

PLANNING COMMITTEE: 18th December 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1122

LOCATION: 93 - 95 St Leonards Road

DESCRIPTION: Ground and first floor extensions, conversion of part ground and first floor to form three self-contained flats. Subdivision of existing retail unit into two units and alteration to shopfront

WARD: Delapre & Briar Ward

APPLICANT: Mr Yogesh Chandra Patel
AGENT: Mr Sharif Uddin

REFERRED BY: Councillor J Davenport
REASON: Parking and refuse concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development is considered acceptable in principle as it would provide an additional retail unit and mix of house types within the local area. The proposed flats would provide adequate facilities for future occupants and would not unduly impact on the character of the street scene. The site is in a sustainable location close to local facilities and public transport routes and would provide adequate facilities for refuse storage. The proposal thereby complies with Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, H21 and H23 of the Northampton Local Plan, and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The current application proposes to subdivision of the existing retail unit into 2 retails unit including ground and first floor rear extension to provide 2 x 1- bed and 1x 2-bed flats on ground and first floors.

2.2 Three on-site parking spaces would be provided to the rear of the property.

3 SITE DESCRIPTION

- 3.1 The application site consists of a mid-terraced retail unit on the ground floor and a 3 bed-flat on the first floor.
- 3.2 The application site is located on St Leonards Road, which is a designated Local Centre with a mix of residential, retail and commercial units.
- 3.3 The local area relies predominantly on on-street parking.

4 PLANNING HISTORY

- 4.1 None relevant.

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.

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:

- Section 2- Achieving sustainable development.
- Section 5 – delivering a sufficient supply of homes.
- Section 9 – promoting sustainable development.
- Section 12 – Achieving well-designed places.

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
- Policy H5- seeks to manage and safeguard existing housing stock,
- Policy S1 - Distribution of Development
- Policy S10 - sustainable development principles.
- Policy BN7- Flooding

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
- Policy H6 – Primarily residential area.

- Policy H21 and H23- Conversion to Flats

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
 Planning out Crime in Northamptonshire SPG 2004
 Residential Extensions and Alterations Design Guide SPD

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 Councillor J Davenport** - Called-in the application to be determined by Planning Committee. Concerned about parking and refuse problem in the area.
- 6.2 Councillor G Walker** - Objected to this application on the grounds of car parking in the area.
- 6.3 Environmental Health Officer** – No objections. Advice has been given in terms of the acoustic separation and fire escape.
- 6.4 Environment Agency** - No objection, subject to the recommended condition.
- 6.5 NCC Highways** – There is minimal residual parking capacity in the area, any increase in demand would further exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents due to a lack of parking amenity. The proposed parking would be substandard and would not be acceptable. Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the LHA would argue that the cumulative impact of “minor” developments such as this need to be considered as a whole. The LHA considers any impact that would compromise the safety of motorists and pedestrians to be a severe developmental impact.

Following these comments, revised plans have been provided with amended parking spaces to comply with standards. Highway Engineer has verbally confirmed that the proposed arrangement would remain unacceptable because there would not be enough room for manoeuvring from the parking spaces. Owing to the parking issues in the local area, he would maintain his objection.

7 APPRAISAL

- 7.1 The main issue would be to assess its impact on the character of the area and neighbouring amenity, highway safety and flood risk.

Principle of development

- 7.2 The proposed development for the subdivision of the existing retail unit and first floor rear extension to create 3 residential flats is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Section 2 of NPPF advises that housing applications should be considered in the context of a presumption in favour of sustainable development.
- 7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site.
- 7.4 The application site is a previously developed land situated in a sustainable location and within the easy access of local facilities and public transport. The development of the site for residential use would also contribute to the Council's 5-year housing land supply.

- 7.5 The Council is currently unable to demonstrate a 5-year housing supply and as such this is a material consideration in determining the application. Therefore, residential development of the site is considered acceptable subject to acceptable design, layout and parking provision.

Design, Appearance and Impact on the Character of Area

- 7.6 Policies S10 and H1 of the JCS, and saved Policy E20 of the Northampton Local Plan seek to ensure high quality design in new development that is appropriate to the character of the surrounding area.
- 7.7 The proposed first floor extension to the rear would mainly be over the existing footprint so the proposal would not result in overdevelopment of the plot. There is also a small single storey extension to the rear providing an entrance lobby to the flats. A condition has been recommended for matching material, which would ensure that the proposed extensions would integrate with the existing building. The proposed extensions would not be visible from St Leonards Road and would have minimal impact on the character of the area.
- 7.8 There would be minimal alteration to the external appearance of the shopfront. The subdivision of the existing retail unit is considered acceptable and would appear as a continuation of the existing terrace. The proposal would comply with saved Policy E20 of the Northampton Local Plan.

Amenity

- 7.9 Paragraph 127 of the NPPF and Policy H1 of the JCS seek to ensure high quality design and a good standard of amenity for existing and proposed occupiers. Policy E20 of the Local Plan advises that any new building should be designed and located in a manner which secures adequate standards of privacy, daylight and sunlight.
- 7.10 The proposed development would provide 3 residential units over two floors. Flat 1 would be split over two levels and Flat nos.2 and 3 will be on the first floor level.
- 7.11 The proposed extension would overlook onto the flat roof to the east and would not result in any overlooking to the neighbouring property to the side. There would be a new hallway window on the proposed side elevation facing no.97. Owing to the location of this window on the higher part of the wall, it is not considered to have any unacceptable impact on the amenity of no.97. As there is an existing obscurely glazed window on side elevation of no.97, it is considered that the proposal would not result in overlooking or loss of privacy for this neighbouring property.
- 7.12 All habitable rooms for the proposed flats would be served by adequate levels of natural light and outlook. The proposal complies with Policy H1 (f) of the JCS as it would provide satisfactory residential amenity for future residents.
- 7.13 Overall, it is considered that the proposal would not give rise to any unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

Highways Issues

- 7.14 The parking requirement for the existing 3 bedroom flat on the first floor would be 2 parking spaces. According to the Northamptonshire County Council Parking Standards, the proposal (2x 1 bed flat + 1x 2bed flat) would require 4 spaces.
- 7.15 Local Highway Authority has raised objection on the basis that the proposed parking area is sub-standard and that manoeuvring out of these parking spaces would result in highway safety issues and is not acceptable.

- 7.16 The application site includes the provision of 3 parking spaces, whilst these spaces are sub-standard, they could be used for parking to serve the existing flat.
- 7.17 Moreover, the application site is located within a designated Local Centre with easy access to shops, facilities and local public transport. Owing to the site's sustainable location, a refusal on the grounds of highway impact would not be justifiable at appeal.
- 7.18 In addition, it is important to note that under the provisions of Class G of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, a retail unit can have up to 2 residential flats above without planning permission. Therefore if the subdivision of the retail unit is permitted, the upper floor could be converted into 4 flats without planning permission. Owing to this fall-back position, the proposed 3 flats are considered acceptable even without any on-site parking provision.
- 7.19 On balance, it is considered that the proposed development for the subdivision of the shop unit and extensions to create 3 residential units would not result in adverse impact on the existing parking conditions and highway safety.

Refuse storage

- 7.20 The proposed scheme has provided communal refuse storage for all the flats. The proposal has demonstrated suitable provisions for the storage of refuse and re-cycling. A condition has been recommended to retain the storage areas as well as the provision of refuse storage for the commercial units.

Flooding

- 7.21 The application site is located within Flood Zone 3. Environment Agency has not raised any objection subject to the condition that there would be no ground floor sleeping accommodation and the proposed mitigation measures are put in place. A condition has been recommended to ensure the same. It is therefore considered that the proposed development would comply with Policy BN7 of West Northamptonshire Joint Core strategy and advice contained in NPPF.

8 CONCLUSION

- 8.1 The proposal would not have any adverse impact on the character of the area and amenity of the existing and potential occupiers. The proposed scheme would provide adequate amenity for the occupiers of the proposed flats.
- 8.2 The proposal would be in accordance with Policies H1, H5, S1 and S10 of the West Northamptonshire Joint Core Strategy, Policies H6, H21, H23 and E20 of the Northampton Local Plan, and advice within the National Planning Policy Framework.
- 8.3 The proposed development is considered acceptable and is therefore recommended for approval subject to the following conditions.

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: 18/002/P03 Rev B, 18/002/P01 Rev A, 18/002/P04.

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

3. The external walls and roof of the extension 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.

4. The car parking spaces as shown on the approved plan shall be provided prior to the first occupation of the flats hereby permitted and thereafter shall at all times be reserved for the parking by residents of the flats hereby permitted and there shall be no storage of goods, materials, refuse or pallets thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy E20 of the Northampton Local Plan.

5. The development hereby permitted shall be carried out in accordance with the approved Home Design Drawing 18/002/P03 "First Floor Rear Extension and Conversion into Three Self Contained Flats" and the following mitigation measures detailed within the Flood Risk Assessment: No ground floor sleeping accommodation.

The mitigation measure shall be fully implemented prior to occupation of the flats hereby permitted and retained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

6. Notwithstanding the submitted details, full details of refuse and recycling storage for the shop units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the shop units hereby approved are in operation and retained thereafter.

Reason: To ensure adequate facility is provided in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

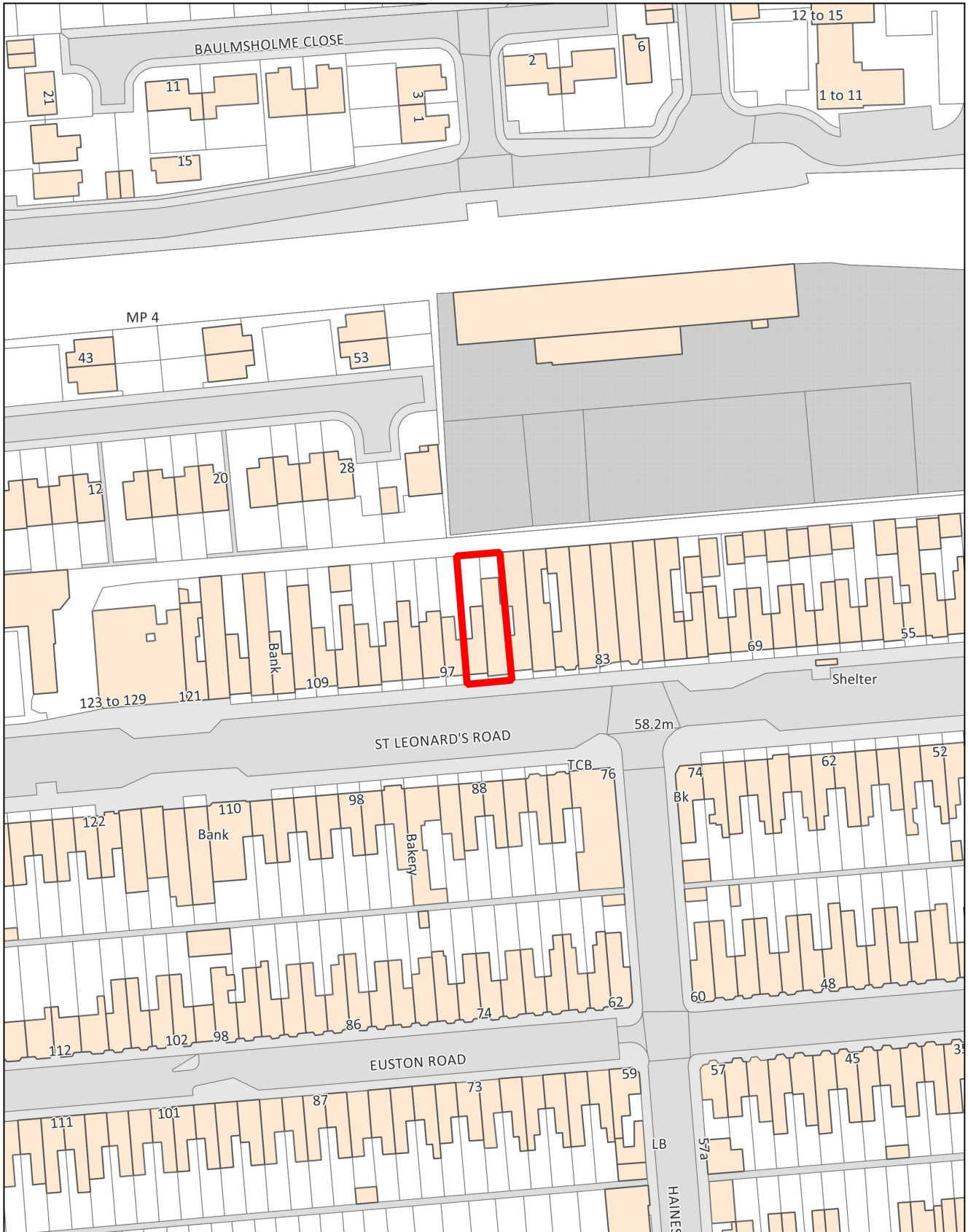
- 10.1 N/2018/1122.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

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: **93 - 95 St Leonards Road**

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: MJ