



PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1541

LOCATION: 46 - 48 King Edward Road

DESCRIPTION: Change of use of 2 flats (Use Class C3) to house in multiple occupation (Use Class C4) for 6 residents

WARD: Abington Ward

APPLICANT: Mrs Collins
AGENT: Archi-tec Architectural Design

REFERRED BY: Councillor Zoe Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

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1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application proposes the conversion of the existing two flats to a house in multiple occupation for 6 people. No external alterations are proposed. Parking would be on street.
- 2.2 The site lies within an Article 4 Direction Area which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application site comprises Nos. 46-48 King Edward Street, a corner property within a predominantly residential area. The ground floor was formerly a hairdressers but was converted to a one-bedroom flat earlier this year under the prior notification process. A further 3-bedroom flat occupies part of the ground floor to the rear and the entire first floor of the building. An enclosed yard is situated to the rear of the property. The surrounding area comprises predominantly residential terraces with on-street parking. Wellingborough Road Local Centre is located to the north west of the application site, approximately 500m away.

4. PLANNING HISTORY

- 4.1 N/2016/0040 – Prior notification for change of use from a hairdressers into a flat (ground floor). Approved 8.03.16.

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 the 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 a good standard of amenity for existing and proposed occupiers.

Paragraph 49 – Housing applications should be considered with a 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, Local Planning Authorities are advised to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

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 Parking Standards (September 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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Local Highway Authority (LHA)** – following a request for and the receipt of a parking beat survey, the LHA comment as follows:

The LHA have received a number of parking surveys for numerous planning applications. In analysing this data it has become apparent that when on-street parking is at 85% to 90% of capacity, there are very few available spaces left in the area, and it is therefore considered at capacity. This is because any fluctuation in demand could result in highway safety and amenity

problems arising. When the capacity exceeds 90%, the area is over saturated with parked vehicles which results in highway safety and amenity issues arising on a regular basis. An increase in demand will further exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents due to lack of parking.

The submitted parking beat survey shows there is no residual parking capacity within the immediate vicinity of the site.

King Edward Road and Christchurch Road have no parking restrictions on the junctions. An early morning survey carried out by the LHA between the hours of 1am and 4am showed that vehicles were parked well into the junctions with King Edward Road making visibility non-existent. Parking on the junctions of Christchurch Road was less severe but still within 5m of the junction.

The LHA acknowledge that there is a good chance that not all the residents of an HIMO will have a car. However, as all residents will be of driving age, there is the real possibility the property could produce a demand for 6 vehicles.

The LHA therefore considers the increased demand for on-street parking resulting from the development would result in increased parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. The potential highway safety implications are therefore considered severe and the LHA must therefore object to the proposed development on the grounds of highway safety. Furthermore, the increase in parking demand will have a negative impact on the amenity of neighbouring residents.

6.2 **Private Sector Housing** – No objection. The premises will require a license.

6.3 **Councillor Zoe Smith** – wishes to call the application to Planning Committee as the proposal is likely to exacerbate current parking issues and alter the residential nature of the area.

6.4 Neighbouring properties have been notified. No comments received.

7. APPRAISAL

Principle of Use and Concentration

7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there are no other existing HIMOs within a 50m radius of the application site. The addition of a further HIMO as proposed would lead to a concentration of 2% significantly below the 15% concentration. It is therefore not considered that the HIMO proposed would lead to any significant impact on the character and amenity of the surrounding area as a result and the principle is therefore considered acceptable.

Size of property and facilities for future occupiers

7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property

to a maximum of 6 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing are satisfied with the accommodation proposed which would be subject to a requirement for a license.

- 7.4 There is sufficient room to the rear of the property for bin storage and cycle storage which can be conditioned to be required prior to occupation as an HIMO.

Flood Risk

- 7.5 In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

Highways/Parking

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be **either** within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 Parking within the vicinity of the site is on-street. Whilst the site is in excess of 400m from the nearest bus stops on Wellingborough Road and Billing Road, it is within approximately a 7 minute walk to the Local Centre and facilities, including bus services, on Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas the IPPS goes on to say that storage space should be provided which is accessible to cycle users. Such space is available in this case, and a condition is recommended requiring that this is made available for cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.10 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom and where the proposal is less than this requirement, the Local Highway Authority (LHA) will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated.
- 7.11 In this case, no on-site parking is proposed and the LHA duly requested a parking beat survey be carried out. A survey was subsequently submitted and the response from the LHA to this survey was that this showed the area to be at capacity for parking, as referred to above in paragraph 6.1 above. The LHA therefore object to the proposal on the grounds that the potential impacts on highway safety are considered to be severe, and concern is also raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.12 Notwithstanding the LHA objection, regard must be given to the existing subdivision and use of the premises as two separate 1 bedroom and 3-bedroom flats, and that there could potentially be at least 6 occupants within the existing property due to the size of the existing bedrooms. In this respect, it is not considered that the proposed use would lead to any increase in the number of occupants to that which could potentially exist under the present use.
- 7.13 Furthermore, regard must be paid to previous appeal decisions over the past year where Planning Inspectors have consistently taken the view that where a site is close to local amenities, and no parking is provided, considerable weight has been given to the sustainable location of the

site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.

- 7.14 The issues in this regard are finely balanced, however it is considered that in view of the existing use, recent appeal decisions and that the proposal complies with the Council's adopted Interim Planning Policy Statement for HIMOs, it would be difficult to uphold a refusal at appeal on the basis of highway concerns.

Refuse Storage

- 7.15 No specific details have been submitted in relation to the provision of refuse storage. However, there is an enclosed yard to the rear of the property with sufficient space to accommodate suitable storage. A condition is recommended to this effect.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The issues in relation to parking and highway safety are finely balanced, however, it is considered that the proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal 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: Location Plan and Block Plan, drawing no. C50-2A.

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 6 residents at any one time.

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

4. Prior to first use of the premises hereby permitted, 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 approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the first use of the premises 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 development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition in order to ensure acceptable details are agreed in advance of work starting.

10. BACKGROUND PAPERS

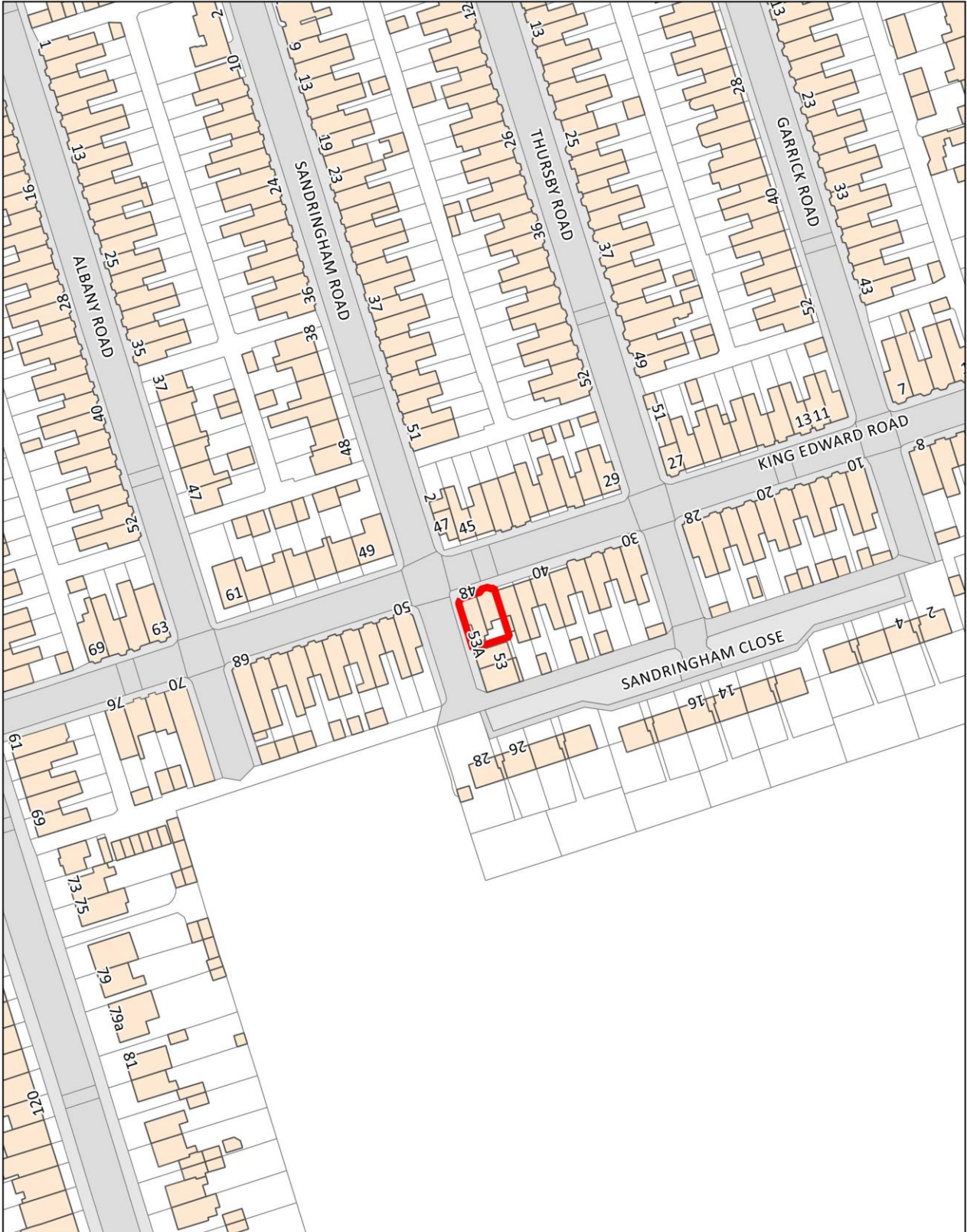
- 10.1 N/2016/1541.

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.



Title: **46-48 King Edward Road**

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Date: 28-02-2017

Scale: 1:1,250

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