

**PLANNING COMMITTEE:** 5<sup>th</sup> September 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/0163

**LOCATION:** Former Sikh Temple, 2 Craven Street

**DESCRIPTION:** Change of use of the first floor offices and storage area to form a house in multiple occupation for 5no. occupants (Use Class C4) and a one bedroom self-contained residential unit on the ground floor (Use Class C3); erection of bike store and boundary walls

**WARD:** Castle Ward

**APPLICANT:** Dr San  
**AGENT:** Simic Associates

**REFERRED BY:** Councillor D Stone  
**REASON:** Overdevelopment and parking concern

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed conversion and associated works is considered acceptable being in an established residential location. It would also have an acceptable impact on the appearance and character of the Boot and Shoe Quarter Conservation area, highway safety, amenity of future occupiers, flood risk and amenity of other properties and complies with Policies E20, E26, H30 of the Northampton Local Plan, S10, H1, H5, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy, the Council's Interim Planning Policy on Houses in Multiple Occupation and aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 Planning permission is sought for a change of use of first floor offices to a house in multiple occupation for 5 occupants and a one bedroom self-contained flat on ground floor. The ground floor flat would be used by the applicant in connection with the existing dental laboratory. The current on-site parking spaces would be removed and the area will be enclosed by a one metre high boundary wall.

**3. SITE DESCRIPTION**

- 3.1 The application site consists of a corner plot location at the intersection of Craven Street and Bailiff Street within the Boot and Shoe Quarter Conservation Area. The building is currently used as a dental laboratory on the ground floor with associated storage. The site in the past has been used as a prayer hall (Class D1). Originally there were 4 dwellings on the plots constructed in the late 19<sup>th</sup> and early 20<sup>th</sup> century as part of one terrace.

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

- 4.1 1987 Permission for a change of use to community and prayer centre.  
2012 Permission granted for change of use of prayer hall to dental laboratory.

#### **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 Northampton Local Plan (1997) saved policies.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention 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:

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

Paragraph 50 states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

Paragraph 132 Impact on heritage Assets (including conservation areas).

##### **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 H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the

location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy 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.

BN5 – relates to impact on heritage assets and includes effect on conservation areas

BN7 –relates to flood risk in determination of planning applications.

BN9 – relates to Pollution Control in respect of noise, air quality and contamination

#### 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 E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy E26 - any development must preserve or enhance the area.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

#### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016) SPD

Northamptonshire Planning Out Crime (2003) SPG

#### 5.6 **Other Material Considerations**

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material change or adverse impact on the character of the area; or more than 15% of HIMOs within a 50m radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk.
- Promote use of public transport, cycling and walking and secure provision of adequate parking.
- Ensure provision of adequate refuse and recycling storage.

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarise as follows:

- 6.1 **Environmental Health (NBC)** - No objection, subject to existing compressor being moved to basement to reduce noise impact on the proposed HIMO above.
- 6.2 **Local Highway Authority (NCC)** - The property is within the Permit Zone E and therefore all parking is controlled. The LHA holds the right to restrict the numbers of permits as it sees fit. This may result in the number of permits being limited and there is no guarantee that every resident will be issued with one.
- 6.3 **Private Sector Housing (NBC)** - No objection, property is suitable for use as a HIMO.
- 6.4 **Built Conservation (NBC)** - No objection. The building would originally have been three terraced houses. The application includes a boundary wall to enclose an open parking area at the corner of Craven Street and Bailiff Street and suggest a condition be secured for materials to be agreed. The proposed bike shed will have an acceptable impact on the conservation area.
- 6.5 **Councillor D Stone** - object and called in on impact on parking, over-development and impact on local amenity.

## 7. APPRAISAL

### Principle of the development

- 7.1 The conversion of the existing property to a HIMO and separate flat 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. Policy S10 of the JCS requires good design as does E20 of the Local Plan. H1 of the JCS relates specifically to residential development in terms of design, layout and form. The NPPF also requires a good level of residential amenity and safe access for all. Consideration must be paid to the impact on heritage asset (the conservation area).

### Area concentration

- 7.2 Council records evidence that there are 5 established HIMOs within a 50metre radius of the application site. The use of this property as a HIMO would therefore equate to (6 of 85 properties) 7.05% per cent concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered generally to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guide. All bedrooms would be served by adequate outlook and light. Private Sector Housing confirm that the accommodation proposed would be acceptable. The ground floor flat would also have satisfactory outlook and light from existing window openings to the rear and front.
- 7.4 Although there would be some impact from the existing ground floor dental laboratory on the amenity of the HIMO above, it is considered that, as this is a day time operation only, that the effect would not be overly significant. The Council's Environmental Health Officer raises no

objection subject to the existing compressor be re-located on site. This is acceptable to the applicant and can be agreed by condition. The proposed ground floor flat would be used by the applicant in connection with his business as a dental laboratory. It is considered the layout is acceptable and would contribute to the Council's housing supply.

### **Flood Risk**

- 7.5 Given that the site is not located in a flood zone, there would unlikely be any impact on flood risk created by the proposed development.

### **Highways/ Parking**

- 7.6 Although the development would, if permitted, remove the current 5 on-site parking spaces, as the area would be enclosed by a one metre high boundary wall, it should be remembered that the current spaces are sub-standard as stipulated in the NCC Revised Parking Standards (2016). On balance, the loss of these substandard car parking spaces would not be a significant concern. As the site is in a sustainable location within close walking distance to the town centre and bus routes on Barrack Road. The Local Highway Authority raise no objections to the application proposal.

### **Refuse storage**

- 7.7 There is sufficient space to the front of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property.

### **Amenity**

- 7.8 Bearing in mind that the property has in the past been used as a place of worship and a prayer hall, it is considered that the proposed use would be significantly less intensive that would result in adverse impact on adjoining occupiers in terms of noise, privacy and disturbance. There would not be any overlooking issues to adjoining neighbours from the new first floor side window due to the existing separation to properties opposite.

### **Impact on appearance and character of Boot and Shoe Quarter Conservation Area**

- 7.9 The site is located within the Boot and Shoe Quarter Conservation Area. The Council's Conservation Officers raise no objection to the proposed change of use and recommend that a condition for materials to be agreed for the proposed front boundary wall to ensure a satisfactory impact on the conservation area. There is also no objection to the proposed cycle shed location, further details for which will also be secured by condition.

## **8. Conclusion**

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, the development plan and national policy, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. There would also not be an adverse impact on the appearance and character on the conservation area, on highway safety or flood risk.

## **9. CONDITIONS**

- 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: 16673; 06C, 07H, 08.

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

3) Prior to the commencement of development, details of all proposed external facing materials of the boundary wall shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details agreed in a timely manner.

4) The maximum number of occupants of the first floor house in multiple occupation use shall not exceed 5 at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy.

5) Prior to the occupation of development, further details of facilities for the secure and covered parking of bicycles shall be 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

5) The bin storage area shall be implemented in accordance with that shown on the approved plan 16673; 06C prior to the first occupation of development and shall be retained throughout the lifetime of development.

Reason: In the interests of residential amenity to accord with Policy H5 of the West Northamptonshire Joint Core Strategy.

6) Prior the occupation of the building as a house in multiple occupation, further details indicating the re-location of the existing compressor to the basement shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the use hereby permitted commencing and retained throughout the lifetime of development.

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

7) The existing basement shall not be used as a bedroom at any time.

Reason: In the interests of residential amenity to comply with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

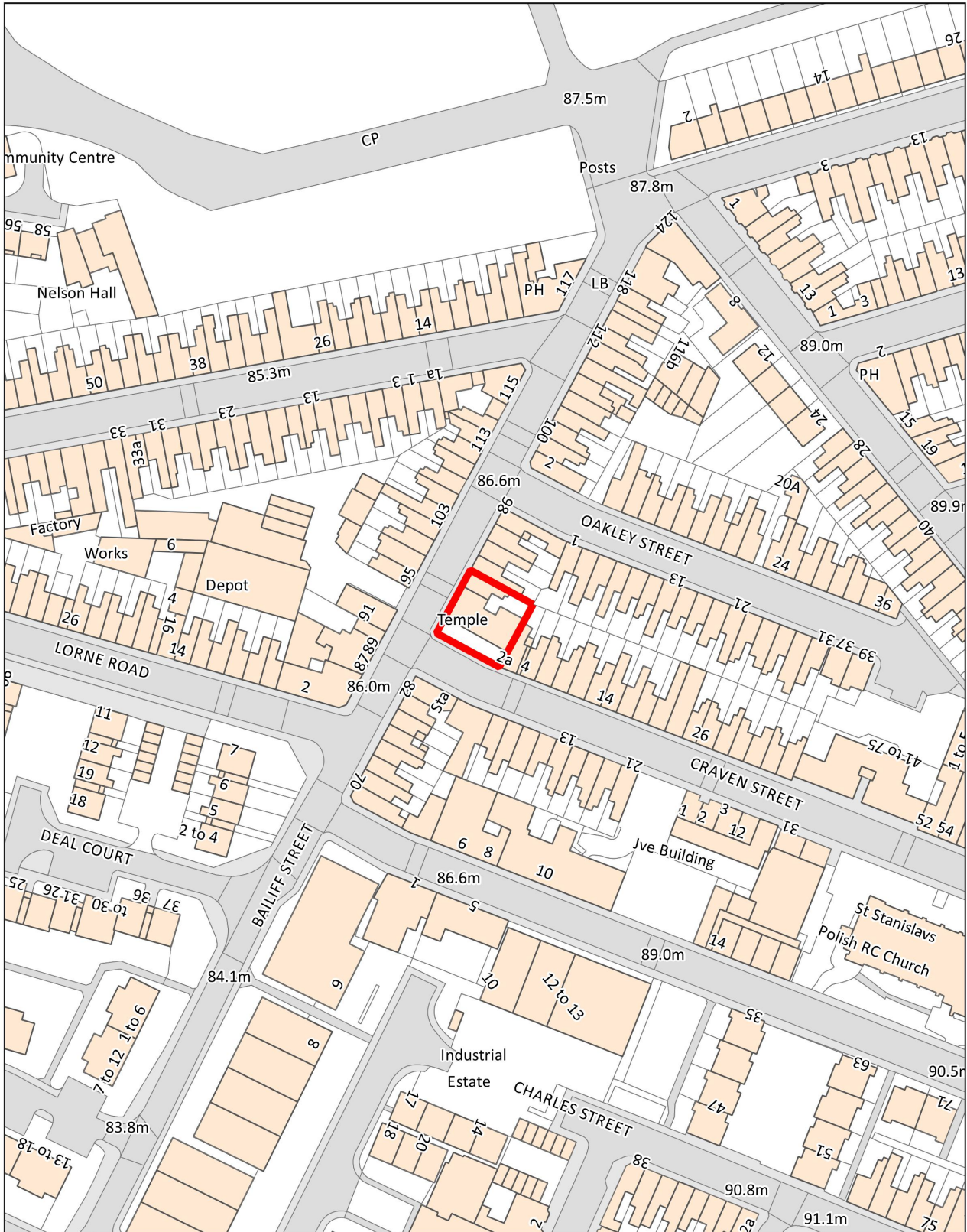
10.1 N/2017/0163

## **11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable given that the proposal is primarily for change of use.

## **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:

## Sikh Temple, 2 Craven Street

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Date: 23-08-2017

Scale: 1:1,250

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