



**PLANNING COMMITTEE:** 9<sup>th</sup> June 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0325

**LOCATION:** 10 Melville Street

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House of Multiple Occupation (Use Class C4) for 4 occupants, with alterations to front and side elevations

**WARD:** Castle Ward

**APPLICANT:** Mr M Ali  
**AGENT:** Design Board-Architectural Services

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

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1 RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The principle of the proposed use is considered acceptable within an established residential area. The premises would provide adequate facilities for future occupants. The site is in a sustainable location close to the town centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage and have an acceptable impact on flood risk. 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 SPD 2019 and the aims and objectives of the National Planning Policy Framework.

### **2 THE PROPOSAL**

2.1 Permission is sought to convert a dwelling house into a House in Multiple Occupation for 4 persons (Use Class C4), along with relocating the rear entrance to the side and the insertion of a new side window.

- 2.2 The proposal would see the conversion of a three-bedroom dwelling to four bedroom HMO with one bedroom at ground floor with en-suite and a lounge, kitchen/dining and bathroom and three bedrooms above, two of which have en-suite facilities.

### **3 SITE DESCRIPTION**

- 3.1 The proposed property is an end terrace situated on Melville Street, which is off Artizan Road that leads to Wellingborough Road – a main road leading direct to the Town Centre and is within easy walking distance of local facilities and public transport located along the Wellingborough Road.
- 3.2 The property has two lounge areas, a kitchen and dining room and bathroom on the ground floor and three bedrooms on the first floor. The site is not in a conservation area and is in a low risk flood zone (flood zone 1). The property is not listed.

### **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.

### **6 National Policies**

- 6.1 **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.

#### **6.2 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
- Policy BN7- Flood risk

#### **6.3 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

#### 6.4 **Supplementary Planning Documents**

- Northamptonshire County Parking Standards 2016
- Northampton Parking Standards (November 2019)
- Houses in Multiple Occupation SPD (November 2019)

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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities.
- Provide adequate waste and recycling facilities and sufficient refuse storage.
- Minimise flood risk.
- Secure provision of adequate parking.
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs.

### 7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **Private Sector Housing (NBC)** – the premises will require licensing under the mandatory licensing scheme.
- 7.2 **Highway Authority (NCC)** – The Highways Department requested a parking beat survey be undertaken to establish the parking pressure within the area.

However, the agent sent in a request that the application be determined without a parking beat survey as it was not possible to undertake one due to the current situation and the restrictions in place.

- 7.3 **Councillor D Stone** – called in the application due to overdevelopment, parking pressures, pressure on services and the likelihood of creating an unbalanced community.
- 7.4 **One third party objection** received on the following ground:

- Maintenance of the building
- Welfare of occupants
- Disturbance due to noise
- Health and safety
- Already too many HIMOs in area

### 8 **APPRAISAL**

#### **Principle of the development**

- 8.1 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**

- 8.2 NBC records evidence that there are no other HIMOs (out of 58 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 2% concentration and would clearly fall within the 10% maximum threshold recommended by the Council's adopted SPD in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

### **Size of property and facilities for future occupiers**

- 8.3 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, WC and wash facilities. 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 were consulted on the application and advised that the rooms were of an adequate size for the number of occupants, the premises would require licensing under the additional licensing scheme.

### **Flood Risk**

- 8.4 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

### **Highways and Parking**

- 8.5 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.6 No parking beat survey was submitted with the application, this was due to not being able to undertake one under the current restrictions relating to travel. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 30 minutes. The site is also located within 160m of the nearest bus stop on Wellingborough Road to the south-west of the site. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD (2019).
- 8.7 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Full details have been submitted for the cycle storage located to the rear of the property, and this is considered acceptable. The proposal is, therefore, in compliance with this principle of the SPD. 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 2 additional parking spaces than the lawful use, as a 3 bedroom dwelling would normally require 2 parking spaces.
- 8.8 There is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions 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.

- 8.9 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, it is not considered that a refusal on highway grounds could be upheld at appeal.

### **Refuse storage**

- 8.10 Details for refuse storage was submitted and it is considered there is capacity for this in the rear amenity space which is deemed acceptable.

### **Amenity**

- 8.11 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.

## **9 CONCLUSION**

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, 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 SPD and the aims and objectives of the National Planning Policy Framework

## **10 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: A895-1.

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) Full details of facilities for the secure and covered storage of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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) Notwithstanding the details submitted, full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning

Authority. The approved details 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 Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.

## **11 BACKGROUND PAPERS**

11.1 None.

## **12 LEGAL IMPLICATIONS**

12.1 The development is not CIL liable.

## **13 SUMMARY AND LINKS TO CORPORATE PLAN**

13.1 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: **10 Melville Street**

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Date: 28-05-2020

Scale: 1:850

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