

PLANNING COMMITTEE: 25 July 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0465

LOCATION: 55 Delapre Crescent Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

WARD: Delapre & Briar Ward

APPLICANT: SFR Properties Ltd
AGENT: SFR Properties Ltd

REFERRED BY: Councillor V. Culbard
REASON: Parking and refuse concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

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 over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. In addition, the Local Highway Authority has raised no parking objections to the proposal and the site is in a sustainable location close to local facilities, 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, saved 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 seeks full planning permission for the change of use of the property from a dwellinghouse (Use Class C3) to a House in Multiple Occupation (HIMO) for five occupants.

2.2 The application includes an external alteration to the property comprising the change of a back door to a window. The internal layout would also be altered to form three first floor and two ground floor bedrooms, each served by an en-suite, and a ground floor reception/kitchen area to the rear with a floor area of 20sqm.

- 2.3 The works the subject of the application would normally benefit from permitted development rights. However, the site is located 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 property comprises a two storey, mid-terraced, three-bedroom property with a small front garden and a rear garden measuring some 15 metres in depth. It is located in a residential area to the northern side of Delapre Crescent, which is lined by a mix of terraced, semi-detached and detached properties. The southern side of Delapre Crescent Road is bound by Far Cotton Recreation Ground.
- 3.2 The existing property contains three first floor bedrooms with a first floor bathroom and has a living room, lounge and kitchen at ground floor level together with a WC. There is an outbuilding in a poor state of repair to the rear boundary of the site. The application property was being refurbished at the time of the officer site visit.
- 3.3 The site is in close proximity to the Towcester Road and London Road and therefore has ready access to bus routes with the nearest bus stop located some 230 metres from the site on Towcester Road. The site is also located some 400m from the nearest retail unit on St Leonard's Road.
- 3.4 The site does not fall within Flood Zones 2 or 3 as designated by the Environment Agency and therefore has a low probability of flooding.

4. PLANNING HISTORY

- 4.1 None relevant.

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:

- 5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.
- 5.5 Paragraph 50 - States that planning should 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.

5.6 Paragraph 32 - Details that development should only be refused on transport grounds where the impacts of development are severe.

5.7 **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:

5.8 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, and the impact on the amenities of occupiers of neighbouring properties.

5.9 Policy H5 – Managing the existing housing stock - Seeks to manage and safeguard existing housing stock, including through HIMO's, where they would not adversely impact upon the character and amenity of residential areas.

5.10 Policy S10 – Sustainable Development Principles - 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

5.11 **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:

5.12 Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

5.13 Policy H30 – requires HIMO's 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.

5.14 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.14 **Other Material Considerations**

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

Proposals for HIMO's 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 50 metre 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 are summarised as follows:

- 6.1 **Councillor V. Culbard** – any further development would be detrimental to the residents of the road. Delapre Crescent Road is a fairly narrow road that already experiences problems with residents parking their cars, particularly in the evening when they return from work. Any increase in the amount of residents would only exasperate the situation. There would be further pressure on rubbish disposal and fly tipping. Called in the application.
- 6.2 **Councillor G Walker** – object to the application on the grounds of parking and the loss of a family home.
- 6.3 **Highway Authority (NCC)** - The proposed development does not meet the Northamptonshire Highways Parking Standards 2016. As per the standards it must provide a minimum of 2 on plot parking spaces. However the LHA does not believe the potential increase in demand will compromise highway safety in this location.
- 6.4 **Private Sector Housing (NBC)** - The room spaces indicated on the submitted plans meet the requirements for a five person HIMO. Guidance should be provided to the applicant regarding the property potentially becoming licensable in the future.
- 6.5 **One neighbour objection** - There is already a major parking issue in the area and increasing the number of HIMOs is only going to make the situation worse.
- 6.6 **One letter of comment** has also been received which includes the following points:
- There has not been a huge influx of HIMOs in the locality, with only two HIMOs on the road, and these are at the opposite end.
 - Delapre Crescent Road is a wide road that does not have parking problems; this is partly because the road is neighboured by Far Cotton Recreation Ground.
 - There is no reason to suggest tenants will fly-tip, there is more than adequate room for bin storage with the property benefiting from side access to the rear garden.
 - Blanket objections should not be made to all HIMOs.

7. APPRAISAL

Principle of the development

- 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.

Area concentration

- 7.2 Council records indicate that there are no confirmed HIMOs on Delapre Crescent Road or Penrhyn Road within a 50 metre radius of the site, although one HIMO has recently been granted planning permission on Pleydell Road (under reference N/2017/0451) within the 50 metre radius. The use of this application property as a HIMO, together with the permitted HIMO on Pleydell Road, would equate to less than a 4% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. As such, and given the range of dwelling types in the locality, it is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, is in line with the aims of NPPF in respect of the requirement to secure 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 with appropriate kitchen/dining/living and bathroom facilities. Furthermore, Private Sector Housing are satisfied with the proposed accommodation. In addition, all bedrooms would be served by windows to ensure adequate outlook and light. A condition restricting the use of the property to a maximum of 5 people would ensure adequate amenities are secured in perpetuity.
- 7.4 No details have been submitted for cycle and bin storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

Flood Risk

- 7.5 In respect of flood risk, whilst parts of Far Cotton fall within Flood Zones 2 and 3, the application site falls outside of these zones. As such the proposal has no implications with regards to flooding.

Highways/Parking

- 7.6 The application site does not benefit from any onsite parking. The Interim Planning Policy Statement for HIMOs (IPPS) sets out that where limited, or no parking provision is proposed, the site must be either within 400 metres 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 The application property is located within easy walking distance to local facilities along St. Leonards Road, as well as other shops and facilities on Towcester Road and London Road. In addition, the site is close to bus stops along Towcester Road and London Road, with the nearest bus stop located some 230 metres from the site. As such, the proposed development is considered to be in a sustainable location and to accord with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such sustainable areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for prior approval for secure cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS.
- 7.10 The Northamptonshire Parking Standards are, however, also a material consideration in the assessment of the current application and this document was adopted in September 2016, after the IPPS.

- 7.11 The Northamptonshire Parking Standards state that three bed houses should provide two parking spaces and HIMO's should provide on plot parking at the ratio of one parking space per bedroom, which would equate to five spaces for the proposal, which is an increase of 3 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.12 However, in this case, the Highway Authority has assessed the proposal, including the availability of parking in the immediate locality of the site, and has advised that the potential increase in parking demand would not, in this instance, compromise highway safety.
- 7.13 Given that the Highway Authority have not objected to the application, and having regard to previous appeal decisions over the past few months where Planning Inspectors have consistently allowed HIMO appeals with no parking in sustainable locations, it has considered that an objection cannot be sustained on the grounds of the Parking Standards.
- 7.14 Overall, and having regard to the above, it is considered that objections cannot be sustained to the application on the grounds of parking or highway safety.

Refuse storage

- 7.15 The application form details that refuse bins can be located in the front garden of the property and it is also noted that there is sufficient space in the rear garden for bin storage. Notwithstanding the details submitted thus far, a condition is recommended to agree the exact details of refuse storage for the property to ensure it is of an appropriate size.

Amenity

- 7.16 The application site is in a residential area and proposed use would fall within Use Class C4, which is a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts, such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a 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 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect upon the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is also of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the requirements of policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

9. CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, DA18.01.02, and DA18.01.03

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

2. 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.

3. The development hereby permitted shall be occupied by a maximum of five 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. 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.

5. Notwithstanding the submitted details, prior to the first use of the property hereby permitted, details of storage facilities for refuse and materials for recycling shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation as permitted and maintained thereafter.

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.

10. BACKGROUND PAPERS

- 10.1 N/2017/0451.

11. LEGAL IMPLICATIONS

- 11.1 The development is CIL not chargeable.

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: **55 Delapre Crescent Road**

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Date: 11-07-2017

Scale: 1:1,250

Drawn by: -----