



PLANNING COMMITTEE: 26th September 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0690

LOCATION: 47 Southampton Road

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

WARD: Delapre & Briar Ward

APPLICANT: Miss Reed
AGENT: Miss Reed

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 overconcentration of similar uses within the vicinity of the site and would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a very sustainable location close to a Local Shopping Centre and bus stops on St Leonard's Road and amenities and would provide adequate facilities for cycle storage and refuse storage and not impact on flood risk. The proposal thereby complies with Policies H1, H5, BN7 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 proposal is for the change of use of a three bedroom dwelling (Class C3) to a small house in multiple occupation for 5 occupants (Class C4). The proposed use would include a living room, kitchen, bathroom and single bedroom at ground floor level and 3 bedrooms above (2 single and 1 double). There are no external works proposed with the conversion. The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a small HIMO (up to 6 persons).

3. SITE DESCRIPTION

3.1 The site consists of a terraced dwelling located along a street of similar properties. On street parking is provided at the front on an unrestricted basis and there is a private garden to the rear almost 9 metres deep. The site is not in a conservation area. The property is in Flood Zone 3.

4. PLANNING HISTORY

4.1 No recent planning applications.

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), 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 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

5.4 Paragraph 49 requires that housing applications be considered with 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 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:

5.7 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.

5.8 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.

5.9 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

5.10 Policy BN7 - Flood Risk – relates to flood risk as a consideration in the determination of this planning application.

5.12 **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:

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

5.14 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.

5.15 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Northamptonshire County Council SPG Planning Out Crime (2003)

5.16 **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 **NCC Highways** - Raise objections. Recent parking survey showed that showed that there was no residual capacity in the area. The cumulative impact from the high concentration of HIMOs is contributing towards inappropriate parking in other areas. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand exacerbating the existing problems. Any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe.

6.2 **Environment Agency** - No objections.

6.3 **NBC Private Sector Housing** - No objection for a 5 person HIMO.

6.4 **5 objections** on following grounds:-

- Over-concentration of similar uses in area
- Concern on car parking and highway safety
- Fly tipping, litter and waste disposal
- Inadequate living standards
- Impact on community and social cohesion
- Impact on heritage and character of area
- Loss of original features from inside of a Victorian property
- Impact on population/ demographics of the area
- Developers are often motivated by profit with little regard for the area

6.5 **Councillor V Culbard** - parking, impact on rubbish disposal concerns. Called in the application.

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 Joint Core Strategy 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 The Interim Planning Policy Statement states that, in order to create a good mixture of house types, there should be a maximum of 15% of buildings within a 50m radius should be used as HIMOs. The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act, other data held by the Council and survey work, including one carried out in September 2017. Within the 50m radius, there are currently nine other HIMOs. Therefore, should this development proceed, the resultant number of HIMOs within the 50m radius would be 13.5%. (10 out of 74 properties). The level of HIMOs falls below the maximum threshold enshrined in policy.

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 generally to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guide. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing confirm that the accommodation proposed would be acceptable for 5 residents.

Flood risk

7.4 In respect of flood risk, the application site is in flood zone 3. However, the Environment Agency consider that the risk of flooding is low and raise no objections to the proposal. In addition, 3 of the proposed 4 bedrooms would be on the first floor where potential risk from flooding is lower.

Highways / Parking

- 7.5 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. The application property is close to St Leonards Road and easy walking distance to the Local centre which has shops and businesses nearby.
- 7.6 Where parking is not provided in accordance with the above, the IPPS recommends that storage space should be provided which is accessible to cycle users. In this case this can be secured by condition at the rear of the property where there is sufficient space available.
- 7.7 On this basis, 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.
- 7.8 These standards indicate that the property should provide a minimum of 5 on plot parking spaces, which is an increase of 3 spaces as compared to the existing requirement, as the parking requirement for a 3-bed dwelling is 2 spaces. Comments from the Local Highway Authority indicate that there is no residual parking capacity for vehicles in the immediate vicinity of the property.
- 7.9 It should be remembered that in recent appeal decisions, Inspectors took the view that when sites were in sustainable locations, they met the IPPS tests and the appeals were allowed. In these instances, the Inspector attached more weight to the IPPS than the opinion of the Local Highway Authority.
- 7.10 The lawful use of the premises as a Class C3 dwelling house could be occupied by a large extended family. In either situation, it is considered that the additional impact of the current proposal, in terms of demand for parking, would be marginal. It would be difficult to justify a refusal of planning permission on this basis.

Refuse storage

- 7.11 An appropriate condition for bin storage is to be secured to ensure an acceptable level of residential amenity. This should assist in addressing residents' concerns on increase in waste and rubbish accumulation.

Amenity

- 7.12 As the proposed HIMO is no more intensive than say a family dwelling house which could potentially accommodate the same number of occupiers, it is considered that the level of noise and effect on residential amenity would be no more significant.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the IPPS on HIMOs, would not result in an over concentration in the locality and would provide suitable accommodation for the number of occupants proposed. The proposal would have an acceptable impact on flood risk and highway safety.

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: 1705-25.

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

- 3) Prior to the occupation of the development, 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 Policy H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 4) Prior to the occupation of development, 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 Policy H1 and H5 of the West Northamptonshire Joint Core Strategy. .

- 5) 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

10. BACKGROUND PAPERS

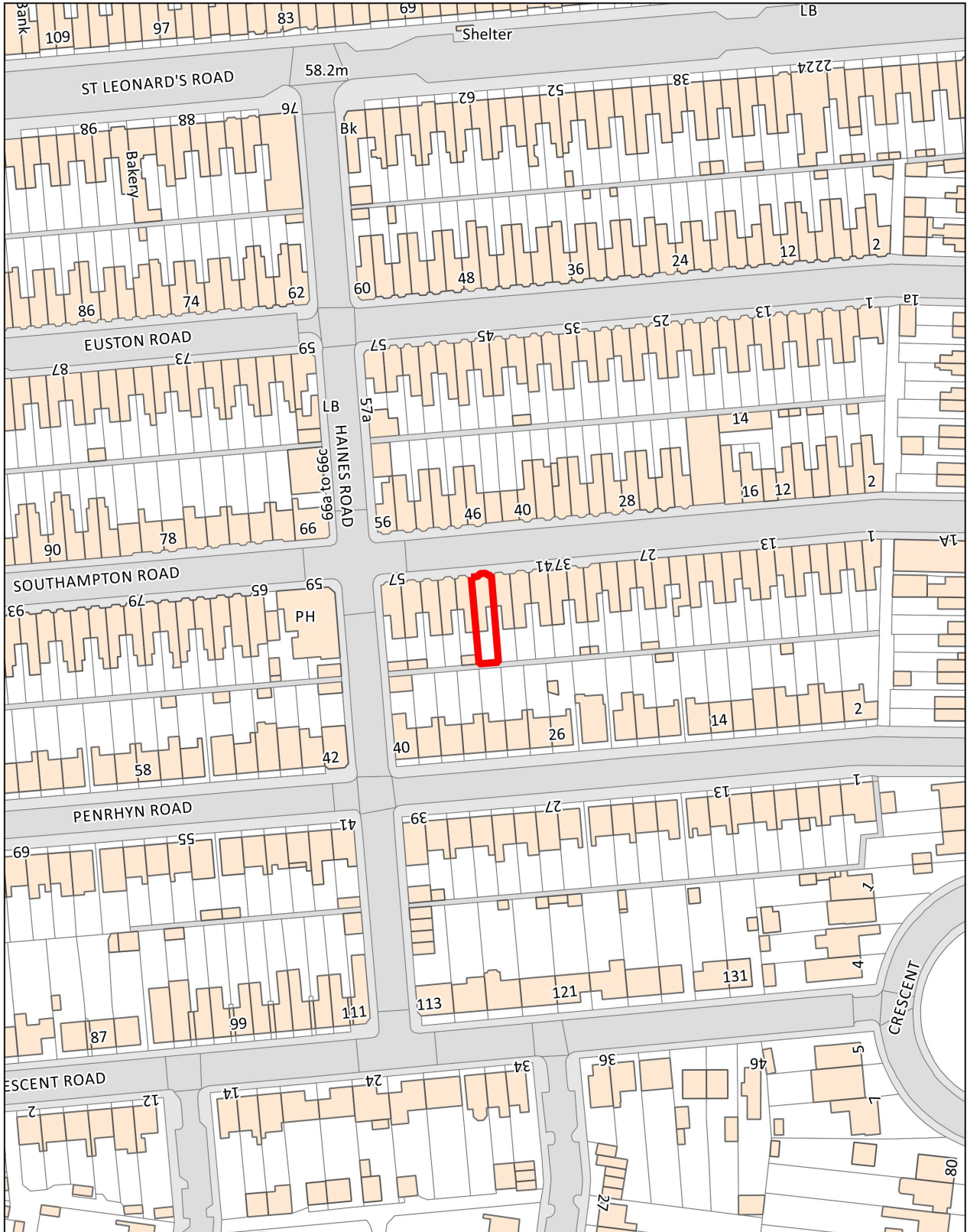
- 10.1 N/2017/0690.

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: **47 Southampton Road**

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Date: 15-09-2017

Scale: 1:1,250

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