

**PLANNING COMMITTEE:** 19<sup>th</sup> March 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1249

**LOCATION:** 7 Victoria Promenade

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants

**WARD:** Castle Ward

**APPLICANT:** Mr A Jones  
**AGENT:** Archi-tec Architectural Design

**REFERRED BY:** Councillor D Stone  
**REASON:** Overdevelopment and parking concern

**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 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 thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies 1, 5 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 Permission is sought for conversion of a three bedroom family dwelling (Class C3) into a 3 person house in multiple occupation (HIMO) in three bedrooms. No external alterations are proposed to the property. The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a small house in multiple occupation.

#### **3 SITE DESCRIPTION**

- 3.1 The site consists of a terraced property located along a residential street of similar uses. The property has lounge, dining room, breakfast room and kitchen at ground floor with three bedrooms at first floor level and bathroom. There is a private amenity space to the rear enclosed on three sides. The site is located in Flood Zone 2.

## **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) and the Central Area Action Plan.

### **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 meet needs of different groups.

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

### **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:

H1 - Housing Density, Mix and Type of Dwellings

H5 - Managing the existing Housing Stock

S10 - Sustainable Development Principles

BN7 - Flood Risk

### **5.4 Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1 - Promoting Design Excellence

Policy 5 - Flood Risk and Drainage

Policy - 16 Central Area Living

### **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 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)** - note that while there is no off road parking, the site is very sustainable being close to the town centre. The site is also in a controlled parking zone.
- 6.2 **Private Sector Housing (NBC)** - no objection as room sizes are sufficient, the landlord should note that all exit doors are fitted with fire door and wire linked smoke detectors in all rooms.
- 6.3 **Environment Agency** - remove original objection subject to there being no ground floor sleeping accommodation as shown on the amended plan.
- 6.4 **Town Centre Conservation Area Advisory Committee** - object on loss of family home and over-intensification of the area. Concern on lack of parking and pressure on town centre living.
- 6.5 **Councillor Danielle Stone** - object to and called in on over-development, parking, 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 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 4 other HIMOs (out of 50 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 10% concentration and would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement 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 generally in accordance with the Council's IPPS. All bedrooms would be served by

adequate outlook and light via existing window openings. Although the separate dining room is 0.04 square metres below the required standard of 11 square metres, this is only marginally below. Due to the fact that there would be an area in the kitchen for dining, it is considered that the accommodation is satisfactory to serve the number of residents. Private Sector Housing has advised that they will be satisfied with the proposed accommodation.

### **Flood Risk**

- 7.4 The site lies in Flood Zone 2. The applicant has submitted amended plans to address the Environment Agency's (EA) objections by omitting a ground floor bedroom and reducing the number of occupants from four to three persons. EA has no objection to the revised proposal.

### **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 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 considered to be in a very sustainable location. 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 full details to be submitted for approval for secure cycle storage.
- 7.7 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 HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 3 parking spaces, which is an increase of 1 as compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces. The Local Highway Authority note that the site is within a controlled parking zone and raise no objection. It is considered that the proposal would not adversely impact on highway safety and traffic condition.

### **Refuse storage**

- 7.8 There is sufficient space to the rear of the property for bin storage as indicated on the submitted drawing, a condition could be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

### **Amenity**

- 7.9 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.

## **8 CONCLUSION**

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect 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 plan: J18-1A.

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 three 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) Notwithstanding the submitted details, 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) Notwithstanding the submitted details, prior to the occupation of the 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 use hereby approved shall not include any ground floor sleeping accommodation at any time throughout the lifetime of the development as a house in multiple occupation.

Reason: In the interests of flood risk to accord with Policy BN7 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

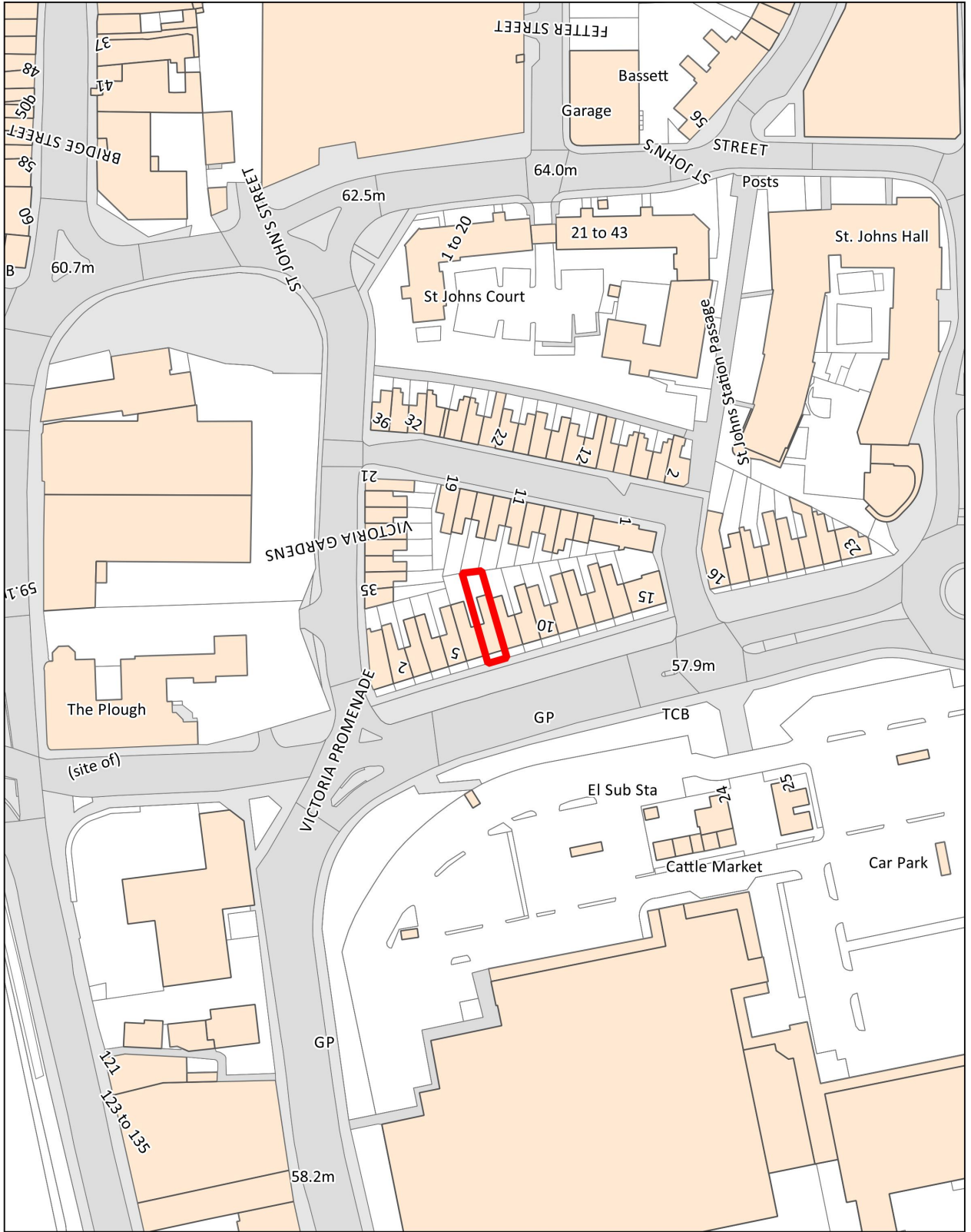
- 10.1 N/2018/1249.

## **11 LEGAL IMPLICATIONS**

- 11.1 None.

## **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: **7 Victoria Promenade**

© Crown copyright and database rights 2018 Ordnance Survey licence no. 10019655

Date: 07-03-2019

Scale: 1:1,250

Drawn by: -----