



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

APPLICATION REF: N/2018/0011

LOCATION: 70 Victoria Road

DESCRIPTION: Change of Use from Dwelling house (Use Class C3) to House in Multiple Occupation for 4 occupants (Use Class C4) including single storey extensions to the rear, a loft conversion with rear dormer window & internal alterations

WARD: Castle Ward

APPLICANT: Mrs Liang Zong
AGENT: N/A

REFERRED BY: Councillor D Stone
REASON: Parking 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, 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 Northampton town centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal would have an acceptable impact on the Boot and Shoe Quarter Conservation Area. The proposal thereby complies with Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 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 a change of use from a two bedroom dwelling house (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people with single storey rear extensions, loft conversion and small rear dormer window. The rear extensions would project 3 metres and 4.1metres off the existing two rear walls, one being off the existing rear outrigger. The site lies within an Article 4 Direction area, which removes permitted development rights for

change of use from a dwelling to a HIMO. The property has a cellar, however, this will be used as storage only.

3. SITE DESCRIPTION

3.1 The application site comprises a terraced property on Victoria Road, located in a residential area with similar terraced properties on both sides of the street. The property has a private rear amenity space enclosed on 3 sides around 15 metres length from the end of the existing rear outrigger. The site is in the Boot and Shoe Quarter Conservation Area. Parking is provided on-street within a Permit Parking Zone. The property is not listed.

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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

5.3 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:

5.4 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.

5.5 Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.

5.6 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.

5.7 Paragraph 100 relates to flood risk.

5.8 Paragraph 132 Impact on heritage Assets (including conservation areas)

5.9 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
Policy BN5 - The Historic Environment and Landscape
Policy BN7 - Flood Risk

5.10 **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 E26- Conservation areas, development and advertisements
Policy H30 –Multi-occupation with a single dwelling

5.11 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Residential Extensions and Alterations Design Guide SPD (2011)
Northamptonshire SPG Planning Out Crime (2003)

5.12 **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;

6. **CONSULTATIONS/ REPRESENTATIONS**

Consultation responses are summarised as follows:

- 6.1 **Councillor D Stone:** called the application in on impact on parking, over-development, impact on cohesion in the area.
- 6.2 **Highway Authority (NCC)** - no comments.
- 6.3 **Private Sector Housing (NBC)** - no objection, the room sizes and amenities are suitable for 4 occupiers.
- 6.4 **Built Conservation (NBC)** - no objection on heritage grounds provided that there will not be an over-concentration of HIMOs, the rear extension is not prominent and effect on conservation area would be neutral.

6.5 **Town Centre Conservation Area Advisory Committee** - the proposal would result in loss of a family home and must be assessed against the IPPS in terms of parking.

6.6 5 objections have been received from 4 separate addresses summarised as follows:

- Concern over number of HIMOs in the area already
- Parking/ traffic issues
- Concerns on refuse and fly tipping/ litter
- Anti-social behaviour
- Impact on character of area and loss of family home

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 8 other HIMOs within a 50m radius of the application site out of 86 residential properties either as established HIMOs or with planning permission. The use of this property as a HIMO would equate to a 9th HIMO creating a 10.5% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement. 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 HIMO Interim Planning Policy Statement. 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 they will be satisfied with the accommodation proposed meets the requirements.

Flood Risk

7.4 Given that the site is not located in a flood zone, there would unlikely be any impact on flood risk created by the proposed development.

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 town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

- 7.6 The application property is located within easy walking distance to facilities in the town centre and is 120 metres to the nearest bus stop on Billing Road. It is considered that the application site is in a very sustainable location. The site is also located within a Permit Parking Zone. 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 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.
- 7.8 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 Houses in Multiple Occupation 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 parking requirement for a 2-bed dwelling is 2 spaces. In this case, the Highway Authority do not object. It is also worth noting that the site is in a Permit Parking Zone and it is considered that the increase of two spaces would not lead to unacceptable highway condition in the area.

Refuse storage

- 7.10 Limited details have been submitted for refuse storage other than its siting in the rear garden. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree such details to ensure it is appropriate size and design.

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.

Impact on appearance and character of Boot and Shoe Quarter Conservation Area/ design

- 7.12 Given that the proposed rear extensions would not be visible from Victoria Road being screened from view behind the existing house, it is considered that there would be minimal impact on the appearance and character of the Boot and Shoe Quarter conservation area and street scene. The proposed rear dormer is minor in scale and again would have limited effect on conservation area. The Council's Conservation Officers also raise no objection. In terms of design, the proposed rear extension/ dormer are both considered in keeping with the host building in materials, scale, roof form and appearance.

Impact on adjoining occupiers from rear extensions and dormer window

- 7.13 Due to the level of projection, relationship and separation to rear windows on the 2 adjoining occupiers at nos. 68 and 72 Victoria Road, it is considered that there would be reasonably limited impact in terms of loss of light, outlook, overbearing and privacy. In terms of the proposed dormer window, due to rear separation, overlooking would also be reasonably limited.

Other issues

- 7.14 Although fly tipping can post problems in the area, there is no evidence to suggest that the proposed HIMO would be directly associated with this.

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect upon the character of the local area, street scene, conservation area, 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 not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's 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 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 plans and site location plan.

Reason: For the avoidance of doubt and to accord with the terms of the planning application. Proposed elevations and floor plans.

- 3 Notwithstanding the submitted plans and prior to the occupation of the development, further 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.

- 4 Notwithstanding the submitted plans and prior to the occupation of development, further 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: 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 the amenity of the proposed occupiers and the surrounding area in accordance with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy.

- 6 The existing cellar shall not be used as a bedroom at any time throughout the lifetime of the development as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

- 7 The external walls and roof of the extensions 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.

- 8 The proposed single storey rear extension and the proposed rear dormer shall have been implemented prior to the use of the property as a four person house in multiple occupation hereby permitted commencing.

Reason: To secure a satisfactory standard of residential amenity to accord with the terms of the planning application in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

- 10.1 N/2018/0011.

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.

