

PLANNING COMMITTEE: 19th December 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1374

LOCATION: 27 Lutterworth Road

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

WARD: Abington Ward

APPLICANT: Mr S Kooner
AGENT: Architectural Solutions

REFERRED BY: Councillor D Stone
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, and would provide adequate facilities for future occupants. The site is in a sustainable location close to the amenities along the Wellingborough Road and is close to local public transport routes 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 Change of Use from a dwellinghouse (Use Class C3) to house in multiple occupation (HIMO) (Use Class C4) for 5 occupants.

2.2 The site lies within an Article 4 Direction Area which removes permitted development rights for a change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application site is located in Lutterworth Road, which consists of traditional terrace houses. The property has a rear garden and parking is provided on-street along Lutterworth Road.

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), 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 – 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 **NBC Private Sector Housing** - The room sizes and facilities shown on the plans are sufficient to meet the requirements for a five person HIMO.
- 6.2 **NCC Highways** – advised that a parking beat survey be undertaken due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of demand for on street parking.
- 6.3 **Councillor D. Stone** – concerned about the concentration of HIMOs in this area, parking and refuse. Called in the application.
- 6.4 **Neighbours** – two neighbouring properties objected in relation to anti-social behaviour, lack of parking and noise. One also thought that the plans were not accurate in showing the number of bedrooms. Concerned that mature tree in the rear garden maybe removed and also concerned to the type of tenants who could be occupying the property.

7. APPRAISAL

Principle of Use

- 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 The surrounding area is predominantly residential in character. It would appear from Council records that there are eight other HIMOs within a 50m radius of the application site that either are existing or have consents (in addition to this application). The addition of a further HIMO as proposed would lead to a concentration of 12.5%, this would fall within the 15% maximum threshold recommended by the Council's HIMO Interim Policy Statement. As such, the HIMO proposed would not 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 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.
- 7.4 Details have been submitted for cycle storage and bin storage which will be located at the rear of the property, within the communal garden area, which is accessed via the kitchen located on the ground floor.

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.
- 7.6 The application sites does not benefit from any on-site parking. The nearest bus stops on Billing Road is approximately 149 metres from the property and the property is within approximately a 5 min walk to the facilities on the Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such area, the IPPS recommends that storage space should be provided which is accessible to cycle users. The plans indicate that two secured cycle sheds on the rear boundary and three on the side boundary will be provided in the rear garden area.
- 7.8 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.

- 7.9 The Northamptonshire Parking Standards state that HIMOs 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.
- 7.10 The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the previous dwelling, as the parking requirement for a 4-bed dwelling is 3 spaces. In this case, no on-site parking is proposed. The LHA requested a car parking beat survey due to the unknown pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street in the immediate area.
- 7.11 The applicant declined to produce a parking beat survey to accompany the application on the grounds that it was unreasonable. They felt the proposal is located in a sustainable location 400m from a bus stop and the shopping area of Wellingborough Road, and complies with the IPPS on these matters.
- 7.12 There is no evidence to support that all 5 residents would own cars or that the proposal would lead to an increase in parking demand in the area. Given the number of occupants arising from the existing use and the sustainable location of the property, and given recent appeal decisions, it is not considered that a refusal on highway grounds could be upheld at appeal.

Amenity

- 7.13 All the bedrooms are of reasonable sizes and would meet the IPPS requirements for a HIMO. The bedrooms measure between approximately 10m² to 18m² in floor area. Where there is a separate lounge and kitchen the standards require at least 6.5m² floor area. In this instance the kitchen is 15m² and the lounge is 14m². On this basis, the space standards would be acceptable.
- 7.14 Two neighbour objections were received, relating to the lack of parking, noise and anti-social behaviour. It is acknowledge that not all residents will have a car, and that the property is within walking distance of local shops, restaurants and public houses. Therefore vehicle dependency is not a necessity. There is no evidence to demonstrate that the proposal would generate an adverse amenity impacts such as anti-social behaviour and noise over and above those created by a conventional family dwelling.
- 7.15 The HIMO is intended to provide accommodation for five persons, which includes the conversion of the dining room on the ground floor to a bedroom. The first floor would remain unchanged with three bedrooms and one bathroom and the second floor would remain unchanged providing a fifth bedroom and en-suite, which is clearly indicated on the plans. There is a tree located in the rear garden. This is not a protected tree and there is no restriction if the owners would wish to remove it. However, there is no indication on the plans that it will be removed. The applicant has outlined that the dwelling will be let to professional persons, however the change of use to a HIMO does not stimulate the nature of the occupants and this is not a material planning consideration.
- 7.16 The Local Planning Authority has an obligation to determine planning applications submitted for consideration. Permission should be forthcoming unless it can be demonstrated that there would be significant harm on the character of an area or its residents. In this instance harm cannot be demonstrated and the application is recommended for approval.

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect the character of the local area or street scene. Nor would the

development have significant adverse impacts on neighbour amenity or parking provision. The property is of sufficient size to accommodate the use 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 Councils 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: 17/K78/2b, 17/K78/3

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. Notwithstanding the details submitted, full details of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of creating a sustainable form of development in accordance with the National Planning Policy Framework.

5. Notwithstanding the details submitted, full details of refuse/materials for recycling storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of creating a sustainable form of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

6. The basement area shall be used for storage and shall not be used as bedrooms at any time.

Reason: To ensure satisfactory living condition in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

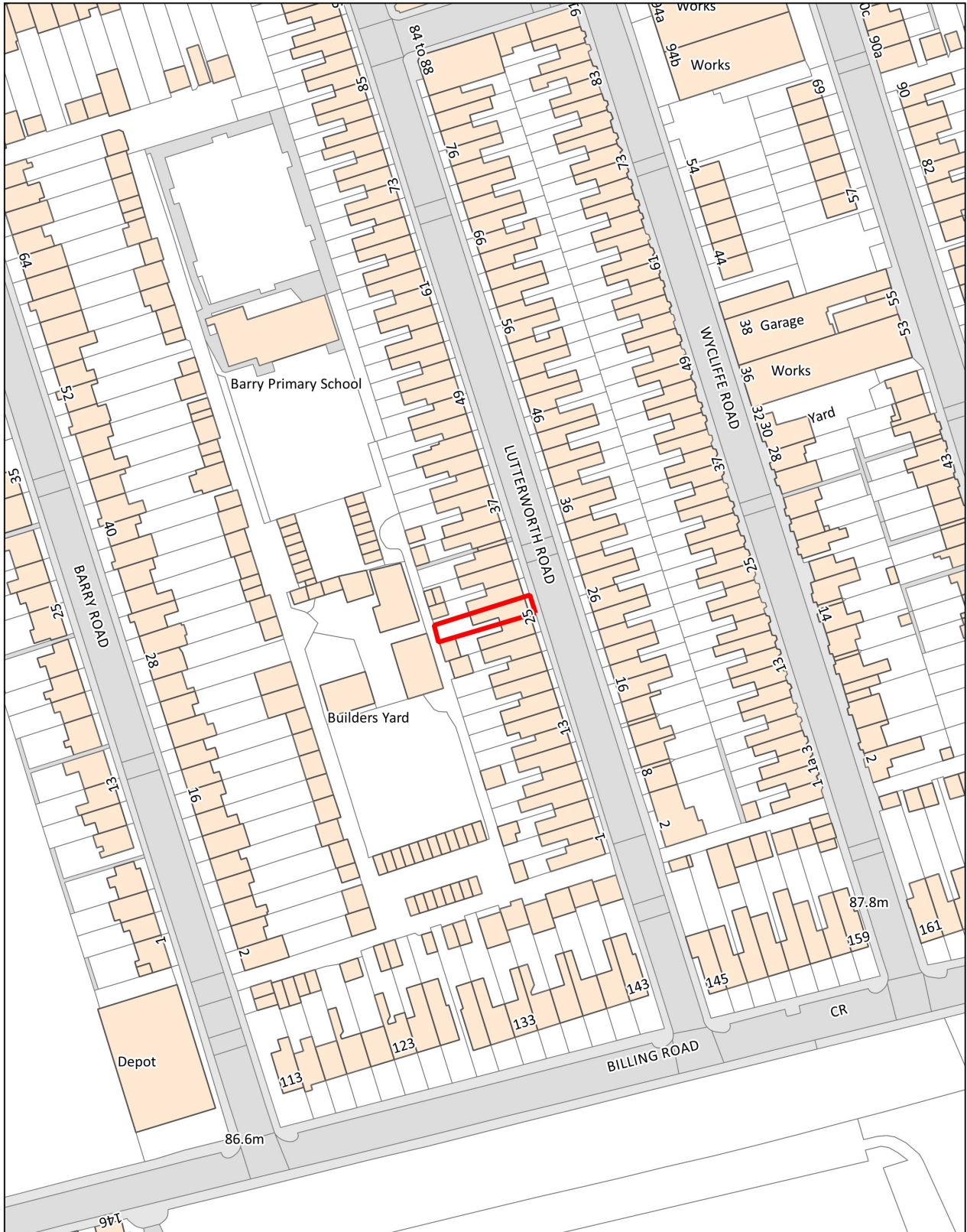
- 10.1 None.

11. LEGAL IMPLICATIONS

- 11.1 The development is 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: **27 Lutterworth Road**

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Date: 05-12-2017

Scale: 1:1,250

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