

PLANNING COMMITTEE: 22nd January 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1433

LOCATION: 13 Whitworth Road

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

WARD: Castle Ward

APPLICANT: Mr Christian Nammour
AGENT: N/A

REFERRED BY: Councillor D Stone
REASON: Overdevelopment and pressure on parking

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 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, BN7 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 a change of use from a dwelling house (Use Class C3) to a house in multiple occupation (HIMO) for 4 people. The only external works proposed includes the installation of a front roof window which can be undertaken without needing planning permission.

3 SITE DESCRIPTION

- 3.1 The application site consists of a terraced dwelling along a street of similar properties. Parking is provided on street on an unrestricted basis. The site is within easy walking distance to Wellingborough Road which is a Local Centre as identified in the West Northamptonshire Joint Core Strategy. The property has private rear garden enclosed on three sides. The site is not in a conservation area or near any listed buildings and is in a low risk flood zone (flood zone 1).

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

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 72 - ensure a variety of homes to meet the needs of different groups.

Paragraph 127 - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

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 and Mix and Type of dwellings
Policy H5 - Managing Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

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

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

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;
- Ensure provision of adequate storage for refuse and materials for recycling.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Highway Authority (NCC)** Raise objections. Although it is agreed that the site is in a sustainable location, it can be argued that this does not correlate with decreased vehicle ownership. Although in isolation one might consider the increase in demand generated to be minimal the LHA argue that the cumulative impact needs to be considered as a whole. The information demonstrates that there is no residual capacity on street. Furthermore it shows the cumulative impact from high concentrations of HIMO properties contribute to excessive demand leading to inappropriate parking. In conclusion, this development will increase the demand further and will increase dangerous parking creating a severe developmental impact
- 6.2 **Private Sector Housing (NBC)** No objection, property suitable for 4 occupants and would be subject to an HIMO License. The second floor loft should not be used for sleeping accommodation.
- 6.3 **Objections from two separate addresses** received on following grounds:
- Parking
 - Concentration of HIMOs
 - Environmental impact
 - Query over use of cellar
 - Loss of family home/ impact on community
 - Neighbour impact and effect on area
 - Waste concerns/ litter/ fly tipping
 - Noise
 - Application is motivated by profit
- 6.4 **Councillor D Stone** objected to and called in on parking, over-development, pressure on area, lack of community cohesion.

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 Joint Core Strategy 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 HIMO within a 50m radius of the application site out of 80 properties. The use of this property as a HIMO would equate to 11.2% concentration in

the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

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 IPPS. 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 their room size requirements.

Flood Risk

- 7.4 As the site is in a low risk flood zone, there would not be any concern over the effect on local flooding.

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 Wellingborough Road Local Centre it is considered that the application site is in a very sustainable location. The site is also within 170 metres of the nearest bus stop on Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. 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.
- 7.7 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 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 as compared to the existing use. As a dwelling with 3 bedrooms the parking requirement is 2 spaces.
- 7.8 In this case, the Highway Authority objects to the proposal on the basis that there is no residual parking capacity in the locality of the site and the proposal would increase the parking demand further. Furthermore, the Highway Authority suggests that although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the cumulative impact of "minor" developments such as this need to be considered as a whole and that the impact on highway safety is severe.
- 7.9 Although the Local Highway Authority has objected as they consider that the proposal would increase parking demand and the impact is severe. However, some weight must be attached to the fact that the site is in a sustainable location. This is a view that has consistently shared by Inspectors on appeals. It is considered that due to the site's sustainable location, a refusal of the application on highway grounds would not be sustainable on appeal.

Refuse storage

- 7.10 Limited details have been submitted for cycle and refuse storage. There is sufficient space to the rear of the property, a condition is recommended to agree the details for the property to ensure it is of an appropriate size and well secured.

Amenity

- 7.11 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 HIMO's within the locality that would adversely affect 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 not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 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 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: 100, 101, 103, 201, 401 and 403.

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

3. The maximum number of occupiers shall not exceed four at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

4. Prior to the occupation of the development, 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: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the occupation of development, 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. 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: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

6. The basement and the second floor loft space shall not be used as a bedroom or habitable room at any time throughout the life time of the development.

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

10 BACKGROUND PAPERS

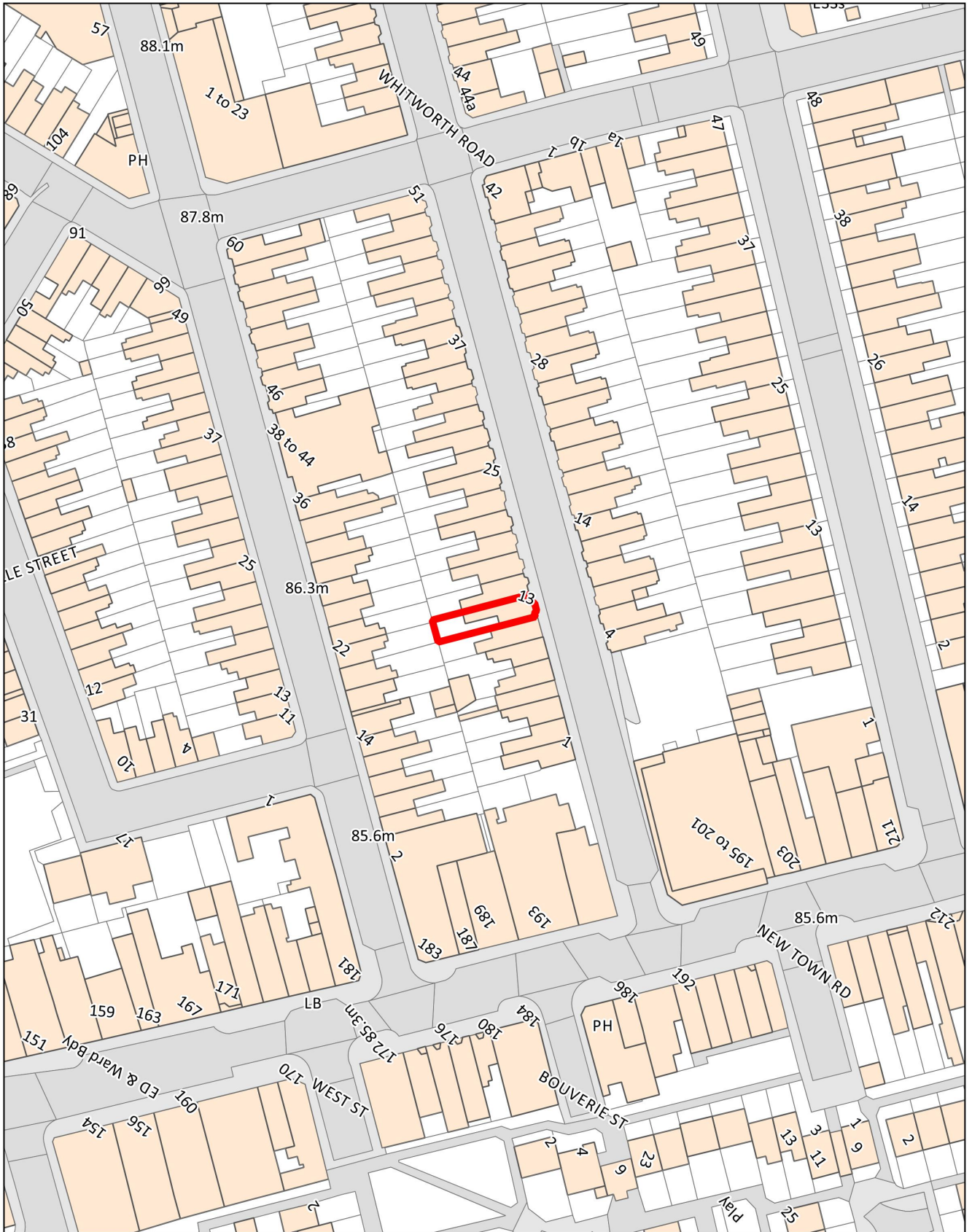
10.1 N/2018/1433.

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **13 Whitworth Road**

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Scale: 1:1,000

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