



PLANNING COMMITTEE: 13th March 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1630

LOCATION: 10 Victoria Promenade

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

WARD: Castle Ward

APPLICANT: Ms Zheng Huang
AGENT: N/A

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 overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to bus stops 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, Policy H30 of the Northampton Local Plan, Policies 1 and 16 of the Central Area Action 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 an existing three bedroom dwelling to a house in multiple occupation for four residents. This would be achieved using the existing three bedrooms, one of which would be occupied by two residents. No on-site parking is provided.

3. SITE DESCRIPTION

3.1 The application site comprises a three bedroom terraced house within a street of similar properties. The site is at the edge of the town centre and is opposite the Morrison supermarket.

3.2 The site falls within Flood Zone 2.

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), the Northampton Central Area Action Plan (2013) 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:

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes 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 Central Area Action Plan

Policy 1 - Promoting Design Excellence

Policy 16 - Central Area Living

5.5 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 policy is material to this application:

Policy H30 – Multi-occupation with a single dwelling

5.6 **Supplementary Planning Documents**

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

5.7 **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 **Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HIMO would meet the requirements for a four occupant HIMO.
- 6.2 **Environment Agency** – Remove previous objection as there would be no ground floor bedroom.
- 6.3 **Highway Authority (NCC)** – No comments to make.
- 6.4 **Councillor D Stone** – Calls in application. This area is already blighted by landlord neglect, parking pressures, fly tipping and litter. Local settled residents want to see this area upgraded as befitting to a central town location. More HIMOs work against the aspirations of local people and contribute to transience. This undermines NBCs vision of safe, clean and cohesive communities.

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 are currently three existing HIMOs within a 50m radius of the application site. The use of the application premises as a HIMO would therefore equate to a 7.5% concentration in the area. This would 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 the NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs 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 HMO Facilities and Amenities Guidance and appropriate kitchen, dining, living, 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. It has been confirmed by Private Sector Housing that the accommodation proposed would be acceptable for 4 residents. There is ample space within the rear garden for bin storage to be provided and a condition is recommended to secure this.

Flood risk

- 7.4 In respect of flood risk, the application site falls within Flood Zone 2 and the initial comments from the Environment Agency were to object to the proposal due to the inclusion of a ground floor bedroom. The plans have therefore been amended to show no sleeping accommodation on the ground floor and a condition to prevent bedrooms on the ground floor or basement is proposed.

Highways / Parking

- 7.5 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.
- 7.6 In this case, the nearest bus stop is 160m away and the site is located at the edge of the town centre and is within walking distance of the facilities provided there, as well as being a short walk to Morrison supermarket in the opposite direction.
- 7.7 The proposal is, therefore, considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such sustainable locations, the IPPS recommends that storage space should be provided which is accessible to cycle users. This could be provided either within the rear garden area or the cellar and a condition is recommended to secure this.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. It can be noted also that no objection has been received from the Local Highway Authority in this case.

Refuse storage

- 7.10 The site contains a rear garden which can be used to provide appropriate bin storage. A condition is recommended to secure appropriate provision.

Amenity

- 7.11 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 change of use would comply with the requirements of the IPPS, and would not result in an over concentration of HMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal would not lead to any undue adverse impacts on parking provision or adjacent amenity and is in accordance with the requirements of both national and local planning policy and guidance.

8.2 The proposal is therefore recommended for approval subject to the following conditions.

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 Floor Plan - received 31/1/18.

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

3. Full details for the storage of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority prior to the first use of the development hereby permitted. Development shall be carried out in accordance with the approved details prior to the first occupation or bringing into use of the building for the use hereby permitted and thereafter retained.

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.

4. Full details of facilities for the secure and covered parking of bicycles shall submitted for approval in writing by the Local Planning Authority prior to the first use of the development hereby permitted. Development shall be carried out in accordance with the approved details prior to the first occupation or bringing into use of the building for the use hereby permitted and thereafter retained.

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.

5. The development hereby permitted shall be occupied by a maximum of four 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.

6. The basement shall be used as a storage area only and shall be maintained as such for the duration of the use hereby permitted and the basement room shall not be used as a bedroom or living room at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. No room on the ground floor of the premises shall be used as a bedroom at any time.

Reason: In order to protect future occupiers from the risk of flooding, in accordance with the National Planning Policy Framework.

10. BACKGROUND PAPERS

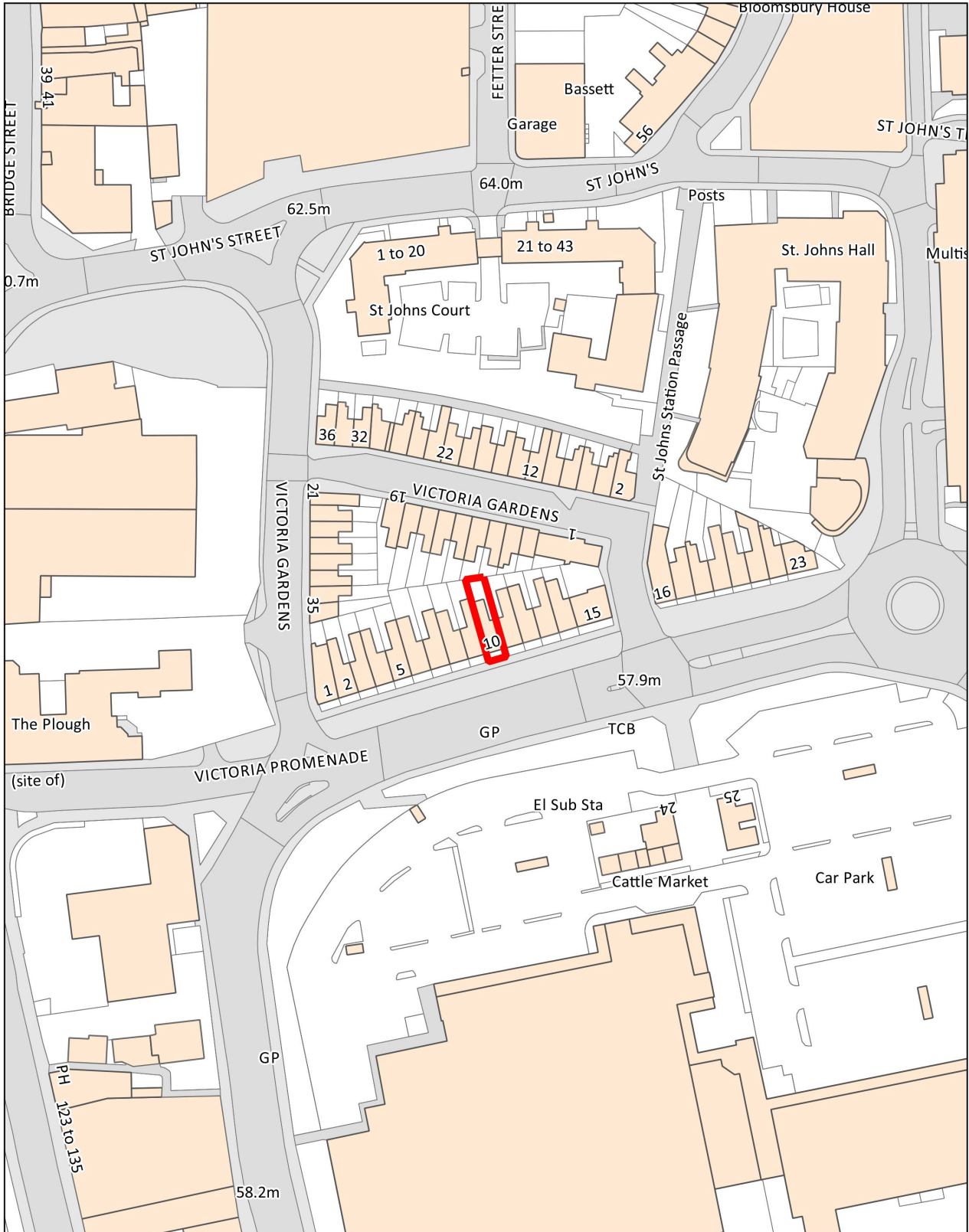
10.1 Application file N/2017/1630.

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: **10 Victoria Promenade**

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Date: 27-02-2018

Scale: 1:1,250

Drawn by: -----