



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 26th June 2012
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2012/0328: Change of use to 14 bedroom house in multiple occupancy at 9 - 11 Hazelwood Road

WARD: Castle

APPLICANT: T. Kretzer and H. Meijboom
AGENT: Architectural Solutions

REFERRED BY: Cllr D Stone
REASON: May be inappropriate development for the conservation area, issues with car parking, car use, rubbish disposal, need for public consultation.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions below and 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 NPPF and Policies E20 and E26 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 Change of use to 14 bedroom house in multiple occupation.

2.2 Members will recall that this application (previously for 15 units) was deferred at the previous meeting of the Planning Committee, for negotiations in respect of density, an increase in the number of rooms with en suite, and provision of a bin store and cycle store.

- 2.3 Further investigation into the planning history of the property has revealed that the current lawful use of the property is as an 8 unit HMO with offices on the ground floor, this is discussed in more detail at paragraph 7.2.

3. SITE DESCRIPTION

- 3.1 Three storey brick building of Victorian design within the town centre, originally constructed as a dwelling. It is located at within the Derngate Conservation Area at the southern end of Hazelwood Road.

4. RELEVANT PLANNING HISTORY

- 4.1 An application for change of use from offices to house in multiple occupation was approved on January 10th 1996 under reference N/1995/0820. As discussed elsewhere in this report an element of office use was retained.
- 4.2 An application for demolition of an extension at the rear and conversion of the existing building to 6no. flats and office for caretaker and erection of stand alone building at rear to accommodate 3 flats was refused on October 10th 2008 by WNDC under reference 08/0204/FULWNN.
- 4.3 A revised application for extension and alterations to existing premises to form 10 apartments was approved by WNDC on April 9th 2009 under reference 08/0295/FULWNN. This consent has now lapsed.

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, the saved policies of the Northamptonshire County Structure Plan, the Northampton Local Plan 1997 and the emerging Central Area Action Plan.

5.2 National Policies:

The National Planning Policy Framework states at Paragraph 51 that Local Planning Authorities “*should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate*”.

5.3 Northampton Borough Local Plan E20 - New Development

E26 - Conservation Areas
H7 - Housing Development Outside Primarily Residential Areas

5.4 **Central Area Action Plan (submission draft)**

Policy 16 – Offices and Business Uses

5.5 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003.
Planning out Crime in Northamptonshire SPG 2004.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **Conservation** – There are no objections to the proposed change of use, which will have minimal impact on the character and appearance of the Derngate Conservation Area. The property already had consent for conversion to 10 flats (N/2009/0058), which would have had far greater impact on the appearance of the property. The plans indicate that all new windows to frontage will be timber sash windows. This is welcomed, but further details in the form of manufacturers specifications etc should be provided. The contractor on site indicated that consideration may be given to replacing the roof tiles. This would be subject to the Derngate Article 4 Direction and would therefore require consent. This should be included in the application.

6.2 **Town Centre Conservation Area Advisory Committee** - The Committee object to the proposals on the grounds that they represent an unacceptable intensification of use, with inadequate for residents and lack of car parking which could increase on-street parking to the detriment of the conservation area and retail area. The Committee also request the Council, if minded to grant approval to the application, to require the windows on the side elevation (which is visible from the street) to retain wooden framed sash windows similar to those on the front elevation.

6.3 **Northants Police:** There is scant reference in this application regarding the provision of refuse bin stores and I can find no reference whatsoever to the provision of secure bike storage for the occupants of this HMO. When we were consulted on a previous application for this site in 2009 both Northamptonshire Police and Northants Fire and Rescue Service were concerned about the potential for arson. There was an agreement that the bin stores for this development would comprise a brick built store with concrete roof and I would be keen for this agreement to transfer to this application. Secure bike storage should be provided within 100m of the front door of the development within view of routinely inhabited rooms and fitted with vandal resistant lighting. All bedroom doors should be secured with a key to thumb turn lock to enable occupants to escape in the event of a fire without the aid of a key.

7. **APPRAISAL**

7.1 The main issues to consider are the acceptability of the use in

principle, the impact on the character of the streetscene and the wider conservation area, on the amenities of adjoining and nearby occupiers and in respect of parking and highway issues.

- 7.2 The building was originally a house and then in use as an office, with change of use to house in multiple occupation approved in 1995. Subsequent to the previous Committee meeting further research has revealed that this was only a partial change of use, with the ground floor largely retained as offices and 8 bedrooms permitted on the upper two floors and shared ancillary living accommodation in the rear of the ground floor. It is understood that this consent was implemented and as such this would be the lawful use.
- 7.3 Following this a change to 10 flats was approved in 2009 but not implemented and the planning permission has recently lapsed. Policy 16 of the submission draft Central Area Action Plan seeks to protect office and commercial uses within this part of the town centre. However as the premises currently only partly in such a use it is considered that there is no conflict with the aims of this policy. Furthermore the National Planning Policy Framework
- 7.4 The premises are within an area of mixed use but with a predominance of commercial / office uses. This character has been changed by recent permissions in the area including at nos. 12 and 14 where a change from offices to two dwellinghouses was permitted.
- 7.5 However, the area remains broadly commercial in character. Therefore, it is considered that the proposed more-intensive residential use would not have a significant detrimental effect on the neighbouring commercial premises to the extent which could be anticipated in a more generally residential area.
- 7.6 A management plan is nevertheless considered necessary and was previously proposed to be secured by condition. A plan has now been received and is considered to deal adequately with the required issues. A condition is now proposed to require compliance with this plan. In any event any significant noise and disturbance could be dealt with under other legislation.
- 7.7 The building is a historic building, of Victorian origin. As the premises are within the Conservation Area it is considered important that historic features of the building are retained where possible. The submitted details indicate the use of "sash style" windows which is considered to be appropriate in principle. However, further details will be required and a condition to this effect is proposed. Reference has been made also to the possible replacement of roof tiles and therefore a condition securing control over details of any replacements is also proposed.
- 7.8 Regarding car parking, 5 spaces would be provided on-site. This would be well below providing one space per bedroom, however the

site is within the town centre and therefore it is considered that car parking is not essential given the proximity of public transport, services and public parking facilities. Any occupiers unable to use one of the 5 spaces would not be able to park on the street other than in compliance with the time limited parking restrictions. Moreover, parking was not proposed for the previously approved flats development and therefore this would be an improvement on that situation.

- 7.9 The previous application on this site was deferred by Committee due to the number of bedrooms proposed, the fact that not all of the bedrooms were en suite and concerns over bin and cycle storage.
- 7.10 Amended plans have been received since the application was reported to the last meeting of the Planning Committee as a response to the concerns raised by Members. The revised scheme reduces the number of bedrooms by one, taking out the rather awkward subdivision of one existing room at the front of the ground floor. The plans also show en-suites to all bedrooms and other internal alterations to provide a more usable space in some bedrooms. These improvements have been facilitated by the removal of the existing external fire escape, which the agent has confirmed is not required for Building Regulations.
- 7.11 The plans also now show a secure indoor cycle storage area and a secure outbuilding to provide for bin storage to the rear of the building that are considered to be appropriate in scale and kind to the use proposed.
- 7.12 The detailed layout of the units will be fully considered when the property is assessed and registered as an HMO by Private Sector Housing and will also be subject to Building Regulations as a separate process.
- 7.13 Although officers recommended approval of the previous proposal, the submitted revisions are considered to represent an improvement on the earlier scheme and represent an appropriate response to the matters raised by Committee previously. The application is therefore recommended for approval.

8. CONCLUSION

- 8.1 It is considered that the proposal would have no undue adverse impacts on neighbouring uses or on the character and appearance of the conservation area.

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) Provision for the storage of refuse and materials for recycling shall be provided as shown on the approved plans prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with NPPF

(3) Facilities for the secure and covered parking of bicycles shall be provided as shown on the approved plans prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with NPPF

(4) Unless otherwise agreed in writing by the local planning authority (LPA), the proposed car parking area to the rear of the property shall be provided / completed prior to the commencement of the use hereby permitted in accordance with details to be submitted to and approved in writing by the LPA. The parking area shall retained and maintained and be used for no other purpose thereafter.

Reason: To secure the provision of the proposed additional on-site parking in the interests of highway safety and neighbour amenity and in the interests of visual amenity in accordance with the Policy E20 of the Northampton Local Plan and the NPPF.

(5) The use hereby permitted shall only proceed and continue in full accordance with the Management Plan produced by Millennia Properties and submitted in respect of this application on 25th May 2012.

Reason: In the interests of residential amenity and the character of the area and to comply with policy H30 of the Northampton Local Plan.

(6) The premises shall be used as a house in multiple occupation for a maximum of fourteen residents only.

Reason: To ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants and nearby residents in accordance with Policy E20 of the Northampton Local Plan.

(7) Notwithstanding the submitted plan, details and/or samples of the proposed windows to the front elevation (which shall be sash windows) and any other proposed alteration to 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 Policies E20 and E26

of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 Application file N/2012/0328, N/1995/0820, 08/0204/FULWNN and 08/0295/FULWNN.

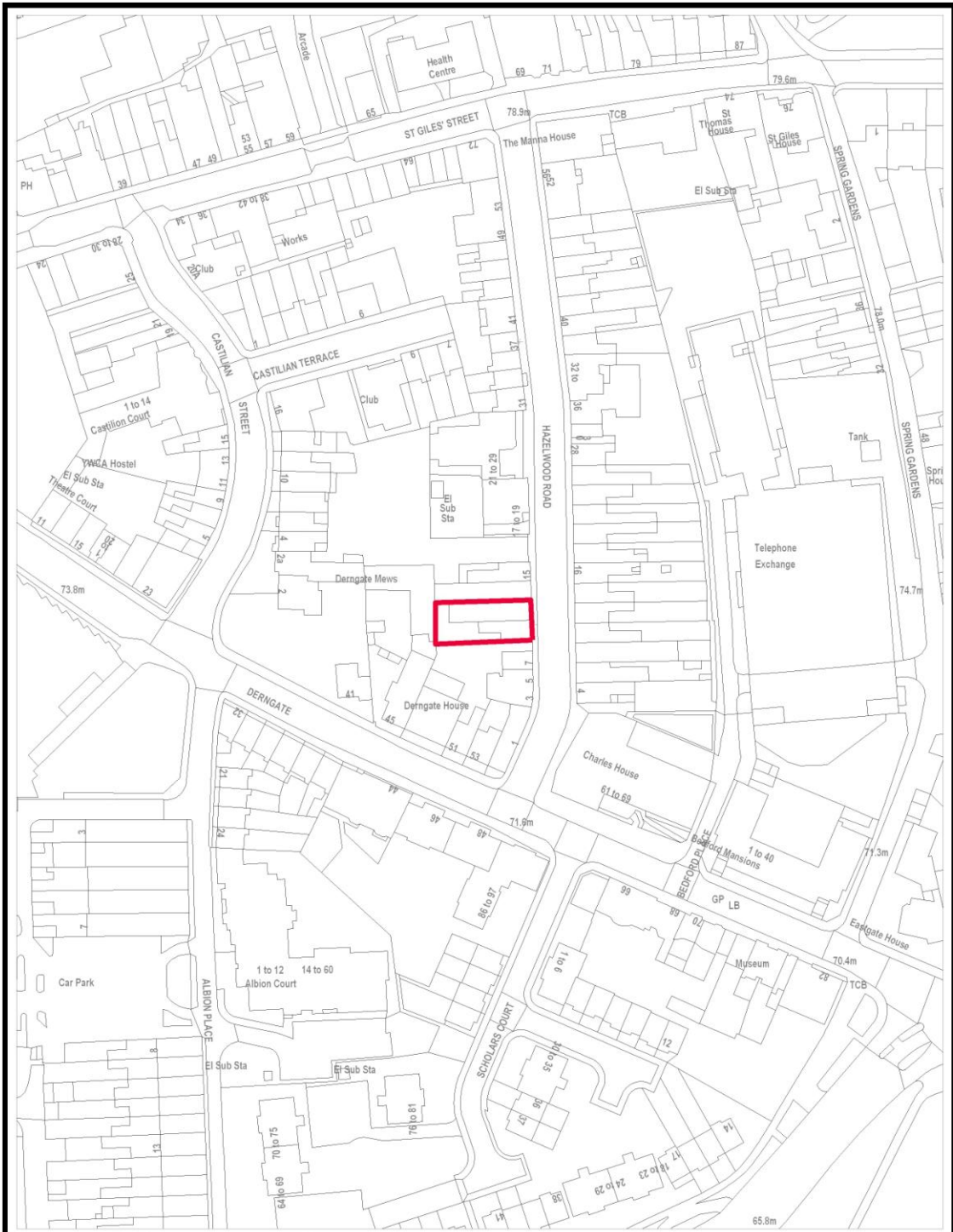
11. LEGAL IMPLICATIONS

11.1 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:	A Holden	12/06/2012
Development Control Manager Agreed:	Gareth Jones	12/06/2012



Name: SW
Date: 14th June 2012
Scale: 1:1250
Dept: Planning
Project: Site Location Plan

Title
9-11 Hazelwood Road

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