



# Planning Committee Report

Committee Date:	2 <sup>nd</sup> August 2022
Application Number:	WNN/2022/0104
Location:	46 Abington Avenue, Northampton
Development:	Change of use of single dwelling to 4 no. apartments (part retrospective), including top floor rear extension, single storey ground floor rear extension and expansion of basement, with new light well to rear and low level windows to front, additional internal alterations and rear external door
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Applicant:	Yuill Family Properties
Agent:	APC, Architects, Planning Consultants
Case Officer:	Christopher Wentworth
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Ward:	Abington and Phippsville Unitary Ward
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Referred By:	Cllr Z Smith & Cllr W Tarasiewicz
Reason for Referral:	Impact on existing and proposed amenity and services

## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

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

### **Proposal**

Planning consent is sought for a number of extensions to enlarge 4 no. existing apartments at 46 Abington Avenue so as to provide enlarged internal accommodation. Retrospective planning consent is also sought for the property which it is understood has been in use as 4 no. apartments for a number of years but for which planning consent for a change of use from a single dwellinghouse has not been previously sought. The proposed application seeks to regularise the use whilst also seeking to provide improved internal accommodation in line with recommended space standards.

### **Consultations**

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

- Cllr Zoe Smith.
- Cllr Walter Tarasiewicz.
- Northampton Town Council.

The following consultees have commented on the application:

- Highways.
- Environmental Health.

No letters of objection or of support have been received from third parties.

## **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
- Residential Amenity
- Design and Appearance
- 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 an existing large Victorian terrace property located close to Kettering Road in the Abington area of Northampton. The property is a two-storey brick building when viewed from the front elevation and is located on the south side of the street. To the rear of the property the dwelling is three- storeys due to a change in site levels with a long garden with low brick boundary treatment to each side and a two-storey projecting outrigger. Car parking in the locality is on-street only.

### **2 CONSTRAINTS**

- 2.1 None relevant.

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

- 3.1 Planning consent is sought for a number of extensions to enlarge 4 no. existing apartments at 46 Abington Avenue so as to provide enlarged internal accommodation. Retrospective planning consent is also sought for the property which has it is understood has been in use as 4 no. apartments for a number of years but for which planning consent for a change of use from a single dwellinghouse has not been previously sought. The proposed application seeks to regularise the use whilst also seeking to provide improved internal accommodation in line with current recommended space standards.
- 3.2 The proposed extensions comprise of a ground floor rear extension that extends from the existing outrigger to provide bedroom and shower room accommodation. The extension would extend to a depth of 5.3m from the existing rear elevation (excluding

the existing store room) into the rear garden and to a width of 4m and to a height of 2.35m (eaves) and 2.75m (ridge).

- 3.3 A second-floor extension is also proposed that would be positioned on top of the existing outrigger roof to provide bedroom accommodation. The extension would measure 3.45m deep, 3.7m wide and 3.1m high with a flat roof.
- 3.4 The proposal also proposes an expansion of the existing basement under the existing living room to provide approx. 25sq.m of additional living accommodation (kitchen and bedroom).
- 3.5 Externally 3 no. low level windows are proposed to the front elevation beneath the existing bay window to provide ventilation (trickle vents) and natural light to the kitchen area whilst to the rear elevation a lightwell is proposed to serve the basement level bedroom.
- 3.6 This would result in the following apartments.
  - (Flats 2 & 4) 2 No. single storey, 1 bedroom, 1 person apartments (44.1sq.m & 42.7sq.m).
  - (Flat 3) 1 No. single storey, 2 bedroom, 3 person apartment (62.3sq.m).
  - (Flat 1) 1 No. two storey, 2 bedroom, 3 person apartment (78.9sq.m).
- 3.7 The proposal does not propose any on plot parking but a detached rear structure within the garden area to provide secure, covered cycle storage for 4 no. cycles along with a refuse store is proposed. The structure would measure 5m wide, 3m deep and 2m high with a flat, felt roof and constructed from a brick base (900mm) and timber upper walls.

## **4 RELEVANT PLANNING HISTORY**

- 4.1 None relevant.

## **5 RELEVANT PLANNING POLICY AND GUIDANCE**

### **5.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **5.2 Development Plan**

- West Northamptonshire Joint Core Strategy Local Plan (Part 1) – Policies  
S10 – Sustainable Development Principles  
H1 – Housing density and mix and type of dwellings
- Northampton Local plan (1997) – Saved Policies  
E20 – Design

### **5.3 Material Considerations**

- National Planning Policy Framework (NPPF) (2021)
- Northampton Parking SPD (2019)
- Residential Extensions and Alterations Design Guide SPD

- Technical housing Standards – Nationally Described Space Standards
  - 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 with 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 – Presumption in favour of sustainable development – *Significant Weight*.
  - Policy 2 – Placemaking – *Moderate Weight*.
  - Policy 3 – Design – *Moderate Weight*.
  - Policy 4 – Amenity and Layout – *Moderate Weight*.
  - Policy 14 – Type and Mix of Housing – *Moderate Weight*.
  - Policy 35 – Parking Standards – *Significant Weight*.
- (Note: Under the Proposed LLP2 Main Modifications Policies 2 & 3 are merged)

## 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	Position	Comment
Cllr Zoe Smith	Objection	- Call in request to planning committee. - Proposal represents overdevelopment. - The room sizes appear very small.
Cllr Walter Tarasiewicz	Objection	-Call in request to planning committee. - Will negatively affect residential amenity. - Will put undue pressure on services in the area.
Northampton Town Council	Objection	- Concerns raised on utilisation of basement as bedroom accommodation.
Highways	Comments received	- Any changes to the frontage should not encroach upon or overhang the highway. - The proposed development site falls within 400m of a local centre with general facilities, and or a bus stop with a half hourly 7:00am to 9:00pm service then the site may be considered sustainable in terms of transport. However, whilst this may reduce the number of car trip, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area, along with the associated

		<p>issues outlined above.</p> <ul style="list-style-type: none"> <li>- Parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process.</li> <li>- The LPA should consider all of the matters in respect of safety and safe practice along with the residential amenity of the local residents which will inevitably suffer if further vehicles are brought into the area.</li> </ul>
Environmental Health	Conditions requested	<ul style="list-style-type: none"> <li>- Scheme for external and internal noise levels.</li> <li>- Construction Management Plan.</li> <li>- Revised cycle storage for 6 no. cycles.</li> </ul>

## 7 RESPONSE TO PUBLICITY

- 7.1 There have been no objections/letters of support received from third parties at the time of writing this report.

## 8 APPRAISAL

### Principle of Development

- 8.1 The proposed change of use would not remove the existing building from a residential use but instead would provide a number of smaller residential units for between 1 and 3 persons in each. This is generally supported in policy terms and would help, albeit in a small way, to deliver additional residential accommodation where the local planning authority is currently unable to demonstrate a 5-year housing supply.
- 8.2 The property lies within the existing urban area of Northampton and thus the principle of residential development is supported by Policy S1 of the West Northamptonshire Joint Core Strategy. The provision of internal accommodation and the proposed extensions are subject to further assessment as outlined in the report below.

### Residential Amenity

- 8.3 The NPPF at paragraph 124 advises that good design is a key aspect of sustainable development. Paragraph 127 advises on the need to ensure that new development provides a high standard of amenity for existing and future users. These aims are reiterated in Policy H1, criterion f) of the West Northamptonshire Joint Core Strategy which states that, amongst other considerations, housing development will be expected to have regard to the living conditions provided for future residents.
- 8.4 The layout of the property as existing comprises a 2-bedroom flat on the ground floor, a 1-bedroom flat and 1-bedroom bedsit on the first floor and a 1-bedroom flat on the second floor.
- 8.5 The application seeks consent for a single storey rear extension to provide additional floorspace to create a re-configured ground floor layout and, in addition, increase the footprint of the property at basement level internally together with an external rear lightwell, to provide 2 apartments on the ground floor/basement level.
- 8.6 Flat 1, as proposed, would include the proposed basement extension which would result in the provision of an additional 25sq.m of internal floorspace and would be used to provide a reconfigured two storey, 2 bed, 3 person unit over the basement

and ground floor level to the front portion of the property. Within the basement a kitchen area would be positioned to the front and would be served with 3 no. high level windows to provide natural light and ventilation from the Abington Avenue frontage, with a shower room located behind and a double bedroom to the rearmost part which would be served by a large lightwell into the rear garden and would provide 10.5sq.m of floorspace. The basement bedroom would be provided with sufficient natural light from an enlarged light well to the rear elevation and would provide sufficient levels of internal bedroom space, a concern noted by the Town Council.

- 8.7 At ground floor level a further single bedroom would be provided facing onto the rear garden and a separate living room is proposed to the front elevation with a large bay window. The overall unit (Flat 1) would provide 78.9sq.m of internal floorspace over the two levels which exceeds the minimum space standards for a 2 storey, 2 bed, 3 person unit. The submitted plans show that sufficient headroom is to be provided within the basement area with a minimum head height of 2.4m proposed. Also, it is considered that the lightwell is an appropriate window treatment for a bedroom and would provide a quiet space to aid rest. The internal layout of this unit overall is considered acceptable and would provide an appropriate level of amenity.
- 8.8 Flat 2, as proposed, would be located at ground floor level within the re-configured rear section of the building, including the proposed single storey rear extension, and would allow a reconfiguration of the internal layout to provide a separate bedroom leading onto the garden, a shower room, and open plan living room and kitchen area. The overall floorspace provision would measure 44.1sq.m and would therefore exceed the minimum requirements outlined within the Nationally Described Space Standards for a 1-bed, 1 person unit, whilst the bedroom itself, measuring approx. 10sq.m would also meet the minimum space standards.
- 8.9 Flat 3, as proposed, would be located on the re-configured first floor comprising a 2-bedroom/3 person unit with a double bedroom with en-suite, a single bedroom, shower room and kitchen living area located towards the front of the property with an overall 62.3sq.m of internal floorspace exceeding the required space standards for a 2-bed, 3 person unit.
- 8.10 The proposed second storey extension would provide additional floorspace to be used to accommodate a standalone bedroom associated with the second-floor apartment (Flat 4). The proposed extension would provide an additional 9.5sq.m of floorspace and would result in a separate bedroom with window over the rear garden, shower room and open plan kitchen/living area resulting in 42.7sq.m of internal floorspace which exceeds the minimum floorspace requirements for a 1 bed, 1 person apartment. The increased floorspace provision is welcomed in that it would offer improved levels of residential accommodation for future occupiers.
- 8.11 Enclosed refuse storage is proposed within the rear garden and would provide sufficient provision for the level of accommodation and would be required by condition.
- 8.12 In respect of impact on the amenity of existing properties, given the nature of the existing building, which is a Victorian terrace with a two-storey rear outrigger, an existing breach of the 45-degree code already exists as the buildings were designed and built in such a manner where rear elevation windows at ground floor level are set back behind the outrigger. The position and scale of the proposed ground floor rear extension off the rearmost point of the outrigger would extend the breach. However, given the intervening distance between the affected next door property window and

the ground floor extension along with the existing boundary treatment and that the proposed extension is set in from the neighbouring boundary with No. 44, and that there are no rear facing ground floor windows to the adjoining property, No. 48, it is not considered that the proposed extension would significantly worsen the existing situation sufficient to warrant refusal. Furthermore, no objections have been received from neighbouring properties and it is noted that a variety of rear extension types, scales and depths are found in the locality. On this basis and on balance, the single storey extension is considered to be an appropriate addition in this regard and would not lead to any unacceptable impact on neighbouring amenity.

- 8.13 In respect of the proposed rear dormer, this would be sited upon the roof of the two-storey rear outrigger and as submitted would currently fall under permitted development rights on the basis that it does not exceed the highest part of the roof on the existing dwelling. However, regardless of the permitted development rights on site, the proposed dormer would be constructed from matching materials and would have one rear window that overlooks the rear garden and is not orientated to either neighbouring properties, although it is noted that views from this at second storey level would provide fall reaching views across the local area, although this in itself is not sufficient to warrant planning consent in this case.

#### Design and Appearance

- 8.14 The proposed ground floor rear extension would result in a new single storey addition that would extend to 5.3m from the existing rear outrigger of the building. It is noted that a section of the existing single storey structure (the rearmost section), which extends to a depth of 1.2m and a width of 2m, is to be removed to facilitate the new extension. As such, the new extension would extend a further 4.1m into the rear garden area than existing. The depth of the extension is not considered excessive in the locality, with a number of extensions of varying depths observed locally and would not result in over development of the plot with approx. 60sq.m of useable rear garden space retained.
- 8.15 The proposed second floor rear extension would be mounted upon the roof of the existing two storey outrigger. The extension would be set down from the main roof ridge line and would not be viewable from the front elevation and would be finished external with matching roof tiles to provide a cohesive element to its appearance. The extension would have a flat roof and a single window facing onto the rear garden and would be a typical roof dormer extension found on residential properties and it is noted that a number of properties within the locality have been extended in a similar manner. On this basis, it is considered that the proposal is an acceptable addition in this regard.
- 8.16 The proposal includes the provision of 3 no. low level windows to the front elevation beneath the existing bay window and a lightwell to the rear elevation within the rear garden. Such features are found amongst other properties within the streetscene where other basement conversions have taken place and are considered to be an acceptable addition to the dwelling itself and the immediate streetscene.
- 8.17 The applicant has indicated that the external materials associated with the ground floor extension would comprise of facing brickwork to match the existing building with the second-floor extension utilising matching roof materials. This is supported and would be conditioned as such to ensure that all external finish materials mirror those to the main building. This will ensure a satisfactory standard of development.

- 8.18 The proposal includes the provision of a detached structure to the rearmost section of the rear garden to provide secure and covered storage for cycle and refuse bins. The structure would be 2m high and of a scale typically found in a rear garden in terms of sheds/garden rooms, etc. the external appearance of the structure would comprise of brick base up to 900mm high and would utilise brickworks to match the main dwellinghouse whilst the upper section of the external walls would be constructed from timber with a flat, felt roof. Such materials and scale are considered appropriate in this context.

#### Parking and Highway Safety

- 8.19 The property currently has 4 no. apartments and the proposal, whilst providing additional floorspace, would not increase the total number of units, but rather provide improved standards of existing levels of residential accommodation. Northamptonshire County Council's Parking Standards advises that parking provision for applications for conversion to flats will be considered on their own merit. The property, like others in the immediate area, is served by on street parking provision, due to the terraced nature of the dwellings, which is unrestricted.
- 8.20 The application site falls within 400m of a local centre with general facilities and a bus stop with a half hourly 7:00am to 9:00pm service. On this basis the site is considered sustainable in terms of transport. The Highways Officer has stated however, that whilst this may reduce the number of car trips, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area. They go on state that parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process, however these surveys are not taken over a long enough time period, and so at best provide a snapshot of what is observed on a few given days.
- 8.21 In this case, the provision of a parking beat survey was not requested on the basis that the property has already been in use as 4 no. separate apartments for a considerable period of time (Council Tax records indicating the use of the property as 4 separate units since 1993 – albeit not evidenced as continuously used) and therefore the parking requirements of the building are already in existence.
- 8.22 In addition, the area is located within a sustainable location in terms of facilities and public transport links. It is also noted that cycle storage within the rear garden area is proposed for up to 4 no. cycles within a lockable, covered, timber structure which is welcomed. Environmental Health have requested provision for 6 no. cycles. Given that the proposal would result in an increase in bedrooms to a total of 6 no, it is considered appropriate to secure cycle storage for 6 no. cycles. Such details can be secured by planning condition.
- 8.23 Given the site's location, it is therefore considered that the extensions as proposed would unlikely result in adverse significant changes to the parking in the area and that a refusal on highway grounds could not be upheld. It is therefore considered that there are no unacceptable impacts on the highway network for safety arising from this proposal.

#### Waste and Recycling

- 8.24 There is an existing rear garden where bins can be stored as indicated on the submitted plans within a new bin store structure, and there are means of accessing



the rear garden from all the apartments. As such, satisfactory bin storage can be provided for both apartments in accordance with Policies S10 and H1 of the JCS.

#### Community Infrastructure Levy (CIL)

8.25 The development is not CIL liable due to the scale of development proposed.

### **9 PLANNING BALANCE AND CONCLUSION**

9.1 The scale of the proposed extensions are considered appropriate in the locality and would not result in over development of the plot or unacceptable impact on neighbouring amenity. Subject to a matching material condition the extensions would be acceptable additions. Furthermore, the provision of the extensions would enable a sufficiently sized apartments to be provided in accordance with the current national space standards resulting in the betterment of existing and future occupiers which is supported. As such, the proposal is recommended for approval subject to conditions.

### **10 RECOMMENDATION**

10.1 Approve, subject to conditions.

### **11 CONDITIONS AND REASONS**

#### 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.

#### Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: N457-101B, N457-102, N457-001.

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

#### Materials Extension

3. The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

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

#### Materials Dormer

4. 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 harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

#### Refuse Storage

5. The refuse storage as shown on the approved plans shall be provided within 1 month of planning consent being granted and retained thereafter.

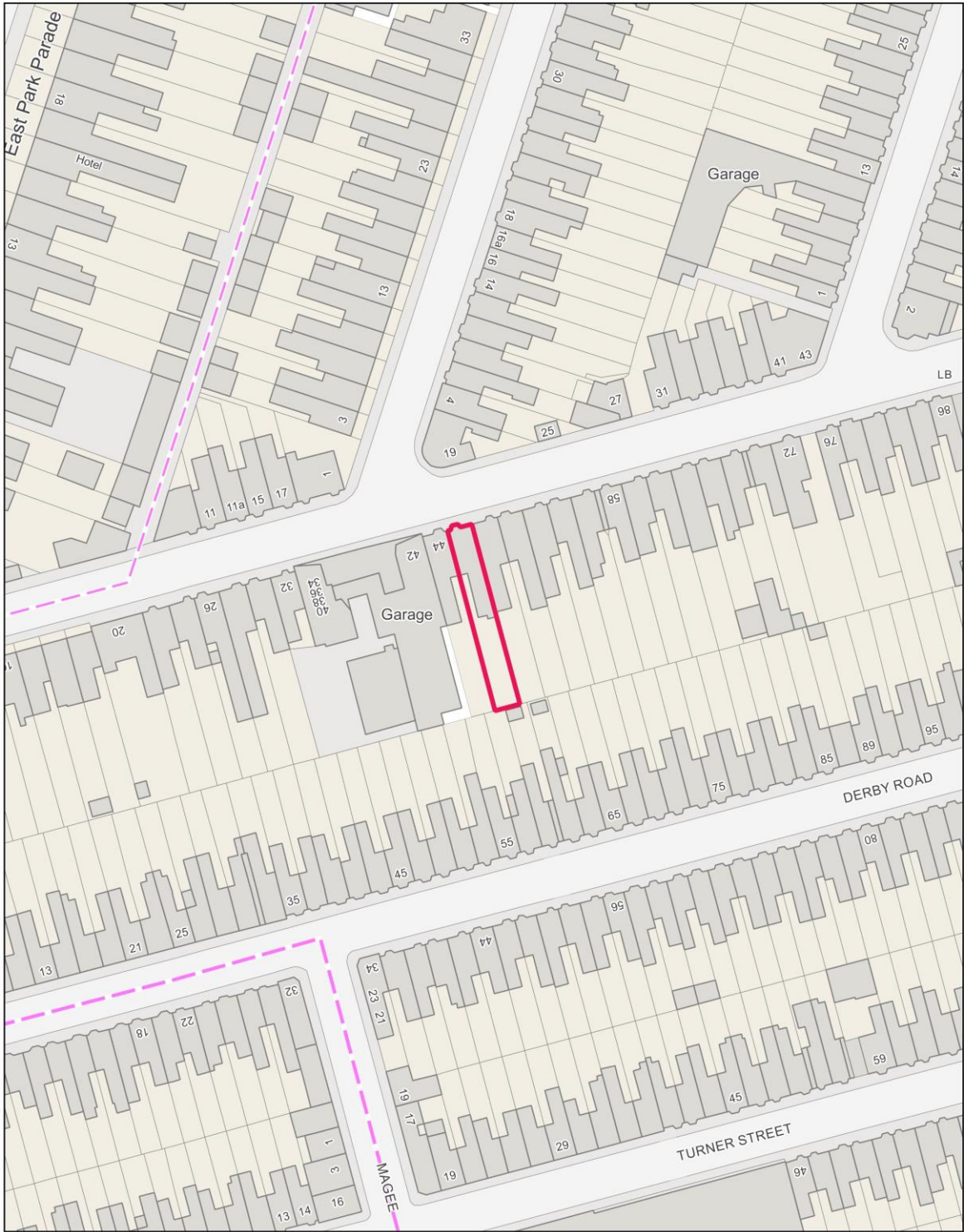
Reason: To ensure a satisfactory standard of amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

#### Cycle Storage

6. Notwithstanding the submitted cycle storage details outlined on plan reference N457-102, full details of facilities for the secure and covered parking of 6 no. bicycles shall be first submitted to and approved in writing by the Local Planning Authority within 1 month of planning consent being granted. Development shall be carried out in accordance with the approved details and fully implemented within 1 month of approval.

Reason: To ensure the provision of adequate facilities and to define the scope of planning permission.

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Title: **46 Abington Avenue**

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Date: 20-07-2022

Scale: 1:1,000

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