



**PLANNING COMMITTEE:** 19<sup>th</sup> May 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1451

**LOCATION:** 8 Palmerston Road

**DESCRIPTION:** Change of Use of Office (Use Class B1) to House in Multiple Occupation (Use Class C4) for 4 occupants, including demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers on third floor, internal reconfiguration and installation of rooflight to front elevation

**WARD:** Castle Ward

**APPLICANT:** GSD Commercial Ltd  
**AGENT:** Mr Karl Fox

**REFERRED BY:** Councillor D Stone  
**REASON:** Overdevelopment and refuse concerns

**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 development for a change of use and proposed extensions is considered acceptable and the proposal would not result in an over concentration of similar uses in the vicinity of the site. The proposal would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved policies E20, E26 and H30 of the Northampton Local Plan; and, Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

### **2. THE PROPOSAL**

#### **2.1** Permission is sought for a change of use from an office (Class B1) to a House in Multiple Occupation (Use Class C4) for 4 occupants, including demolition of existing ground floor flat

roof rear structure, construction of new two storey flat roof rear extension and two new dormers on third floor, internal reconfiguration and installation of rooflight to the front elevation.

- 2.2 The scheme has been amended during the course of the application and number of occupants have been reduced from 6 to 4 and the design for the dormers has been amended.
- 2.3 Parking would be on-street.
- 2.4 The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use from a dwelling to a HIMO.

### 3. **SITE DESCRIPTION**

- 3.1. The application site comprises of an office building, which is a two storey mid-terraced building located in a mix of residential and commercial area with similar terraced properties on the street.
- 3.2. The site is in close proximity to Wellingborough Road, which includes retail and commercial units. The application site is located within the Boot and Shoe Quarter Conservation Area.
- 3.3. The application site lies in Flood Zone 1, which means very low risk of flooding.
- 3.4. The local area has parking restrictions and is parking permit zone only.

### 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.

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:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Paragraph 193 - Great weight to be given to the heritage asset's 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:

Policy BN5 - Designated heritage assets  
Policy H1 - Housing Density & Mix & Type of Dwellings  
Policy H5 - Managing the Existing Housing Stock  
Policy S10 - Sustainable Development Principles

### 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 E26 - Development in Conservation area  
Policy H30 - Multi occupation with a single dwelling

### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Northampton Parking Standards (November 2019)  
Houses in Multiple Occupation SPD (November 2019)  
Proposals for HIMO 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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities.
- Provide adequate waste and recycling facilities and sufficient refuse storage.
- Minimise flood risk.
- Secure provision of adequate parking.
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs.

### 5.6 **Other Material Considerations**

Boot and Shoe Quarter Conservation Area Appraisal and Management Plan

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1. **Councillor D Stone** - raises objection on the basis that application property will result in fly tipping, overdevelopment and loss of a family home. Calls in the application for consideration by the Planning Committee.
- 6.2. **Highway Authority (NCC)** – The property in question is within a Permit Zone and therefore all parking in the vicinity is controlled. The LHA holds the right to restrict the number of permits administered to any property as it sees fit. This may result in the number of permits being limited and there is no guarantee that every resident within the revised property will be issued with a permit.

- 6.3. **Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements for a 6 occupants HIMO and advised on mandatory licensing requirements. No comments have been received on amended scheme with 4 occupants.
- 6.4. **Conservation Officer (NBC)** – Initially objected on the original scheme. On the revised scheme, he advised that the revisions are an improvement on the previous box dormer, but the height and proportion of the dormers from the eaves would mean that they would still take up a large part of the roof and are not a traditional design or feature of roofs in the conservation area. However, the property is adjacent to a former factory and is not mid-terrace, so the impact on the roofline is less than if they were in the middle of a row of pitched roofs.
- 6.5. **Town Centre Conservation Area Advisory Committee:** Objected on the initial scheme and on the revised scheme, they advised that the Committee has concerns about the dormers being visible from the St Edmunds Road and would result in over development of the site.
- 6.6. **NBC Environmental Health Officer:** No objections to principle of the proposal but note that the plans do not include any provision for waste and recycling for the occupants. Arrangements should be presented that included identified, storage areas and provision for conveying the waste to kerbside for collection by all new households created. A suitable location and strategy should be presented ahead of any decision being made on the application.
- 6.7. 6 objections and 4 support letters were received on the original scheme, which are summarised as follow:
- Increased number of residents increases fly tipping.
  - Transient nature of occupants undermines the sense of community.
  - Permitted number of HIMOs in the vicinity has been exceeded.
  - Social problem and increase in crime rates.
  - Impact on the neighbouring structure due to the proposed demolition.
  - Increase the parking issues in the area.

The support received from local residents, which are summarised as follow:

- The proposal would provide housing in the area and shall be supported.
- Residential conversion would be in character with the area.
- Would have positive impact on the street.

No comments were received on the revised scheme.

## 7. APPRAISAL

### Principle of the development

- 7.1 The conversion of the existing offices to a HIMO 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.

### Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 3 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 4.9% and therefore the proposal would not result in an over-concentration of such uses in line with the SPD. There is a mix of dwelling houses and a flatted development on St Edmunds Road and Palmerston Road, therefore, it is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

- 7.3 Concerns have been raised by the local residents about the over-concentration of HIMOs in the local area. It is confirmed that the concentration is calculated on the basis of Planning and Planning Enforcement records, and the Private Sector Housing HIMO register. As per these records, there are no other approved or established HIMOs within the 50m radius of the application site apart from those stated.

#### **Size of the property and facilities for future occupiers**

- 7.4 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 to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur.
- 7.5 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 6 occupant HIMO. However, proposal has been amended to have reduced number of occupants. It is considered that all bedrooms would be served by adequate outlook and light.

#### **Flood Risk**

- 7.6 The application site is located in Flood Zone 1 with very low risk of flooding.

#### **Highways/Parking**

- 7.7 The HIMO SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 However, there is a parking permit zone in the area and Highways Authority have not raised concerns about the proposal as the number of permits could be controlled.
- 7.9 Moreover, it is considered that the application site is in a sustainable location within 100m of bus stops and within walking distance of local facilities on Wellingborough Road. There are 5 bus routes that pass through the bus stop and have service in every 10 minutes on Monday-Friday and 2 bus routes on Saturday on different routes, providing service in every 30 minutes. In this regard, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations.
- 7.10 The HIMO SPD recommends that storage space should be provided, which is accessible to cycle users. Space would be available to the rear of the property, and a condition has been recommended to submit full details for the cycle storage. The proposal is, therefore, in compliance with Principle 1 of the HIMO SPD.
- 7.11 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 4 parking spaces, which is an increase of 1 compared to the existing use as office, which would require 3 spaces (1 space per 30sqm) as parking requirement for an office.
- 7.12 Further consideration has been given to the recent appeal decisions; where weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable

location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the HIMO SPD and the Parking SPD, it is not considered that a refusal on highway grounds could be upheld at appeal.

### **Refuse Storage**

- 7.13 The proposal would result in demolition of the part single storey part of the building, which would create small rear garden, which can accommodate bin storage. A condition is therefore recommended requiring full details to be submitted.

### **Amenity**

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

### **Proposed Rear Extension**

- 7.15 The proposed development includes demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers on the third floor, internal reconfiguration and installation of rooflight to front elevation.
- 7.16 The proposed design of the scheme has been amended during the course of the application and the proposed flat roof dormers have been amended to pitched roof dormers. The proposed two storey rear extension has been reduced in footprint. These proposed works would not be visible from Palmerston Road; however, they would be partly visible from St Edmunds Road.
- 7.17 Whilst it is acknowledged that the proposed extension would be partly visible from the St Edmunds Road; it is noted that Palmerston Road does not have a uniform pattern of development. The application site is located next to a former factory, which has a three storey high brick wall adjoining the application site and is widely visible from St Edmunds Street.
- 7.18 Conservation officer had objected initially; however, in his revised comments on the amended scheme, he has advised that revisions are an improvement on the previous box dormer, but the height and proportion of the dormers from the eaves would mean that they would still take up a large part of the roof and are not a traditional design or feature of roofs in the conservation area. However, the property is adjacent to a former factory and is not a mid-terrace, so the impact on the roofline is less significant than if they were in the middle of a row of pitched roofs.
- 7.19 Moreover, the extension would be partly screened behind the existing two storey outrigger associated with no.7. Therefore, whilst it is acknowledged that the proposed extension and dormers would be partly visible from the street, owing to the existing constraints on the site, including the existing three storey factory wall on one side and the existing outrigger on the other side, the proposed extension and dormers would not introduce an incongruous feature in the streetscene and would not fail to preserve the character of the local conservation area.
- 7.20 The proposed alterations on the front elevation including the new roof light and alterations of the existing first floor window to match the existing sash window, which would contribute positively towards the residential character of the property and would have acceptable impact on the conservation area.

- 7.21 To ensure that the proposed extension and dormer would integrate well with the existing building, a condition has been recommended to ensure that the development will harmonise with its surroundings in accordance with Policy E20 and E26 of the Northampton local Plan. It is considered that the amended scheme is acceptable and would comply with aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and E26 of the Northampton Local Plan.
- 7.22 The proposed windows on the rear elevation would overlook the blank elevations to the rear and is not considered to be have any adverse impact on the residential amenity of the neighbouring properties.

### **Construction noise**

- 7.23 Concerns have been made by the local residents about the construction noise, however due to the small scale of development, the matter will be covered under other legislations and is not material planning consideration in this instance.

### **Impact on structures**

- 7.24 Concerns have been raised regarding the proposed demolition of the rear structure next to the adjoining properties. This is a civil matter, which is covered under the Party Wall Act and is not a material planning consideration.

## **8. CONCLUSION**

- 8.1 The proposed development for change of use of office (Use Class B1) to a HIMO (Use Class C4) for 4 occupants, including demolition of existing ground floor flat roof rear structure, construction of new two storey flat roof rear extension and two new dormers on third floor, internal reconfiguration and installation of rooflight to front elevation would not lead to overconcentration of the HIMOs in the local area and would not have significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD and Parking SPD.
- 8.3 It is considered that the proposed development is acceptable and is 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: 19-32-P-L- Rev A, 19-32-P-05 Rev B, 19-32-P-04 Rev C, 19-32-P-01 Rev B.

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

3. Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials 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 and E26 of the Northampton local Plan.

4. The development hereby permitted shall be occupied by a maximum of four residents at any one time.

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

5. The proposed demolition of the rear structure and extensions to provide the additional bedrooms hereby permitted shall be carried out/built before the premises are first occupied as a 4 people house in multiple occupation and should be retained thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. Full details of facilities for the cycle storage shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Full details of facilities for the recycling and refuse storage shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. The basement room shall be used as storage room only and shall be maintained as such for the duration of the use hereby permitted and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

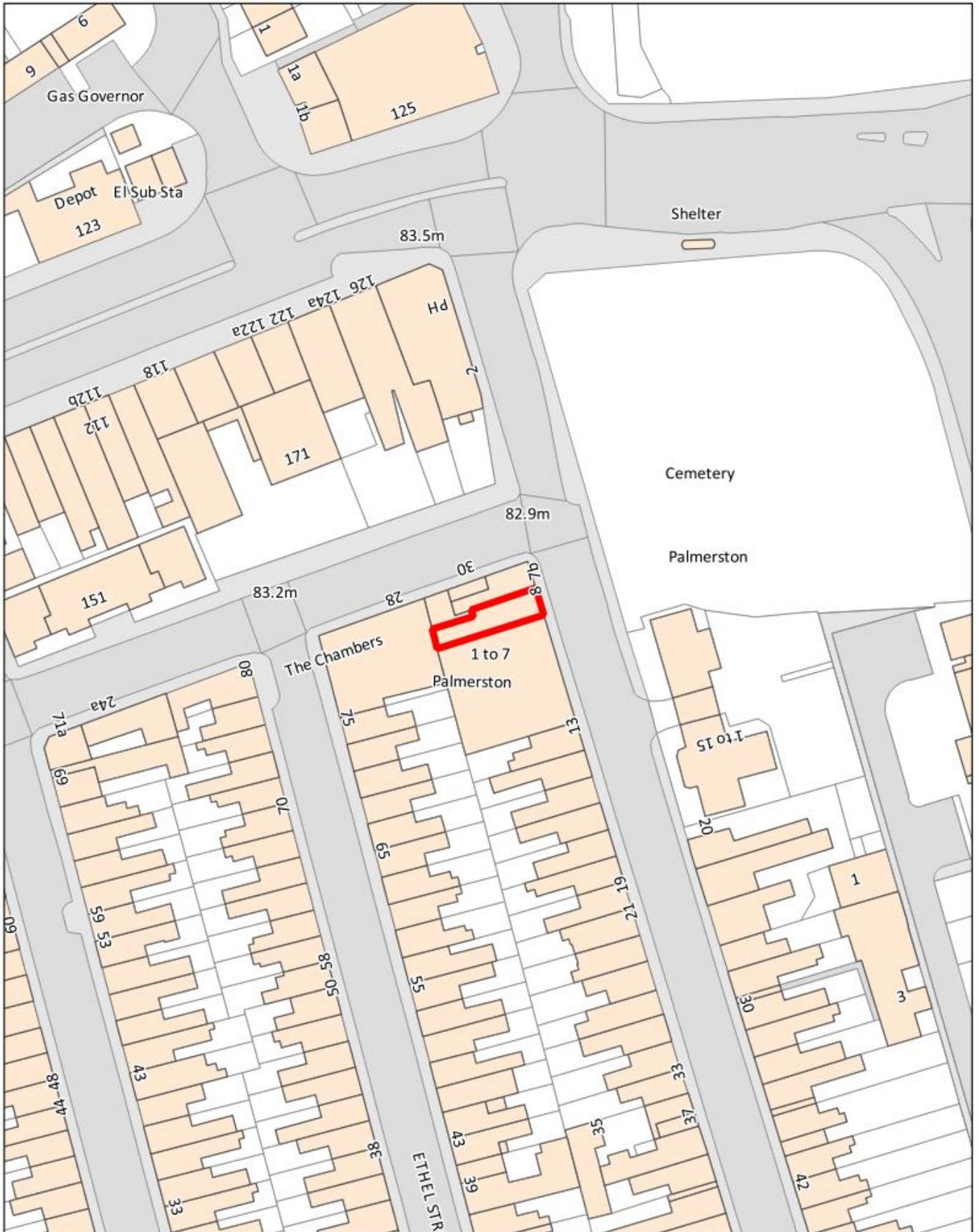
- 10.1 N/2019/1451.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is CIL not chargeable.

## **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: **8 Palmerston Road**

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