



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 14<sup>th</sup> June 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0393 and N/2016/0395

**LOCATION:** 7 Spencer Parade

**DESCRIPTION:** Change of use from offices (Use Class B1a) to 12no. one and two bed flats together with ancillary storage in the basement. Installation of metal stairs to rear, alterations to existing windows and insertion of roof light and window and associated works

Listed Building Consent application for internal and external alterations to the building to residential use including removal and part removal of internal walls and doors, installation of partition walls, insertion of new doors, installation of bathroom extraction and ducting with grille extracts to rear and side elevations, installation of metal stairs to rear, insertion of new window and roof light to rear elevation. Alterations to existing windows, including replacement and bricking up of various windows and replacement of existing metal windows within the main listed building

**WARD:** Castle Ward

**APPLICANT:** ASD Property Services (GB) Limited  
**AGENT:** CC Town Planning

**REFERRED BY:** Councillor D Stone  
**REASON:** Overdevelopment

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**N/2016/0393 – Planning Application**

**1.1 APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed change of use of the property from offices (use class B1) to a residential use would support the sensitive re-use of a vacant listed building and provide additional housing without significant harm to the character or appearance of the building, surrounding area, highway safety or the amenity of neighbouring properties. The proposal is therefore in accordance with Policies S10, BN5 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the

Northampton Local Plan, Policies 1, 10, 15 and 16 of the Northampton Central Area Action Plan and National Planning Policy Framework.

## **N/2016/0395 – Listed Building Consent Application**

1.2 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed works would represent the effective re-use of a vacant listed building without significant harm to the historic and architectural character of the listed building, its setting or the visual amenities of the conservation area. The proposal is therefore in accordance with Policies S10, BN5 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan, Policies 1, 10, 15 and 16 of the Northampton Central Area Action Plan and National Planning Policy Framework.

## **2. THE PROPOSAL**

2.1 The planning application (N/2016/0393) relates to the change of use of the premises from offices (Use Class B1A) to 4 no. one and 8 no. two bedroom flats together with ancillary storage in the basement. In addition, the scheme shows the installation of metal stairs to the rear, alterations to existing windows and the insertion of a roof light and window, along with associated works.

2.2 The separate application for Listed Building Consent (N/2016/0395) relates to alterations associated with the change of use. The alterations include:

- the removal and part removal of internal walls and doors;
- installation of partition walls;
- installation of new doors;
- installation of bathroom extraction and ducting with grille extracts to rear and side elevations;
- installation of metal stairs to rear;
- insertion of new window and roof light to rear elevation;
- alterations to existing windows, including replacement and bricking up of various windows; and
- replacement of existing metal windows within the main listed building.

## **3. SITE DESCRIPTION**

3.1 The application site constitutes a three storey building; it is a Mid-19<sup>th</sup> century former dwelling which is one of a matching pair of villas with No.6 built in Jacobean style. It is a Grade II listed, located within St Giles Conservation Area. The building is currently vacant, having most recently been in use as an office.

3.2 The building is finished in cream render, with prominent quoins and welsh slate roof tiles. The building is set back from the road frontage and has a large unenclosed front garden.

3.3 An extension was added to 7 Spencer Parade in the 1970s to provide a 4/5 storey office extension on rear. Whilst this now forms part of the listed building it is not of historic significance.

3.4 In setting the context of the application, consent was granted in August 2015 for the conversion of the adjacent property, 6 Spencer Parade, to provide 8 apartments and associated alterations. At that time it was reported that the two properties were connected by internal doors and that they had been vacant since January 2014.

## **4. PLANNING HISTORY**

- 4.1 Records indicate that only minor alterations have been carried out to the premises, including the erection of laser box, addition of an access ramp to the front entrance and provision of a toilet or disabled use in 2004.
- 4.2 Consent was granted in 2013 (reference N/2013/0459) for works to the trees within the curtilage of 4-7 Spencer Parade.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies and Northampton Central Area Action Plan (2013).

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

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.

### **5.2 National Policies**

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 47 requires Authorities to have a five year land supply to meet their housing target.

Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 50 seeks to deliver a wide choice of high quality homes and plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups of the community. Within this a range of housing to cover different size, tenure and type to reflect local need should be identified.

Paragraph 56 attaches the importance of good design in proposals. Good design is a key aspect in sustainable development.

Paragraph 129 requires local planning authorities to consider significance of any heritage assets affected when determining planning applications.

Paragraph 131 requires that local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 132 states that when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.

### 5.3 **West Northamptonshire Joint Core Strategy (2014)**

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:

S10: Sustainable Development Principles – requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

Policy BN5: The Historic Environment and Landscape – seeks to conserve and enhance heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets.

Policy H1: supports a mix of housing types mix of dwelling types, size and tenures in within the development plan area, taking into account the location, character and density of the local area, proximity to public transport, living conditions for future residents and impact on the amenity of the occupiers of neighbouring properties.

### 5.4 **Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1 Promoting Design Excellence which seeks to preserve and enhance the character, appearance and setting of the Central Area's heritage assets.

Policy 10 Parking seeks to control parking. It resists additional private parking within the Central Area.

Policy 15 Office and Business Use seeks to promote office use in the Central Area. Exceptions to the policy are appropriate where the benefits of the change of use outweigh the loss of employment space and meet the strategic objectives, which in this instance is to contribute to the housing needs of Northampton.

Policy 16 Central Area Living: supports the need to provide a mix of dwelling types, size and tenures in the Central Area, in support of the Policy H1 of the West Northamptonshire Joint Core Strategy.

### 5.5 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 - new development seeks to secure development which has an acceptable design and layout and achieves acceptable standards of amenity.

Policy E26 - new development to preserve or enhance character and appearance; does not include the demolition of buildings making a significant contribution to character /appearance

#### 5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

#### 5.7 **Other Material Considerations**

St Giles Conservation Area Appraisal – The Conservation Area Assessment (dated 2006) sets out the process that was followed by the Council prior to designation of the Conservation Area on 25<sup>th</sup> June 1986. It sets the scene for the history and character of the Conservation Area.

Whilst this part of Northampton dates back to the 12<sup>th</sup> Century, Spencer Parade was an addition in the mid-19<sup>th</sup> century. It notes how the properties, which would have originally been for residential use, are set back, with villa gardens that create a visual separation between the private and public environment which adds to the grandeur of the properties and distinctive character of the area.

The appraisal adds that the properties have been constructed in varied architectural styles of the early 19<sup>th</sup> Century ‘mediaevalist’ period, more of a Jacobean style with multi-gabled façade.

The Conservation Management Plan seeks to protect and actively manage the area and sits alongside the Appraisal. In respect of vacant buildings, such as this, the management plan seeks to ensure the best long term future for any building and the reinstatement of the buildings original use will be looked upon favourably.

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – request a condition relating to refuse storage pending collection.
- 6.2 **NBC Conservation** – No objection to the change of use which is appropriate to the historic character of the listed building. The proposed works to the listed building were discussed prior to the submission of the application and advice has been given.
- 6.3 **Northamptonshire Police** – no objections are raised in principle, but advice is given in respect of security measures that should be incorporated into the development.
- 6.4 **Town Centre Conservation Advisory Committee** – no response received.
- 6.5 **NCC Highways and Access** – As the development does not contain any off-street parking provision and the change of use will increase the demand for on street parking spaces after 6pm, the Council may wish to satisfy itself that the proposed development will not have an undue amenity impact upon the neighbouring residents.
- 6.6 **NCC Surface Water** – As this is not a major application, standing advice applies in this instance.
- 6.7 **Councillor D Stone** – wishes the application to be called into committee on the grounds of over development and all the associated issues.
- 6.8 One letter and 3 emails have been received from **6 Spencer Parade**. The observations are summarised as follows:

- Works have commenced on site prior to determination of the application, which has caused noise and disturbance to the tenants of the adjacent property;
- A Stop Notice should be served on the applicant;
- Concerns regarding overlooking
- A Construction Management Plan should be provided to protect local residents;
- Design and approval of drainage should be agreed with the local water authority prior to commencement of works to avoid shared drainage with the adjacent property;
- Any works to the shared chimney stack and roof should be inspected by an independent surveyor;
- Conditions should be imposed to ensure the quality of the materials;
- If the above matters are adequately covered by appropriate conditions, the objector will support the application.

6.9 In response to the above, the agent has confirmed that no additional floor space is being created as part of this application, overlooking has been minimised by considering the layout of the flats and obscure glazing added where there is the potential for loss of privacy, noise arising during the course of construction can be addressed by hours related conditions, drainage could be controlled by condition (although this matter would be dealt with under the Building Regulations), repairs to the chimney are a civil matter between the two parties involved, other examples of flatted development within the town centre have been approved without parking provision.

## **7. APPRAISAL**

### **Principle of Development**

- 7.1 The National Planning Policy Framework makes clear the presumption in favour of sustainable development and aims to meet the housing needs of the area. Policy S10 of the West Northamptonshire Joint Core Strategy (JCS) supports sustainable development and H1 supports development which meets housing needs. Policy BN5 of the JCS seeks to conserve and enhance heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets.
- 7.2 It is considered that the site lies within a sustainable location, within the town centre, offering access to facilities and public transport links.
- 7.3 The application site is within a safeguarded employment site by virtue of Policy 15 of the CAAP. The policy states that applications for change of use outside of the B use class will only be permitted where it can be demonstrated that the loss of employment floor space will be outweighed by meeting the strategic objectives.
- 7.4 In this case it is considered that the proposed development would fulfil the strategic objectives of Policy 16 of the CAAP. Policy 16 of the CAAP seeks to encourage town centre living and encourages the development of one and two bedroom apartments within and adjacent to the town centre boundary.
- 7.5 Whilst the proposal will reduce the office space in the Town Centre, it will seek to protect and preserve the structure and appearance of the listed building. Currently this property is vacant and whilst no marketing information has been supplied, it is understood to have been empty for some time. It is therefore considered that the proposal is acceptable.

### **Impact on Heritage Asset**

- 7.6 No objections have been raised on conservation grounds to conversion from offices to residential use, and it is considered that this is appropriate to the historic character of the listed building.

- 7.7 The proposed external alterations – notably the blocking-up of non-original window openings and replacement of metal windows from the front and side elevations – were agreed pre-application and will help to restore the appearance of the building.
- 7.8 Details of replacement windows are to be agreed by condition and the like-for-like repair and the redecoration of the exterior of the building has been agreed as not requiring listed building consent. If the applicant were to propose changes in the future, this would require listed building consent.
- 7.9 The internal alterations and sub-divisions were also agreed as being reversible and limit harm to the surviving layout and character of the building. The proposed insulation between floors and bathroom extraction grilles will have an acceptable impact. The internal partition walls identified for removal or re-positioning are not historic.
- 7.10 The rear extension is dominant and not of historic importance. The alterations to the extension, including the external staircase, will not harm the character or setting of the main building.
- 7.11 It is therefore considered that there is no material adverse impact on the listed building as a result of the works proposed.

#### **Impact on amenity**

- 7.12 In considering residential development, the amenities of both the existing and proposed occupants should be considered and adequately preserved.
- 7.13 In this instance, the rear extension is irregular in shape and windows are located on the side elevations. no additional openings are proposed and in considering the layout of the residential units, the drawing indicate bathrooms, kitchens and second bedrooms will have windows looking towards the garden area of 6 Spencer Parade. In response to any potential overlooking issues, the windows are indicated to be obscure glazed.
- 7.14 Further consideration should also be given to the existing situation with the authorised use. Currently there are no controls over the overlooking situation that could occur if the offices were occupied on a daily basis. In an extreme situation, there would be no restriction on the hours the offices could be used and it is possible that an office based use could operate 24/7 if such a tenant had been found. On that basis the measures indicated on the drawings are considered acceptable and would not result in an unacceptable development in terms of residential standards.
- 7.15 The application site contains a substantial building and the proposed conversion to 12 flats is considered acceptable and would provide good level of amenity for future occupiers. It is not considered that the proposal represents an overdevelopment of the site.
- 7.16 A secured refuse and recycling storage area is shown on the submitted plan. A planning condition will be imposed to ensure that the facility is provided.

#### **Impact on Highways**

- 7.17 The Highway Authority has commented on the limited parking in the area, which immediately outside the property, the on-street parking is controlled by parking meter.
- 7.18 There are no residents parking permit schemes in this area, which would mean that any occupants of residential properties in this area could be deterred from private car ownership, or would have to park knowing that charges would apply.

- 7.19 Other applications have been approved in this area and to a certain extent, a precedent has been set, however cumulative impact is a consideration.
- 7.20 Given the location of the property, a good public transport service exists in the vicinity, which again would be a consideration for any potential occupier of the flats.
- 7.21 Given the proximity to employment areas, such as the hospital, town centre uses and the new university campus, a lack of parking provision may not be a concern for potential occupiers.
- 7.22 It is therefore considered that the lack of parking provision is not a justification for refusing the application. A planning condition will be imposed to ensure that secured cycle parking area is provided within the curtilage of the site.

## **8. CONCLUSION**

- 8.1 The principle of the development is acceptable and provides an acceptable use for the listed building within the Central Area. The design and impact on the neighbouring residential and commercial uses is considered to be acceptable and would not adversely impact on residential amenities of the residents of 6 Spencer Parade.
- 8.2 The lack of parking in the area is considered to be acceptable given the location of the building and in balance; the contribution that this development will make to the five year land supply would outweigh any impacts of the development.

## **9. CONDITIONS**

### **9.1 N/2016/0393 – Planning Application**

(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: basement and ground floor plans 1202-16/01, first, second and third floor plans 1202-16/02, elevations 1202-16/03, floor/wall junction details 1202-16/04.

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

(3) The refuse and recycling storage facilities as shown on the submitted plan shall be provided prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of the amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(4) No construction works related to the proposal hereby approved shall not take place before 08.00 hours or after 17.30 hours on any day or at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenity of adjoining occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(5) Notwithstanding any details submitted with the application, prior to the commencement of the development, details of the replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.



Reason: In the interests of visual amenity and in accordance with policy BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan and the NPPF. The condition is a pre-commencement condition to ensure that no works are carried out which would be detrimental to the historic fabric of the grade II listed building whilst reducing the impact on the amenities of the adjacent residential properties.

(6) Full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

## **9.2 N/2016/0395 – Listed Building Consent Application**

(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 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: basement and ground floor plans 1202-16/01, first, second and third floor plans 1202-16/02, elevations 1202-16/03, floor/wall junction details 1202-16/04.

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

(3) Notwithstanding any details submitted with the application, prior to the commencement of the development, details of the replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with policy BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan and the NPPF. The condition is a pre-commencement condition to ensure that no works are carried out which would be detrimental to the historic fabric of the grade II listed building.

## **10. BACKGROUND PAPERS**

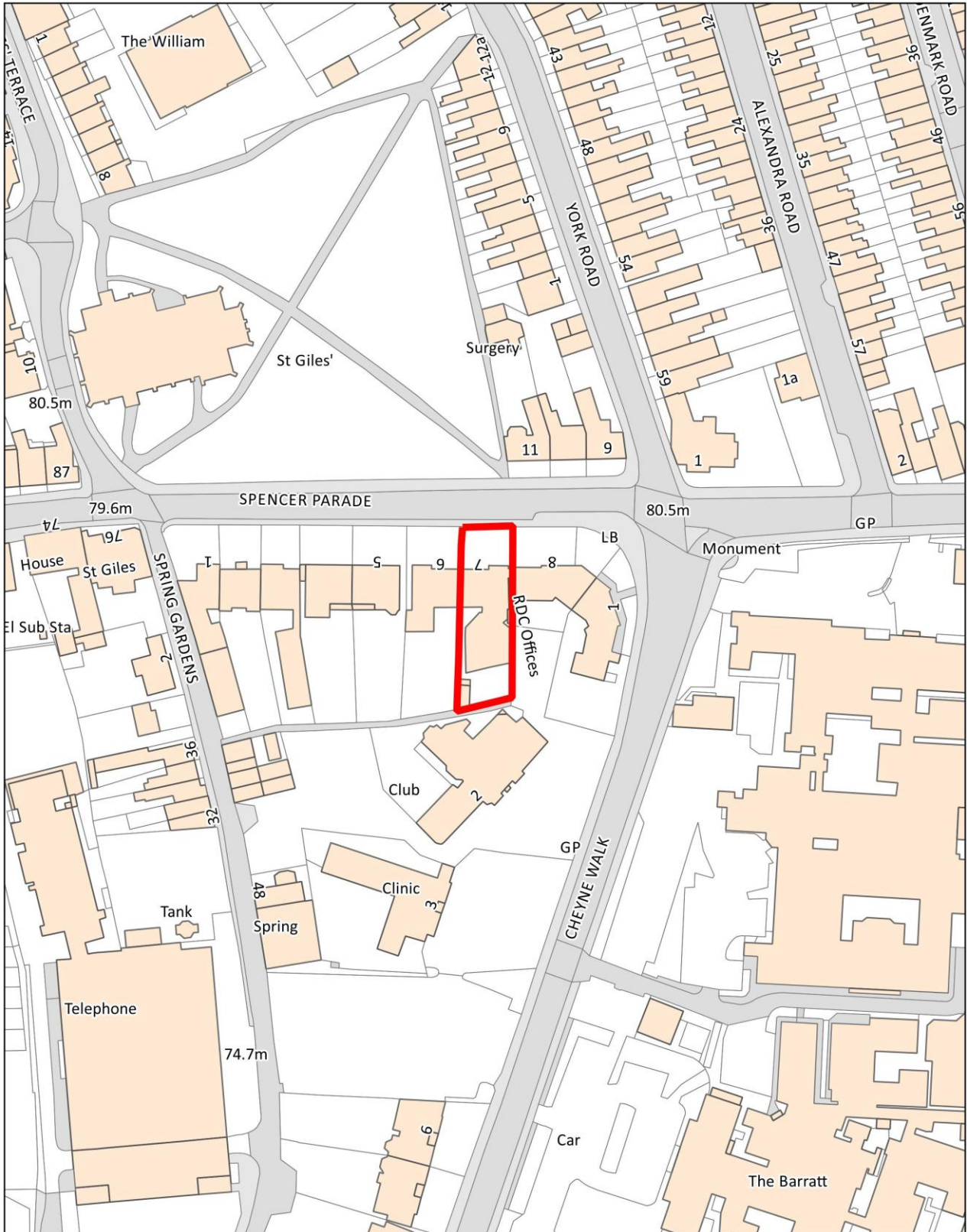
10.1 N/2016/0393 and N/2016/0395.

## **11. LEGAL IMPLICATIONS**

11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **7 Spencer Parade**

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Date: 31-05-2016

Scale: 1:1,250

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