

PLANNING COMMITTEE: 5th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0455 & N/2016/0456

LOCATION: Cottage 2 Abington Park , Wellingborough Road,

DESCRIPTION: Listed building consent application to strip paint off four internal doors and apply fire retardant paint and fire door seal kits; and
Change of use from Residential (Use Class C3) to Educational Day Service (Use Class D1)

WARD: Abington Ward

APPLICANT: Olympus Care Services Ltd
AGENT: Olympus Care Services Ltd

REFERRED BY: Director of Regeneration, Enterprise & Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

N/2016/0455 – Application for Listed Building Consent

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

The proposed works will not unduly affect the character, appearance or special interest of the Listed Building and are in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

N/2016/0456 – Planning Application

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

The proposed change of use from residential (use class C3) to Educational Day Service (use class D1) would be an appropriate use of the building, and would not unduly affect the character of the park or the Conservation Area. The proposal is therefore in accordance with Policies E9 and E26 of the Northampton Local Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application for Listed Building Consent (N/2016/0455) seeks authorisation for the removal of paint from four internal doors, with the application of fire retardant paint and fire door seal kits.
- 2.2 The planning application (N/2016/0456) seeks permission for the change of use of the building from residential to Educational Day Service use.

3. SITE DESCRIPTION

- 3.1 Cottage 2 is a semi-detached stone cottage (attached to Cottage 1) with a thatch roof within Abington Park, with a kitchen and living room on the ground floor and two bedrooms and a bathroom upstairs. The site is adjacent to the NBC maintenance yard, and is in close proximity to the tennis courts and bowling greens. The property is a Listed Building within the Abington Park Conservation Area, and dates from the late 17th century.
- 3.2 The building is owned by the Borough Council.

4. PLANNING HISTORY

- 4.1 None.

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), and the Northampton Local Plan (1997) saved policies.

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.

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.

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:

Chapter 12 – Conserving and Enhancing the historic environment.

Para.6: the planning system should support community health, social and cultural well-being.

Para.17: take account of and support local strategies to improve health, social and cultural wellbeing for all.

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:

Policy BN5 – Historic Environment: Designated heritage assets and their settings will be conserved and enhanced in recognition of their individual and cumulative significance.

Policy H5 – Managing the Existing Housing Stock: the policy states that the existing housing stock will be managed and safeguarded by:

- Restricting the loss of existing dwellings to other uses.
- Securing the re-use of empty dwellings for residential use.
- Allowing houses in multiple occupation (HIMOS) where they would not adversely affect the character and amenity of existing residential areas.

5.4 **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 E26 – new development shall preserve or enhance the character and appearance of the Conservation Area.

Policy E9 – special importance will be attached to the effect of development upon the character of locally important landscape areas.

5.5 **Other Material Considerations**

Abington Park Conservation Area Assessment 2005

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation Section –** the proposed treatment of the doors is considered to be a sympathetic approach to upgrading the property.

6.2 **Friends of Abington Park/Abington Conservation Society –** raised questions as to proposed use, operating hours, and terms of tenancy agreement.

6.3 **NCC Highways –** No objections

7. **APPRAISAL**

7.1 The applications are made by Olympus Care Services Ltd. (wholly owned by Northamptonshire County Council), which provides Adult Social Services care. Daytime support is given to adults who have a learning disability, and the group (up to 15 people) volunteer alongside park rangers to maintain the grounds of Abington Park.

- 7.2 Currently the group uses an outbuilding within the adjacent NBC yard. This is an informal arrangement in exchange for the volunteer services they provide at the park. Enterprise and the Park Rangers are also based at the yard. If the applications are successful, the group will likely continue to store tools, etc. at the outbuilding, but will have their main base at Cottage 2, for which a rent will be paid. Currently their base is at 2a Allen Road.
- 7.3 The plans indicate that the kitchen will be retained, with the lounge and bedrooms to be used as activity rooms.
- 7.4 Cottage 2 has been vacant since early 2012, and Cottage 1 has been vacant since early 2015. Both were previously let for residential use.
- 7.5 The main issues are whether the proposals will adversely affect the character/setting of the park and listed building; and whether the loss of a residential unit is acceptable.
- 7.6 The proposals are considered to be compliant with policy, in that the character/setting of heritage assets would be preserved, and enhanced by the bringing back into use of a listed building.
- 7.7 It is considered that the proposed use of the cottage is appropriate within its setting. Existing activities within the park would merely be relocated, and it is considered desirable to bring a listed building back into use.
- 7.8 The proposed upgrading of internal doors will bring the building into required compliance with Fire Regulations for D1 use. The proposed upgrading follows pre-application advice given by the Conservation Officer, who has no objections to these applications.
- 7.9 The Council's Asset Management team has indicated that they no longer wish to let the cottage for residential use, due to its isolated location and for operational reasons. It is acknowledged that this conflicts with Policy H5 of the Joint Core Strategy (Managing Existing Housing Stock – restricting the loss of existing dwellings to other uses), however, it is considered that the benefit that this proposal would afford to a community group and the listed building, would outweigh the loss of one residential unit.
- 7.10 It is considered necessary, however, to place a condition restricting the use within Use Class D1 to 'non-residential education and training centres', and also to remove any permitted development rights that may apply.

8. CONCLUSION

- 8.1 The principle of the development is acceptable and provides an appropriate use for the listed building within the park. The loss of a residential unit is outweighed by the benefits to a community group, and by the benefits of bringing a listed building back into use. The proposal would not cause any harm to the heritage asset and the setting of the conservation area.
- 8.2 Accordingly, the applications are recommended for approval with the following conditions:

9. CONDITIONS

9.1 N/2016/0455 – Application for Listed Building Consent

- (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, floor plans.

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

- (3) The doors shall be treated in accordance with the approved specification of works submitted with the application.

Reason: To protect the integrity and special interest of the Listed Building in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

9.2 **N/2016/0456 – 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 in accordance with the following approved plans: location plan, floor plans.

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

- (3) The premises shall be used as a non-residential education and training centre only and for no other purpose (including any other purpose in Class D1) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no temporary changes of use to Use Classes A1, A2, A3 or B1 shall be permitted.

Reason: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

- 10.1 N/2016/0455 and N/2016/0456.

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: **Cottage 2, Abington Park**

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Date: 27-06-2016

Scale: 1:2,000

Drawn by: