



**PLANNING COMMITTEE:** 8<sup>th</sup> April 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0171:** Change of use from dwelling to a house in multiple occupation for 5 occupants (Use Class C4) at 113 Abington Avenue

**WARD:** Abington

**APPLICANT:** Mr B. Dunne  
**AGENT:** Mr M. Dunne

**REFERRED BY:** Head of Planning  
**REASON:** Applicant is related to a NBC employee

**DEPARTURE:** Yes

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

The proposed development would provide accommodation of a suitable standard and have a neutral impact upon the character and appearance of the area, neighbour amenity and highway safety. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework and Local Plan Policies E20, H30 and H31.

### **2. THE PROPOSAL**

2.1 The application seeks permission to change the use of the building from a single residential dwelling to a house in multiple occupation for a maximum of five residents. No external alterations are proposed.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of a terraced house located in an allocated residential area in the Northampton Local Plan. The site is adjacent to an allocated local centre comprising a small number of retail units and a takeaway. The application site is within 400m of Kettering Road, which contains a wider array of commercial facilities and the Racecourse park. A number of bus routes operate within the vicinity.

### **4. PLANNING HISTORY**

- 4.1 None

### **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 saved policies of the Northampton Local Plan.

#### **5.2 National Policies**

National Planning Policy Framework (NPPF)

#### **5.3 Northampton Local Plan**

E20 – New Development  
H30 – Multiple Occupation  
H31 – Cumulative impact

#### **5.4 Supplementary Planning Guidance**

Parking

### **6. CONSULTATIONS/ REPRESENTATIONS**

Representations received are summarised as follows:

- 6.1 **Environmental Health (NBC)** – The proposal is acceptable, subject to a condition requiring the submission of refuse storage details and for this to be retained.
- 6.2 **Highway Authority (NCC)** – Request that a minimum of two off street car parking spaces be provided. The street currently experiences car parking problems.

- 6.3 **Private Sector Housing (NBC)** – The property has been assessed against the requirements of the Housing Act 2004. The space and amenities provided indicate that the property will be suitable to let to five individuals from five separate households.

## **7. APPRAISAL**

### **Principle of Use**

- 7.1 The site is located in an allocated residential area in the Northampton Local Plan therefore a house in multiple occupation use is in keeping with the existing land uses. The submitted plans show that five bedrooms would be provided, in addition to a living room, kitchen and conservatory. As a result of this, it is considered that a suitable level of amenity would be secured for the occupiers of the development. No external changes to the building have been proposed.

### **Policy Implications**

- 7.2 Policy H31 of the Local Plan identifies a number of streets where it is considered that, due to cumulative impacts, planning permission should not be granted for any further house in multiple occupation. This list includes the section of Abington Avenue running from numbers 9 to 115. Whilst the proposed development is contrary to the requirements of this policy, it is necessary to establish whether harm would emanate from this breach.
- 7.3 The application site is on the periphery of the area covered by Policy H31 and therefore the overall impact of this development upon the character of the wider Abington Avenue area is limited. Furthermore, the application site is sustainably located given its proximity to various local services and facilities. As a consequence it is considered that the development is acceptable.
- 7.4 It is accepted that there are a number of house in multiple occupation within the general area, however, the immediate environs of the application site are characterised by units occupied by single households and therefore the development would not cause any substantial erosion of the area's character.

### **General Amenity and Parking**

- 7.5 In order to ensure that the development does not pose an undue detrimental impact upon the occupiers of neighbouring properties as a result of increased noise and disturbance, a condition is recommended that would ensure that the number of residents of the property does not exceed five. It is considered that this figure would not be significantly different from the number of potential residents that would occupy the building as a dwelling house.

- 7.6 In order to ensure a satisfactory standard of development, details of refuse and cycle storage are to be secured by condition. It is accepted that the proposal does not include any off street car parking and the comments of the Highway Authority are noted; however, the application site is in close proximity to a variety of commercial and leisure facilities and major routes. Furthermore, the number of potential occupiers is not significantly higher than the number that could occupy the building for a use falling within Class C3 (dwelling house). As a consequence, it is considered that the lack of off street car parking does not render the application unacceptable.

## **8. CONCLUSION**

- 8.1 Despite the requirements of the Local Plan Policy H31, it is considered that the creation of a house in multiple occupation in this location would have a neutral impact upon the character and appearance of the locality, neighbour amenity and highway safety and therefore the development is acceptable.

## **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: Site Plan; Existing Floor Plans; and Proposed Floor Plans.

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

3. The development hereby permitted shall be occupied by no more than five residents at any one time.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy H30 of the Northampton Local Plan.

4. 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. Development shall be carried out in accordance with the approved details, implemented prior to the first commencement of the use hereby permitted and retained thereafter.

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

5. Details of the provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the approved details, implemented prior to the first commencement of the use hereby permitted and retained thereafter.

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

## **10. BACKGROUND PAPERS**

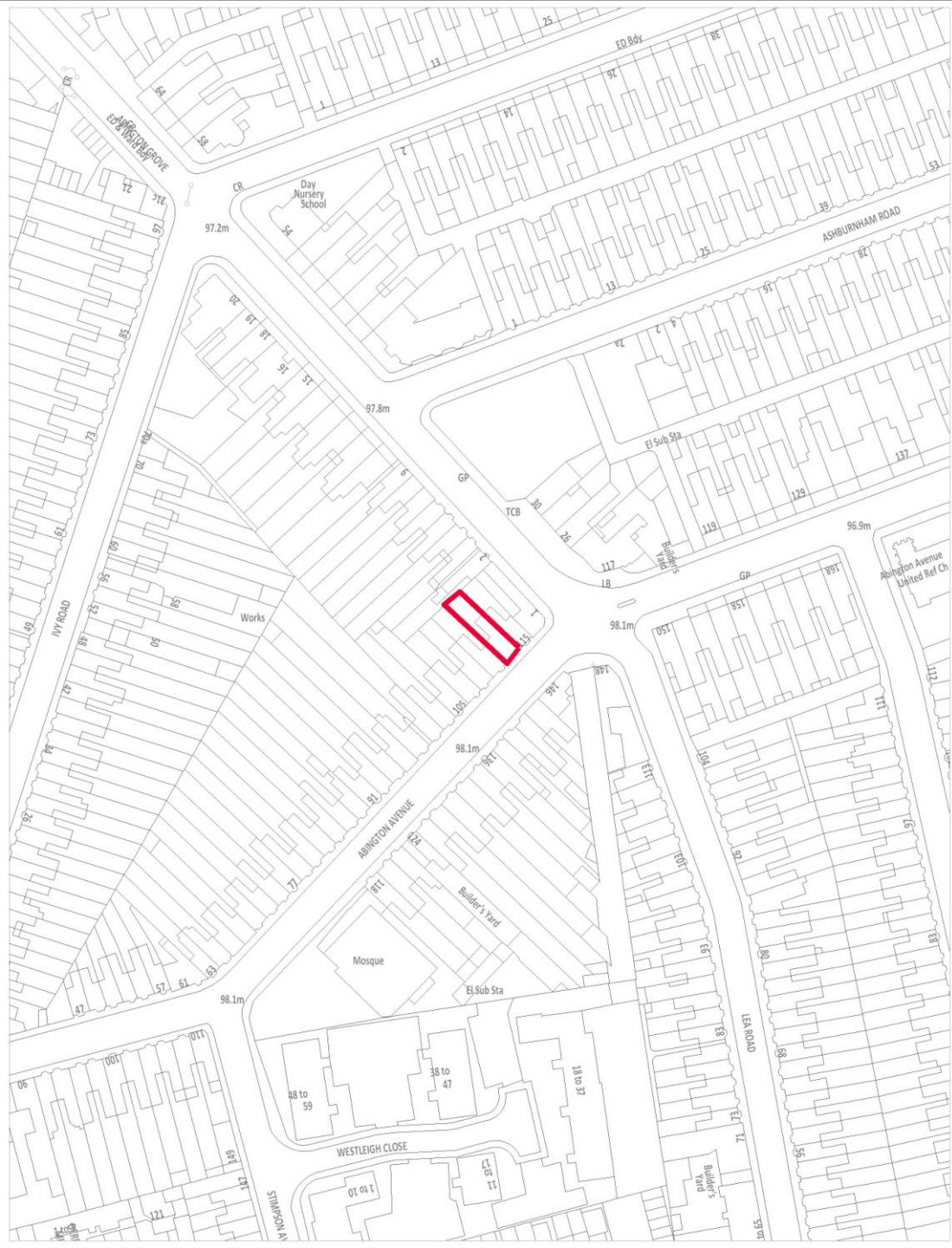
- 10.1 N/2014/0171

## **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.



Name: Planning  
 Date: 13th March 2014  
 Scale: 1:1250  
 Dept: Planning  
 Project: Committee

Title  
**113 Abington Avenue**

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