

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

APPLICATION REF: N/2018/1750

LOCATION: 101 Euston Road

DESCRIPTION: Variation of Conditions 2 and 3 of Planning Permission N/2017/1000 (Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants) to increase the number of occupants to 4

WARD: Delapre & Briar Ward

APPLICANT: Mrs Deirdre Smith
AGENT: Apex Planning Consultants Ltd

REFERRED BY: Head of Planning
REASON: Previous application approved by the Planning Committee

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 amendments would secure a suitable level of amenity for the future occupiers of the development, whilst maintaining the character and appearance of the surrounding area, neighbour amenity and highway safety. The proposal is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy; Policy H30 of the Northampton Local Plan; and the Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement.

2 THE PROPOSAL

2.1 The applicant has applied to vary two conditions of the extant planning permission (reference: N/2017/1000). The first one being to change the layout of the approved House in Multiple Occupation (hereafter referred to as a HIMO), in order to create a ground floor bedroom and the second one being to increase the number of residents from three to four.

3 SITE DESCRIPTION

- 3.1 The application site comprises a mid-terraced, two storey dwelling located in a predominantly residential area. Car parking demand is generally met through on-street provision. The site is in close proximity to the St Leonards Road, which is an allocated local centre and therefore contains a number of retail units and other services. Public transport routes operate in St Leonards Road and also, the nearby Towcester Road and London Road.

4 PLANNING HISTORY

- 4.1 N/2017/1000 – Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants – Approved

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:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - 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 & 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 E. Roberts** – Object on the grounds that an additional residents adds the potential for further vehicles and visitors. There are already parking problems within the vicinity. Further concerns are expressed regarding the impact of HIMOs on community spirit.
- 6.2 Two objections have been received. Comments can be summarised as:
- HIMOs have created a significant impact on the community
 - There are notable parking problems within the area.
 - HIMOs are associated with problems with excessive refuse and nuisance behaviour.

7 APPRAISAL

- 7.1 The site benefits from planning permission to change the use of the building from a dwelling to a HIMO for three occupants. As a consequence, it is considered that matters pertaining to the overall density of HIMOs in the vicinity is not a matter that should be considered significant weight in the determination of this specific planning application on the grounds that, should this application be refused, the applicant could revert back to their 2017 approval. Therefore, the granting of this amendment would not have a significant impact upon the overall level of HIMOs within the surrounding area.
- 7.2 In order to accommodate the additional bedroom, the living room has been reduced in size from that considered in 2017. However, all rooms in the building (irrespective of whether they are to be used as bedrooms, a living room or kitchen) exceed the minimum sizes as prescribed within the Council's Interim Policy Statements on HIMOs. The development includes a single bathroom (on the ground floor), which complies within the minimum provision as set out in the Interim Policy Statement. As a consequence, it is considered that, subject to a revised condition limiting the number of residents to four people, sufficient facilities would be provided in order to ensure a satisfactory level of amenity for the future occupiers of the development. In addition, appropriate refuse and cycle storage would be provided, and secured via condition.
- 7.3 The site already benefits from planning permission to be used as a HIMO for three people. This position is material in determining the application as the highway impacts need to be assessed on the basis of the number of residents increasing from three to four. Whilst it is appreciated that car parking within the area is in high demand, it considered that the number of residents proposed would not be significantly different to that may occupy the property as a family dwelling, and as such, would not result in a significantly large increase in the number of vehicles associated with the property.

- 7.4 In addition, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that in instances where a site that is close to local amenities and public transport links, 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.
- 7.5 Notwithstanding the fact that there are other HIMO's within the vicinity of the site, 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.
- 7.6 Whilst it is recognised that an extra resident might result in a greater amount of activity in terms of people entering and leaving the property, however, given that the increase in the number of residents is one and therefore this is unlikely to result in significant harm to the amenities of surrounding residents. In addition, it is acknowledged that four residents is comparable to the number of people that could be expected to occupy the dwelling as a single family dwelling.
- 7.7 The revised scheme includes the provision of a bedroom on the ground floor. As a consequence, the applicant has submitted a Flood Risk Assessment, which is the subject of on-going consultation with the Environment Agency. At the time of preparing this report, a response had yet to be received, however, an update will be provided to members of the Committee, which will be circulated prior to the Committee meeting commencing.
- 7.8 Given that there would be no external alterations to the building, it is considered that there would be any significant adverse impact upon the amenities of surrounding properties in terms of considerations such as light, outlook and privacy.

8 CONCLUSION

- 8.1 It is considered that the proposed amendments to the conditions would not result in a development that would have a significantly greater adverse impact upon the character and appearance of the surrounding area, neighbour amenity, and the highway system whilst securing a satisfactory level of amenity for the future occupiers of the development.

9 CONDITIONS

- 9.1 1. The development hereby permitted shall be begun on or before the 26th September 2020.

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 plan: 003 A2.

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 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

4. The development hereby permitted shall be carried out in accordance with the refuse and cycle storage details as submitted to the Local Planning Authority on the 24th October 2017, which shall

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

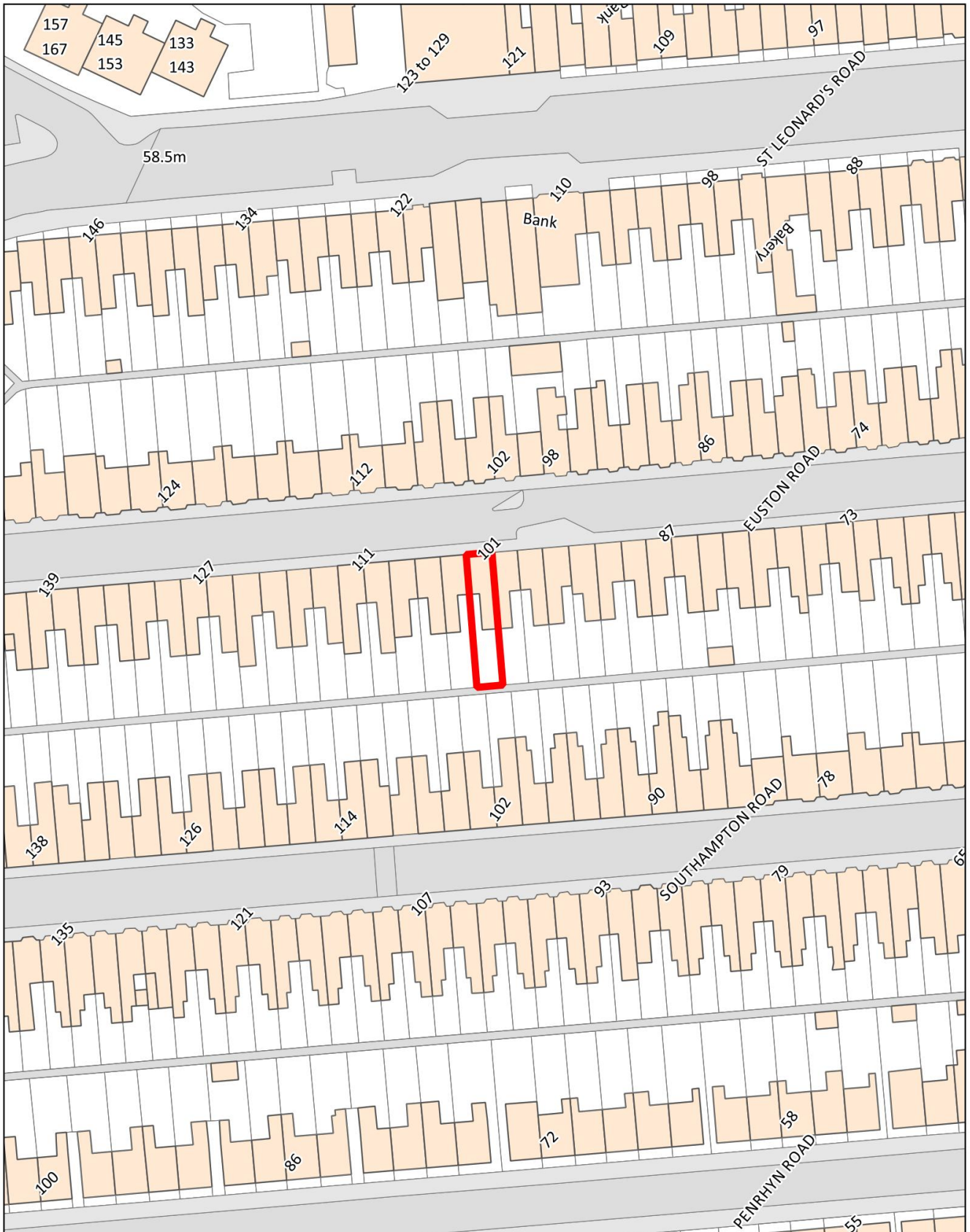
10.1 None.

11 LEGAL IMPLICATIONS

11.1 The development is 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.



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Date: 08-01-2019

Scale: 1:850

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