



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 26<sup>th</sup> September 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1040

**LOCATION:** 42 Vernon Walk

**DESCRIPTION:** Extension, internal alterations and change of use from 6 bed House in Multiple Occupation (Use Class C4) to 7 bed House in Multiple Occupation (Sui Generis) for 7 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr Richard Dawson  
**AGENT:** Mr Richard Dawson

**REFERRED BY:** Councillor D Stone  
**REASON:** Parking, anti-social behaviour and refuse concerns

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

- 1.1 The proposed development is considered acceptable as the principle of a house in multiple occupation use has already been established. The proposed increase in the number of residents is considered to be minor and the proposed extension would provide improved facilities for future occupants. 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 the National Planning Policy Framework; 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).

**2. THE PROPOSAL**

- 2.1 Permission is sought for change of use of an existing 6 person house in multiple occupation (HIMO) to 7 person HIMO. The proposal also includes a single storey rear extension with pitched roof. The rear projection being only 2.5 metres deep. The proposed extension would be constructed in matching materials to the existing building. No on-site parking is proposed.

**3. SITE DESCRIPTION**

3.1 The application site comprises an end terraced, three storey property, located in a predominantly residential area. Car parking demand is generally met through on-street provision to the rear. The site is in close proximity to Wellingborough Road which is an allocated local centre and therefore contains a number of retail units and other services. Public transport routes operate on Wellingborough Road. The existing property is used as a 6 person HIMO and has been in use for around 20 years.

#### **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 - 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 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, and 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 HIMOs, 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.

5.11 **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 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.

5.14 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG (2003)

5.15 **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 50metre 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 **Highway Authority (NCC)** - property in question is within the Permit Zone A and therefore all parking in the vicinity is controlled. The LHA holds the right to restrict the number of permits administered to any property as it sees fit. This may result in the number of permits being limited and there is no guarantee that every resident within the revised property will be issued with a permit.

- 6.2 **Private Sector Housing (NBC)** – The room sizes and facilities are suitable to meet the requirements for a 7 person HIMO.
- 6.3 **Cllr. D Stone** – object on grounds of parking, anti-social behaviour, crime, and fly tipping concerns. Concern that private landlords are not contributing to making this areas a safe and pleasant place to live.
- 6.4 **Three neighbour objections** received on the following grounds:-
- Parking concerns
  - Impact on anti-social behaviour
  - Area would become downgraded further
  - Loss of sense of community
  - Concerns on fly tipping
  - Estate already blighted by HIMOs

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 It is considered that the primary consideration is whether the intensification in the use of the property from six to seven people would provide a satisfactory standard of accommodation for future occupiers of the development, and whether this increase would harm the amenities of the surrounding properties and the highway system.
- 7.2 In any event, it is considered that the conversion to a large 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**

- 7.3 As the property has an established use as a HIMO, the issue of concentration is no longer material to the determination of this application.

### **Size of property and facilities for future occupiers**

- 7.4 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 and the development would provide rooms of sizes that would be in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, toilet and washing facilities. A condition restricting the use of the property to a maximum of seven people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that they will be satisfied with the accommodation proposed.
- 7.5 There is adequate space to the rear of the property that is currently used for the storage of bins and cycles. As the use would be more intensive with the additional residents, a planning condition is recommended to make sure that the proposed extension is carried out prior to the occupation by the 7<sup>th</sup> person, to ensure adequate facilities are provided to serve the residents.

### **Flood Risk**

- 7.6 As the site is not in a flood zone, there is no requirement for the applicant to submit a Flood Risk Assessment and it is likely that there would be no impact on flood risk.

### **Highways/Parking**

- 7.7 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.
- 7.8 The application site is located within easy walking distance to facilities along Wellingborough Road. It is considered that the application site is in a very sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.9 Within such 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 for such storage.
- 7.10 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. The Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would result in the need of one additional parking space. It is considered that, with the site in a sustainable location, the increased demand for one car parking space would not have a significant adverse impact on highway safety
- 7.11 In addition, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that in instances where a site that is close to local amenities and public transport links, 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.

### **Refuse storage**

- 7.12 As this is an existing HIMO use, any requirement of additional refuse storage would be located in the existing storage area in the rear garden.

### **Amenity**

- 7.13 The existing use falls within Use Class C4, which in effect categorises this as 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 the existing use. Notwithstanding the fact that there would be an additional occupant, 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.

### **Impact on appearance and character of host building and wider area**

- 7.14 The proposed single storey rear extension would project 2.5 metres off the original rear wall of the host building. Given the size, it could be erected as permitted development as a small HIMO enjoys the same permitted development rights as a C3 dwellinghouse. The design is considered to be in keeping with the host building and there would be no undue impact on neighbouring properties and therefore it is considered to be acceptable.

## **8. CONCLUSION**

- 8.1 The proposed development would not adversely affect the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision, and the property is of sufficient size to accommodate the level of accommodation as proposed.

## **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: Proposed elevations and 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 a maximum of seven 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. The proposed single storey rear extension shall have been constructed and ready to be occupied before the 7th resident occupies the property.

Reason: To ensure that the adequate facilities are in place to serve the number of residents proposed in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

5. The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

- 10.1 N/2017/1040.

## **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: **42 Vernon Walk**

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Date: 15-09-2017

Scale: 1:1,250

Drawn by: -----