

PLANNING COMMITTEE: 19th March 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0127

LOCATION: 6 Holly Road

DESCRIPTION: Change of Use from House in Multiple Occupation for 4 occupants (Use Class C4) to House in Multiple Occupation for 5 occupants (Use Class C4) with single storey rear extension

WARD: Abington Ward

APPLICANT: Sergie
AGENT: Architectural Solutions

REFERRED BY: Councillor Z Smith
REASON: 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 for a single storey rear extension and one additional occupant would not significantly intensify the proposed use of the property as a house in multiple occupation. It is considered that the proposal is acceptable as the property 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 the National Planning Policy Framework; Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; Policies E20 and H30 of the Northampton Local Plan; and the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS).

2. THE PROPOSAL

2.1 Permission is sought for a change of use from a recently approved House in Multiple Occupation (Use Class C4) for 4 occupants to House in Multiple Occupation (Use Class C4) for 5 occupants, including a single storey rear extension, which would be 4.5m deep and 3.94m wide and will have a flat roof.

2.2 Parking would be on-street.

3. SITE DESCRIPTION

3.1. The application site comprises a two storey, mid-terraced, 3 bedroom property on Holly Road located in a residential area with similar terraced properties on the street. The property has a kitchen, lounge, bedroom and a WC on the ground floor, 3 bedrooms and a bathroom on the first floor and a basement room.

3.2. The site is in close proximity to Kettering Road, which includes retails and commercial units. The site is within the close proximity to the bus routes on Kettering Road. The application site lies in Flood Zone 1, which means very low risk of flooding.

3.3. The property benefits from planning permission as a HIMO for 4 residents under reference number N/2018/1491. The permission was granted by the Planning Committee in December 2018.

4. PLANNING HISTORY

4.1. **N/2018/1491** - Change of use from dwelling (Use Class C3) to House in multiple occupation (Use Class C4) for 4 occupants. Approved in December 2018.

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 Z Smith** - raises objection on the basis that application property will exacerbate parking issues. Calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – No comments received. Any comments will be reported as addendum to this report.
- 6.3 **Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements for a 5 occupant HIMO. The application for 5 occupants would be supported.
- 6.4 **2 objections** have been from local residents, which are summarised as follow:
- Parking issues in the area.
 - Fly- tipping.
 - Noise issues.
 - Antisocial behaviour.
 - Impact on community cohesion.
 - Impact on the character of the area.

7. **APPRAISAL**

Principle of the development

- 7.1 The application property has planning permission for operating as a HIMO for 4 occupants and therefore the principle of the use of the property as a HIMO is established. The primary

consideration, therefore, is whether the intensification in the use of the property from 4 to 5 people would provide a satisfactory standard of accommodation for future occupiers, and whether this increase together with the proposed extension would harm the amenities of the surrounding properties and the highway system.

Area concentration

- 7.2 As the property already has planning permission to operate as a HIMO, the area concentration is no longer a material consideration.

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 Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 5 occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement so a condition has been recommended to use it only as a storage area.
- 7.4 The proposed single storey extension would provide a living room so a condition has been recommended to build the extension prior to the occupation of the property as a HIMO with 5 occupants.

Flood Risk

- 7.5 The application site is located in Flood Zone 1 and with very low risk of flooding.

Highways/Parking

- 7.6 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.
- 7.7 The application property is located within easy walking distance to facilities along Kettering Road. It is considered that the application site is in a sustainable location within 250 metres of bus stop and within walking distance of local facilities on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Details have been submitted for the cycle storage.
- 7.9 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.
- 7.10 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 1 additional space then the current approved use of the property as a HIMO for 4 people.

- 7.11 In this case, the Highway Authority have not commented yet. Any comments will be reported as addendum to this report.
- 7.12 There is no evidence to support that all the residents would own cars. Given that only one additional occupant is proposed and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.13 Furthermore, regard must be paid to recent appeal decisions over the past few weeks 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.
- 7.14 It should also be noted that in the most recent appeal decision the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.15 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 at appeal.

Refuse storage

- 7.16 Details have been submitted for refuse storage, which are deemed acceptable. A condition has been recommended to retain the arrangement and provision.

Amenity

- 7.17 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. 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.

Rear extension

- 7.18 The proposed single storey rear extension would be screened behind the main dwelling and therefore will have a minimal impact on the character of the area. The proposed single storey rear extension would replace the existing 0.9m deep single storey element and would project 4.5m from the rear elevation.
- 7.19 Neighbouring property No.8 to the north has a pair of French doors to the rear, which would sit adjacent to the proposed extension. Whilst it is acknowledged that there would be some impact resulting from the proposed extension, however, it is not considered that the impact would be significant enough to warrant refusal of the application.
- 7.20 Neighbouring property No.4 have habitable windows on the side elevation overlooking the application site. Owing to the siting of the proposed extension towards the rear end of the building, it would have minimal impact on the residential amenity of this property in terms of overbearing or loss of light. There are no properties directly to the rear of the application property.

7.21 It is considered that the proposed single storey rear extension would not result in undue impact on the residential amenity of the neighbouring properties to the sides and would comply with the saved policies H18 and E20 of the Northampton Local Plan, policy S10 of the JCS and advice contained in NPPF.

8. CONCLUSION

8.1 The proposed development for a single storey rear extension to increase the number of occupants from 4 to 5 would not lead to significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.

8.2 The proposed development would be in accordance with the requirements of 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 and the aims and objectives of the National Planning Policy Framework.

8.3 The proposed development is recommended for approval subject to the following conditions.

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: 18/K88/1b, 18/K88/4 and 18/K88/3b.

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 five 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. Facilities for the refuse and recycling storage as shown on drawing no18/K88/4 shall be implemented prior to the use hereby permitted commencing 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. Facilities for the cycle storage as shown on drawing no18/K88/4 shall be implemented prior to the use hereby permitted commencing 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.

6. The basement room shall be used as storage room only and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. The external walls of the extension shall be constructed with materials of the same type, texture and colour as the external walls 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 extension to provide the living room hereby permitted shall be built before the premises are first occupied as a 5 people house in multiple occupation and thereafter be used as a living room to serve the residents only.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, 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 N/2018/1491 and N/2019/0127.

11. LEGAL IMPLICATIONS

- 11.1 The development is CIL not chargeable.

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: **6 Holly Road**

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Date: 28-02-2019

Scale: 1:1,250

Drawn by: -----