

**PLANNING COMMITTEE:** 16<sup>th</sup> April 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1743

**LOCATION:** 98 Euston Road

**DESCRIPTION:** Conversion and alterations of existing dwelling/outbuildings to form 3no apartments

**WARD:** Delapre & Briar Ward

**APPLICANT:** L & P Real Estate Ltd  
**AGENT:** J E D Design

**REFERRED BY:** Councillor J Davenport  
**REASON:** Parking, refuse and noise 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:

As the site is within an established residential area, there is no objection in principle to conversion of the premises to flats. The proposal would also contribute to the Council's 5 Year Housing Land Supply. The proposal would not have an undue detrimental impact on the appearance and character of the host building, wider area, flood risk, residential amenity and parking/highway safety to accord with Policies E20, H21 and H23 of the Northampton Local Plan, Policies S10, BN7, BN9 and H1 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

#### **2 THE PROPOSAL**

2.1 Permission is sought to convert an existing residential property and outbuilding into 3 flats, each with two bedrooms. The proposal also includes the provision of bin storage and new access gates fronting Euston Road.

#### **3 SITE DESCRIPTION**

3.1 The property consists of a two storey terraced dwelling with a vacant outbuilding to the rear. The outbuilding was used as an office/workshop in the 1970s. The property is situated on a residential

street comprising a mix of houses, flats and houses in multiple occupation, and in an area where on road parking is prevalent. The site is located in a sustainable location close to St Leonards Road, a street comprising both residential and commercial uses including shops, takeaways and offices. The property is not in a conservation area or near any listed buildings although it is in a flood zone.

## **4 PLANNING HISTORY**

- 4.1 Planning permission was granted for conversion of the property into 3 flats (N/2006/0208). The permission has since expired. Prior to this, in 2005 a more intensive scheme for 4 flats was refused on the grounds of parking and over-development.

## **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:

Paragraph 61 - housing should be provided for different groups including families, older people, students and disabled persons

Paragraph 117 - decisions should promote an effective use of land in meeting the need for new homes

Paragraph 127 - relates to good design and residential amenity

### **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

H1 Housing Design, Mix and density

BN7 Flood Risk

BN9 Planning and Pollution Control

### **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:

E20 New development (design)

H21 Flat conversions

H23 Flat conversions

### **5.5 Supplementary Planning Documents**

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Environment Agency** - no objection to revised plan subject to condition that the development be carried out in accordance with amended plan and have no ground floor sleeping accommodation.
- 6.2 **Northamptonshire Highways** - It has been demonstrated that there is no residual parking capacity on street and that the proposed development would increase demand. In the interests of highway safety we would object as it would further exacerbate existing parking problems and compromise highway safety.
- 6.3 **Environmental Health (NBC)** - recommend that a condition be secured for contamination and consideration be given to acoustic separation to accord with Part E of Building Regulations.
- 6.4 **5 Objections** received on the following grounds:
- Parking
  - Loss of privacy/ overlooking
  - Drainage
  - Refuse concerns
- 6.5 **Councillor J Davenport** objects and calls in application on parking, refuse and noise.

## 7 APPRAISAL

### Main issues

- 7.1 The main issues to consider are the principle of conversion, whether there is sufficient residential amenity for future occupiers, impact on neighbouring amenity, parking, flood risk and impact on the street scene.

### Principle of conversion

- 7.2 By reason of the site's allocation for residential use in the Northampton Local Plan, it is considered that the development of this site for residential purposes is acceptable in principle, subject to the further considerations outlined below. If permitted the proposal would also contribute to the Council's 5 Year Housing Land Supply.

### Development and Flood Risk

- 7.3 The site is located within a high risk flood zone. The Environment Agency objected to the original proposal which included ground floor sleeping accommodation. The plans have now been amended and there is now no ground floor sleeping accommodation reducing the potential impact of flood risk, which complies with Policy BN7 of the Joint Core Strategy and the Environment Agency requirements. A condition will be imposed to restrict the potential for sleeping accommodation on the ground level.

### Amenity of future occupiers

- 7.4 In assessing the living conditions of future occupiers, the proposal needs to be considered against Saved Policies H21 and H23 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy. Policy H23 specifies that planning permission will not be granted for the conversion to flats with a combined ground and first floor area of 100 square metres or less and with a frontage of less than 4.7 metres. The proposal floor areas exceed such limits and therefore accords with the Policy.

- 7.5 Policy H1 of the Joint Core Strategy can be afforded more weight in decision making given that it is up to date development plan policy; criteria (f) relates specifically to the amenity of future occupiers. It is considered that the proposal accords with the aims of Policy H1 in terms of residential amenity due to the sufficient room size and that all habitable rooms would have sufficient light and outlook. There would also be provision of bin storage and accessible to all units.

#### **Impact on appearance and character of host building and wider area**

- 7.6 Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy require high standards of design. The proposed external works are reasonably limited and include erection of new set of gates fronting Euston Road, bin storage and changes to fenestration on the rear out building. Due to the design and minor scale of works, the proposal is considered in keeping with the host building to accord with Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy.

#### **Impact on amenity of neighbours**

- 7.7 In respect of the conversion itself, given that the comings and goings would likely be similar to those as the lawful use as a C3 family dwelling, it is not considered that there would be any significant impact in terms of noise and disturbance. Although there are some neighbour concerns over the limited back to back separation between the rear outbuilding and the 2 adjoining occupiers, it is noted that this is no different to the existing situation. As the separation has not changed, there would be limited additional effect on the properties to the rear of the site and opposite fronting Euston Road.
- 7.8 It is also worth noting that a similar proposal for 3 flats was approved in 2006 (LPA reference N/2006/0208). Although this was never implemented, the intensity and impact are considered similar to the current proposal. This accords with Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy.

#### **Parking and Highways**

- 7.9 The proposal relies upon on street parking along Euston Road. The Local Highway Authority object to the proposal, given that there is no residual parking capacity and that they consider demand to be higher than existing. However, the proposed accommodation would be unlikely to generate traffic significantly beyond the existing use and the fact that the site is sustainable being close to shops and services on St Leonards Road. Notwithstanding their comments, due to the site's sustainable location, it would not be defensible to object to the proposal on highway grounds.

#### **Other issues**

- 7.10 It is not considered necessary to secure a condition relating to contamination as the proposal is primarily for a change of use. Acoustic separation would be dealt with under Building Regulations. Drainage can be dealt with under Part H of the Building Regulations.

### **8 CONCLUSION**

- 8.1 The principle of development is considered acceptable, with it being in an established residential area and contributing to the Council's 5 Year land supply. The proposal would not have an undue impact on parking, highway safety, residential amenity and visual amenity and is recommended for approval with the conditions below.

### **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: 2965/1, 2965/2E, site location plan.

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

3. Prior to the commencement of the use hereby permitted, full 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 proposed flats being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy H1 of the Joint Core Strategy.

4. The bin storage areas shall be implemented in accordance with the approved plans prior to first occupation of the approved flats and retained throughout the life time of development.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the Joint Core Strategy.

5. The east facing side window in the rear outrigger of the ground floor flat shall be glazed with obscure glass prior to the first occupation of the ground floor flat hereby approved and retained as such throughout the life time of the development.

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

6. The layout of the flats hereby approved shall be in accordance with that shown on the approved plans and there shall be no ground floor sleeping accommodation at any time.

Reason: In the interests of flood risk to accord with Policy BN7 of the Joint Core Strategy.

## **10 BACKGROUND PAPERS**

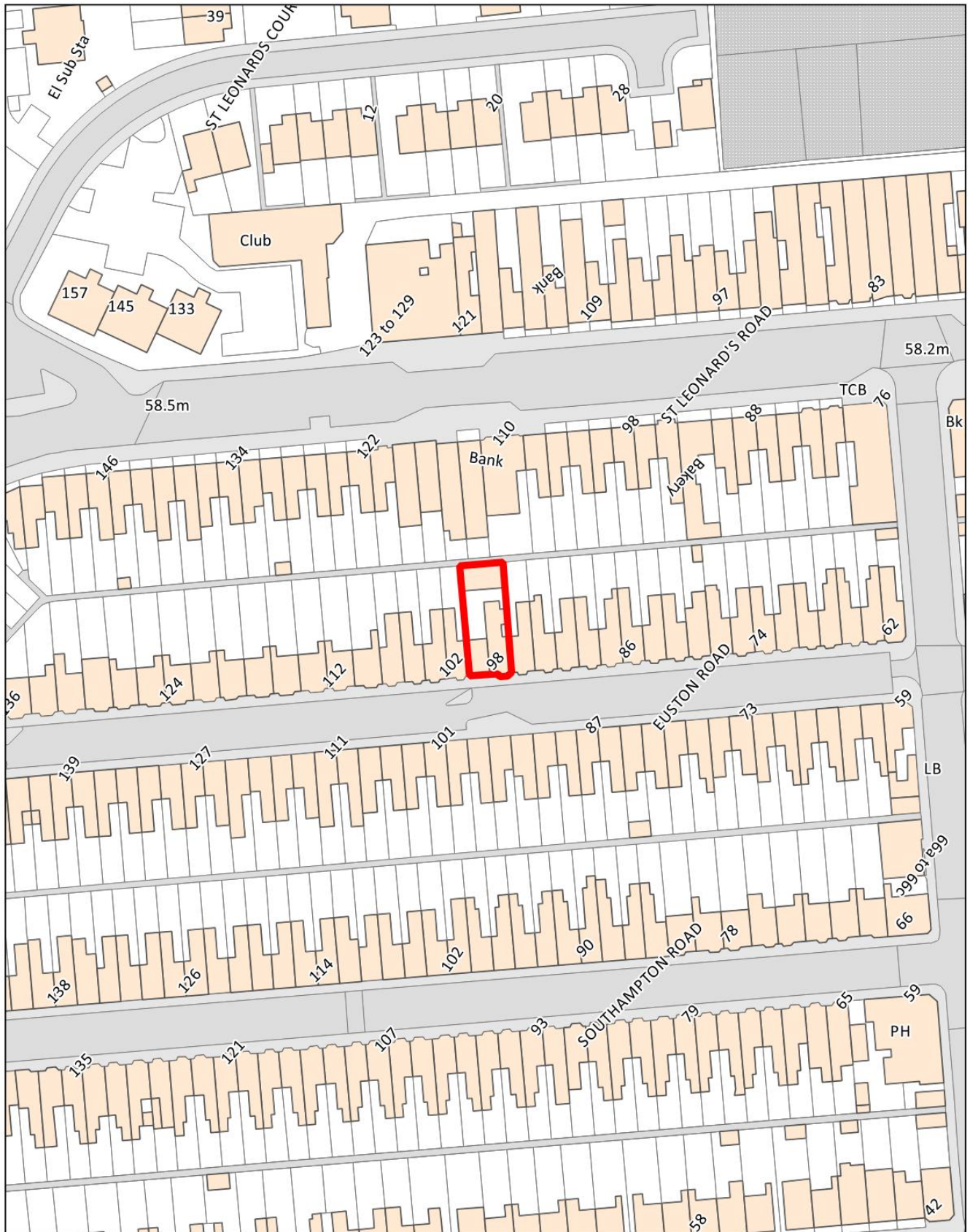
- 10.1 N/2018/1743.

## **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: **98 Euston Road**

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Date: 03-04-2019

Scale: 1:1,000

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