



PLANNING COMMITTEE: 10th April 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0027

LOCATION: 31 Farmfield Court

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants

WARD: Talavera Ward

APPLICANT: Mr William Agroh
AGENT: Planners & Architects

REFERRED BY: Councillor D Meredith
REASON: Concerns with refuse and fly tipping

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, 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 The applicant seeks planning permission to change the use of the property from a domestic dwelling (Use Class C3) to House in Multiple Occupation (hereafter referred to as a HIMO) for up to seven people. No external alterations are proposed. The ground floor of the building would feature a kitchen, living room, bedroom and WC; whilst on the first floor there would be three bedrooms, a bathroom and an additional WC; and on the second floor there would be three bedrooms and a further bathroom.

3. SITE DESCRIPTION

3.1 The application site consists of a substantial terraced property located in a predominantly residential area. Car parking demand is met through a combination of parking courts and on street provision. The surrounding area is predominantly residential in character, however, the vicinity does contain a small neighbourhood centre that contains some shops and other commercial facilities. The nearest bus stop is approximately 167m walk away within Billing Brook Road, which is to the east of the application site.

4. PLANNING HISTORY

4.1 None.

5. PLANNING POLICY

5.1 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.

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.

5.7 Other Material Considerations

Growing Together Neighbourhood Plan

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton. Policy H1 (Housing Mix) is relevant to the determination of this proposal.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing (NBC)** – The rooms and proposed layout are considered sufficient to meet the needs of seven residents.
- 6.2 **Highway Authority (NCC)** – Request the submission of a parking beat survey.
- 6.3 **Councillor J. Duffy** – A HIMO in this location would add to litter and noise problems.
- 6.4 **Councillor D. Meredith** – Requesting that the application be determined by the Planning Committee on the grounds that the development would exacerbate fly tipping within the vicinity.

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 no other HIMOs within a 50m radius of the application site. Therefore, if the proposed use of the property were to proceed, the concentration in the area would be 4%. Therefore, 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 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 the level of accommodation and facilities provided is appropriate for the proposed number of occupants.
- 7.4 The applicant has indicated that appropriate secure cycle and refuse storage can be provided within the curtilage of the development. In order to ensure that this is appropriate in nature and provided throughout the life of the development, conditions are recommended to enable the Council to approve such details.

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 The application property is located within in close proximity to some commercial facilities as discussed within paragraph 3.1 above. In addition, the application site is in close proximity to a bus stop (that has services to both the Weston Favell Centre and the town centre). As a result, it is considered that the application site is in a sustainable location and therefore 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 to implement the proposed details for a 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. The Highway Authority has requested the submission of a parking beat survey (which has been received). At the point of preparing this report, the views of the Highway Authority in respect of this document are awaited, however, given the points raised above, it is considered that the development is acceptable in highways terms.
- 7.9 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.

Amenity

- 7.10 The proposed use falls is a residential use and is therefore appropriate for a residential area. Whilst it is appreciated that there is an issue with littering within the vicinity, there is no evidence to demonstrate that the proposal would generate adverse amenity impacts over and above those created by a more conventional Class 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 HIMOs in 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.

9. CONDITIONS

- 9.1 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: FC/01 01; FC/02 01; FC/03 01; FC/04 01; and FC/05 01.

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 the amenity of the proposed occupiers and the surrounding area in accordance with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the details submitted, full details of secure and covered 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 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. Notwithstanding the details submitted, full details of refuse 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 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

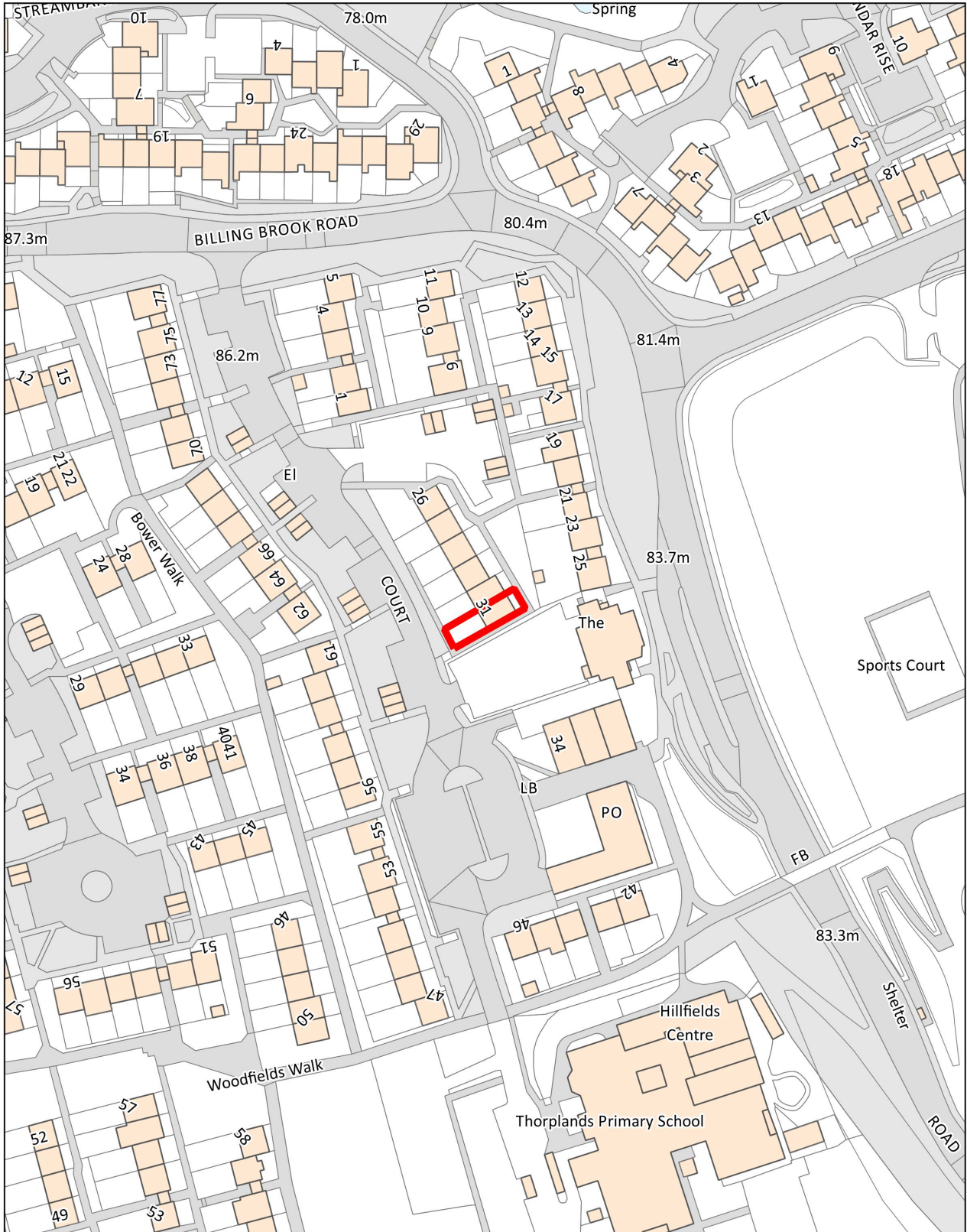
- 10.1 None.

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: **31 Farmfield Court**

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Date: 20-03-2018

Scale: 1:1,250

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