

**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1055

**LOCATION:** 3 Uppingham Street

**DESCRIPTION:** Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 3 residents  
**WARD:** Semilong Ward

**APPLICANT:** Mr Jimmie Brennan  
**AGENT:** Mr Jimmie Brennan

**REFERRED BY:** Councillor L Marriott  
**REASON:** Overconcentration, parking issue and loss of family house

**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 development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

##### **2. THE PROPOSAL**

- 2.1 Permission was originally sought to change the use of the property from a single dwellinghouse to a house in multiple occupation (HIMO) for 4 residents, however, due to the fact that highways required a parking beat survey for 4 residents the applicant decided to amend the application to 3 tenants. The revised proposal therefore is to maintain the floor layout as existing.
- 2.2 There will be a shared lounge, dining room, kitchen and bathroom on the ground floor and three bedrooms on the first floor.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of a two storey end of terrace Victorian dwelling located within a residential area as designated in the Northampton Local Plan. The area is covered by an Article 4 Direction which has removed permitted development rights for change of use to a HIMO.
- 3.2 The property fronts directly onto the street and has a short rear garden, with no car parking spaces provided on site. The site is in a residential area of similar style housing. Immediately adjoining the property to the north are single storey outbuildings occupied by a roofing company. To the south is an adjoining residential dwelling.

### **4. PLANNING HISTORY**

- 4.1 None.

### **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) and 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 17** - Core Principles - seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

**Paragraph 49** - Housing applications considered with presumption in favour of sustainable development.

**Paragraph 50** - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

**Paragraph 56** - Good design is a key aspect of sustainable development.

#### **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 H1** - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the

location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

**Policy H5** - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

**Policy S10** - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

#### 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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

**Policy H30** – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

#### 5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2016  
Planning out Crime in Northamptonshire SPG 2004

#### 5.6 **Other Material Considerations**

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs 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 15% of HIMOs within a 50m radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received as a result of consultation on the original proposal for 4 residents:

6.1 **NCC Highways** - advises that the applicant undertakes a parking beat survey due to the known pressure in the area for on street parking and the expectation that the change of use could result in increased on-street parking.

6.2 **NBC Private Sector Housing** - the applicant should be advised that the premises will require licensing under the additional licensing scheme.

- 6.3 **Councillor Leslie Marriott** - would like to refer the matter to the Planning Committee on the basis that the Semilong area is oversubscribed with HIMOs, there is an ongoing requirement for family homes in the area, it would exacerbate parking issues in the area, a matter which the police are really concerned about.

Comments received following re-consultation on amended proposal for 3 residents:

- 6.4 **NCC Highways** – no comments to make.

## 7. APPRAISAL

### Principle of the development

- 7.1 The conversion of an existing dwelling to a HIMO is considered to be in accordance with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where they would not adversely affect the character and residential amenity of an area. In principle, houses in multiple are considered to be acceptable in a residential area.

### Size of property

- 7.2 The plans indicate a living room, dining room, kitchen and bathroom on the ground floor and three bedrooms on the first floor. It is considered that room sizes are sufficient and that there are adequate facilities for the proposed occupancy. The application therefore complies with Principle 2 of the Council's adopted Planning Policy Statement on HIMOs.

### Area Concentration

- 7.3 It would appear from Council records that there is not a significant concentration of HIMOs in the surrounding area with 2 other HIMOs within a 50 metre radius of the property. This would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

The premises could be conditioned to restrict the use of the premises to a maximum of 3 occupants, the impact of which would not be significantly different to that of a conventional family home. It is therefore considered that the proposal would not lead to an over concentration of HIMOs within the locality and that there would not be significant impact on the character and amenity of the area as a result.

### Parking

- 7.4 No off-street parking is provided. Given that the lawful use of the property as a dwelling would also be likely to generate some vehicle movements, it is considered that the use as a HIMO for 3 occupiers would not create significant additional traffic. It is noted that the site is located within walking distance of an off licence and general store at the corner of Uppingham Street and St Andrews Road, and within walking distance of bus stops and the linear park on St Andrews Road. It is also within walking distance of employment areas at Grafton Park, St Georges Street and Barrack Road. Cycle parking can be accommodated within the rear garden, and a condition is proposed to secure this.

- 7.5 Following the reduction of the proposal to 3 residents, the Local Highway Authority did not request that a parking beat survey to be carried out, as there will be no additional occupant as compared with the existing 3-bed dwelling, and raise no objections to the proposal.

### Refuse storage

- 7.6 There is sufficient room for the storage of refuse bins in the back garden. A condition will be applied to secure this. This proposal would therefore be in compliance with Principle 4 of the Council's adopted Planning Policy Statement on HIMOs.

### **Amenity**

- 7.7 The proposed use falls within Class C4 of the Use Classes Order, which in effect categorises this as a residential use which would not generate amenity impacts such as noise or anti-social behaviour on local residents over and above those created by a more conventional Class C3 dwelling. Without the Article 4 Direction, planning permission would not have been required for the change of use. Consequently it is not considered that any refusal of planning permission or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

## **8. CONCLUSION**

- 8.1 Taking the above into account it is considered that the use of the property as a HIMO for 3 residents is in compliance with policy requirements and is therefore recommended for approval.

## **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 location plan, TP/LB/JB/1 (existing ground floor and first floor plans only).

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 a maximum of three residents at any one time.

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

4. Within one month from the date of this decision, details of the provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented within 1 month of the Local Planning Authority's written approval and shall be maintained in accordance with the approved details.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

5. Within one month from the date of this decision, 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. The details shall be implemented within 1 month of the Local Planning Authority's written approval and shall be maintained in accordance with the approved details.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

**10. BACKGROUND PAPERS**

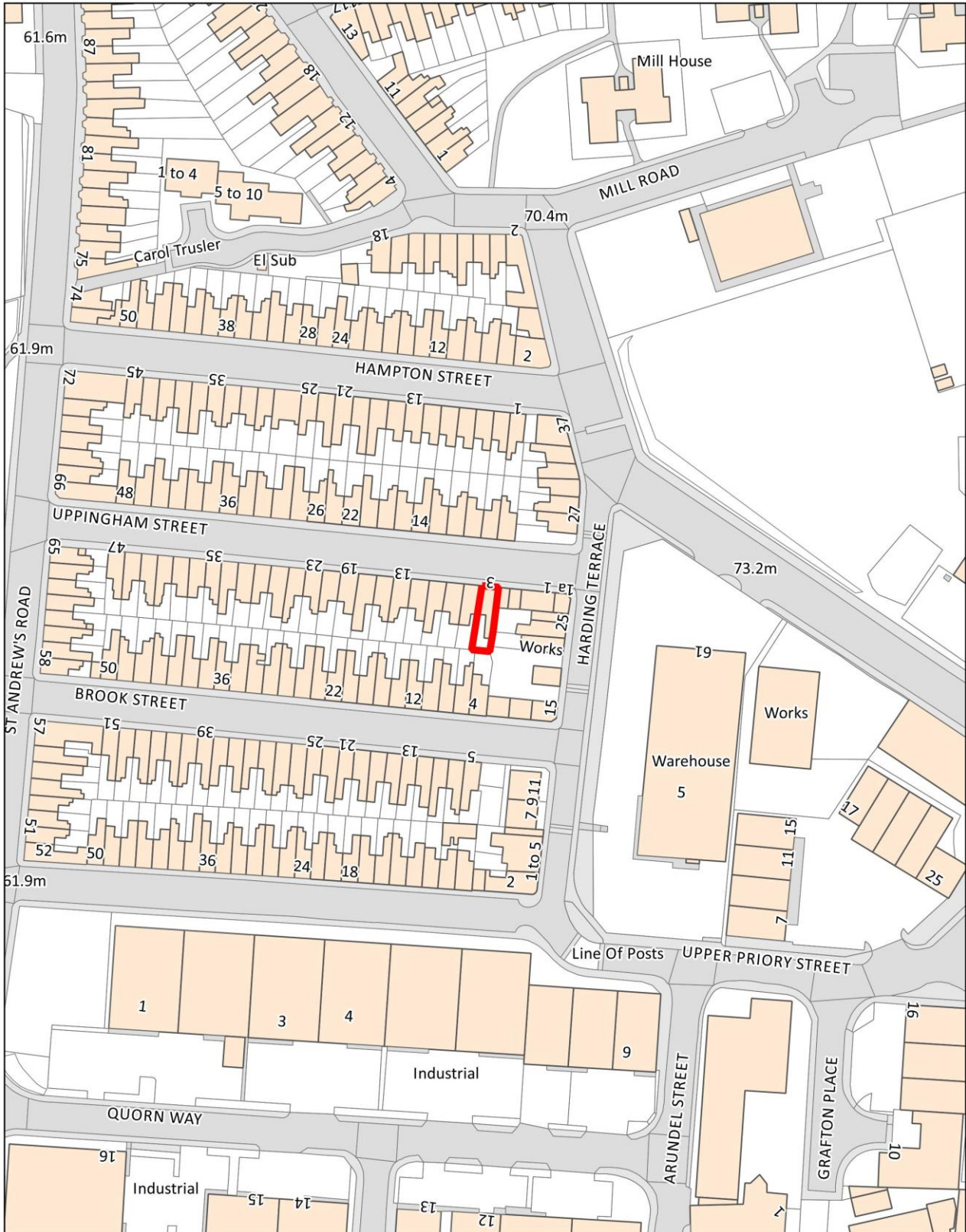
10.1 None

**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: **3 Uppingham Street**

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Date: 13-10-2016

Scale: 1:1,250

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