



**PLANNING COMMITTEE:** 29<sup>th</sup> September 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0824

**LOCATION:** 14 Stanhope Road

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

**WARD:** Trinity Ward

**APPLICANT:** Ms Joycelyn Appiah  
**AGENT:** Leimen Ltd

**REFERRED BY:** Councillor J Birch  
**REASON:** Parking, noise and refuse concerns

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

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**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, it would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a local shopping centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policy 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 2 bedroom dwelling house (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people in 4 bedrooms. Parking would be on-street.

2.2 The proposal as originally submitted proposed a change of use to a house in multiple occupation (HIMO) (Use Class C4) for 5 people in 5 bedrooms including a bedroom located within the

basement. After officers expressed concerns about the limited outlook and natural light that would unacceptably impact on living conditions, the basement bedroom was removed from the scheme and the number of occupants reduced to 4 only.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced, 2 bedroom property with a basement with an existing loft conversion on Stanhope Road, located in a residential area with similar terraced properties on the street. The property has a kitchen/diner, 2 lounge areas, diner and a WC on the ground floor, 2 bedrooms and a bathroom on the first floor, a basement room and an attic room.
- 3.2 The site is situated between Kingsthorpe Grove and Kingsthorpe Road within a relatively dense residential area of terraced houses with nearby commercial and retail properties.

### **4 PLANNING HISTORY**

- 4.1 None.

### **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 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 (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.

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 56 seeks to ensure good design is a key aspect of sustainable development and should contribute to making places better for people.

#### **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 policy is material to this application:

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  
Northampton Parking Standards SPD

#### 5.6 **Other Material Considerations**

Houses in Multiple Occupation SPD Nov 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.

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

### 6.1 **Councillor J Birch** – called in the application on the grounds of

- overcrowding
- noise and disturbance
- excess rubbish and fly tipping detrimental to the character of the area
- the standard of accommodation
- waste and cycle storage located to the rear requiring that cycles and rubbish be carried through the dwelling
- lack of parking and impact on Queens Park Working Men's Club
- level of objections received from local residents

### 6.2 **Councillor C Russell** – raised objections on the grounds of

- waste and cycle storage at properties
- waste within the area
- highway safety
- the standard of accommodation

### 6.3 **Private Sector Housing (NBC)** – Advised that the property and facilities are sufficient for 4 people as detailed with adequate room sizes, kitchen facilities and sanitary facilities but advises that the premises will require licensing under the mandatory licensing scheme. They also state that the plans show no provision for fire protection, detection and alarm systems which will be required to meet the appropriate standards.

6.4 **Local Highways Authority** – no comments received.

6.6 **Objections received from 15 local residents** raising concerns as follows:

- Over concentration of HIMOs in the area
- Impact on parking within the street and access for emergency services
- Lack of adequate fire protection and escape
- Rubbish, waste collection and fly tipping
- Noise Pollution
- Lack of community and anti-social behaviour
- Lack of access from the rear to enable bin and cycle storage to be accessible without going through the dwellinghouse

## 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 3 other HIMOs within a 50m radius of the application site. There are 45 residential properties within the radius and therefore the introduction of an additional HIMO would represent an 6.66% concentration. This would clearly fall within the 10% 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 Facilities and Amenities Guidance and appropriate kitchen/dining, 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. Private Sector Housing have confirmed that the room sizes, amenities and facilities are acceptable. All bedrooms would be served by adequate outlook and light. The application property has a basement and a condition has been recommended to ensure that it would be used as a storage area only.

### Highways/Parking

1.2 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.

1.3 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 346m of the nearest bus stop on Kingsthorpe 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).

- 1.4 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, despite the rear garden only being accessible through the dwellinghouse. 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 spaces than the lawful use, as a 2 bedroom dwelling would normally require 2 parking spaces.
- 1.5 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.
- 1.6 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**

- 7.9 Details have been submitted for refuse storage, which are deemed acceptable despite the need to transport refuse through the property on collection days as many properties in the area currently do. A condition has been recommended to retain the arrangement and provision.

#### **Amenity**

- 7.10 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.

### **8. CONCLUSION**

- 8.1 The proposed development not lead to significant adverse impacts on neighbouring amenity 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 Policy 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: A937-1b and A937-S1

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 four 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 no.A937-1b 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 no.A937-1b 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.

## **10. BACKGROUND PAPERS**

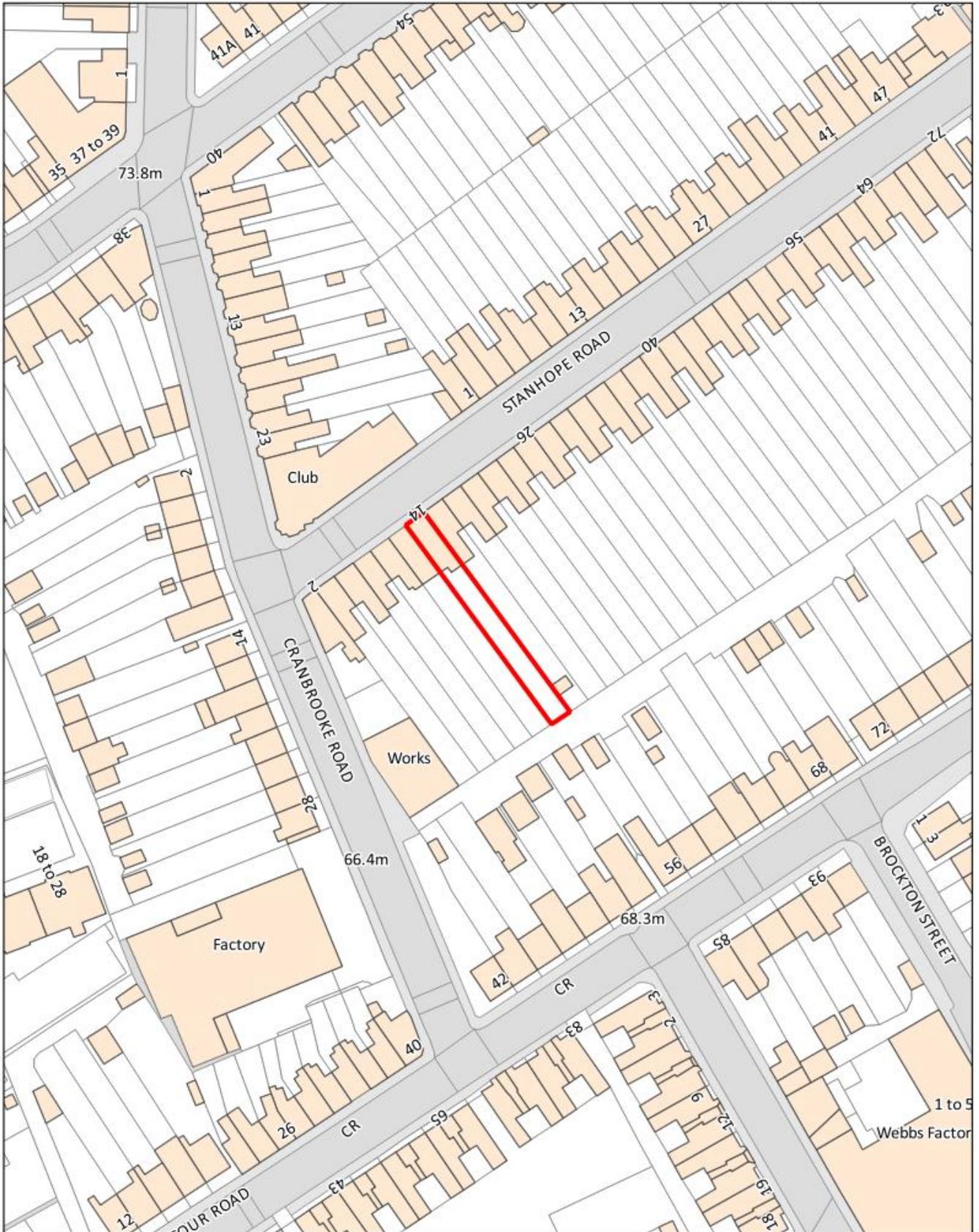
- 10.1 N/2020/0824.

## **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.



NORTHAMPTON  
BOROUGH COUNCIL

Title: **14 Stanhope Road**

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Date: 17-09-2020

Scale: 1:1,000

Drawn by: -----