



PLANNING COMMITTEE: 5 April 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0117 **Change of use from retail (A1) to house in multiple occupation (HMO) at 48 Adams Avenue**

WARD: Abington

APPLICANT: Mr Richard Lee
AGENT: None

REFERRED BY: Cllr Brian Hoare
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions for the following reason:

The proposal would not have an undue detrimental impact on the character of the locality or on residential amenity of the area and would not give rise to highway safety problems. The proposal is therefore compliant with Policies E20 and H30 of the Northampton Local Plan and advice contained in PPS1, PPS3, PPG13 and PPG24.

2. THE PROPOSAL

2.1 The applicant has applied to change the use of the now vacant building which is a "sui generis use" as defined by the Town and Country Planning (Use Classes Order) 1987 (as amended) as the ground floor is a print shop with ancillary offices above to a House in Multiple Occupation for a maximum of 6 persons (class C4).

3. SITE DESCRIPTION

- 3.1 The application site is within a Primarily Residential Area as identified in the Northampton Local Plan and located at the junction of Adams Avenue and Billington Street. The surrounding area comprises residential properties of 2 storey terraced dwellings and parking is generally provided on-street.
- 3.2 The site was previously used as a commercial building with the ground floor used as print shop and is within walking distance of the Wellingborough Road.

4. PLANNING HISTORY

- 4.1 The site has no recent planning applications submitted since 1972 when the property obtained planning permission to provide office accommodation.

5. PLANNING POLICY

5.1 Development Plan

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 current Development Plan comprises of the East Midlands Regional Plan and the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 - Delivering Sustainable Development
PPS 3 - Housing
PPG13 -Transport
PPG 24 -Planning and Noise

5.3 Northampton Borough Local Plan

E20 – New Development
H30 - Multiple Occupation

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Public Protection (NBC)** No objection. Recommend a condition governing refuse arrangements.
- 6.2 **Highway Authority (NCC)** No objection. Although there would be no on-site parking provision, I would not be overly concerned with the scale of the proposal as most of the on street parking would be still

available. The location is also close to the local centre facilities and public transport along the Wellingborough Road.

- 6.3 **Private Sector Housing (NBC)** - no objection, the design and layout of the proposed scheme are suitable to meet the needs of the Housing Act for a HMO. My only comments concern the finer details:
- Window to bedroom 3 must be escape window
 - All internal shower rooms must have mechanical ventilation were natural ventilation is not provided
 - The whole property must be fitted with a suitably designed fire alarm system

NB The above matters are dealt with under the Housing Act 2004.

- 6.4 **Cllr B Hoare** - Request that application be reported to committee for determination because of concern of residents regarding parking in the area. The area is already overcrowded with cars and similar concerns were raised at number 54.

7. **APPRAISAL**

Principle of development

- 7.1 The application site is located within an established residential area where residential development is encouraged in principle. PPS3 promotes reuse of previously developed land such as this site. This proposal would result in a vacant building being brought back into use for a purpose that complements the character of this residential area.
- 7.2 Policy H30 of the Northampton Local Plan relates specifically to changes of use to HMOs and states that planning permission will be granted subject to 3 criteria:
- a) The existing property being of sufficient size to accommodate the proposed use;
 - b) The use would not result in an overconcentration of uses; and
 - c) The use would not create a substantial demand for on street parking.
- 7.3 There are a number of properties in the area that have obtained permission to be converted into flats. Council records indicate that there are some 11 existing HMOs on this street out of approximately 111 properties. It is not considered that the proposal would result in an over-concentration of such uses in the locality.

Impact on living conditions of neighbours and residential amenity

- 7.4 Given the size of the existing building combined with the fact that all habitable rooms would be served by windows then it is considered that there would be adequate outlook and amenity afforded to future occupiers of the property.

- 7.5 Furthermore, the use of the property is unlikely to generate additional activity in terms of noise and disturbance over and above the previous commercial uses that would detrimentally affect the amenity and living conditions of adjoining properties on Adams Avenue and the surrounding streets.
- 7.6 Given the existing use of the property and position of existing windows in the property and relationship / separation with other uses it is considered that the proposal would also be unlikely to generate increased overlooking over and above that already experienced.
- 7.7 The Council's Environmental Health Section recommend that a condition be attached to any approval to secure the provision of satisfactory refuse arrangements. These can be located to the front of the property and sited within a bin store with the design to be approved to control visual impact. To this end a condition is recommended to secure satisfactory boundary treatment to help integrate the bins and the property at large with the residential appearance of the area and neighbouring properties.

Parking and Highways

- 7.8 Adams Avenue and the surrounding streets are defined mainly by terraced properties with on-street parking. Whilst it is noted that there would be no off-street parking provision for the proposed use, officers consider that given the sustainable location of the site in proximity to shops and services on the Wellingborough Road that it would be difficult to oppose the scheme on parking grounds.
- 7.9 Furthermore, given the nature of HMOs it is also unlikely that the parking requirements for this use would be significantly greater than the previous use of the site as a commercial operation.
- 7.10 As a consultee on the planning application, the Local Highway Authority raise no objection as the site is close to local services although they recommend a condition be imposed to secure cycle provision for the development. It is officers' view that one cycle space should be provided per unit and that this level of provision could be secured within the building. A condition is recommended to this end.

Impact on appearance and character of host building, streetscene

- 7.11 Part of the proposed plans shows new fenestration to the side building façade and revised fenestration to the front elevation at ground floor level facing towards Adams Avenue.
- 7.12 The proposed fenestration is generally in keeping in proportions and size with the host building. However it is considered that further details should be provided and secured by condition in order to ensure that the

detail would be in keeping with the character of the host building and nearby residential properties.

8. CONCLUSION

- 8.1 It is considered that, subject to controls that can be secured via conditions, the proposed change of use would not impact adversely on the residential amenity of the locality or on highway safety.
- 8.2 It is therefore considered that the proposal is in accordance with the relevant local and national planning policies.

9. CONDITIONS

1. The development 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. Full details of the facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter

Reason: To ensure the provision of adequate facilities in accordance with advice in PPG13.

3. Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to the occupation of the building and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

4. Full details of the method of treatment of the front boundary to the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building hereby permitted and retained thereafter.

Reason: In the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan

- 5 No development shall take place until further details of the fenestration of the ground floor front windows have been submitted to and approved in writing by the Local Planning Authority. The

approved details shall be fully implemented prior to the commencement of the use hereby permitted.

Reason- In the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan.

- 6 Prior to the occupation of the building, the existing signage to the front of the premises shall be removed in accordance with details to be submitted to and agreed in writing with the Local Planning Authority.

Reason- In the interests of visual amenity to accord with Policy E20 of the Northampton Local Plan.

- 7 The use hereby permitted shall be for a maximum of 6 people only unless otherwise agreed in writing with the Local Planning Authority.

Reason- In the interests of residential amenity to comply with Policy H30 of the Northampton Local Plan.

8. Details and / or samples of all proposed external facing materials used to close openings and make good the external treatment of the building following alterations to the building (such as alterations to doors, fenestration and removal of signage) 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.

10. BACKGROUND PAPERS

10.1 N/2011/0117.

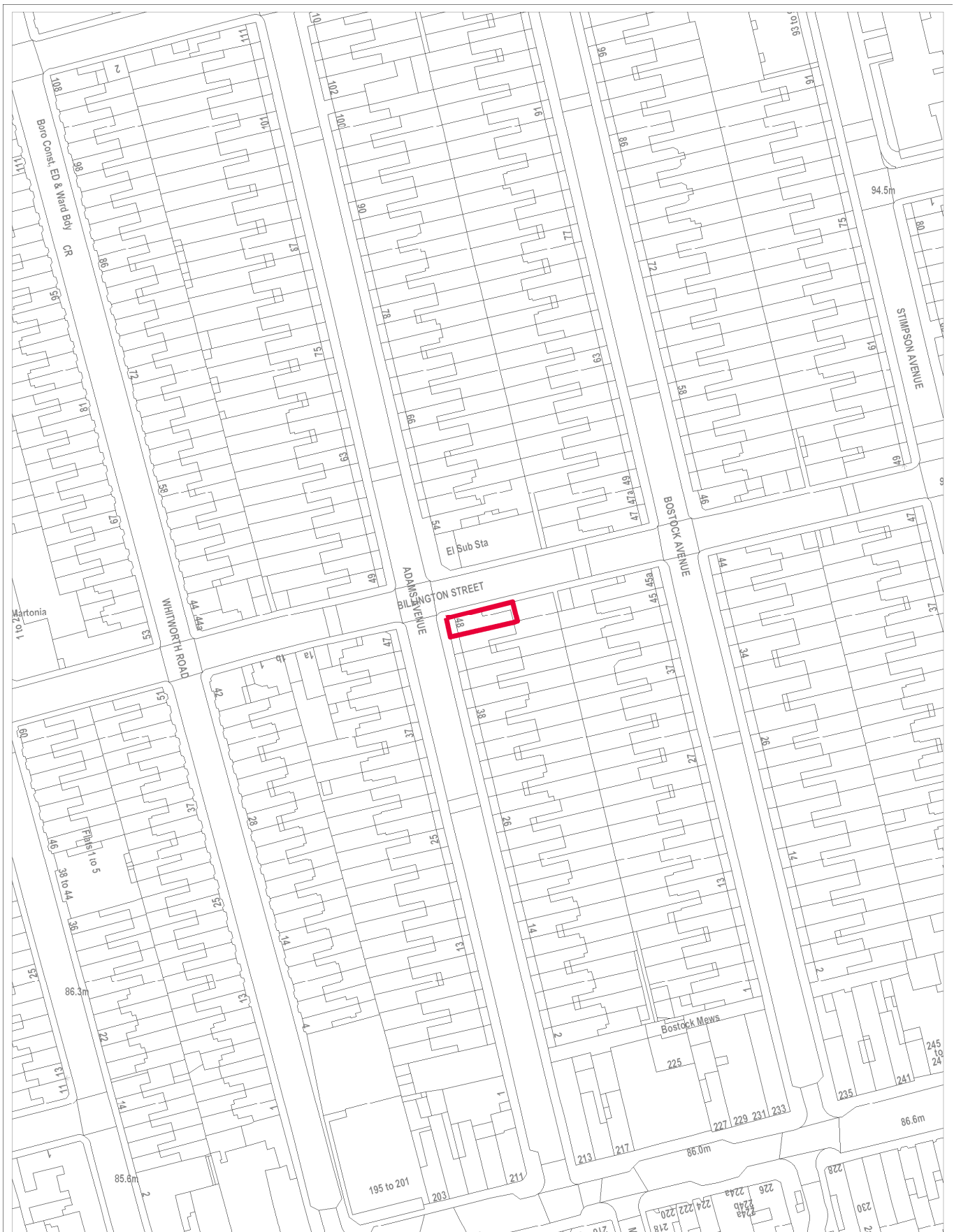
11. LEGAL IMPLICATIONS

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.

Position:	Name/Signature:	Date:
Author:	Jonathan Moore	17/03/2011
Development Control Manager Agreed:	Gareth Jones	23/03/2011



Name: JC
 Date: 24th March 2011
 Scale: 11250
 Dept: Planning
 Project: Site Location Plan

Title
48 Adams Avenue

Produced from the 2008 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655