:** WNN/2022/0381  
**Location:** 19 Derby Road, Northampton  
**Development:** Conversion of two storey three bedroom terrace house to 3no self contained flats, including dormer and associated external works

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**Applicant:** Mr Muchira Mavalla  
**Agent:** Chiongotere  
**Case Officer:** Jonathan Moore

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**Ward:** Abington and Phippsville Unitary Ward

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**Referred By:** Councillor R Purser  
**Reason for Referral:** Overdevelopment and a negative impact on the existing parking and refuse issues

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

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

as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

### **Proposal**

Permission is sought for conversion of three bedroom terraced dwelling into three flats in the basement, ground , first and loft with rear box dormer window and associated bin storage. All the flats would be one bedroom. There would also be a new lightwell to the rear basement flat on the back elevation. There would also be access to the back garden from the rear of the building.

### **Consultations**

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

- Environmental Health

No letters of objection have been received

## 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
- Amenity of future occupiers
- Impact on amenity of neighbours
- Design
- Parking and Highway safety
- Development and Flood Risk

The report looks into the key planning issues in detail, and Officers conclude 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 mid terraced dwelling along a residential street of similar properties that benefits from parking on street, the site has a long private rear garden enclosed on 3 sides. The site is within easy walking distance to the Kettering Road. The site is outside any conservation areas and is not a listed building.

### 2. CONSTRAINTS

- 2.1 None

### 3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for conversion of existing dwelling into 3 flats with rear dormer window, there would also be associated external works including rear lightwell to the basement similar to that at number 17 Derby Road.

### 4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNN/2021/0784	Conversion of two storey three bedroom terrace house to 3no self contained flats	WITHDRAWN

### 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 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

### **West Northamptonshire Joint Core Strategy - Local Plan (Part 1) (LLP1)**

- 5.3 The relevant policies of the LPP1 are:
- Policy H1 - Housing Density & Mix & Type of Dwellings
  - Policy H5 – Managing the Existing Housing Stock
  - S1 – Distribution of Development
  - S10 – Sustainable Development Principles
  - BN7 – Flood Risk
  - BN9 – Pollution Control

### **Northampton Local Plan (Part 2) (LPP2)**

- 5.4 The relevant Saved Policies of the LPP2 are:
- Policy E20 – Design
  - Policy H18 – Household Extensions

## **Material Considerations**

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

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 weight afforded to the policies relevant to this application are set out below:

- Policy 1 Sustainable development- significant weight
- Policy 2 Place Making- moderate weight

- Policy 3 Design- moderate weight
- Policy 4 Amenity- moderate weight
- Residential Extensions and Alterations Design Guide SPD
- 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	Comment
Environmental Health	No objection, comment on air quality and construction noise
Highways	Comments awaited
Northampton Town Council	Object on over-development, two flats would be sufficient
Cllr B Purser	Object on over-development, too much accommodation in basement, ground floor lounge and bedroom is too small

## 7. RESPONSE TO PUBLICITY

7.1 No neighbour comments received

## 8. APPRAISAL

### Main issues

8.1 The main issues to consider are the principle of development, amenity of future occupiers, neighbour amenity, design, parking and flood risk.

#### Principle of Development

8.2 In respect of the principle of the proposed development the property is already in residential use and within a residential area and therefore, the provision of additional residential accommodation is considered to be acceptable.

8.3 In addition, Policy H1 of the Joint Core Strategy is relevant to this proposal, as it states that provision should be made for a mixture of house types. The proposal will provide more apartments in an area which is predominantly family housing. Therefore, this latest proposal is considered to be consistent with this aim. The proposal would contribute, albeit on a small scale, to the Council's housing supply. The principle, therefore, of residential dwellings on this site, is considered acceptable.

#### Amenity of future occupiers

8.4 In assessing the living conditions of future occupiers, the proposal needs to be considered against Saved Policies H23 of the Northampton Local Plan and Policy H1

of the Joint Core Strategy. Policy H23 specifies that planning permission will not be granted for the conversion to flats with a combined ground and first floor area of 100 square metres or less and with a frontage of less than 4.7 metres. This is dated policy and can be afforded limited weight. Policy H1 of the Joint Core Strategy can be afforded more 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. Policy 4 of the submitted Local Plan Part 2 is a material consideration and seeks to ensure that all new residential development provides at least the minimum internal space standards as set out in the National Described Space Standards (NDSS). The minimum recommended space for a 1-bedroom dwelling for 1 person with a shower room is 37 square metres in the NDSS.

- 8.5 It is acknowledged that the Council has not yet adopted the NDSS however, the emerging policy is a material consideration that can be given some weight. In addition, adopted Policy H1 of the JCS and the NPPF require a good standard of amenity for proposed occupiers and the NDSS is considered an appropriate standard by which to assess what is an appropriate level of amenity. The proposed three flat sizes are all over 37 square metre and therefore considered provide an acceptable level of amenity in respect of size of units. In addition, all habitable rooms are served by sufficient windows to provide adequate light and outlook.
- 8.6 Sufficient refuse storage is provided with access for all flats and would be required by condition.
- 8.7 The property has a long back garden and is within close proximity to recreational space at The Racecourse. As such the proposal is considered to provide overall and acceptable level of amenity in accordance with policy requirements.

#### Impact on neighbour amenity

- 8.8 The proposed conversion is unlikely to result in significant additional comings and goings beyond the lawful use that would justify refusal of planning permission. Environmental Health have raised no objections in this regard. A note relating to construction hours can be added to any approval.
- 8.9 Given that the rear dormer could be installed as a dwelling under permitted development rights it would be unreasonable to object to this element on overlooking grounds.

#### Impact on appearance and character of host building and immediate area

- 8.10 Although the proposed rear dormer is large and covers most of the back roof plane it could be installed under permitted development rights as a domestic dwelling. For this reason, due to the applicant's fall-back position it would be unreasonable to object to its design. Matching materials can be agreed by condition to ensure acceptable external appearance. This accords with Policy E20 of the Northampton Local Plan. The proposed lightwell is minor in size and considered of design in keeping with the host building.

#### Parking and Highways

- 8.11 The Northamptonshire County Parking Standards 2016 advise that parking provision for flats should be assessed on the merits of each application. The surrounding area has large areas of on street unrestricted parking and, where this is present, it is generally busy. As such, space for parking is limited within the area.

- 8.12 The existing plans for the property show a 3 bedroom dwelling house. Under NCC Parking Standards there would be a parking requirement for at least 3 car spaces proposed scheme provides 3 x 1--bedroom flats only therefore, it is considered reasonable to conclude that the proposed flats would be not likely to generate a higher parking requirement.
- 8.13 However, it is noted that the site is a sustainable location close to bus routes on Kettering Road. In addition, it is noted that secure and covered cycle parking could be provided to the rear of the property and therefore a condition would be required to secure the details of such parking should planning permission be forthcoming. Furthermore, the Highway Authority have reviewed the application and raise no objections. Overall, given the sustainable location of the site and taking into account that the Highway Authority are not raising any objections, it is not considered that the lack of parking would amount to a harmful impact in respect of parking and highway considerations.

#### Development and Flood Risk

- 8.14 While it is noted that the development would involve conversion of basement to habitable accommodation the site is located in a low risk flood zone therefore the potential for flooding is less of a concern. This accords with Policy BN7 of the JCS.

### **9. FINANCIAL CONSIDERATIONS**

- 9.1 CIL is not chargeable on this application

### **10. PLANNING BALANCE AND CONCLUSION**

- 10.1 The proposal must be assessed against local and national policy. On weighing up the issues the proposal is considered acceptable in terms of residential amenity, design , flooding and parking and is therefore considered to be acceptable.

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

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

#### Time

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: floor plans and elevations.

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(s) 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.

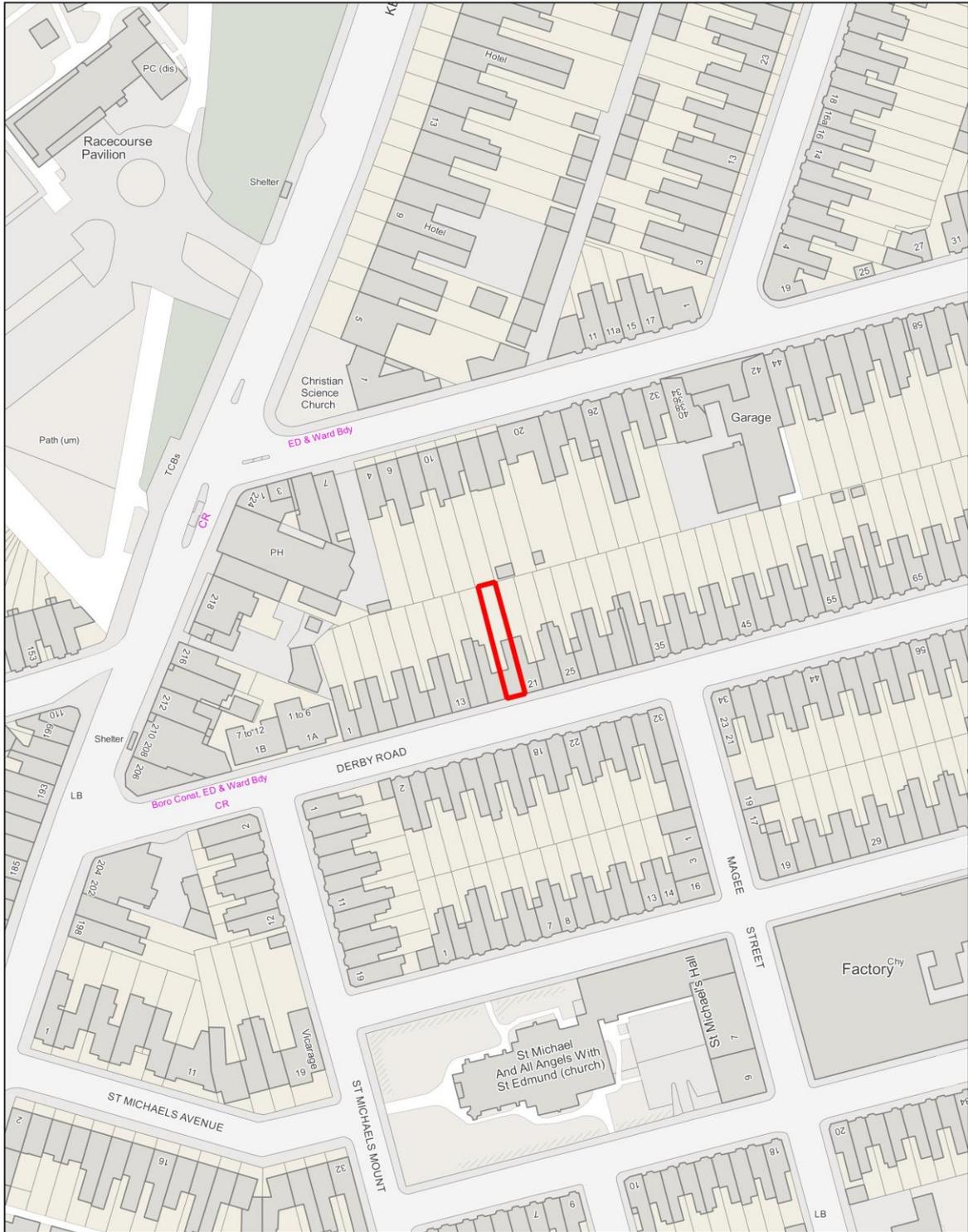
Reason: To ensure the provision of adequate facilities in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

#### Materials

5. The external walls/cheeks of the dormer hereby approved shall be constructed with materials of the same type, texture and colour as the external roof of the existing building.

Reason: In the interests of visual amenity to ensure that the dormer(s) harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

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**West  
Northamptonshire  
Council**

Title: **19 Derby Road**

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