

<b>PLANNING COMMITTEE:</b>	<b>13<sup>th</sup> February 2018</b>
<b>DIRECTORATE:</b>	<b>Regeneration, Enterprise and Planning</b>
<b>HEAD OF PLANNING:</b>	<b>Peter Baguley</b>
<b>APPLICATION REF:</b>	<b>N/2017/1393</b>
<b>LOCATION:</b>	<b>68 Rothersthorpe Road</b>
<b>DESCRIPTION:</b>	<b>Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective)</b>
<b>WARD:</b>	<b>Delapre &amp; Briar Ward</b>
<b>APPLICANT:</b>	<b>Miss Mia Broughton</b>
<b>AGENT:</b>	<b>N/a</b>
<b>REFERRED BY:</b>	<b>Councillor V Culbard</b>
<b>REASON:</b>	<b>Parking, refuse and noise concerns</b>
<b>DEPARTURE:</b>	<b>No</b>

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#### **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, would provide adequate facilities for future occupants, would not be at risk from flooding and would not adversely impact on parking. 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, 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 Permission is sought for retrospective consent for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people.
- 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.
- 2.3 Parking would be on-street.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced, three-bedroom property on Rothersthorpe Road, located in a residential area with similar terraced properties on both sides of the street. The property has a kitchen, lounge, bathroom, utility and a bedroom on the ground floor, and three bedrooms on the first floor.
- 3.2 The site is in close proximity to facilities on Rothersthorpe Road/ Towcester Road, which contains some retail units and access to bus routes.
- 3.3 The application site does not lie in a Flood Zone.
- 3.4 The change of use has already commenced therefore the application is retrospective.

### **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 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.

Paragraphs 49 and 50 encourage proposals for sustainable housing development and seek to provide a variety of house types to meet a wide range of differing housing needs.

#### **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  
Policy H5 - Managing the Existing Housing Stock  
Policy S10 - Sustainable Development Principles

#### **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

Policy H30 – Multi occupation with a single dwelling

## 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 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** - objects and calls the application in to Committee on the basis that Rothersthorpe Road is a very busy and congested road with issues of noise, rubbish disposal and parking. The proposal would only make these difficulties worse.
- 6.2 **Highway Authority (NCC)** – No objection. A parking survey was conducted on 2nd July 2017 and demonstrated that there is sufficient on street parking space in the immediate vicinity. Therefore the potential increase in parking demand will not compromise highway safety.
- 6.4 **Private Sector Housing (NBC)** – has advised that the room areas and the facilities and amenities to be provided will be sufficient to meet the standards required for licensing for occupation as a four person HIMO, subject to appropriate fire precautions being provided in accordance with an appropriate fire risk assessment.
- 6.5 **1 representation** has been received from a neighbouring property, the comments of whom are summarised as follows:
- Parking issues in the wider area.
  - Not appropriate for the area, as the development can create unsafe environment.

## 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 evidence that there is one confirmed HIMO on Rothersthorpe Road, within a 50m radius of the application site. The use of the application property as a HIMO would equate to less than 3.8% concentration in the area. Currently there is one live planning application at No.74 Rothersthorpe Road, if that site is also included, the concentration would be 5.7%. In either case, the concentration would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement (IPPS) in relation to HIMOs. It is considered therefore 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, 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 IPPS and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that the level of accommodation and facilities provided is appropriate for 4 occupants.
- 7.4 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles. A condition is recommended to secure appropriate provision.

### **Flood Risk**

- 7.5 The application site does not lie in any Flood Zone.

### **Highways/Parking**

- 7.6 The 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 The application property is located within easy walking distance to the facilities on Rothersthorpe Road. It is considered that the application site is in a sustainable location within 140 metres of bus stops on Rothersthorpe 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 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 approval for secure 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 HMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the existing use as the parking requirement for a 3-bed dwelling is 2 spaces.
- 7.11 The Highway Authority has not raised any objection and has confirmed that there is sufficient capacity on the streets to accommodate the proposed change of use such that there not be any adverse impact on the highway safety.
- 7.12 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, 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.
- 7.13 It should also be noted that in the most recent appeal decision issued on 30<sup>th</sup> January 2018, the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.14 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld.

#### **Refuse storage**

- 7.15 No details have been submitted for refuse storage however, there is sufficient space to the rear of the property to provide appropriate storage. A condition is therefore recommended to secure appropriate refuse storage provision.

#### **Amenity**

- 7.16 The proposed 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 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 HMOs within the locality that would adversely impact upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would accord with the relevant requirements of both national and local planning policy and guidance.
- 8.2 The proposed development is recommended for approval subject to the following conditions.

## **9. CONDITIONS**

1. The development hereby permitted shall be occupied by a maximum of 4 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

2. Full details of facilities for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted and retained 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.

3. 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 within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted and retained 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**

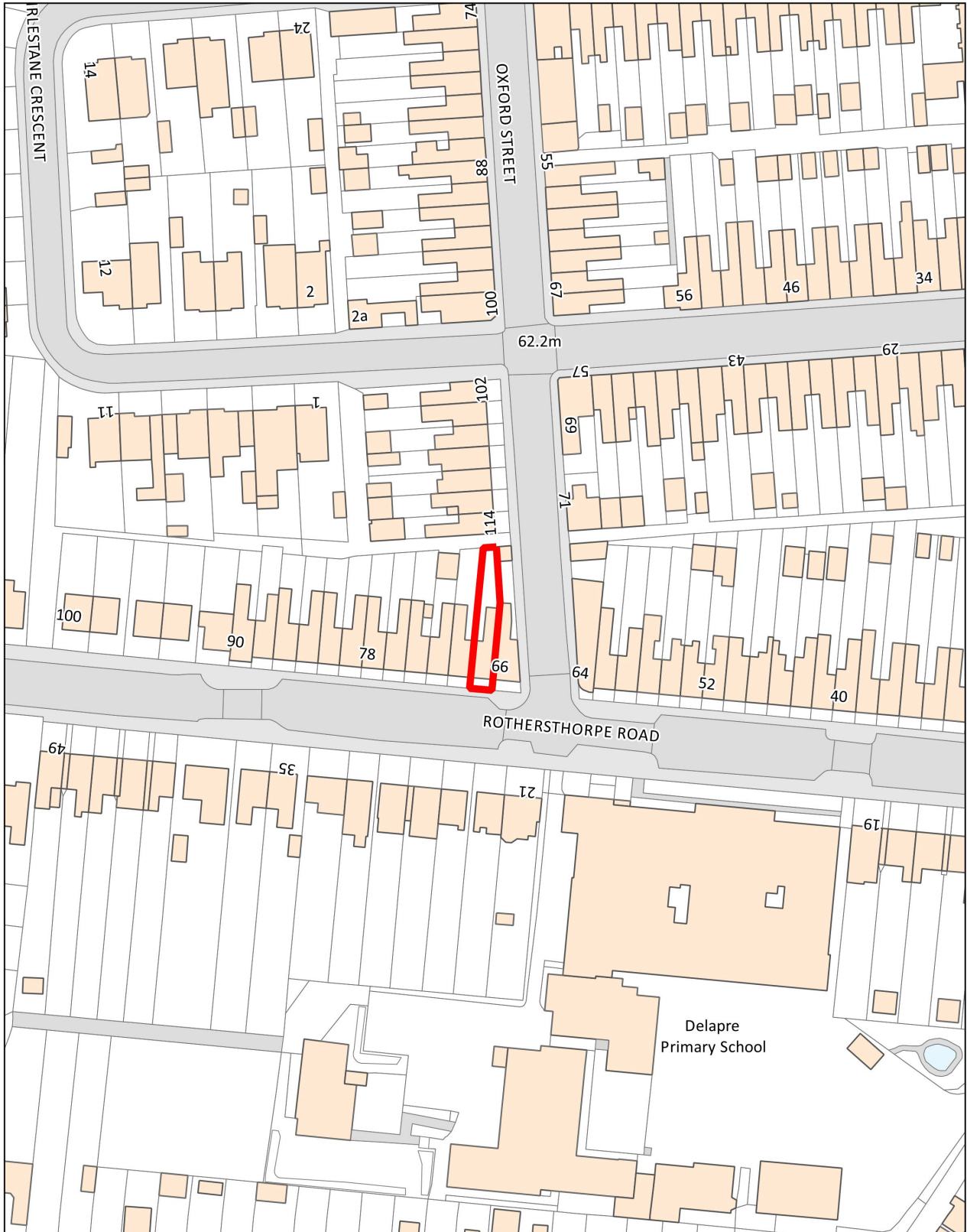
- 10.1 N/2017/1393.

## **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: **68 Rothersthorpe Road**

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Date: 02-02-2018

Scale: 1:1,000

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